

TOWN OF PARKER COUNCIL AGENDA

December 7, 2020

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

Town Administrator Emergency Order No. 2-2020: All municipal facilities, including Town Hall where Town Council meetings are physically held, are closed to all members of the general public in response to the COVID-19 pandemic.

Town Administrator Emergency Order No. 4-2020: Town Council meetings are closed to members of the general public in response to the COVID-19 pandemic. The Town will provide for electronic participation by the general public, including applicants, residents and other interested parties during regular and special Town Council meetings. Information regarding such electronic participation will be included on the Town Council's website www.ParkerOnline.org/VirtualTownCouncilMeetings.

Town Administrator Emergency Order No. 8-2020: Public comment for items that are not on the agenda may be made electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments that are provided by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.

Virtual Public Participation by Zoom Webinar: Instructions on how to participate in the public hearing are available by viewing the individual Town Council meeting listings on the Town's online calendar at www.parkeronline.org/calendar.

Public Viewing Only - Facebook Live: Town Council meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

PLEASE NOTE: Public Participation is NOT available through Facebook Live.

1. TOWN COUNCIL MEETING SCHEDULE

7:00 P.M. – Call to Order Town Council Meeting and Roll Call

2. PARKER CHAMBER OF COMMERCE UPDATES

3. DOWNTOWN BUSINESS ALLIANCE UPDATES

4. PUBLIC COMMENTS (No action will be taken on these items.) *Public Comment for items that are not on the agenda will be addressed in the manner provided by Town Administrator Emergency Order No. 8-2020.*

5. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

6. **CONSENT AGENDA**

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. *APPROVAL OF MINUTES - November 2, 2020 and November 16, 2020*

B. *RESOLUTION NO. 20-058*

A Resolution Accepting the Conveyance of a Drainage Easement from Curtis M. McQueen for a Portion of the Southeast Quarter of Section 4, Township 7 South, Range 66 West of the 6th Principal Meridian

Department: Engineering and Public Works, Michael Grabczyk

C. *RESOLUTION NO. 20-062*

A Resolution to Allow a Partial Waiver of Section 13.07.080(h)(2) of the Parker Municipal Code to Extend the Expiration Date of the Final Plats for the Trails at Crowfoot Filing Nos. 11, 12 and 13 Through December 31, 2021

Department: Community Development, Bryce Matthews

D. *CONTRACTS ABOVE \$100,000*

1. *Sixth Amendment to the Agreement for Professional Services for Advertising Purchased for the Town of Parker's Cultural Department*

Amount: \$190,000

Contractor: Evolution Agency, LLC

Department: Cultural, Carrie Glassburn

2. *Parker Road and Mainstreet Turn Lane Improvements*

Amount: \$720,048.00

Contractor: T & M Construction, LLC

Department: Engineering and Public Works, Tom Gill

E. *PROCLAMATION - Douglas County Gives Day in Douglas County.*

7. **PUBLIC HEARINGS**

A. **HESS RANCH – Planned Development Amendment No. 3**

Applicant: Front Range Communities

Location: Generally on the south and west of the intersection of Stroh Road and Crowfoot Valley Road

Department: Community Development, BrieAnna Simon

Trakit No.: Z20-005

1. **ORDINANCE NO. 3.315.3 – Second Reading**
A Bill for an Ordinance to Amend the Hess Ranch Development, Town of Parker, Colorado, PD Development Guide – Second Amendment, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
2. **First Amendment to Amended and Restated Stroh Ranch/Hess Ranch Annexation Agreement (Southern Property)**

B. OLDE TOWN AT PARKER

Applicant: Norris Design

Location: Generally on the south and west of the intersection of Stroh Road and Crowfoot Valley Road

Department: Community Development, Stacey Nerger

TRAKiT No.: Z20-013

1. **ORDINANCE NO. 3.162.4 – Second Reading**
A Bill for an Ordinance to Amend the Second Amendment to the Olde Town at Parker Planned Development Guide and Plan, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith

C. CHASE BANK

Applicant: Stantec

Location: Generally located at the southwest corner of Parker Road and Mainstreet

Department: Community Development, Stacey Nerger

TRAKiT Nos.: Z19-001 and SUB19-004

1. **Use by Special Review to Allow a Drive Through**
2. **Chase Bank Minor Development Plat**
3. **Subdivision Agreement**

8. ORDINANCES

ORDINANCE NO. 1.548 - Second Reading

A Bill for an Ordinance to Levy General Property Taxes for the Year 2020 to Help Defray the Costs of Government for the Town of Parker, Colorado, for the 2021 Budget Year

Department: Finance, Mary Lou Brown

9. RESOLUTIONS

A. RESOLUTION NO. 20-061

A Resolution Calling a Special Election for the Town of Parker to be Held on April 20, 2021, to Fill a Vacancy on the Town Council of the Town of Parker, Pursuant to Section 2.9c. of the Town of Parker Home Rule Charter

Department: Town Attorney, Jim Maloney

B. RESOLUTION NO. 20-063

A Resolution Opposing the Colorado Department of Public Health & Environment's Move of Douglas County to Level Red on the State's COVID-19 Dial and the Closure of Indoor Dining at Local Restaurants

Department: Town Attorney, Jim Maloney

10. ADJOURNMENT

**TOWN OF PARKER COUNCIL
MINUTES
NOVEMBER 2, 2020**

Mayor Mike Waid called the meeting to order at 5:30 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were five (5) items; under C.R.S. § 24-6-402(4)(e) there were two (2) ; the first item was the Proposed First Amendment to the Amended and Restated Stroh Ranch/Hess Ranch Annexation Agreement (Southern Property); the second item was the Proposed Third Amendment to the Amended and Restated Stroh Ranch/Hess Ranch Annexation Agreement (Northern Property); there were three (3) items under C.R.S. § 24-6-402(4)(b), the first was to receive legal advice on specific legal questions concerning Colo. Rev. Stat. § 32-1-905(2.5) Petition for Appointment of Director - Salisbury Heights Metropolitan District; the second item was to receive legal advice on specific legal questions concerning Section 13.01.100 of the Parker Municipal Code – Waiver – Emergency Order No. 12-2020 – Extension of Approvals (Parker Pointe Minor Development Plat); and the third item was to receive legal advice on specific legal questions concerning Colorado Department of Public Health Fourth Amended Public Health Order 20-35 – Safer at Home Dial.

EXECUTIVE SESSION

Joshua Rivero moved and Debbie Lewis seconded to go into Executive Session at 5:31 P.M. to hold a conference with the Town's attorney to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e); and, to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Debbie Lewis moved and Joshua Rivero seconded to come out of Executive Session at 6:15 P.M.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to recess the meeting until 7:00 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the Council meeting at 6:59 P.M. All Councilmembers were present.

Mayor Waid led the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES

Kara Massa provide an update of Chamber activities for the last month.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Omar Castillo provided an update of activities for the last month for the Downtown Business Alliance.

PUBLIC COMMENTS

There were none.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember provided an update on meetings they attended since the last Town Council meeting.

CONSENT AGENDA

- A. *ASSIGNMENT AND ASSUMPTION AGREEMENT FOR COMPARK VILLAGE SOUTH FILING NO. 1*
 Department: Town Attorney, Jim Maloney
- B. *ORDINANCE NO. 1.539.4 - First Reading*
A Bill for an Ordinance to Adopt the 2020 Revised Budget for the Town of Parker and to Make Appropriations for the Same
 Department: Finance, Mary Lou Brown
 Second Reading: November 16, 2020
- C. *ORDINANCE NO. 1.549 - First Reading*
A Bill for an Ordinance Approving the Purchase and Sale Agreement Between the Town of Parker and Samurai's Red Sushi & Sake Bar LLC, Concerning the Property Known As the Lot 1B, Mainstreet Center 1st Amendment Property (The Schoolhouse Gym Property)
 Department: Town Attorney, Jim Maloney
 Second Reading: November 16, 2020
- D. *ORDINANCE NO. 3.308.2 – First Reading*
A Bill for an Ordinance to Amend the Anthology North Development Plan and Guide First Amendment Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
 Department: Community Development, BrieAnna Simon
 Second Reading: November 16, 2020
- E. *ORDINANCE NO. 9.325 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Rueter-Hess Recreation Authority Concerning Program Coordination Services
 Department: Parks and Recreation, Mary Colton
 Second Reading: November 16, 2020
- F. *RESOLUTION NO. 20-054*
A Resolution to Adopt the Town of Parker, Colorado, Three-Mile Area Plan
 Department: Community Development, Carolyn Washee-Freeland
- G. *RESOLUTION NO. 20-053*
A Resolution to Approve the Eleventh Amendment to Agreement with Judge Kevin Sidel

Department: Town Council

Jeff Toborg moved to remove Item 6D from the Consent Agenda.

Cheryl Poage seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

Cheryl Poage moved to remove Item 6F from the Consent Agenda.

Jeff Toborg seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

Joshua Rivero moved to approve Consent Agenda Items 6A, 6B, 6C, 6E and 6G.

Jeff Toborg seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

Item 6D - Ordinance No. 3.308.2

Jeff Toborg moved to move the first reading of Ordinance No. 3.308.2 out 60 days to the first meeting in January 2021.

Town Attorney Maloney stated this item is on the Consent Agenda as an introduction only.

Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion. If you are going to continue a land use ordinance that has been noticed for a public hearing, the appropriate time to continue the item is at the public hearing. Anyone that received a notice that is at the meeting will have notice of the continuance. Otherwise, the applicant is forced to renotice and republish the meeting notice.

Jeff Toborg rescinded his request.

Jeff Toborg moved to approve Consent Agenda Item 6D (Ordinance No. 3.308.2) on first reading and schedule second reading for November 16, 2020.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

Item 6F - Resolution No. 20-054

Cheryl Poage asked that this item be moved to the first meeting in December.

Jeff Toborg seconded the motion.

A roll call vote was taken:

Joshua Rivero - no

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - no

John Diak - no

The motion failed 3-2. (Rivero, Lewis and Diak voted no.)

Cheryl Poage stated this item wasn't presented at a study session. She asked that staff explain to the new Council what this item concerns. Attorney Maloney explained that this item is an annual requirement. It would be problematic if it is continued to January 2021.

The Mayor asked again for a motion to approve Item 6F.

Joshua Rivero moved to approve Consent Agenda Item 6F.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes
 Cheryl Poage - no
 Jeff Toborg - no
 Debbie Lewis - yes
 John Diak - yes

The motion was approved 3-2. (Poage and Toborg voted no.)

PUBLIC HEARINGS

A. ORDINANCE NO. 1.547 - First Reading

A Bill for an Ordinance to Adopt the 2021 Budget and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown

Second Reading: November 16, 2020

7:14 P.M.

Internal work on the 2021 Town of Parker budget began in mid-July and was followed with the Annual Town Council Budget Retreat on September 25, 2020. Since the Retreat, two additional study sessions have been held with Council and the 2021 Budget document was posted to the internet on Tuesday, October 13, 2020, in advance of the legally required filing date of October 15, 2020.

The 2021 Budget was prepared in conjunction with four overall guidelines:

- Meet the General Fund required cash balance percentage
- Invest in employees
- Maintain and grow community programs
- Prepare financially for upcoming strategic infrastructure decisions

Due to the unknown impact of COVID-19 in 2021, a careful approach was taken in building the budget. A continuation of COVID-19 impacts is assumed through the first six months of the year with a slow return to normal during the remainder of the year. Sales tax collections are budgeted at a 3% growth level to reflect a potential pullback in the local economy due to continued job loss and reduced assistance levels.

In the General Fund, which is the main operational fund of the Town, operating expense growth is under two percent which basically reflects expected inflation. The performance pay pool and the commissioned officer step plan have both been funded at three percent. In an attempt to control increasing healthcare costs, the Town will be offering two new health care plans to employees. These two plans include a smaller doctor network which should enable both employees and the Town to experience lower costs. The full-time employee count is increasing by one full-time position in Public Works; three part-time positions, one in the Town Clerk's Office, one in Finance and one in Community Development, are being moved to full-time status.

The General Fund cash-to-expense ratio is budgeted at 28.1% for year-end 2021.

Both the Recreation and Cultural Funds have been impacted by COVID-19 guidelines during 2020. The actual cash balances for these two funds will be monitored very closely for the remainder of 2020 and early 2021. Depending upon the ability to return to more normal customer levels, additional budget actions may be required in 2021.

Public Comment:

Brandi Wilks, 17402 E Neu Town Parkway, asked for clarification about the \$10 million surplus but stated her question was answered by Councilmember Toborg's questions.

Finance Director Mary Lou Brown provided an explanation. The \$10 million in the budget is shown being transferred out from the General Fund to the Capital Facilities Reserve Fund. The beginning cash for 2021 is \$27.4 million and the ending cash in the 2020 budget is \$15.9 million, which is almost a \$10 million difference between those two because we are anticipating, in our projected 2020 numbers, that revenue is actually going to be coming in \$10,000,000 higher than what is shown in this proposed budget. This is a result of conversations with Council about add-backs and add-ins for 2020 that were on the Consent Agenda, which we will be discussing in two weeks. There is an increase for our sales tax, but not the full amount possible, as Council felt there was enough unknowns that we didn't want to increase it to the full extent, so we are sitting with a \$10 million pick up from 2020. This is one-time money.

The Public Hearing was closed at 7:29 P.M.

Joshua Rivero moved to approve Ordinance No. 1.547 on first reading and schedule second reading for November 16, 2020.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

B. BOWEY PROPERTY - Annexation and Zoning (*continued from October 5, 2020*)

Applicant: Town of Parker

Location: Generally located on the northeast corner of Parker Road and Pine Drive

Department: Community Development, BrieAnna Simon

TRAKiT No.: ANX20-001 and Z20-001

7:38 PM

The Bowey property is located at the northeastern corner of Parker Road and Pine Drive. The

subject property is approximately 48.9 acres in total area and is currently undeveloped. The Bowey property has been completely surrounded by the Town of Parker for a period of greater than three (3) years and is considered an enclave under the Municipal Annexation Act of 1965 and related state law.

The Town has committed to a policy of actively pursuing the annexation of enclaves. The Parker 2035 Master Plan identifies the subject property as part of the Town's Planning Area for future growth and development. The proposed annexation is therefore consistent with the Master Plan as well as the state mandated Three-Mile Plan for future annexation.

On September 21, 2020, the Town Council approved Resolution No. 20-042.1, Series of 2020, to correct the legal description of the Bowey property and to schedule the second reading and public hearing of the annexation ordinance for November 2, 2020.

As required by Town Charter, all properties that are proposed for annexation must also be zoned at the same time. The Town is proposing to zone the Bowey property to the A - Agricultural District designation described in the Land Development Ordinance. This zoning is consistent with the current Douglas County zoning of the Bowey property as A1 - Agricultural One. The proposed zoning will ensure that the use of the Bowey property for agriculture may continue until it is developed in the future.

Public Comments:

Laura Hefta, 18236 Chadberry Lane, addressed the mail issues and would have liked the mailing to be sent by certified mail.

Brandi Wilks, 17402 E. Neu Town Parkway, had issues with using regular mailing of the notice.

The Public Hearing was closed at 7:47 P.M.

Attorney Maloney explained the noticing requirements and stated that First Class mail was approved by Council. He added that the notice was also posted on the Town's web site. During the presentation, staff stated that all noticing requirements were met.

1. RESOLUTION NO. 20-052

A Resolution to Establish the Town Council's Findings of Fact and Conclusions Thereon Concerning the Bowey Property Annexation

Joshua Rivero moved to approve Resolution No. 20-052.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - no

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion passed 4-1. (Poage voted no.)

2. ORDINANCE NO. 2.274 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Bowey Property

Joshua Rivero moved to approve Ordinance No. 2.274 on second reading.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - no

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion passed 4-1. (Poage voted no.)

3. ORDINANCE NO. 3.356 - Second Reading

A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Bowey Property to A-Agricultural District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

Joshua Rivero moved to approve Ordinance No. 3.356 on second reading.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - no

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion passed 4-1. (Poage voted no.)

ORDINANCES

A. ORDINANCE NO. 4.53.8 - Second Reading

A Bill for an Ordinance to Amend Subsection 10.09.010(a) of the Parker Municipal Code Concerning the Roadway Design and Construction Criteria Manual

Department: Engineering/Public Works, Alex Mestdagh

7:50 P.M.

The Town's Roadway Design and Construction Criteria Manual ("Manual") sets forth the Town's criteria for analysis and design of roadway facilities. The Manual was originally adopted in 1994, and has since been revised five times, most recently in May 2018. The Engineering Department has prepared a sixth technical revision to the Manual for the Town Council's consideration.

A full summary of the proposed revisions has been attached to the packet for the Council's reference. Full versions of the revised chapters and details have not been provided in the packet due to the size of the documents, but are available for viewing on eTrakit at project DCU20-001 or at the Town Clerk's Office. The majority of the proposed revisions are minor in nature, but staff would like to highlight and provide more information on the following items:

Pavement Design Criteria - the following revisions are proposed to better guide the pavement design process. These proposed changes are in line with industry standards:

- Added a minimum truck percentage to be used in accounting for traffic loading.
- Added a maximum structural coefficient that can be used for subbase materials.
- Added a minimum asphalt thickness for local and collector roadways.

Surface Asphalt Requirements - the proposed revision adds a requirement that all arterial roadways use Stone Mastic Asphalt (SMA) for the top two inches of the asphalt section. SMA is stronger, more durable grade of asphalt that is used similarly by other jurisdictions in the Denver metro area. Based on the input received from these jurisdictions, staff believes that the increased cost of SMA will be more than realized in the longevity and performance of the asphalt. While SMA costs 20-30 percent more than standard hot-mix asphalt, roadways paved with SMA have been shown to last longer before needing major maintenance work. This should decrease the frequency of costly and impactful maintenance projects on the Town's major roadways. This requirement would apply to projects constructed by both the Town and by developers.

These proposed revisions were provided in a formal referral to all applicable referral agencies. The revisions were also presented to the Development Liaison Committee. No objections to these proposed revisions were raised by any reviewers.

Public Comments: None.

John Diak moved to approve Ordinance No. 4.53.8 on second reading.

Debbie Lewis seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes
 Cheryl Poage - yes
 Jeff Toborg - yes
 Debbie Lewis - yes
 John Diak - yes

The motion was approved unanimously.

B. ORDINANCE NO. 9.280.1 - Second Reading

A Bill for an Ordinance to Approve the Third Replacement Intergovernmental Dispatch Services Agreement By and Between the Town of Parker and the City of

Lone Tree

**Department: Police Department, Jim Tsurapas
Town Attorney, Jamie Wynn**

8:00 P.M.

The Town of Parker and the City of Lone Tree have been engaged in discussions regarding the current Intergovernmental Dispatch Services Agreement ("Dispatch IGA"). Based upon those discussions, the parties are seeking amendments to the current Dispatch IGA. The purpose of the amendments are generally administrative in nature, as well as to update the budget calculations and timelines.

Public Comment:

Brandi Wilks, 7402 E. Neu Town Parkway, asked about the lag year.

Public comments were closed at 8:03 P.M.

Attorney Wynn explained the lag year by stating they will be using this year's budget for next year.

Debbie Lewis moved to approve Ordinance No. 9.280.1 on second reading.

Cheryl Poage seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

C. ORDINANCE NO. 5.02.7 - Second Reading

**A Bill for an Ordinance to Amend Section 3.01.080 of the Parker Municipal Code
Concerning Trials**

Department: Town Attorney, Jamie Wynn

8:05 PM

Staff is proposing an update to Parker Municipal Code Sections 3.01.080 - Trials, related to the jury fee, for purposes of complying with the State's Municipal Court Rules.

Public Comment: None.

Debbie Lewis moved to approve Ordinance No. 5.02.7

Jeff Toborg seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

D. ORDINANCE NO. 5.72.1 - Second Reading

**A Bill for an Ordinance to Amend Section 8.08.060 of the Parker Municipal Code
Concerning Display, Consumption or Use of Marijuana in Public Places**

Department: Town Attorney, Jamie Wynn

8:07 P.M.

Parker Municipal Code Section 8.08.060 - Display, consumption or use of marijuana in public places, does not list a specific penalty for a conviction, guilty plea, or no contest. Under Municipal Code Section 8.01.040, there are general penalties established for various violations under Title 8. However, the other provisions in Chapter 8.08 with respect to violations involving marijuana limit the punishment to a fine of "not more than one hundred dollars (\$100.00)." For consistency, staff is requesting to amend the Code to include the same punishment for Section 8.08.060 as the other Code provisions related to marijuana violations.

Public Comment:

Laura Hefta, 8236 Chadberry Lane, asked where will this information be posted for public knowledge?

Public comments were closed at 8:09 P.M.

Staff responded to Ms. Hefta's question by stating this is to clean up the code and to set the specific fine consistent with other marijuana ordinances. The Code can be viewed on the Town's web site.

Debbie Lewis moved to approved Ordinance No. 5.72.1 on second reading.

John Diak seconded the motion.

There was a roll call vote taken:

Joshua Rivero - yes

Cheryl Poage - yes

Jeff Toborg - yes

Debbie Lewis - yes

John Diak - yes

The motion was approved unanimously.

The meeting was adjourned at 8:11 P.M.

Chris Vanderpool, Deputy Town Clerk

Mike Waid, Mayor

**TOWN OF PARKER COUNCIL
MINUTES
NOVEMBER 16, 2020**

Mayor Mike Waid called the meeting to order at 6:35 P.M. All Councilmembers were present. Jeff Toborg participated virtually.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were two (2) items; under C.R.S. § 24-6-402(4)(b) the first item was to receive legal advice on specific legal questions concerning Section 13.01.100 of the Parker Municipal Code – Waiver – Emergency Order No. 12-2020 – Extension of Approvals (Trails at Crowfoot Filings 11, 12 and 13); the second items was to receive legal advice on specific legal questions concerning Section 2.9(b) and (c) of the Town of Parker Home Rule Charter concerning the process to fill a vacancy on Town Council.

EXECUTIVE SESSION

Joshua Rivero moved and Debbie Lewis seconded to go into Executive Session at 6:36 P.M. to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Debbie Lewis moved and John Diak seconded to come out of Executive Session at 6:43 P.M.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to recess the meeting until 7:00 P.M.

The motion was approved unanimously.

REGULAR MEETING

The Mayor reconvened the meeting at 7:03 P.M. All Councilmembers were present. Jeff Toborg participated virtually.

Mayor Waid led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Susan Squyer presented the Colorado Cares Day and Give Where You Live program to Town Council.

PUBLIC COMMENTS

There were four written comments that will be attached to the approved minutes.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Councilmembers reported on meetings they each attended since the last Council meeting.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - October 19, 2020 and October 21, 2020*
- B. *ORDINANCE NO. 1.548 - First Reading*
A Bill for an Ordinance to Levy General Property Taxes for the Year 2020 to Help Defray the Costs of Government for the Town of Parker, Colorado, for the 2021 Budget Year
Department: Finance, Mary Lou Brown
Second Reading: December 7, 2020
- C. *ORDINANCE NO. 3.315.3 – First Reading*
A Bill for an Ordinance to Amend the Hess Ranch Development, Town of Parker, Colorado, PD Development Guide – Second Amendment, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
Department: Community Development, BrieAnna Simon
Trakit No.: Z20-005
Second Reading: December 7, 2020
- D. *ORDINANCE NO. 3.162.4 – First Reading*
A Bill for an Ordinance to Amend the Second Amendment to the Olde Town at Parker Planned Development Guide and Plan, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
Department: Community Development, Stacey Nerger
Trakit No.: Z20-013
Second Reading: December 7, 2020
- E. *RESOLUTION NO. 20-057*
A Resolution of the Town Council of the Town of Parker, Colorado Appointing a Director to Fill a Vacancy on the Salisbury Heights Metropolitan District Board of Directors
Department: Town Attorney, Kristin Hoffmann
- F. *RESOLUTION NO. 20-059*
A Resolution to Amend the Administrative Organization Plan for the Town of Parker
Department: Town Administrator, Michelle Kivela
- G. *RESOLUTION NO. 20-060*
A Resolution to Allow a Partial Waiver of Subsections 13.07.100(i) and (j) of the Parker Municipal Code to Extend the Expiration Date of the Parker Pointe Minor Development Plat
Department: Community Development, Bryce Matthews

H. CONTRACTS OVER \$100,000

1. *High Plains Trail - Segments 1 & 2 Final Design Professional Services Agreement*
 Amount: \$201,513.48
 Contractor: Stanley Consultants, Inc.
 Department: Engineering and Public Works, Chris Hudson
2. *Downtown Safety and Circulation Improvements Final Design Professional Services Agreement*
 Amount: \$119,938
 Contractor: Stanley Consultants, Inc.
 Department: Engineering and Public Works, Chris Hudson

Joshua Rivero moved to approve Consent Agenda Items 5A through 5H.

Debbie Lewis seconded the motion.

The motion passed 4-1. (Poage voted no.)

PUBLIC HEARINGS

- A. ORDINANCE NO. 1.539.4 - Second Reading**
A Bill for an Ordinance to Adopt the 2020 Revised Budget for the Town of Parker and to Make Appropriations for the Same
 Department: Finance, Mary Lou Brown

7:23 P.M.

At the two Council meetings in May 2020, Council approved the recommended reductions in revenues and expenses in anticipation of significant financial impacts to the Town's revenue streams related to COVID-19. In July 2020, the recommendation was made to Council that some of the reductions be "rolled back". The recommendation was based on the continuation of strong sales tax revenue growth that had occurred year-to-date (YTD). At the study session, Council agreed in theory to the recommendations. Today's action is to approve those roll-backs that were discussed.

In summary, the following funds are impacted by the roll-backs:

General Fund: a net revenue increase of \$1,600,000 and an expense increase of \$4,434,232;

Cultural Fund: an increase to the transfer from the General Fund of \$555,744 to cover the costs of maintaining activities with reduced attendance;

Excise Tax Fund: the elimination of the transfer to the General Fund of \$4,000,000; and

Medical Benefits Fund: a transfer of \$1,000,000 from the General Fund to offset lower premium revenue and higher claims costs which are both also being adjusted.

The Cultural Fund, Stormwater Fund, Fleet Services Fund, Information Technology

Fund and Facility Services Fund also all have expense increases related to the rollback of the original personnel-related reductions.

The General Fund changes are specifically as follows:

Expense Related

Personnel-related of \$1,728,488

Hilltop Road project of \$750,000

Master Facilities Plan of \$350,000

Median Repair and Maintenance of \$100,000

Increased Transfer Out to Cultural Fund of \$555,744

Increased Transfer Out to Healthcare Fund of \$1,000,000

Revenue Related

Elimination of transfer from the Excise Tax Fund of \$4,000,000

Increased sales tax revenue of \$5,600,000

Public Comments - None

The Public Hearing was closed at 7:27 PM

Debbie Lewis moved to approve Ordinance No. 1.539.4 on second reading.

Joshua Rivero seconded the motion.

The motion passed 4-1. (Poage voted no.)

B. ORDINANCE NO. 1.547 - Second Reading

A Bill for an Ordinance to Adopt the 2021 Budget and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown

7:28 P.M.

Internal work on the 2021 Town of Parker budget began in mid-July and was followed with the Annual Town Council Budget Retreat on September 25, 2020. Since the Retreat, two additional study sessions have been held with Council and the 2021 Budget document was posted to the internet on Tuesday, October 13, 2020, in advance of the legally required filing date of October 15, 2020.

The 2021 Budget was prepared in conjunction with four overall guidelines:

- Meet the General Fund required cash balance percentage
- Invest in employees
- Maintain and grow community programs

- Prepare financially for upcoming strategic infrastructure decisions

Due to the unknown impact of COVID-19 in 2021, a careful approach was taken in building the budget. A continuation of COVID-19 impacts is assumed through the first six months of the year with a slow return to normal during the remainder of the year. Sales tax collections are budgeted at a 3% growth level to reflect a potential pullback in the local economy due to continued job loss and reduced assistance levels.

In the General Fund, which is the main operational fund of the Town, operating expense growth is under two percent which basically reflects expected inflation. The performance pay pool and the commissioned officer step plan have both been funded at three percent. In an attempt to control increasing healthcare costs, the Town will be offering two new health care plans to employees. These two plans include a smaller doctor network which should enable both employees and the Town to experience lower costs. The full-time employee count is increasing by one full-time position in Public Works; three part-time positions, one in the Town Clerk's Office, one in Finance and one in Community Development, are being moved to full-time status.

The General Fund cash-to-expense ratio is budgeted at 28.1% for year-end 2021.

Both the Recreation and Cultural Funds have been impacted by COVID-19 guidelines during 2020. The actual cash balances for these two funds will be monitored very closely for the remainder of 2020 and early 2021. Depending upon the ability to return to more normal customer levels, additional budget actions may be required in 2021.

Public Comments – None

The Public Hearing was closed at 7:32 P.M.

Joshua Rivero moved to approve Ordinance No. 1.547 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

C. ANTHOLOGY NORTH - Planned Development Amendment No. 2

Applicant:	John Prestwich, PCS Group
Location:	Generally located on the south side of Hess Road between Chambers Road and Motsenbocker Road
Department:	Community Development, BrieAnna Simon
TRAKiT No.:	Z20-002

7:32 P.M.

The applicant, PCS Group, is requesting an amendment to the Anthology North Planned Development (PD) zoning to adjust Planning Area boundaries to reflect a dendritic stormwater design approach, amend lot size requirements and to implement

the 2019 Partial Waiver Resolution requirement for commercial zoning in Planning Area 15. The applicant is also requesting an amendment to the Annexation Agreement to simplify and better align parks and open space dedications with the proposed PD Planning Areas.

Several residents in emails sent to the Planning Department in October 2020, had issues with the firehouse. This firehouse is in a future phase and will be addressed at that time. Chambers and Great Plains (new proposed location)

Applicant

John Prestwich, Kalamath St, Denver, CO, provided an overview of the project.

Public Comments:

Ian Elfner, 15750 E. Indian Brook Cir., make sure the fire station is on everyone's radar.

Allen Meshburg, 15798 Indian Brook Cir., hopes the station can be moved to the new proposed location.

Sherry Zerr, 15782 E. Indian Brook Cir., hopes the station can be moved to the new proposed location.

Jacqueline Carter, 15792 E. Indian Brook Cir., hopes the station can be moved to the new proposed location.

The Public Hearing was closed at 8:02 P.M.

1. ORDINANCE NO. 3.308.2 Second Reading

A Bill for an Ordinance to Amend the Anthology North Development Plan and Guide First Amendment Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith

Joshua Rivero moved to approve Ordinance No. 3.308.2 on second reading.

Debbie Lewis seconded the motion.

The motion was passed unanimously.

2. THIRD AMENDMENT TO AMENDED AND RESTATED STROH RANCH/HESS ANNEXATION AGREEMENT (NORTHERN PROPERTY)

Joshua Rivero moved to approve the Third Amendment to the Amended and Restated Stroh Ranch/Hess Annexation Agreement.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

D. DOUGLAS 234 FILING 6

Applicant: RICK Engineering Company
Location: Generally located on the northeast corner of Chambers Road and Hess Road
Department: Community Development, BrieAnna Simon
TRAKiT No.: SUB20-002

8:05 P.M.

The subject property is a 14 acre undeveloped site located at the northeast corner of Chambers Road and Hess Road that has been zoned for future commercial use since 2002. The applicant's representative, RICK Engineering Company, is proposing a Minor Development Plat to create 11 lots for future commercial development.

Applicant:

Grant Nelson, 5750 DTC Parkway, GV 80111, provided an overview of the project.

Public Comments:

Paulette Davis, 12085 S. Great Plains Ct., asked questions regarding Lot 11 and Lot 1 and the noise from these properties. Questioned high traffic on Red Sky Drive and safety issues. Asked that the entrance monument be preserved.

Mike Berry, 12198 S. Red Sky Dr., asked that this project be put off for at least a year to do another traffic study that is not affected by COVID. Not having fencing that backs up to property is a safety concern.

Laura Mason, 12124 S. Swift Fox Way, has issues with increase in traffic.

Chris Stoops, 12171 S. Red Sky Dr., has issues with traffic study and noise mitigation around the proposed day care center.

Gary ??, 12219 Red Sky Dr., has issues with traffic mitigation and landscaping issues.

Kathy Santelli, 12136 S. Swift Fox Way, has issues with traffic - make round-about bigger. She has issues with noise and light.

Ian Elfner, 15750 E. Indian Brook Cir, has issues with traffic mitigation, landscape.

The Public Hearing was closed at 8:48 P.M.

The applicant addressed the citizens' concerns noted above and will be proactive with landscaping and noise mitigation. He added he does understand traffic concerns.

Staff Engineer, Alex Mestdagh, clarified the traffic study done in August 2019 before COVID-19. He spoke on the traffic light not being installed right away. He stated it would not take long for the site to require the light to be installed, but it is not required now according to federal guidance.

The noise and light mitigation will be addressed in the site plan phase. A privacy wall is not required for this project.

1. Minor Development Plat

John Diak moved to approve the Douglas 234 Filing 6 - Minor Development Plat, based upon staff findings with the following three conditions:

- (1) VR Sliceroo LLC owns all of the property contained within Douglas 234 Filing No. 6 on or before February 14, 2021.
- (2) VR Sliceroo LLC provides the Town with a letter of credit in a form and amount that is acceptable to the Town, on or before February 14, 2021.
- (3) Failure to comply with conditions (1) and (2) above will negate approval of the plat and subdivision agreement.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

2. Subdivision Agreement

Joshua Rivero moved to approve the Subdivision Improvement Agreement with the following three conditions:

- (1) VR Sliceroo LLC owns all of the property contained within Douglas 234 Filing No. 6 on or before February 14, 2021.
- (2) VR Sliceroo LLC provides the Town with a letter of credit in a form and amount that is acceptable to the Town, on or before February 14, 2021.
- (3) Failure to comply with conditions (1) and (2) above will negate approval of the plat and subdivision agreement.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

E. MACLACHLAN PROPERTY FILING 1 LOT 1– Use by Special Review for 9855 Parker LLC/Inspire Animal Hospital

Applicant: Ben Swanson /Jamie Saliman, Josh Saunders
Location: Generally located on the north side of Lincoln Avenue between Dransfeldt Road and Parker Road
Department: Community Development, Carolyn Washee-Freeland
TRAKiT No.: Z20-009

Council took a five minute break.

9:07 P.M.

The applicant, 9855 Parker L.L.C./Inspire Animal Hospital, is requesting Use by Special Review approval to allow for a veterinary hospital in vacant commercial space next to Murdoch's Ranch & Home Supply. The site, MacLachlan Filing 1 Lot 1 subdivision, is located within the Modified Commercial zoning district. Veterinary hospitals are permitted as a Use by Special Review, subject to Town Council approval.

Applicants:

Ben Swanson, 1770 Chestnut Place, Suite 813, Denver, CO 80202, and Joshua Saunders, 7619 S. Lamar Way, Littleton, CO 80128, were available for questions.

Public Comments - None

The Public Hearing was closed at 9:18 P.M.

Debbie Lewis moved to approve the MacLachlan Filing 1 Lot 1 Use by Special Review, based upon staff findings, with the following eight (8) conditions contained in the staff report:

1. The final site plan design will need to address fire, life and safety requirements during the site plan review.
2. The applicant will operate the veterinary hospital using fecal removal procedures on a daily basis. The applicant will ensure that fecal matter will be immediately cleaned up, disinfected with a hydrogen peroxide-based product and then kept in a lid sealed container. To prevent accumulation of animal waste on site, the feces will be regularly removed from the site by a third party twice per week.
3. The Use by Special Review information submitted to the Community Development Department on October 7, 2020, shall be the approved Use by Special Review materials.
4. A building permit shall be required for any interior or exterior work to be completed on site.
5. A Site Plan Amendment or Adjustment approval shall be required for any exterior changes to the structure or the site.
6. The use shall be a licensed facility with the Pet Animal Care Facilities Act (PACFA) Program.
7. The applicant will replace all dead and missing landscape material as approved in the original landscaping or seek approval of an alternative landscape plan. The applicant shall also install street trees that meet Town standards along Lincoln Avenue. All landscape improvements must be approved and either installed or secured prior to certificate of occupancy.
8. This approval shall remain in effect for twelve (12) months. This approval shall be null and void unless a grading permit or building permit is issued by the Town within this twelve (12) month period of time as provided by Section 13.01.140(b) of the LDO. The Community Development Director, upon written request, may grant a ninety (90)

day extension for good cause under the LDO if necessary.

John Diak seconded the motion.

The motion was approved unanimously.

F. COTTONWOOD HIGHLANDS FILING 7

Applicant: LAI Design Group
Location: Generally located on the south side of Cottonwood Drive between Chambers Road and Jordan Road
Department: Community Development, Stacey Nerger
TRAKiT No.: SUB19-0051

9:19 P.M.

The subject property is Filing 7 of the Cottonwood Highlands Planned Development (PD) located on the south side of Cottonwood Drive between Jordan Road and Chambers Road. The Town Council approved the Filing 7 Sketch and Preliminary Plan for a planned residential development of attached single-family homes with multiple parks, trails and open space in late 2019. The applicant, is requesting Final Plat approval for the planned residential development. Final Plat applications are typically administrative, but Town Council approval is required in this instance because of the need to vacate a portion of Lanceleaf Street within the development.

Applicant:

Lindsay Rappa, 88 Inverness Circle East, Suite J-101m Englewood, CO, was present to answer questions.

Public Comments - None.

The Public Hearing was closed at 9:27 P.M.

1. Final Plat

Joshua Rivero moved to approve the Cottonwood Highlands Filing 7 - Final Plat, based upon staff findings.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

2. Subdivision Agreement

Joshua Rivero moved to approve the Subdivision Agreement.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 1.549 - Second Reading

A Bill for an Ordinance Approving the Purchase and Sale Agreement Between the Town of Parker and Samurai's Red Sushi & Sake Bar LLC, Concerning the Property Known As the Lot 1B, Mainstreet Center 1st Amendment Property (The Schoolhouse Gym Property)

Department: Town Attorney, Jim Maloney

9:31 P.M.

The purpose of this agenda item is for the Town Council to consider a purchase and sale agreement for real property owned by the Town, which is commonly referred to as the Schoolhouse Gym Property.

Representative Gene Gregory was present and stated he was looking forward to working with the Town on this project.

Public Comments – None.

Joshua Rivero moved to approve Ordinance No. 1.549 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 9.325 - Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and Rueter-Hess Recreation Authority Concerning Program Coordination Services

Department: Parks and Recreation, Mary Colton

9:35 PM

The Town of Parker is a member of the Rueter-Hess Recreation Authority and provides recreational activities primarily during the summer months. In 2020 the Town successfully administered the Paddle Days program at the reservoir each weekend (June - September). Since the Town has the mechanism to collect registration fees and the Authority does not, the revenue generated by recreational activities is returned to the Authority while the Town is reimbursed for all related activity expenses (staffing, program coordination and administration, supplies). A formalized process is being proposed by the Town's Finance Department and the Recreation Authority through an

IGA that would allow for the coordination of recreation activities requiring administrative functions including the exchange of invoices.

Public Comment – None.

Debbie Lewis moved to approve Ordinance No. 9.325 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

The Town Council meeting adjourned at 9:40 P.M.

Chris Vanderpool, Deputy Town Clerk

Mike Waid, Mayor



Request for Town Council Action

Date: December 7, 2020

Submitted By: Michael Grabczyk, Project Engineer

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-058**
A Resolution Accepting the Conveyance of a Drainage Easement from Curtis M. McQueen for a Portion of the Southeast Quarter of Section 4, Township 7 South, Range 66 West of the 6th Principal Meridian

Department: Engineering and Public Works, Michael Grabczyk

EXECUTIVE SUMMARY

This item accompanies a resolution accepting conveyance of a drainage easement to allow for the construction of a drop structure as a part of the Lemon Gulch at Looking Glass Fee-in-lieu drainage way improvements project. This project is being funded 100% by the developer at no cost to the Town or Mile High Flood District (MHFD).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Mile High Flood District (MHFD) and the Town of Parker are jointly managing a fee-in-lieu project to stabilize Lemon Gulch where adjacent to the Looking Glass development. This project proposes the stabilization of approximately 3,800 linear feet of Lemon Gulch by utilizing a combination of rock riffle, boulder cascade, and sculpted concrete structures along with vegetative and rock lined bank protections and floodplain benching.

A boulder-cascade drop structure is necessary to tie-in the proposed improvements to the existing Lemon Gulch channel. In order to provide a stable connection to the existing channel, a portion of this structure must reside on property owned by Curtis McQueen. A drainage easement is necessary for construction and preserves the Town's ability to maintain the drainage infrastructure residing on the property. In exchange for the easement, the Town will provide approximately 220 linear feet of rock bank protection along the eroded northern bank of Lemon Gulch within the McQueen property. The full limits and scope of the protections are identified within Exhibit B to the easement. This bank protection will provide an additional benefit to the Town in the reduction of sediment transported to Cherry Creek from the erosive bank.

FINANCIAL IMPACT

The anticipated cost of the proposed improvements to the McQueen property is approximately \$26,000.00 from the approved project budget. This work is funded 100% by the developer at no cost to the Town or MHFD.

STRATEGIC GOAL(S)



**FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT**



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**

ATTACHMENTS

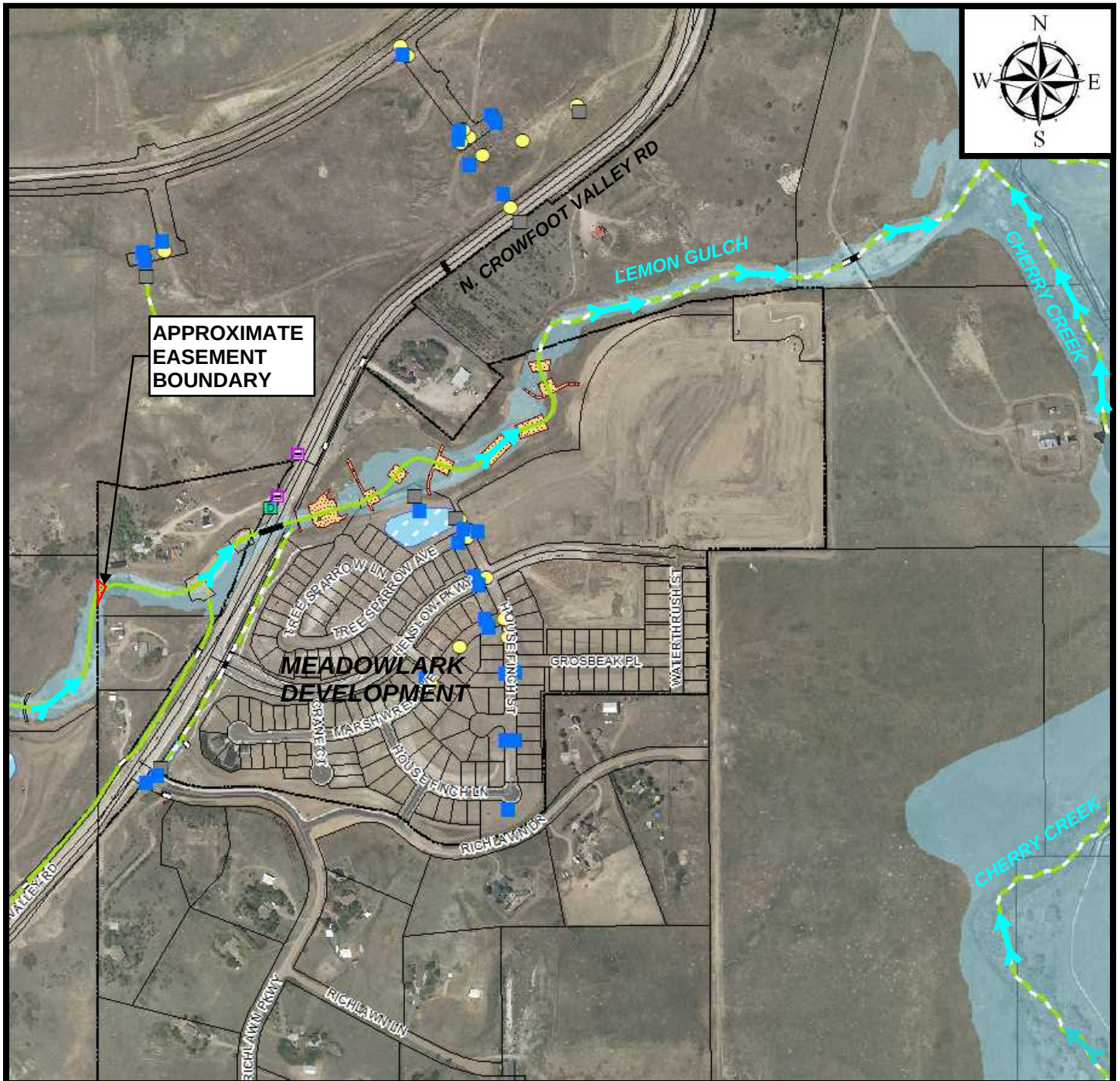
1. Lemon Gulch at McQueen Vicinity Map
2. Resolution No. 20-058

RECOMMENDED MOTION

I move to approve Resolution No. 20-058, as part of the consent agenda.

VICINITY MAP

LEMON GULCH AT MCQUEEN PROPERTY



RESOLUTION NO. 20-058, Series of 2020

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A DRAINAGE EASEMENT FROM CURTIS M. McQUEEN FOR A PORTION OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of certain property interests for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities from Curtis M. McQueen, for a portion of the Southeast Quarter of Section 4, Township 7 South, Range 66 West of the 6th Principal Meridian, as provided in the Drainage Easement Agreement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

DRAINAGE EASEMENT AGREEMENT

THIS DRAINAGE EASEMENT AGREEMENT (the "Easement Agreement") is dated this _____ day of _____, 2020, by the CURTIS M. McQUEEN, whose legal address is 7391 Crowfoot Valley Road, Parker, Colorado 80134 ("Grantor"), and the TOWN OF PARKER, a Colorado home rule municipality, having an address of 20120 East Mainstreet, Parker, Colorado 80138 ("Grantee").

WHEREAS, Grantee desires to acquire an easement for improvements to Lemon Gulch and the installation of drainage facilities (the "Drainage Facilities") on and through the property more particularly described and depicted in **Exhibit A** ("Easement Property"), attached hereto and incorporated herein by this reference;

WHEREAS, in consideration for the grant of this Easement, Grantee agrees to construct the bank stabilization improvements, as depicted in **Exhibit B** ("Property Improvements"), including construction inspection, construction approval, and survey of the location and elevation of improvements, on that portion of Grantor's property that is adjacent to Lemon Gulch, as part of the Grantee's project to improve Lemon Gulch; and

WHEREAS, Grantor is willing to grant an easement to Grantee for the aforesaid purposes on the terms and conditions set forth hereinbelow.

NOW, THEREFORE, for good and valuable consideration by Grantee to Grantor, the covenants of Grantee herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, and for and in consideration of the easement rights herein granted and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantee does hereby covenant and agree as follows:

1. Grant of Easement. Grantor does hereby grant and convey unto Grantee, its successors, assigns, lessees, licensees and agents, an easement under and through the Easement Property, for drainage facilities. Grantee shall have the specific rights of ingress and egress, consistent with this Easement Agreement, for the construction, reconstruction, operation and maintenance of the Drainage Facilities, consistent with the easement provided herein. Subject to the other terms and conditions of this Easement Agreement, Grantee shall also have the right to remove impediments to operation and maintenance of the Easement Property such as trees. Grantee further agrees all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with Grantor so as to minimize any disruption to Grantor's property.

2. Title. Grantor makes no warranties as to title to the Easement Property.

3. Operation and Maintenance.

a. The operation and maintenance of the Drainage Facilities described herein and located within the Easement Property shall be the responsibility of the Grantee.

b. If Grantee fails to adequately maintain the Drainage Facilities located within the Easement Property, and within fourteen (14) days after the date of written notice from Grantor, fails to correct the maintenance problem, or fails to begin to clean, cure or correct such problem within fourteen (14) days if such problem cannot be reasonably cleaned, cured or corrected within fourteen (14) days, and fails to diligently prosecute such cleaning, cure or correction to completion, then Grantor may do so as provided herein. Notwithstanding the foregoing, Grantor may, in the event of an emergency, as determined by Grantor in its sole discretion, clean, cure or correct any damage caused by Grantee's failure to adequately maintain the Drainage Facilities located within the Easement Property. The Grantee shall reimburse the Grantor for the cost of such maintenance.

4. Grantor Defined. The word "Grantor" as used herein, whenever the context requires or permits, shall include the heirs, personal representatives, beneficiaries, successors, grantees and assigns of the owners of the land through which the easement runs, or the respective owners from time to time of portions thereof. The burdens and benefits of this Easement Agreement shall be deemed covenants running with said easements and said land. Notwithstanding any contrary provision in this Easement Agreement, however, any obligation under this Easement Agreement which is to be performed by the owner of any land which is burdened by this Easement Agreement shall be enforceable only against the then owner of such land, and not against any such owner's predecessors in interest.

5. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor, and its successors and assigns, as follows:

a. Grantee shall protect the Easement Property, and the adjacent lands of Grantor over which Grantee has rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents.

b. Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by Grantor.

6. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

7. Miscellaneous.

a. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

b. This easement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

c. This easement shall be of no force and effect until this easement is duly and validly executed by all parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the date and year first above written.

GRANTOR: CURTIS M. McQUEEN



GRANTEE: TOWN OF PARKER

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



EXHIBIT A

MCQUEEN-PERMANENT DRAINAGE EASEMENT

THAT CERTAIN PORTION OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST, 6TH PRINCIPAL MERIDIAN, IN THE TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 4;

THENCE ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 00°15'54" WEST, 90.95 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY LINE, SOUTH 20°06'07" EAST, 97.30 FEET;

THENCE SOUTH 47°22'35" WEST, 46.22 FEET TO SAID WESTERLY LINE OF THE SOUTHEAST QUARTER;

THENCE ALONG SAID WESTERLY LINE, NORTH 00°15'54" EAST, 122.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,076 SQUARE FEET OR 0.048 ACRES, MORE OR LESS.



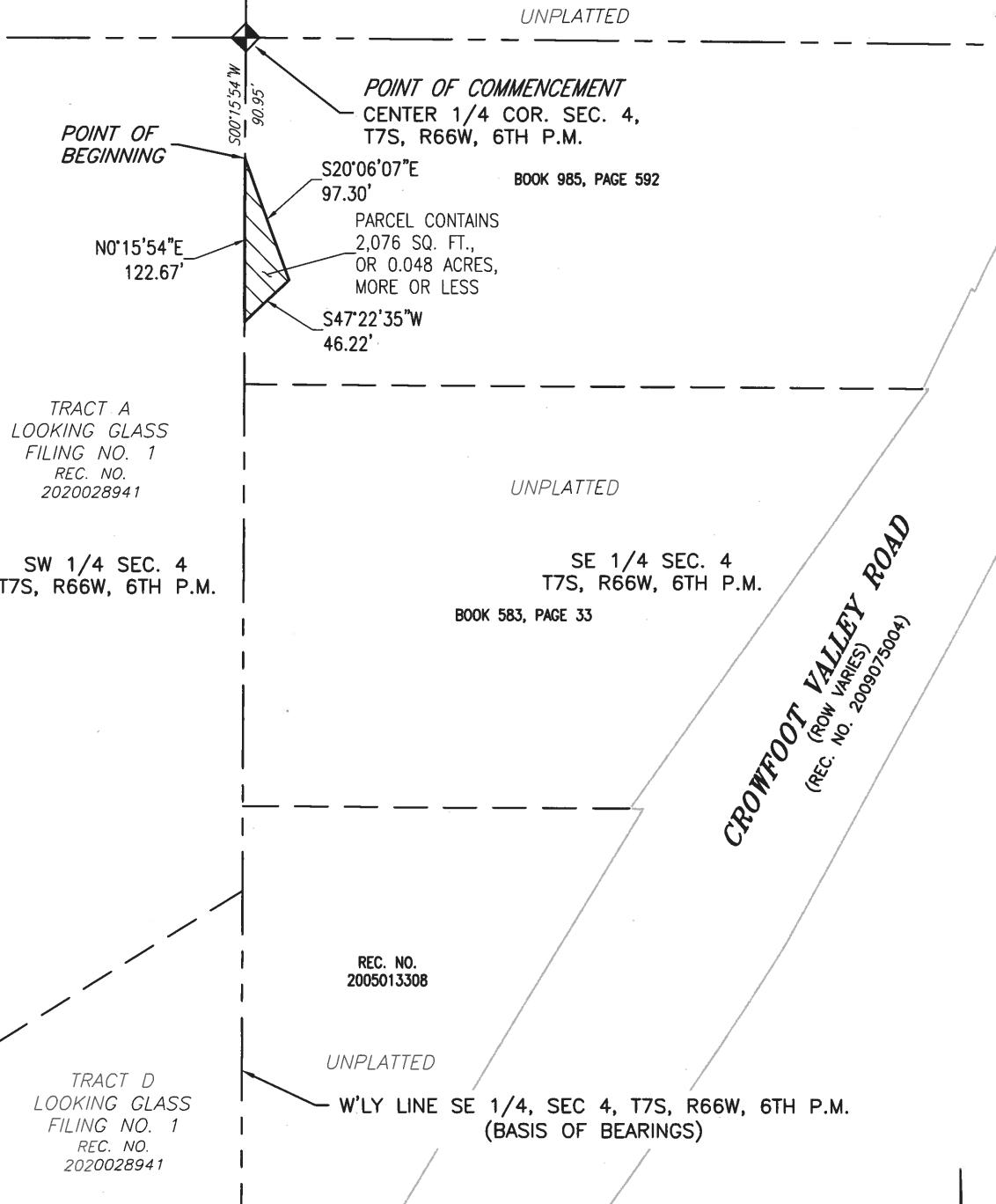
ROBERT D. SNODGRASS, PLS 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF EMK CONSULTANTS, INC.



EXHIBIT A

NW 1/4 SEC. 4
T7S, R66W, 6TH P.M.

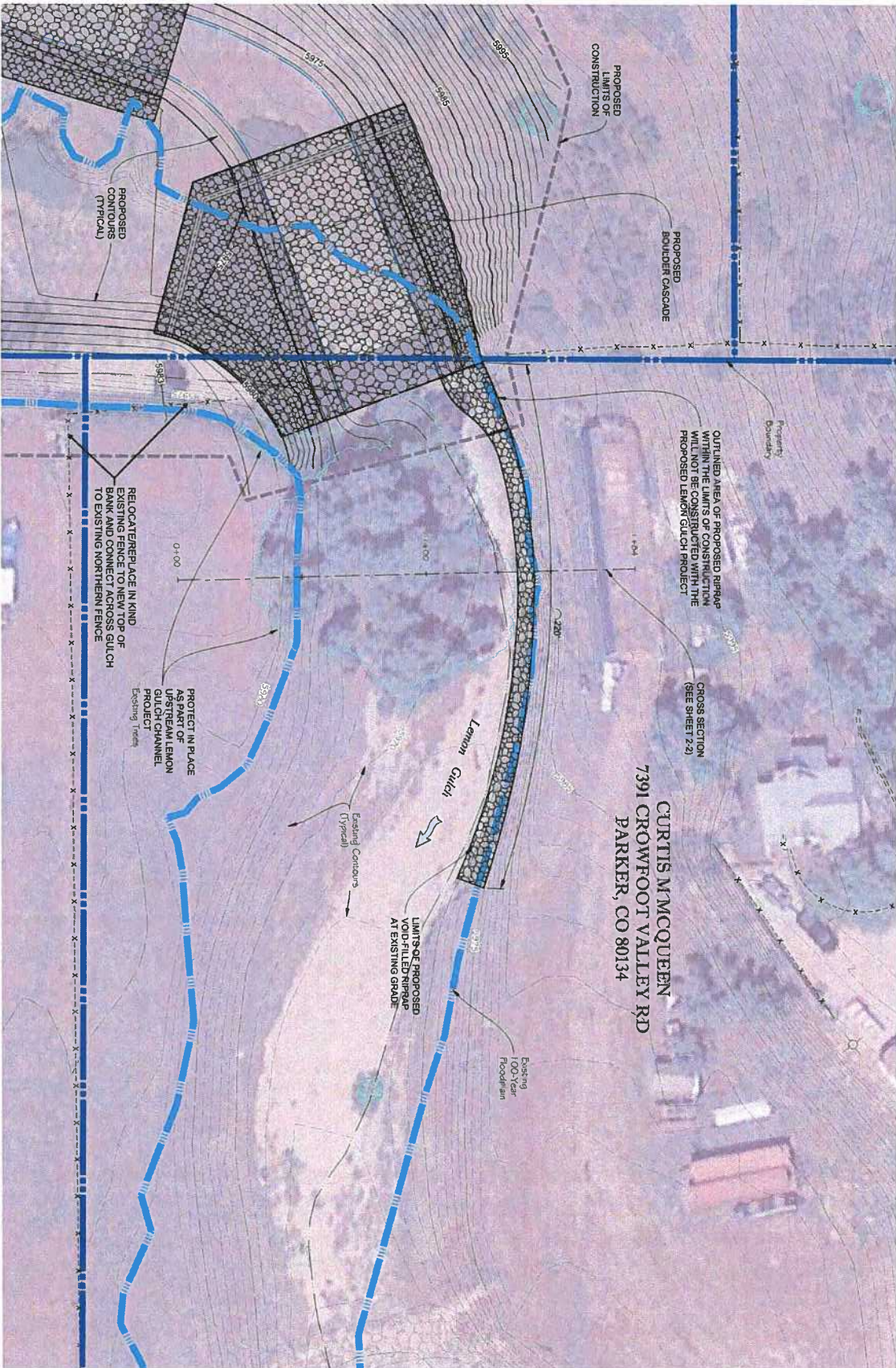
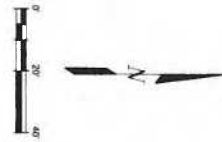
NE 1/4 SEC. 4
T7S, R66W, 6TH P.M.



GRAPHIC SCALE
0 50 100 150
1 INCH = 100 FEET

EXHIBIT B





CONCEPTUAL

DESIGNED BY
 KAC

DRAWN BY
 MAB

CHECKED BY
 SAR

SHEET REVISIONS

NO.	DATE	DESCRIPTION	BY



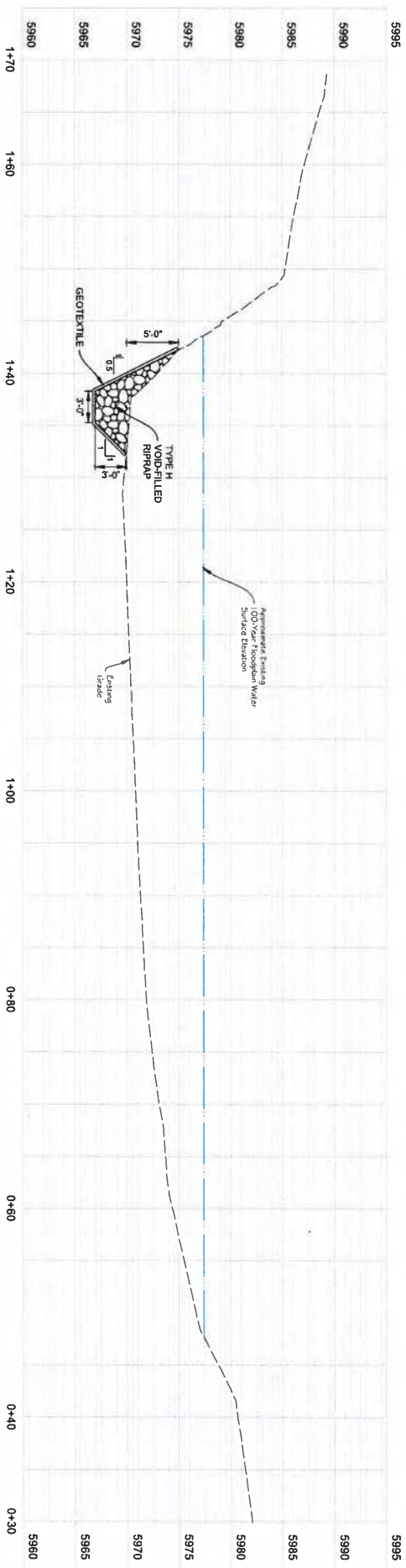
LEMON GULCH CHANNEL IMPROVEMENTS
 AT LOOKING GLASS

MCQUEEN PROPERTY
 INTERIM PROPERTY EXHIBIT

DATE
 6/19/2020

DRAWING NO.
 SHEET NO.

1 OF 1



NOTES:

1. EXCAVATE SLOUGHED MATERIAL TO COMPETENT SOIL. SUBSTRATE BEFORE PLACEMENT OF ROCK
2. PLACE VOID-FILLED RIPRAP AS SHOWN AT EXISTING GRADE.

Section
HORIZ SCALE: 1"=10'
VERT SCALE: 1"=10'

[illegible]



Request for Town Council Action

Date: December 7, 2020

Submitted By: Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-062**
A Resolution to Allow a Partial Waiver of Section
13.07.080(h)(2) of the Parker Municipal Code to Extend the
Expiration Date of the Final Plats for the Trails at Crowfoot
Filing Nos. 11, 12 and 13 Through December 31, 2021
Department: Community Development, Bryce
Matthews

EXECUTIVE SUMMARY

The applicant, E5X LLC, is requesting an extension of the recordation date of the Trails at Crowfoot Filings 11, 12 and 13 (SUB17-051, SUB17-052 and SUB17-053). These final plats are in compliance with the Sketch and Preliminary Plans, approved on May 3, 2018, but not yet recorded. Filing 11 will create 58 single family residential lots, Filing 12 will create 16 single family attached lots and Filing 13 will create 51 single family lots, all filings have reservations for required open space. The site is generally located on the east side of Crowfoot Valley Road about a mile south of Stroh Road.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On May 3, 2018, Town staff approved 15 filings for the Trails at Crowfoot Development. Filing No. 1 and Filing No. 9 were the main infrastructure plats for the entire development, Filing No. 1 on the west side of Bayou Gulch Road and Filing No. 9 on the east side of Bayou Gulch Road. All other filings are for the individual residential subdivisions served by the main infrastructure.

Under the Town Code, “Within ninety (90) days of approval of the minor development plat, unless stated otherwise in such approval, the applicant shall submit: one (1) photographic Mylar copy (Fix-line, emulsion down) of the approved final plat, amended, if necessary, and ready for recordation (except for Town signatures),..”, this also includes the requirement for security of public improvements.

On August 3, 2018, the Community Development Director provided a 30-day extension as permitted through Section 13.07.080(h)(2) of the Parker Municipal Code. On August 20, 2018,

the Town Council authorized the extension of the expiration date of the Trails at Crowfoot Final Plat through December 31, 2018. By this date, the Developer recorded the Trails at Crowfoot Filing No's. 1, 2, 3, 4, 5, 6, 7, 8, 14 and 15. The Developer was not able to record filings for the eastern half of the development at that time. Therefore, on December 3, 2018, Town Council authorized a second extension of the expiration dates for the Filing 9 – 13 Final Plat until December 31, 2019. The Town Council subsequently authorized a third extension of expiration dates for these Final Plats until December 31, 2020. On October 12, 2020, the Developer recorded the Trails at Crowfoot Filing No. 9 Final Plat which approved the main infrastructure for the eastern half of the development. In addition, the Residential Final Plat for Filing No. 10 was also recorded on October 12, 2020.

The Trails at Crowfoot Developer has requested another extension for Filings No. 11, 12 and 13 Residential Final Plats to December 31, 2021. The Trails at Crowfoot Developer is requesting the additional time to allow for the construction of the Filing 9 main infrastructure improvements necessary to serve the remaining three filings.

Town Council is authorized to grant waivers for the purpose of encouraging flexibility and variety in land development, is deemed in the public interest and does not impair the intent of the Land Development Ordinance.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 20-062

RECOMMENDED MOTION

I move to approve Resolution No. 20-062, as part of the consent agenda.

RESOLUTION NO. 20-062, Series of 2020

TITLE: A RESOLUTION TO ALLOW A PARTIAL WAIVER OF SECTION 13.07.080(h)(2) OF THE PARKER MUNICIPAL CODE TO EXTEND THE EXPIRATION DATE OF THE FINAL PLATS FOR THE TRAILS AT CROWFOOT FILING NOS. 11, 12 AND 13 THROUGH DECEMBER 31, 2021

WHEREAS, the Town of Parker approved the final plats for The Trails at Crowfoot Filing Nos. 1 through 13 on May 3, 2018;

WHEREAS, Section 13.07.080(h)(1) of the Parker Municipal Code provides that the failure “to submit all required documentation, including applicable security, within ninety (90) days [of approval] shall render approval of the final plat ‘null and void’;”

WHEREAS, Section 13.07.080(h)(2) of the Parker Municipal Code allows the Planning Director to grant “no more than one (1) extension of time, of no more than thirty (30) days . . .;”

WHEREAS, the Planning Director provided a 30-day extension of time on August 3, 2018;

WHEREAS, one hundred twenty (120) days will have passed since the approval of the final plats on May 3, 2018, and the property owner did not provide the Town with the “applicable security” required by Section 13.07.080(h) of the Parker Municipal Code;

WHEREAS, the Town Council approved Resolution No. 18-058, Series of 2018, to extend the expiration date of the final plats for Filing Nos. 1 through 13 to December 31, 2018;

WHEREAS, the Town Council approved Resolution No. 18-058.1, Series of 2018, to extend the expiration date of the final plats for Filing Nos. 9 through 13 to December 31, 2019;

WHEREAS, the Town Council approved Resolution No. 19-103, Series of 2019, to extend the expiration date of the final plats for Filing Nos. 9 through 13 to December 31, 2020;

WHEREAS, the owners of the real property subject to the final plats for Filing Nos. 11, 12 and 13 request that the Town Council partially waive Section 13.07.080(h)(2) of the Parker Municipal Code and extend the expiration date of the final plats to December 31, 2021, in order to allow time to complete the Filing No. 9 main infrastructure improvements to serve them; and

WHEREAS, the expiration date of the final plats can only be granted by Town Council under Section 13.01.100 of the Parker Municipal Code, if the Town Council determines that the request of the property owner is in the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker, Colorado, based upon the recitals of this Resolution, authorizes the extension of the expiration date of the final plats for Filing Nos. 11, 12 and 13 through December 31, 2021.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



Request for Town Council Action

Date: December 7, 2020

Submitted By: Carrie Glassburn, Assistant Cultural Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **Sixth Amendment to the Agreement for Professional Services for Advertising Purchased for the Town of Parker's Cultural Department**

Amount: **\$190,000**

Contractor: **Evolution Agency, LLC**

Department: **Cultural, Carrie Glassburn**

EXECUTIVE SUMMARY

This agenda item is to approve the Sixth Amendment to the Agreement for Professional Services with Evolution Communications agency, which is the media agency of record for Parker Arts. This will be the sixth full year that Evolution is assisting with buying and placing our media. The total budget impact for 2021 will not exceed \$190,000. This fee will be split among digital, print, social media, out of home, and SEO expenses, and includes media buying fees which will be billed at an hourly rate.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The community will likely be affected by the pandemic well into the new year. Therefore, it is crucial that we continue to advertise that we are still open and offering safe options for entertainment. When we are finally able to bring our patrons back to our facilities at full capacity, rebuilding and maintaining awareness of our array of Parker Arts programming will be a priority. For these reasons, we recommend renewing the media contract with Evolution in 2021.

FINANCIAL IMPACT

The approved 2020 media budget for Evolution was \$207,000. Because many of our shows were cancelled or postponed over a nine-month period due to COVID, we reduced our media budgets and will only spend approximately \$146,000 by year-end. In 2021, we plan to present shows at limited capacities for the first 6 months of the year, and hope to be back at full capacity for the last 6 months. In order to support that plan, we will need to spend more media dollars than we did in 2020. This amount is still 8% less than our original approved 2020 budget. The 2021 proposed media breakout is as follows:

Streaming Audio	\$21,940.00
Email (eTarget)	\$16,455.00
Digital Display Advertising	\$16,455.00
Paid and Organic Search and Search Management	\$35,400.00
Out of Home	\$16,455.00
Print	\$16,455.00
Paid Search	\$16,455.00
Paid Social Media	\$5,485.00
Contingency	\$5,000.00
Media Buying Fees	\$39,900.00
Total (not to exceed)	\$190,000.00

STRATEGIC GOAL(S)



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ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.



Request for Town Council Action

Date: December 7, 2020

Submitted By: Tom Gill, Associate Project Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **Parker Road and Mainstreet Turn Lane Improvements**

Amount: **\$720,048.00**

Contractor: **T & M Construction, LLC**

Department: **Engineering and Public Works, Tom Gill**

EXECUTIVE SUMMARY

This item is to award a trade contractor agreement with T & M Construction, LLC, for the Parker Road (SH83) and Mainstreet Turn Lane Improvements project (CIP 20-020) for \$720,048.00.

STAFF RECOMMENDATION

Approve with Conditions

BACKGROUND/DISCUSSION

The Town publicly opened competitive bids on November 12, 2020, for the Parker Road (SH83) and Mainstreet Turn Lane Improvements project (CIP 20-020). Work includes, but is not limited to, 1,300 square yards of concrete pavement and 450 square yards of sidewalk. In addition, there is also traffic signal installation and associated work included. The project location is on the southwest corner of the Parker Road and Mainstreet intersection and is being undertaken to improve operations at this intersection.

The Town received bids from ten (10) contractors with T & M Construction, LLC, being the lowest responsible bidder. T & M Construction has successfully completed several Town projects with the most recent being the 2019 Reconstruct Program. Therefore, Town staff recommends moving forward with the contract award. The bids were as follows:

- 1) T & M Construction LLC - \$720,048.00
- 2) Castle Rock Construction - \$781,891.19
- 3) Goodland Construction - \$789,553.60
- 4) Villalobos - \$805,082.84
- 5) KECI Colorado - \$808,690.00
- 6) Concrete Express (CEI) - \$836,782.95
- 7) Hamon Infrastructure - \$855,000.00
- 8) NORAA Concrete - \$893,793.00

- 9) Stone and Concrete - \$972,500.00
- 10) Chato's Concrete - \$1,125,566.00
- Engineer's Estimate - \$837,000.00

Award of the contract is contingent on the approval of the Chase Bank Minor Development Plat that is part of the December 7, 2020, Town Council agenda (Item 7.C.2), and the recordation of the Minor Development Plat with the Douglas County Clerk and Recorder's Office. This plat, upon recordation, will dedicate the needed right-of-way for the project to the Town.

FINANCIAL IMPACT

Funding for this roadway improvement project has been appropriated in the streets capital improvement (301-4310) fund.

STRATEGIC GOAL(S)



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ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda, with the following conditions:

1. Approval of the Chase Bank Minor Development Plat on December 7, 2020.
2. Recordation of the Chase Bank Minor Development Plat and Subdivision Agreement with the Douglas County Clerk and Recorder's Office, following provision of the financial guarantee required by the agreement.



Your kind of place.

PROCLAMATION

Douglas County Gives Day

WHEREAS, the Douglas County Community Foundation is dedicated to inspiring generosity, supporting local nonprofits, and champions awareness of hidden, local needs; and

WHEREAS, the Douglas County Community Foundation is matching donors with effective local nonprofits, focused on improving the quality of life for Douglas County citizens; and

WHEREAS, Colorado Gives Day is an annual statewide movement to celebrate philanthropy and increase online giving; and

WHEREAS, Colorado Gives Day is the single, largest day of philanthropic giving in Douglas County and the state; and

WHEREAS, Colorado Gives Day promotes a 24-hour period to Give Where You Live; and

WHEREAS, Coloradans are encouraged to participate in Colorado Gives Day because all donations make a difference to nonprofits working to improve the quality of life in our communities; now, therefore

BE IT RESOLVED, that the Town of Parker Mayor and Town Council, support local philanthropic giving and proclaim December 8, 2020 as Douglas County Gives Day in Douglas County.

In witness thereof, I have hereunto set my hand this 7th day of December, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



Request for Town Council Action

Date: December 7, 2020

Submitted By: BrieAnna Simon, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **HESS RANCH – Planned Development Amendment No. 3**
Applicant: Front Range Communities
Location: Generally on the south and west of the intersection of Stroh Road and Crowfoot Valley Road
Department: Community Development, BrieAnna Simon
Trakit No.: Z20-005

EXECUTIVE SUMMARY

The applicant, Front Range Communities, is proposing to amend the Hess Ranch Planned Development (PD) zoning for Segment 2A and future phases of the project. The proposed amendments are necessary to support a dendritic design approach to stormwater management, realign the location of Stroh Road to the common boundary with Anthology North and comply with the 2019 partial waiver resolution approved by the Town Council. The 2019 partial waiver resolution requires that the planning areas at the intersection of Chambers Road and Stroh Road be rezoned to require that at least one-third (1/3) of the developable land be used for future commercial development. The applicant is also requesting an amendment to the Annexation Agreement to simplify and better align parks and open space dedications with the proposed PD planning areas and to reflect the public improvement requirements associated with the new Stroh Road alignment.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The majority of the Hess Ranch PD is located south of Stroh Road, west of Crowfoot Valley Road and adjacent to the Anthology North PD. The Hess Ranch PD Segment 2A and future phases are currently undeveloped while Segment 1 that was previously approved by Town Council is currently under development.

The applicant, Front Range Communities, is requesting the approval of an amendment to the Hess Ranch PD zoning. Specifically, the applicant is requesting the following changes:

Planning Area Boundary Amendment:

The applicant is requesting an amendment to the planning area boundaries located in Hess

Ranch Segment 2A and future phases as described in the Town Council approved 2019 partial waiver resolution. The catalyst for the proposed zoning amendments are the relocation of Stroh Road to the common boundary with Anthology North and the use of a dendritic design approach to stormwater management. Dendritic design is a method of designing drainage to preserve and respond to natural features such as floodplains, natural drainages, slopes and upland areas in a way that incorporates these natural features into subdivision design as opposed to altering or removing them. While the planning area boundaries are proposed to be changed, it is important to note that there is no increase in residential density and no increase in the total number of residential units that are permitted by the approved Annexation Agreement and PD zoning.

The proposed PD zoning amendment also addresses the 2019 partial waiver resolution requirement that the planning areas at the intersection of Chambers Road and Stroh Road be rezoned to require that at least one-third (1/3) of the developable land be used for future commercial development.

Stroh Road Realignment:

Stroh Road is proposed to be realigned to the north to the common boundary with the Anthology North PD. This is a more appropriate location for the road from a planning and engineering perspective because it will follow the path of existing utility infrastructure and better respond to the drainage and grading characteristics of the projects. Stroh Road, Chambers Road and Spirit Trail Boulevard, are the major arterial and collector roads that will provide access to the planned residential and commercial development. These roads are designed and will be constructed to Town standards including access locations, intersection spacing and design speed. Staff has reviewed and analyzed the information provided in support of the Stroh Road relocation and supports the new design.

Partial Waiver Resolution Compliance:

In May 2019, the Town Council approved a the 2019 partial waiver resolution to allow the applicant to defer certain submittal requirements and phase future development into three (3) segments including required sketch and preliminary plan applications. In return, the Town was able to negotiate certain improvements to the future planned development that the Town would have not been able to otherwise achieve. The Town Council approved the 2019 partial waiver resolution subject to certain developer obligations as follows:

- One of the obligations is to process a PD zoning amendment to ensure that one-third (1/3) of the total developable area of Planning Areas 3, 4, 12 and 14 be rezoned from a Mixed-Use Planning Area to a Commercial Planning Area. The requirement for one-third (1/3) of these planning areas be rezoned to allow commercial use only was initiated to ensure a critical mass of commercial development to serve the PD and southern section of the Town. It is also supported by the Parker 2035 Master Plan recommendation for Community Centers. This recommendation states “In general, a Community Center shall have no less than 33 percent or twenty (20) acres, whichever is greater, of its total land area zoned and developed for commercial use with corner located parcels zoned and developed principally for commercial, retail, service and restaurant use. Residential use shall be a secondary element unless part of a vertical mixed-use development...” The intent of this language is to ensure that there is meaningful commercial development within identified Community Centers. This will ensure

commercial services are available to current and future residents of the Town while generating economic development benefits including retail sales tax revenue and primary employment. A total of one-third (1/3) of Planning Areas 3, 4, 12 and 14 or approximately 23 acres is proposed to be rezoned to commercial use only.

- A second obligation to be partially addressed with the PD zoning amendment is the requirement for a comprehensive Parks, Trails and Open Space Master Plan (to be developed for all Segments). The 2019 partial waiver resolution allowed the applicant to defer certain details on the associated parks, trails and open space for Segment 2 until there is development on Segment 2. The applicant has provided a detailed analysis and plan for the parks, trails and open space amenities located within Segment 2A and future phases. The Hess Ranch Parks, Trails and Open Space Master Plan provides compliance with the requirements outlined in the 2019 partial waiver resolution and the new parks standards adopted by the Town Council on October 19, 2020.

The benefits of the requested Hess Ranch PD zoning amendments will include the implementation of a more environmentally friendly dendritic stormwater design, the incorporation of larger community parks than shown in the current development plan and the guarantee that the planning areas at the intersection of Chambers Road and Stroh Road will have a minimum of 23 acres or one-third (1/3) of its developable area zoned for future commercial use.

Staff has reviewed the proposed PD zoning amendment against the nine (9) criteria for approval of a rezoning application set forth in Section 13.04.240 of the Land Development Ordinance and has determined the zoning amendment satisfies the criteria for approval. Please see the the attached Planning Commission Staff Report for additional information.

The Planning Commission held a public hearing and made a recommendation of approval to the Town Council for the proposed PD zoning amendment on November 12, 2020.

The proposed Annexation Agreement amendment is intended to simplify the open space dedication requirements and to better align those requirements with the proposed, revised PD planning areas. Additionally, the annexation amendment will update the public improvement obligations to reflect the proposed Stroh Road realignment.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



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ATTACHMENTS

1. Project Narrative and Rezoning Criteria Analysis
2. Proposed Development Plan
3. Proposed PD Guide

4. Proposed Partial Waiver Agreement – PA 2, 3, 12 and 14
5. Proposed Parks, Trails and Open Space Master Plan
6. Planning Commission Staff Report
7. Ordinance 3.315.3
8. First Amendment Hess Ranch Annexation Agreement

RECOMMENDED MOTION

1. I move to approve Ordinance No. 3.315.3 on second reading.
2. I move to approve the First Amendment and Restated Stroh Ranch/Hess Ranch Annexation Agreement (Southerly Property), based on staff findings, subject to approval of Ordinance No. 3.315.3.



October 22, 2020

Ms. BrieAnna Simon, Associate Planner
Town of Parker Community Development
20120 East Mainstreet
Parker, CO 80138

RE: Hess Ranch – North Parcel PD Amendment No. 3 “Looking Glass”

Dear BrieAnna,

The Henry Design Group, Inc., on behalf of JEN Colorado 18, LLC, the land owner, and Front Range Communities, LLC, the applicant, is pleased to submit this narrative in support of the proposed Planned Development (PD) Amendment to the Hess Ranch (North Parcel) also known as Looking Glass. The following information is provided in accordance with Section 13.04.240 of the Town of Parker Land Development Code.

1. Applicant / Design Team

Owner/Applicant:

JEN Colorado 18, LLC
Front Range Communities, LLC
Matthew Osborn 303-598-5970
Lawrence Jacobson 303-748-5466
4100 E. Mississippi Ave., Suite 500
Denver, CO 80246
mosborn@frontrangecommunities.com
ljacobson@frontrangecommunities.com

Planner/Landscape Architect:

The Henry Design Group, Inc.
Karen Z. Henry, PLA
1501 Wazee Street, Suite 1-C
Denver, CO 80202
303-446-2368
khenry@henrydesigngroup.com

Civil Engineer:

EMK Consultants, Inc.
Eric McDaniel, PE
7006 S. Alton Way, Building F
Centennial, CO 80112
303-694-1520
emcdaniel@emkc.com

2. Proposed Project Description

The Hess Ranch (North Parcel) consists of 1135.86 acres of gently or moderately rolling terrain in a developing area of the Town of Parker. The site is generally described as being located in Section 33 of Township 6 South and portions of Sections 4, 5 and 6 of Township 7 South, Range 66 West of the 6th PM.

The property is bordered to the north by Stroh Road and the Anthology North PD. Land uses to the east include Segment 1 of Hess Ranch that was included in Hess Ranch -North Parcel PD Amendment No.2. Vacant land within Douglas County zoned A-1 borders the southern and western edges of the property.

The site is currently zoned Planned Development (PD) in the Town of Parker for a variety of land uses. The intent of this proposal is to amend Segment 2, the western 781.99 acres of the PD, to adjust Planning Area (PA) boundaries, accommodate a dendritic/low maintenance drainage design, properly allocate the proposed number of homes within each PA and define the Mixed-Use /Commercial in compliance with Waiver Resolution 19-028, Series of 2019. The amendment allows for a variety of lot sizes ranging from paired homes to large lot detached homes, which will attract residents and families of all sizes and demographics.

Table 3 on Page 8 provides a summary of the proposed changes to the PD in comparison to the approved PD.

The PD Amendment (See Exhibit A) is proposed in response to the site's topography and the Town of Parker and Mile High Flood Control District's ("District") request for a dendritic/low maintenance drainage design.

The drainage design was developed in cooperation with EMK Consultants Engineering and Surveying, Muller Engineering, the Town of Parker, and Mile High Flood Control District.

Segment 1 of the Looking Glass development is one of the first projects in the Town that implemented this approach with the goal of providing a holistic low maintenance stream approach by minimizing the need for grading and maintaining a natural stream flow thereby preserving the existing native vegetation and minimizing future maintenance costs. A similar approach will be utilized along Brandy Gulch and Oak Gulch which are part of Segment 2 and incorporated in this PD Amendment No. 3.

The approach uses techniques to reduce the increased runoff from development to levels closer to natural predeveloped watershed conditions and thus enable softer practices -- more reliant on-stream form, vegetation, and natural materials -- to stabilize streams. The intent is to create a win-win for all parties involved by reducing costs of infrastructure construction and maintenance while creating desirable stream-focused open spaces for communities.

The revised Planning Area boundaries are necessary to respond to the dendritic design and to be sensitive to the site's varying topography where the construction of

homes would be difficult and destructive to the natural environment. The modifications to the PAs are minor while maintaining the overall intent of the PD and not increasing the total approved number of dwelling units. The PD Amendment maintains the amount of open space and a comprehensive trail system, to the extent practical, including regional trails, local trail connectors and stabilized earth trails through the more sensitive areas within proposed parks and open space. A summary of the Parks and Open Space follows in Table 1.

Table 1

OPEN SPACE AND PARKS				
SEGMENT	SEGMENT 2A	SEGMENT 2B	SEGMENT 1	TOTAL
PARKS	25.70	27.62		53.32
OPEN SPACE	53.47	95.55	136.25	285.27

The modifications are also necessary to accommodate the community's redefined road alignments, drainage and grading needs, intersection locations for S. Chambers Road and Stroh Road, and the realignment of Stroh Road and Spirit Trail Boulevard through the property. The more specific design at time of the detailed Sketch Plan and Preliminary Plan will reinforce the modifications proposed by the PD Amendment.

3. Existing and Proposed Zoning and Land Uses

The current and proposed zoning of the Planning Areas within the Segment 2 – PD Amendment No. 3 is identified in the following Table which includes each Land Use Category, Permitted Uses Density and Lot Size.

Table 2

Applicable New Planning Area References	Approved Land Use Designation	Proposed Land Use Designation	Approved and Permitted Uses	Density/Min. Lot Size Based on Amendment
PA-1, PA-20, PA-22, PA-24, PA-29, PA-31, AND PA-32	SFf	SFd	Residential including: SF Detached, Zero lot line, SF Attached, Semi-detached, SFD – Clustered, Live/work, Condominiums, 2, 3 and 4-plex Dwelling units, Townhomes, Age targeted/Age restricted Housing and accessory uses	4.5 DU/Ac – 3,500 SF Lots 2,000 SF Lots for Duplex/Paired Homes
PA-11	SFe	SFd		
PA-27	SFg	SFd		
PA-26	PARK	SFd		
PA-30	SFd	SFd		4.5 DU/Ac – 3,500 SF Lots 2,000 SF Lots for Duplex/Paired Homes
PA-12 AND 14	MU	MU		
PA-33	SFg	SFf		3.2 DU/Ac – 3,500 SF
PA-13	PARK	SFe		6.0 DU/Ac – 3,500 SF 2,000 SF Lots for Duplex/Paired Homes
PA-2, PA-23	SFd	SFd		
PA-5	THd	SFe		
PA-14	MU	MU		

Applicable New Planning Area References	Approved Land Use Designation	Proposed Land Use Designation	Approved and Permitted Uses	Density/Min. Lot Size Based on Amendment
PA				
PA-18	MU	PARK		
PA-28	SfD	PARK		
PA-3, PA-4	MU	COMMERCIAL	Mixed use commercial, office, service, and public uses	
PA-15	PARK	PARK		
PA-19	SCHOOL	SCHOOL		

4. General Development Schedule and Phasing Plan

Development of the entire Hess Ranch (North Parcel) aka Looking Glass may be developed in individual Filings with absorption of all Filings planned to occur over the course of three to five years based on market demand. The area proposed within PD Amendment No. 3 is anticipated to be platted in two (2) segments, 2A and 2B. It is anticipated the entitlement process will be complete for Segment 2A in the spring of 2021 with infrastructure commencing as soon as possible after infrastructure plans have been approved, likely summer 2021. Entitlements are expected to be complete for Segment 2B in the summer of 2022 with the predicted buildout of Segments 2A and 2B to occur over the next five (5) to eight (8) years.

5. Compliance with the 2035 Master Plan

The Hess Ranch (North Parcel) PD Amendment remains consistent with the Town of Parker 2035 Master Plan as determined by the approval of the original PD by Town Council in September of 2015. In accordance with the approved PD and the governing documents of the Town of Parker, the PD Amendment will facilitate drainage improvements, road improvements, utility extensions, a variety of housing types, mixed-use commercial development and provisions for parks, trails and open space necessary to meet the needs of future residents of the Town. Additionally, PD Amendment No. 3 complies with Waiver Resolution 19-028, Series of 2019.

The Amendment also proposes the relocation of the intersection of Stroh Road and S. Chambers Road and the partial realignment of Stroh Road to along the northern property line. The intersection is better aligned to accommodate the site's topography and provide usable commercial areas while remaining consistent with the intent of the Town's Master Plan.

The buffer along the southern edge of Segment 2 is being modified by this PD amendment to a width varying between 50 feet and in excess of 400 feet based on topography and the need to realign Spirit Trail Boulevard to better accommodate the topography and maintain the central open space corridor and existing drainage characteristics along Brandy Gulch. The Planning Area boundaries, road alignments and open space locations enable less impactful development.

This buffer will maintain a trail corridor to a point between PA-23 and PA-24 and between PA-20 and PA-19 (the School Site), at which point a connector trail will extend north to access the regional trail along Brandy Gulch. West of PA-24, a stabilized earth trail I will be provided connecting PA-28 (Park) to the regional trail in Segment 1.

The land uses to the south are undeveloped land including a clay mine. The preservation of an open space and trail corridor, the proposed larger lots within Looking Glass, the varied topography and the preservation of the canyon in the southwest corner of the site (south of PA 33) address compatibility in a rural and urban interface area.

6. Approval Considerations

A. A need exists for the Proposal.

The PD Amendment is being requested primarily due to the desire to accommodate a more sensitive and natural approach to the drainage systems throughout the site; Waiver Resolution 19-028, Series of 2019 and the realignment of Stroh Road to better accommodate the site's topography. As such, designated open space areas, planning area boundaries and road alignments have been modified to accommodate development, drainage, and open space in harmony.

B. The parcel of ground is indeed the correct site for the proposed development.

The PD Amendment as requested will not modify the previously approved land uses, density, or number of dwelling units, nor will it reduce planned open space. The relocation of the Stroh Road intersection is a result of detailed analysis of the existing topography and viability of an intersection in the approved location.

Additionally, the dendritic design led to many of the proposed changes in the PD. This approach uses techniques to reduce the increased runoff from development to levels closer to natural predeveloped watershed conditions and thus enable softer practices -- more reliant on-stream form, vegetation, and natural materials -- to stabilize streams. The intent allows for more cost-effective long-term stream maintenance and creates desirable stream-focused open spaces for Looking Glass.

C. There has been an error in the original zoning.

Not applicable.

D. There have been significant changes in the area to warrant a zone change.

The area continues to change as new developments are being constructed. The PD Amendment is primarily driven by the philosophical change to dendritic drainage patterns, realignment of primary roads due to topography and the realignment of Planning Area boundaries and densities to better accommodate site constraints and opportunities.

E. Adequate circulation exists, and traffic movement would not be impeded by development.

The PD Amendment request will facilitate and enable the development of S. Chambers Road and Stroh Road which are significant improvements that provide regional transportation needs for the area. The roads are designed to

accommodate the transportation needs of not only the Looking Glass community but the surrounding commuting traffic as well. The PD Amendment does not increase the approved number of residential units.

- F. *Additional municipal service costs will not be incurred which the Town is not prepared to meet.*

The PD Amendment request will not create a change to any municipal services that were previously anticipated by the Town.

- G. *There are minimal environmental impacts or impacts can be mitigated.*

The PD Amendment request will not change any environmental condition that was previously anticipated. Rather - to the contrary, the modifications to the Planning Area boundaries permit better quality dendritic/low maintenance drainage infrastructure which will better accommodate the proposed more natural design of the drainage systems and the preservation of the steeper slope areas of the site. Impacts to wildlife is likely as development occurs. However, urban wildlife will continue to frequent the area and utilize the ample open space corridors for travel. The preservation of the natural drainage corridors of Oak Gulch and Brandy Gulch, as well as the significant open space corridors to the west and southwest areas of the site, will continue to provide the primary travel corridors, vegetative cover, and food sources for the wildlife.

- H. *The proposal is consistent with the Town Master Plan, maps, goals, and policies.*

The PD Amendment request remains consistent with the Town of Parker 2035 Master Plan as determined by the approval of the original PD by Town Council in September of 2015. The Town's Master Plan designates this site as Low Density Residential at a gross density of 2.2 dwelling unit per acre and a Neighborhood Commercial at the corner of Stroh Road and S. Chambers Road. The PD Amendment maintains the Neighborhood Commercial area and adjacent Mixed-Use areas and no change is proposed to the 3,379 dwelling units as originally approved original Hess Ranch Planned Development.

- I. *There is adequate waste and sewage disposal, water, schools, parks and recreation and other services to the proportionate degree necessary due to the impacts create by the land uses.*

The PD Amendment request does not propose any change to land uses that would impact or change any of the obligations related to services or the needs of the developing community. The proposed number of dwelling units remains the same for the Hess Ranch PD-North as was originally intended. As such, there are not additional impacts to services, school needs or parks.

Overall, the proposed PD Amendment will aid in creating a better community that is more responsive to the natural environment and provides the Town with higher quality, easier to maintain open space and drainage infrastructure.

Thank you for your time and consideration of this Hess Ranch-North Parcel PD Amendment No. 3. We respectfully request approval of the PD Amendment. As always, we look forward

to continuing to work with the Town to see this exciting neighborhood to fruition. Please feel free to contact me if you have any questions or need additional information.

Sincerely yours,

A handwritten signature in black ink, reading "Karen Z. Henry". The signature is written in a cursive style with a large, looping "H" and a stylized "K".

Karen Z. Henry
President, Henry Design Group, Inc.

CC: Matthew Osborn and Lawrence Jacobson, Front Range Communities, LLC
Eric McDaniel, EMK Consultants, Inc.

Hess Ranch PD Plan - Segment 2 - PD Amendment No. 3 - October 22, 2020, Table 3

Recorded PD August 2015						Proposed with PD Amendment No. 3					
Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)	Net Area	DU (Shown on Plan)	Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)	Gross Density
1	SFf	19.47	3.20	17.52	56	1	SFf	20.92	4.50	52	2.49
2	SFf	13.31	4.50	11.98	54	2	SFf	24.01	6.00	107	4.46
3	MU	16.63	0.60:1 FAR	14.97	81	3	COM	20.30			
4	MU	13.94	0.60:1 FAR	12.55	68	4	COM	3.70			
5	THd	27.98	10.00	25.18	252	5	SFf	30.20	6.00	134	4.44
11	SFf	47.73	6.00	42.96	258	11	SFf	39.65	6.00	133	3.35
12	MU	30.55	0.60:1 FAR	27.50	149	12	MU	25.89		150	5.79
13	PARK	13.44		13.44		13	SFf	18.34	6.00	59	3.22
14	MU	13.38	0.60:1 FAR	12.04	65	14	SFf	17.44		100	5.73
15	PARK	12.26		12.26		15	PARK	25.02			
16	SFf	8.81	4.50	7.93	36	16					
17	SFf	8.92	3.20	8.03	26	17	PARK	13.44			
18	PARK	10.00		10.00		18					
19	SCHOOL	11.38		11.38		19	SCHOOL	11.38			
20	SFf	22.23	3.20	20.01	64	20	SFf	23.95	4.50	91	3.80
22	SFf	17.72	3.20	15.95	51	22	SFf	14.38	4.50	45	3.13
23	SFf	24.29	4.50	21.86	98	23	SFf	24.10	4.50	87	3.61
24	SFf	36.19	3.20	32.57	104	24	SFf	38.54	4.50	138	3.58
26	PARK	14.58		14.58		26	SFf	19.13	4.50	68	3.55
27	SFg	38.69	0.67	34.82	23	27	SFf	34.90	4.50	106	3.04
28	SFf	8.51	6.00	7.66	46	28	PARK	14.86			
29	SFf	36.64	3.20	32.98	106	29	SFf	37.83	4.50	120	3.17
30	SFf	25.40	4.50	22.86	103	30	SFf	18.07	4.50	73	4.04
31	SFf	36.31	3.20	32.68	105	31	SFf	18.66	4.50	70	3.75
32	SFf	11.38	3.20	10.24	33	32	SFf	54.35	4.50	208	3.83
33	SFg	55.10	0.67	49.59	33	33	SFf	39.48	3.20	70	1.77
SUBTOTAL		574.84	-	523.54	1,811	SUBTOTAL		588.54	-	1,811	

Notes:

- 1..Proposed Planning Area names are different than the previously approved Planned Development.
2. Discrepancy in total gross acreage is due to differences in legal description and the realignment of Stroh Road, Chambers Road and Spirit Trail Boulevard

HESS RANCH PLANNED DEVELOPMENT

AMENDMENT NO. 3

NORTH PARCEL DEVELOPMENT PLAN

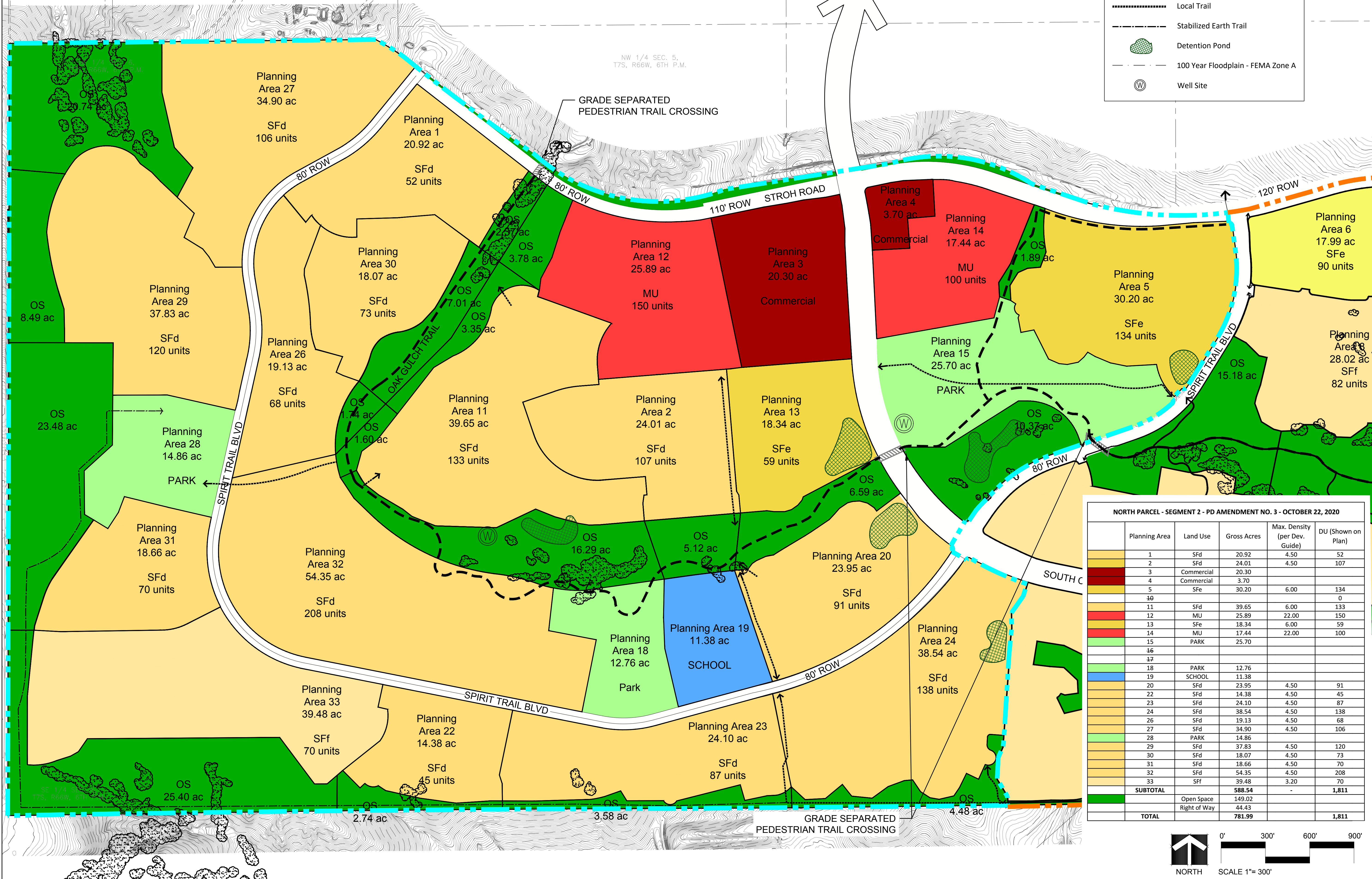
A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6 TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 3 OF 4
PROPOSED PLANNING AREAS

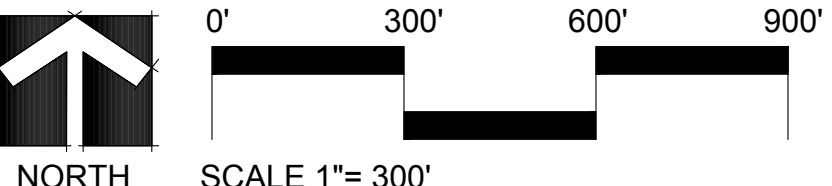
LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detention Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site

BY					
DATE	04-10-2020	05-20-2020	06-20-2020	07-20-2020	08-20-2020
REVISION					
1st SUBMITTAL					
NO.	1	2	3	4	



NORTH PARCEL - SEGMENT 2 - PD AMENDMENT NO. 3 - OCTOBER 22, 2020				
	Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)
	1	SFd	20.92	4.50
	2	SFd	24.01	4.50
	3	Commercial	20.30	
	4	Commercial	3.70	
	5	SFe	30.20	6.00
	10			
	11	SFd	39.65	6.00
	12	MU	25.89	22.00
	13	SFe	18.34	6.00
	14	MU	17.44	22.00
	15	PARK	25.70	
	16			
	17			
	18	PARK	12.76	
	19	SCHOOL	11.38	
	20	SFd	23.95	4.50
	22	SFd	14.38	4.50
	23	SFd	24.10	4.50
	24	SFd	38.54	4.50
	26	SFd	19.13	4.50
	27	SFd	34.90	4.50
	28	PARK	14.86	
	29	SFd	37.83	4.50
	30	SFd	18.07	4.50
	31	SFd	18.66	4.50
	32	SFd	54.35	4.50
	33	SFf	39.48	3.20
	SUBTOTAL		588.54	
	Open Space		149.02	
	Right of Way		44.43	
	TOTAL		781.99	1,811



HESS RANCH
AMENDMENT NO. 3
PLANNED DEVELOPMENT

Developer
Front Range Communities
4100 E. Mississippi Ave., #500
Denver, CO 80246
303.748.5466

Civil Engineer
EMK Consultants
7006 S. Alton Way, Bldg. F
Centennial, CO 80112
303.694.1520

Planner / Landscape Architect
The Henry Design Group
1501 Wazee St., Suite 1-C
Denver, CO 80202
303.446.2368

henry design group

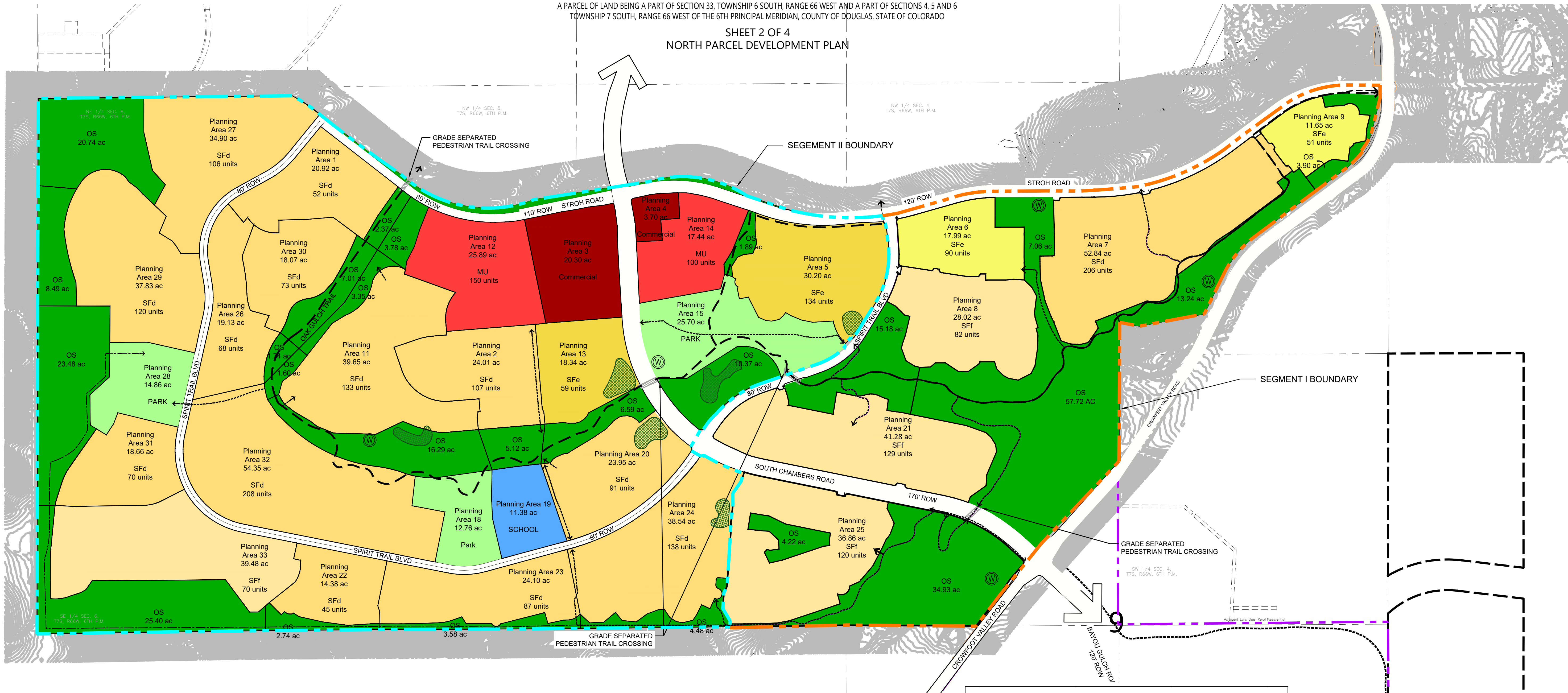
DATE: 10-22-2020
JOB NO: -
DRAWN BY: -
APPROVED: -
CADD FILE: -

EXHIBIT A

HESS RANCH PLANNED DEVELOPMENT
AMENDMENT NO. 3
NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 4
NORTH PARCEL DEVELOPMENT PLAN



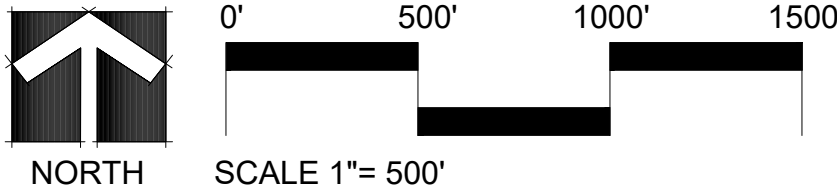
Reception Number: 2019055890

NORTH PARCEL - SEGMENT 1 - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019					
	Parcel #	Land Use	Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)
	6	SFe	17.99	6.00	90
	7	SFd	52.84	4.50	206
	8	SFf	28.02	3.20	82
	9	SFe	11.65	6.00	51
	21	SFf	41.28	3.20	129
	25	SFf	36.86	3.20	120
	SUBTOTAL		188.64	-	678
		Open Space	136.25		
		Right of Way	28.97		
	AMENDMENT SUBTOTAL		353.86	-	

NORTH PARCEL - SEGMENT 2 - PD AMENDMENT NO. 3					
	Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)
	1	SFd	20.92	4.50	52
	2	SFd	24.01	4.50	107
	3	Commercial	20.30		
	4	Commercial	3.70		
	5	SFe	30.20	6.00	134
	40				0
	11	SFd	39.65	6.00	133
	12	MU	25.89	22.00	150
	13	SFe	18.34	6.00	59
	14	MU	17.44	22.00	100
	15	PARK	25.70		
	16				
	17				
	18	PARK	12.76		
	19	SCHOOL	11.38		
	20	SFd	23.95	4.50	91
	22	SFd	14.38	4.50	45
	23	SFd	24.10	4.50	87
	24	SFd	38.54	4.50	138
	26	SFd	19.13	4.50	68
	27	SFd	34.90	4.50	106
	28	PARK	14.86		
	29	SFd	37.83	4.50	120
	30	SFd	18.07	4.50	73
	31	SFd	18.66	4.50	70
	32	SFd	54.35	4.50	208
	33	SFf	39.48	3.20	70
	SUBTOTAL		588.54	-	1,811
		Open Space	149.02		
		Right of Way	44.43		
	TOTAL		781.99		1,811

LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- South Parcel Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detention Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site



NO.	REVISION	DATE	BY
1	1st SUBMITTAL	04-10-2020	-
2	2nd SUBMITTAL	06-05-2020	-
3	3rd SUBMITTAL	10-15-2020	-
4	4th SUBMITTAL	10-22-2020	-
5	5th SUBMITTAL	11-02-2020	-

HESS RANCH
PLANNED DEVELOPMENT
AMENDMENT NO. 3
NORTH PARCEL DEVELOPMENT PLAN

Developer
Front Range Communities
4100 E. Mississippi Ave., #500
Denver, CO 80246
303.748.5466
FR
FRONT RANGE COMMUNITIES, LLC

Civil Engineer
EMK Consultants
7006 S. Alton Way, Bldg. F
Centennial, CO 80112
303.694.1520



Planner / Landscape Architect
The Henry Design Group
1501 Wazee St., Suite 1-C
Denver, CO 80202
303.446.2368

henry
design
group

DATE: 11-02-2020
JOB NO: -
DRAWN BY: -
APPROVED: -
CADD FILE: -

SHEET 2

HESS RANCH PLANNED DEVELOPMENT

AMENDMENT NO. 3

NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 3 OF 4
PROPOSED PLANNING AREAS

LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detention Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site

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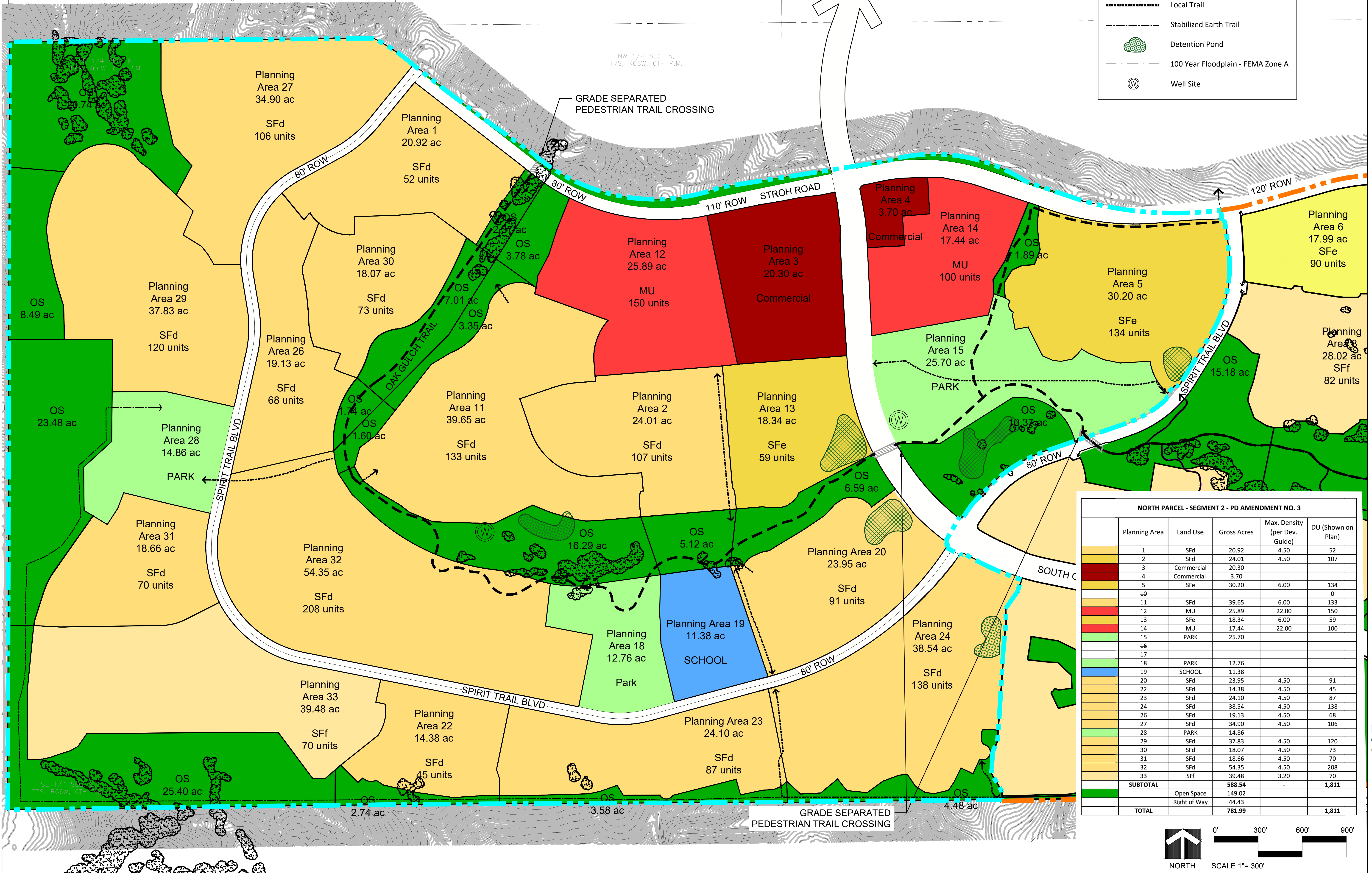
EMK

Planner / Landscape Architect
The Henry Design Group
1501 Wazee St., Suite 1-C
Denver, CO 80202
303.446.2368

henry
design
group

DATE: 11-02-2020
JOB NO: -
DRAWN BY: -
APPROVED: -
CADD FILE: -

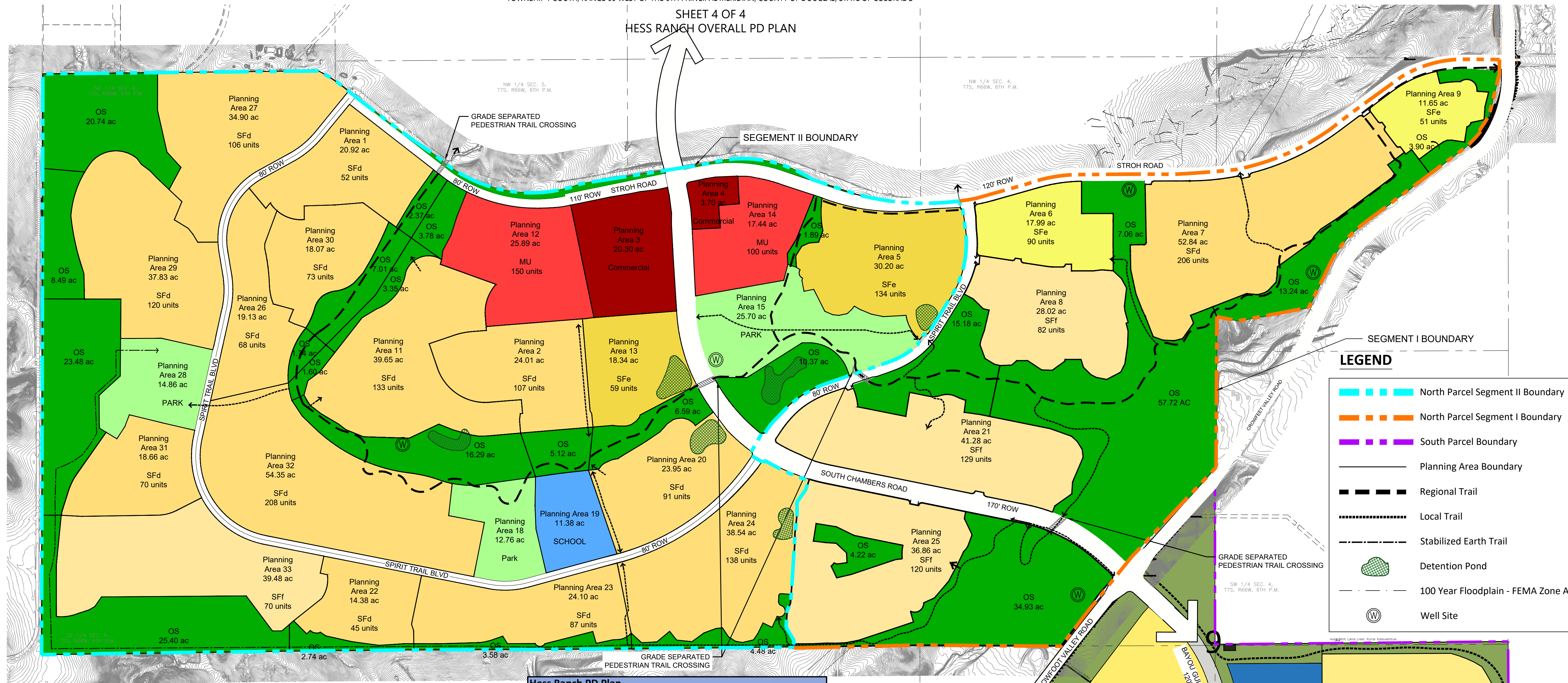
SHEET 3



HESS RANCH PLANNED DEVELOPMENT
AMENDMENT NO. 3
NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 4 OF 4
HESS RANCH OVERALL PD PLAN



Reception Number: 2017076072

SOUTH PARCEL - PD AMENDMENT NO. 1 - AS RECORDED NOVEMBER 7, 2017						
Parcel #	Land Use	Gross Acres	Proposed Density	Net Acres Minus Roads	Net Acres Minus Floodplain & Slopes	DU (Shown)
34	SFf	48.2	4.1	-	-	199
35	MU	9.8	4.9	-	-	48
36	MU	10.7	4.1	-	-	44
37	School	11.7	-	-	-	-
38	Park	18.1	-	-	-	-
39	SFe	45.4	4.2	-	-	189
40	SFe	35.9	4.6	-	-	166
41	SFg	20.2	1.3	-	-	31
42	SFf	32.2	3.1	-	-	100
43	MU	7.9	5.6	-	-	44
44	MU	4.5	-	-	-	-
45	Fire Station	2.9	-	-	-	-
46	SFe	12.4	4.1	-	-	51
47	SFg	15.3	1.2	-	-	18
	Open Space	101.63	-	-	-	-
Road	N. Pinery Pkwy	9.8	-	-	-	-
Road	Bayou Gulch	13.5	-	-	-	-
Total		400.1	-	-	-	890

Reception Number: 2019055890

NORTH PARCEL - SEGMENT 1 - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019					
Parcel #	Land Use	Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)	
6	SFe	17.99	6.00	90	
7	SFf	52.84	4.50	206	
8	SFf	28.02	3.20	82	
9	SFe	11.65	6.00	51	
21	SFf	41.28	3.20	129	
25	SFf	35.86	3.20	120	
SUBTOTAL		188.64	-	678	
	Open Space	136.25			
	Right of Way	28.97			
AMENDMENT SUBTOTAL		353.86	-		

NORTH PARCEL - SEGMENT 2 - PD AMENDMENT NO. 3					
Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)	
1	SFf	20.92	4.50	52	
2	SFf	24.01	4.50	107	
3	Commercial	20.30			
4	Commercial	3.70			
5	SFe	30.20	6.00	134	
11	SFf	39.65	6.00	133	
12	MU	25.89	22.00	150	
13	SFe	18.34	6.00	59	
14	MU	17.44	22.00	100	
15	PARK	25.70			
16					
17					
18	PARK	12.76			
19	SCHOOL	11.38			
20	SFf	23.95	4.50	91	
22	SFf	14.38	4.50	45	
23	SFf	24.10	4.50	87	
24	SFf	38.54	4.50	138	
26	SFf	19.13	4.50	68	
27	SFf	34.90	4.50	106	
28	PARK	14.86			
29	SFf	37.83	4.50	120	
30	SFf	18.07	4.50	73	
31	SFf	18.66	4.50	70	
32	SFf	54.35	4.50	208	
33	SFf	39.48	3.20	70	
SUBTOTAL		588.54	-	1,811	
	Open Space	149.02			
	Right of Way	44.43			
TOTAL		781.99		1,811	

Hess Ranch PD Plan

South Parcel

TRAILS AT CROWFOOT - PD AMENDMENT NO. 1 - AS RECORDED - November 7, 2017		
Planning Areas	Acres	Units
Open Space	101.63	
Right of Way	23.30	
Amendment Subtotal	400.01	890
TRAILS AT CROWFOOT SUBTOTAL	400.01	890

North Parcel

LOOKING GLASS SEGMENT 1 - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019		
Planning Areas	188.64	678
Open Space	136.25	
Right of Way	28.97	
Amendment Subtotal	353.86	678
LOOKING GLASS SEGMENT 2 - PD AMENDMENT NO. 3		
Planning Areas	588.54	1,811
Open Space	149.02	
Right of Way	44.43	
Amendment Subtotal	781.99	1,811
LOOKING GLASS SUBTOTAL	1,135.85	2,489

GRAND TOTAL	1,535.86	3,379
Open Space Provided	386.90	
Open Space Required per the Annexation Agreement	384.4	

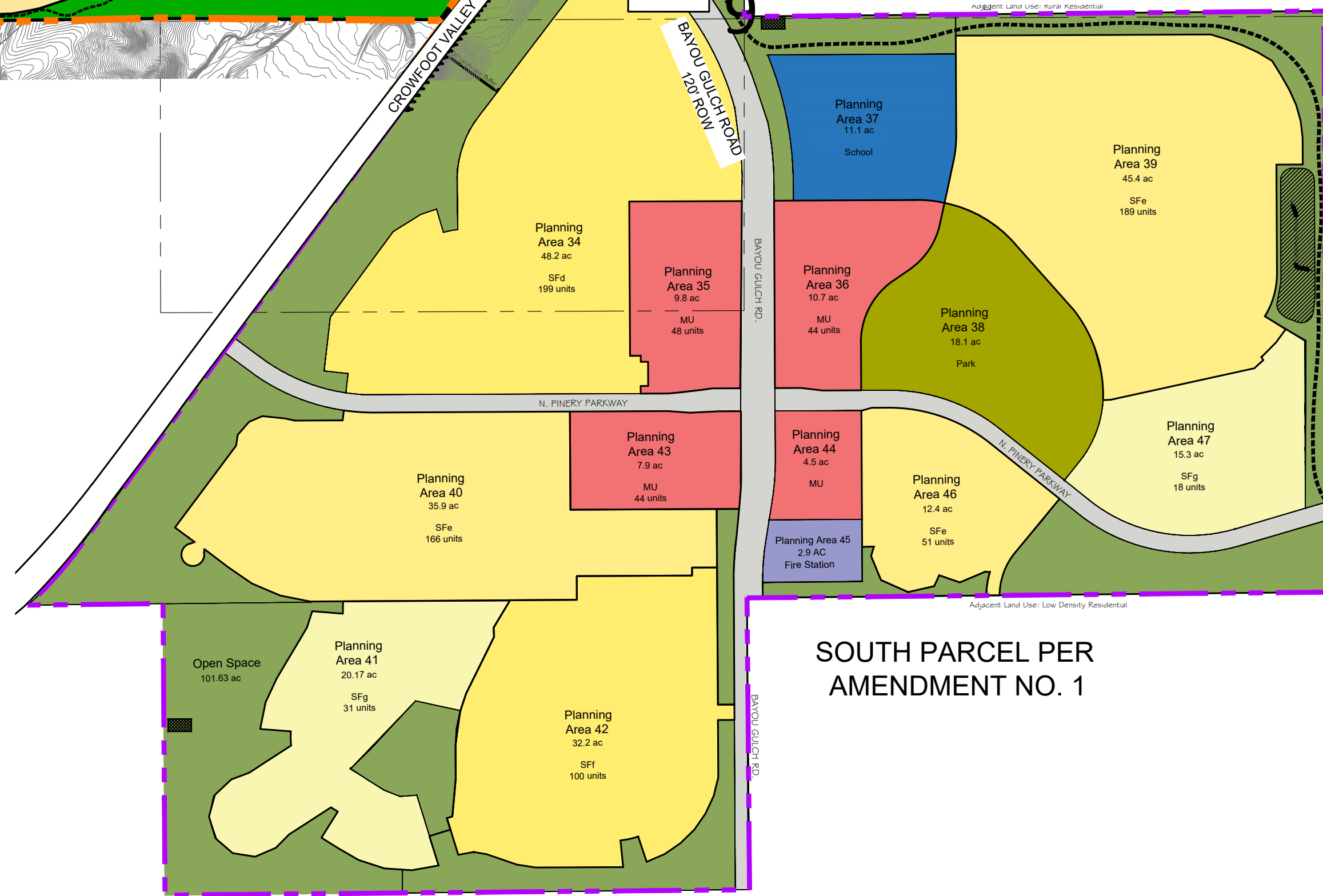
South Parcel

TRAILS AT CROWFOOT - PD AMENDMENT NO. 1 - AS RECORDED - November 7, 2017		
Planning Areas	Acres	Units
Park Planning Areas (PA-38)	18.10	890
TRAILS AT CROWFOOT SUBTOTAL	18.10	890

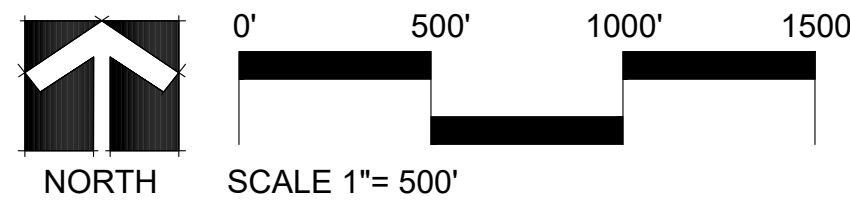
North Parcel

LOOKING GLASS SEGMENT 1 - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019		
Park Planning Areas	0.00	678
LOOKING GLASS SEGMENT 2 - PD AMENDMENT NO. 3		
2a - Park Planning Areas (PA-15)	25.70	912
2b - Park Planning Areas (PA-18 and PA-28)	27.62	899
LOOKING GLASS SUBTOTAL	53.32	2,489

GRAND TOTAL	71.42	3,379
Park Planning Areas Provided	71.42	
Parks Required per the Annexation Agreement	67.28	



SOUTH PARCEL PER
AMENDMENT NO. 1



NO.	REVISION	DATE	BY
1	1st SUBMITTAL	04-10-2020	-
2	2nd SUBMITTAL	06-05-2020	-
3	3rd SUBMITTAL	10-15-2020	-
4	4th SUBMITTAL	10-22-2020	-
5	5th SUBMITTAL	11-02-2020	-

HESS RANCH
PLANNED DEVELOPMENT
AMENDMENT NO. 3
NORTH PARCEL DEVELOPMENT PLAN

Developer
Front Range Communities
4100 E. Mississippi Ave., #500
Denver, CO 80246
303.748.5466

Civil Engineer
EMK Consultants
7006 S. Alton Way, Bldg. F
Centennial, CO 80112
303.694.1520



Planner / Landscape Architect
The Henry Design Group
1501 Wazee St., Suite 1-C
Denver, CO 80202
303.446.2368

henry
design
group

DATE: 11-02-2020
JOB NO: -
DRAWN BY: -
APPROVED: -
CADD FILE: -

Hess Ranch Development
Town of Parker, Colorado

PD DEVELOPMENT GUIDE – THIRD AMENDMENT

~~July 17, 2019~~

November 2, 2020

Owner:

JEN Colorado 18, LLC
Front Range Communities
4100 E. Mississippi Avenue, Suite 500
Denver, CO 80246
Contact: Matthew Osborn/Lawrence Jacobson
303.598.5970/303.748.5466

Planning Consultant:

Henry Design Group, Inc.
1501 Wazee Street, Suite 1-C
Denver, CO 80202
303.446.2368
Contact: Karen Henry

Engineering Consultant:

EMK Consultants, Inc.
7008 S. Alton Way, Building F
Centennial, CO 80112
303.694.1520
Contact: Eric McDaniel

Traffic Consultant:

NAVJOY
301 Commercial Road, Suite B
Golden, CO 80401
720-399-4402 Ext. 109
Contact: Devin Joslin

~~**Traffic Consultant**~~

~~EST~~
~~1873 South Bellaire Street, Suite 1101~~
~~Denver, CO 80220~~
~~720.486.0707~~

Drainage Consultant

Muller Engineering Company

777 S. Wadsworth Blvd., Suite 4100

Lakewood, CO 80226

303.988.4939

Contact: Jim Wulliman/Sara Johnson

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agreement	37
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A. Incorporation of Planned Development Master Plan	403538
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I. GENERAL PROVISIONS

A. Application

The standards outlined in the Development Guide shall apply to all property contained within the "HESS RANCH DEVELOPMENT PLAN AND GUIDE" (the "Development Plan") except as provided herein. The standards outlined in the Development Plan may be divergent from the zoning regulations contained in Chapter 13.04 of the Parker Municipal Code, but not any other Chapter of the Parker Municipal Code. In the event there is a conflict between the standards contained in the Development Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control. The terms "DEVELOPMENT PLAN" and "MASTER PLAN" may be used interchangeably.

This Development Guide is only one of several documents that will help guide the Hess Ranch Planned Development. The Development Guide and the Development Plan are the planning documents for this development.

The Development Agreement is a third document that will help frame the overall development with specific language of agreements, triggers, responsibilities, etc. Please refer to this document to gain a full understanding of the Hess Ranch Planned Development.

B. Density Standards

The Dwelling Unit Density permitted in any residential Planning Area is an Average Density that shall apply to the entire residential Planning Area and shall not be specifically applicable to any portion thereof. The Average Density of any residential Planning Area shall be computed by dividing the total number of Dwelling Units in the residential Planning Area by the gross acres in the residential Planning Area.

C. Density Variation

In no event shall the total number of 3,379 residential Dwelling Units within all Planning Areas as set forth on the "HESS RANCH DEVELOPMENT PLAN AND GUIDE" be exceeded.

In general, residential Planning Areas may contain up to an additional twenty percent (20%) of the number of units allowed for each Planning Area, as set forth in the "HESS RANCH PD DEVELOPMENT PLAN AND GUIDE", as determined by the Developer. The total number of Dwelling Units actually developed in a Planning Area may be less than the number established on the Development Plan. Unbuilt or unused dwelling units resulting from the Final Plat of any Planning Area, may be transferred to other areas provided that the receiving Planning Area ~~not~~ does not receive more than 20% of the original density provided for on the Hess Ranch Development Plan. The transfer of any unbuilt or unused dwelling units may occur at any time throughout the development process of Hess Ranch. Any increase or decrease of dwelling units

within a Planning Area by more than 20% must be processed as a Major Amendment under Section 13.04.240 of the Parker Municipal Code.

D. Planning Area Boundaries

Wherever a Planning Area abuts a street as shown on the "HESS RANCH DEVELOPMENT PLAN", the Planning Area boundary is the edge of the abutting right-of-way of such street (except Crowfoot Valley Road). Wherever a Planning Area does not so abut a street, the Planning Area boundary shall be as shown on the "HESS RANCH DEVELOPMENT PLAN". Modifications in Planning Area boundaries and streets may be accomplished by the Developer by final road alignments or engineering refinements shown on a Site Plan or Plat, without any amendment to the "HESS RANCH DEVELOPMENT PLAN" provided the Planning Area does not increase or decrease by more than twenty percent (20%) in size.

E. Underground Utility Requirements

All electrical and communications distribution lines shall be placed underground. All transmission lines shall be underground unless same cannot be accomplished by direct burial.

F. Homeowner Associations

Homeowner Associations composed of property owners in residential areas may be created for the following purposes: a) to provide for the continued development, improvement and maintenance of properties and facilities which it owns or administers, and b) to protect the investment, enhance the value, and control the use of property owned by its members.

Homeowner's Associations or special districts may be created in residential areas where common lands or facilities are to be owned and maintained by the Homeowner's Association or special district.

G. Agricultural Uses

Any portion or portions of the property described as the Hess Ranch Planned Development, where development has not commenced in accordance with the adopted Development Guide and Plan, may be used on a temporary basis for agricultural purposes, as provided herein.

II. DEFINITIONS

A. Purposes: It is the purpose of this Article to define words, terms and phrases contained within this PD Development Guide. See the Town of Parker Land Development Code for other definitions not defined herein.

B. Word Usage: In the interpretation of this Guide, the provisions and rules of this section shall be observed and applied, except when the context requires otherwise.

1. The ~~particular controls~~ **particular controls** the general.
2. In the case of any difference of meaning or implication between the text of this Guide and any caption or table, the text shall control.
3. Words used or defined in one tense or form shall include other tenses and derivative forms.
4. Words in the singular number shall include the plural number and words in the plural number shall include the singular number.
5. The masculine gender shall include the feminine and the feminine gender shall include the masculine.
6. The word "shall" is mandatory.

7. The word "may" is permissive.

C. **Definitions:**

1. **Abut.** To have a common border with.
2. **Accessory Buildings.** Detached subordinate building(s) or Structure(s), the use of which is customarily incidental to that of the Principal Building or to the main use of the land and which is located on the same lot with the Main Building or use, including carriage house units located above detached and semi-detached garages, designated for and occupied by not more than one family, and with a maximum size of 600 square feet.
3. **Age Targeted Dwelling.** Housing designed to appeal to the lifestyle needs of buyers over 55 years of age.
4. **Age Restricted Dwelling.** Housing limited to buyers and occupants 55 years of age or older.
5. **Agricultural Uses.** The uses which are permitted include:
 - 1) Farming, including plowing, tillage, cropping, seeding, ~~cultivating~~cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber operations) produced on the premises.
 - 2) Ranching, including grazing of livestock (except commercial feed yards, poultry, pig farms, fur farms or kennels).
 - 3) Open space.
 - 4) Selling agricultural products not requiring a state tax license.
6. **Building, Principal or Main.** A building or buildings which may contain one or more Dwelling Unit(s) in which is conducted one or more of the permitted Principal Uses of the Lot or project in which it is situated and including areas such as garages, carports, storage sheds which are attached to or architecturally integrated with the principal building.
7. **Building Front.** That exterior wall of a Building which faces a Front Lot Line of a Lot.
8. **Building Ground Coverage.** The amount of land covered or permitted to be covered by a Building.
9. **Building Setback.** The distance between the Building and the adjacent street right-of-way, property line, exterior of the Private Street Easement, or external planning area boundary.
10. **Building Side.** That exterior wall of a Building which faces a Side Lot Line of a Lot.
11. **Building Rear.** That exterior wall of a Building which faces a Rear Lot Line of a Lot.
12. **Car Care Center.** An establishment providing sales of vehicle fuel and such services as lubrication, oil and tire changes, and minor repairs. This use does not Include paint spraying or body repair.
13. **Density, Gross or Average.** A ratio of number of Dwelling Units per acre calculated by dividing the number of Dwelling Units within the boundary of one or more residential Planning Areas or portion thereof by the number of acres contained within the Planning Area(s) or portions thereof; including all land within said Planning Area(s) or portion thereof reserved or dedicated for Parks, Open Space, recreation, educational, community, or public use, and Public Street rights-of way and Easements. For calculation purposes, the gross density excludes the 100-year floodplain as mapped by FEMA and slopes of 20% or greater.
14. **Density, Net.** A ratio of number of Dwelling units per acre calculated by dividing the number of Dwelling Units within the boundary of one or more residential Planning Areas or portion thereof by the number of acres contained within the Planning Area(s) or portion thereof; excluding all land within said Planning Area(s) or portion thereof reserved or dedicated for Roads, Parks, Open Space, recreations, educational,

community or public use, and Public Street rights-of-ways and easements. For calculation purposes, the gross density excludes the 100-year floodplain as mapped by FEMA and slopes of 20% or greater

15. **Dwelling Unit, Atrium.** An alternative type of Single Family Detached or Attached Dwelling Unit in which the private Individual Open Space associated with each Dwelling Unit is consolidated into a private yard surrounded by buildings or walls forming an atrium. This atrium replaces the conventional front side and rear yards associated with traditional Single Family Detached Dwelling Units.
16. **Dwelling Unit, Clustered Single Family.** A type of Single Family Detached or Attached Dwelling Unit development that combines reduced lot size with compensating amounts of Open Space within the proposed development.
17. **Dwelling Unit, Duplex.** A detached building on a single parcel containing two (2) dwelling units, designed for or used as dwellings exclusively by two (2) families each living as an independent housekeeping unit, or two attached units sharing a common wall with separate entries and separate lots for each unit.
18. **Dwelling Unit, Patio.** An alternative type of Single Family Detached or Attached Dwelling Unit in which the private Individual Open Space associated with each Dwelling Unit is consolidated into a garden or patio area commonly located toward the side or rear of the Lot. This patio area replaces the conventional front, side and rear yards associated with traditional Single Family Detached Dwelling Units.
19. **Dwelling Unit Single Family Attached.** A Building designated for and containing more than one Dwelling Unit and occupied by not more than 6 families within one Structure each which is separated from the others by one (1) or more un-pierced walls from ground to roof.
20. **Dwelling Unit, Single Family Detached.** A type of Dwelling Unit designated for and occupied by not more than one family and having no roof, wall or floor in common with any other Dwelling Unit.
21. **Dwelling Unit, Townhome.** A type of Single Family Attached or Multi-Family Dwelling Unit in which each single Dwelling Unit goes from ground to roof and is separated from other Townhome Dwelling Units by a common wall. Each Townhome Dwelling Unit has Individual outside access. Townhome Dwelling may have no side yards, or front and rear yards. May include duplex, triplex, fourplex, or more.
22. **Dwelling Unit, Zero Lot Line.** An alternative type of Single Family Detached Dwelling Unit which is situated on a Lot so that one or more sides rest directly on the boundary line of the Lot.
23. **Dwelling Unit, Live/Work.** An alternative type of Townhome Dwelling Unit in which a range of retail goods and services, consistent with the Mixed Use (MU) designation are permitted, in combination with residential use, and where setbacks apply.
24. **Dwelling Unit, Condominium.** A type of ~~Single-Family~~Single-Family Dwelling Unit. The unit is individually owned, each owner receives a recordable deed to the individual unit purchased, including the right to sell, mortgage, etc., that unit and sharing in joint ownership of any common grounds, passageways, etc.
25. **Easement, Private Street.** An acquired right of use, interest or privilege in land owned by another containing a privately owned access way constructed to the specifications of the Town of Parker but not maintained by the Town of Parker. Town of Parker and Parker Fire Protection District approved fire access shall be provided in all cases.
26. **Exterior Storage.** Outdoor storage of fuel, raw materials, products and equipment. In the case of lumberyards, exterior storage includes all impervious materials stored outdoors.

27. **Garage, Parallel.** A garage attached or detached, which is oriented so that the axis which corresponds with the garage opening is substantially parallel to the adjacent street from which the Lot derives access.
28. **Garage, Perpendicular.** A garage attached or detached, which is oriented so that the axis which corresponds with the garage opening is substantially perpendicular to the adjacent street from which the Lot derives access.
29. **Group Care Facilities.** A facility where three or more persons are provided supervision and a planned treatment of counselling, therapy or other rehabilitative social services in a family environment. Such residence must be licensed by or operated by a federal, state, county or local judicial health/welfare agency or serve only referrals from such agencies. Examples of group care facilities ~~are:~~are group foster care, children's homes, halfway houses, rehabilitative centers, assisted living, ~~maternity~~maternity, or senior citizen homes.
30. **Land Use Category.** A set of permitted land use types which are aggregated to form a land use classification similar in nature to zoning districts. Each Land Use Category is identified on the PD Master Plan and in Section III. Land Use Regulations of this PD Development Guide.
 - A. UNIFORM LAND USES**
 - 1) Single Family Detached Dwellings
 - 2) Duplex
 - 3) Single Family Attached Dwellings-these will include atrium ~~—~~— clustered patio, live work, townhome, duplex, including duplex, triplex and fourplex dwelling units.
 - 4) Multifamily
 - 5) Live/Work Dwelling Units - shall be associated with all MU planning areas and shall be located above retail/commercial areas that are compatible with a live work community. Usually associated with commercial developments.
 - 6) Accessory Dwelling Units - shall include all structures described in the Parker Land Use Ordinance 13.04.170. May also include utility facility enclosures and well sites.
 - 7) Places of Religious Assembly
 - 8) Accessory Structure and Uses
 - 9) Open Space
 - 10) Parks
 - 11) Neighborhood Recreational Centers and Facilities
 - 12) Group Home - refer to Group Care Facilities definition
 - 13) Assisted Living Residence - a housing facility that provides assistance to disabled individuals. These individuals cannot perform all of the ADL's (activities of daily living) i.e. eating, bathing, feeding, etc. These facilitates do not provide 24-hour care.
 - 14) Long Term Care Facility/Nursing Home
31. **Nursery.** An enterprise which conducts the retail and wholesale sale of plants grown on the site, as well as accessory items (but not farm implements) directly related to their care and maintenance. The accessory items normally sold are clay pots, polling soil, fertilizers, insecticides, hanging baskets, rakes and shovels.
32. **Planning Areas.** Areas of land delineated on the PD Master Plan identified with a phrase or symbol which designates a specific set of permitted land use types according to the

- Land Use Categories provided in Section III. - Land Use Regulations of this PD Development Guide. Planning Area boundaries are as depicted on the PD Master Plan.
33. **Planning Commission.** The Planning Commission of the Town of Parker.
 34. **Principal Use.** The specific primary purpose, activity or use for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.
 35. **Recreational Vehicle.** A vehicle or a unit that is mounted on or drawn by another vehicle primarily designed for recreation or temporary living. Recreational vehicles include travel trailers, camping trailers, truck campers, mobile homes, boats, snowmobiles and other similar recreation equipment.
 36. **Restaurant, Conventional.** An establishment whose principal business is the sale of food and/or beverages to customers whose principal method of operation includes one or both of the following characteristics: (1) customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed. And (2) cafeteria type operation where food and beverages generally are consumed within the restaurant building.
 37. **Restaurant, Fast Food.** An establishment whose principal business is the sale of food and/or beverages in a "ready to consume" state: (1) within the restaurant building; (2) within a motor vehicle parked on the premises; or (3) off the premises as carry out orders and whose principal method of operation includes the following characteristics: food and/or beverages are usually served in edible containers or in paper, plastic or other disposable containers.
 38. **Restaurant, Fast Food with Drive Through Facilities.** Drive-in or drive-through means an accessory use to a building or facility that by design facilitates, encourages or allows customers to receive services or obtain goods while remaining in their motor vehicle, excluding reserved parking spaces for take-out goods where there is no menu board or communication facility.
 39. **Setback.** The distance between the building line and the adjacent street right-of-way line or Lot Boundary.
 40. **Structure.** Anything constructed or erected, which requires permanent location on the ground or is attached to something having a permanent location on the ground, but not including fences or walls less than six (6) feet, poles, lines, cables, or other transmission or distribution facilities or public utilities.
 41. **Town Council.** The Town Council for the Town of Parker.
 42. **Traditional Neighborhood Design (TND).** Traditional Neighborhood Design standards are intended to provide flexibility allowing land use patterns representative of those that were planned earlier in the 20th century. Traditional neighborhoods generally have a broad mix of uses including Single Family and Multi-Family land use patterns that help to create more pedestrian friendly streetscapes, in neighborhoods where homes and other uses orient toward the street.
 43. **Transit Oriented Design (TOD).** Transit Oriented Design neighborhoods contain a broad mix of uses including Single Family and Multi-Family residential combined with commercial and retail opportunities in land use patterns that help to create a pedestrian friendly environment, with convenient access to public transit.

III. LAND USE REGULATIONS

A. General

At the time of the Town Council's initial approval of this Development Plan and Guide, Planning Areas designated as SFe, SFf and SFg were within an area that was regulated by an Intergovernmental Agreement (IGA) between the Town of Parker and the City of Lone Tree. The number of dwelling units prescribed by the IGA was limited to 100 units for these Planning Areas. On September 5, 2015 the IGA expired. The day after, September 8, 2015, the cumulative number of dwelling units allowed for Planning Areas 27, 28, 29, 30, 31, 32 and 33 were increased to a number greater than 100. This increase will not require a Major Amendment to the Development Plan and will be counted as part of the overall 3,379 dwelling units allowed by the Plan.

B. Residential (SFd)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single Family Dwelling Units, Duplex, Triplex, and Fourplex Dwelling Units, Townhome Dwelling Units, Condominium Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- e. Condominiums
- f. Age targeted housing (Not depicted on plan for this PD Submittal – Will be included in Site Plan/Subdivision Submittals)
- g. Age restricted senior housing. (Not depicted on plan for this PD Submittal – Will be included In Site Plan/Subdivision Submittals)
- h. Group Homes/Nursing Homes
- i. Clustered ~~Single-Family~~Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- j. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- k. Attached or detached private garages (3 cars maximum).
- l. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antenna, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of household pets according to the regulations and standards within the Parker Municipal Code.
- m. Public Open Space.
- n. Private recreational and park uses, country clubs, recreational facilities, including but not limited to: tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking and biking trails.

- o. Public parks, playgrounds and other recreational areas.
- p. Places of religious assembly, religious schools.
- q. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.
- r. Public and private schools and related administrative facilities for elementary and secondary education.

3. Uses Permitted by Special Review

- a. Buildings, garages and utility stations related to emergency services, such as ambulance, fire, police and rescue.
- b. Neighborhood public service, health and education facilities, such as community centers, libraries and museums.
- c. Child Care Centers.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170

Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to four and five-tenths (4.5) Dwelling Units per acre for each Sfd Planning Area. These Average Densities are set forth on the PD Development Plan and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Areas will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each Sfd residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback.** The minimum Building Setbacks in Sfd residential Planning Area will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes and Condominiums)

Building Front	4 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building)
	10 feet (Garage perpendicular)
	6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

- d. **Building Separation.** The minimum building separation shall be the greater of:
- (i) Seven and ½ (7.5) feet for Single Family Detached Residential Buildings, fifteen (15) feet for Buildings containing Single Family Attached Dwelling Units and twenty (20) feet for other Principal Buildings located within SFd Land Use Planning Areas, or
 - (ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within SFd Planning Areas shall exceed thirty-five (35) feet in height.
- f. **Minimum Lot Sizes.** The minimum lot sizes in SFd residential Planning Areas shall be ~~thirty-five~~thirty-five hundred (3500) square feet.

C. Residential (SFe)**1. Intent**

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single Family Dwelling Units, Duplex Dwelling Units, Triplex and Fourplex Dwelling Units, Townhome Dwelling Units, Condominium Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.

- b. Zero Lot Line Dwelling Units
 - c. Duplex, Triplex, and Fourplex Dwelling Units.
 - d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
 - e. Condominiums
 - f. Age targeted housing (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
 - g. Age restricted senior housing (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
 - h. Clustered ~~Single Family~~ Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
 - i. Group Homes/Nursing Homes
 - j. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
 - k. Attached or detached private garages (3 cars maximum).
 - l. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antenna, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of household pets according to the regulations and standards within the Parker Municipal Code.
 - m. Public Open Space.
 - n. Public and private schools and related administrative facilities for elementary and secondary education.
 - o. Private recreational and park uses, country clubs, recreational facilities, including but not limited to ~~tennis~~ tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking and biking trails.
 - p. Public parks, playgrounds and other recreational areas.
 - q. Places of religious assembly, religious schools.
 - r. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.
3. **Uses Permitted by Special Review**
- a. Buildings, garages and utility stations related to emergency services, such as ambulance, fire, police and rescue.
 - b. Neighborhood public service, health and education facilities, such as community centers, libraries and museums.
 - c. Child Care Centers.
4. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**
Shall also include utility facilities and well sites.
5. **Development Standards**
- a. **Average Density.** The Average Density shall be up to six (6.0) Dwelling Units per acre for each SFe Planning Area, as set forth in the PO Development Plan, and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.

- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each SFe residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback:** The minimum Building Setbacks in SFe residential Planning Area will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	10 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes and Condominiums)

Building Front	4 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building)
	10 feet (Garage perpendicular)
	6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines

Building Rear 4 feet from alley
Building Rear 0 feet from other property lines

d. **Building Separation.**

The minimum building separation shall be the greater of:

- i) Seven and ½ (7.5) feet for Single Family Detached Dwelling Units, ten (10) feet for Buildings containing **Duplex Units**, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each SFe Lands Use Planning Area, or
- ii) shall be governed by the applicable building code.

e. **Building Height.** No residential Buildings within SFe Planning Areas shall exceed thirty-five (35) feet in height except by special review.

f. **Minimum Lot Sizes.** The minimum lot sizes in SFe residential shall be two thousand (2,000) square feet for a duplex lot and thirty-five hundred (3,500) square feet for a **single-familySingle-Family** detached lot.

D. **Residential (Sff)**

1. **Intent**

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single Family Dwelling Units, Duplex Dwelling Units, Triplex and Fourplex Dwelling Units, Townhome Dwelling Units, Condominium Dwelling Units and Accessory Uses.

2. **Uses Permitted by Right**

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units.
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live Work Dwelling Units.
- e. Age targeted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- f. Age restricted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- g. Group Homes/Nursing Homes
- h. Clustered **Single-FamilySingle-Family** Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- i. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- j. Attached or detached private garages (3 cars maximum).
- k. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- l. Public Open Space.

- m. Public and private schools and related administrative facilities for elementary and secondary education.
- n. Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking and biking trails.
- o. Public parks, playgrounds and other recreational areas.
- p. Places of religious assembly, religious schools.
- q. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

3. Uses Permitted by Special Review

- a. Buildings, garages and utility stations related to emergency services, such as ambulance, fire, police and rescue.
- b. Neighborhood public service, health and education facilities, such as community centers, libraries and museums.
- c. Child Care Centers.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170
Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to three point two (3.2) Dwelling Units per acre for each Sff Planning Area, as set forth in the PD Development Plan, and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each Sff residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback.** The minimum Building Setbacks in Sff residential Planning Areas will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street

Building Sides 0 feet from other property lines
 Building Rear 4 feet from alley
 Building Rear 0 feet from other property lines

Duplex Dwelling Unit

Building Front 10 feet (Principal Building)
 12 feet (Garage perpendicular)
 8 feet (Garage parallel)
 Building Sides 10 feet from corner street
 Building Sides 0 feet from other property lines
 Building Rear 4 feet from alley
 Building Rear 0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes and Condominiums)

Building Front 4 feet (Principal Building)
 12 feet (Garage perpendicular)
 8 feet (Garage parallel)
 Building Sides 4 feet from corner street
 Building Sides 0 feet from other property lines & lots with common walls
 Building Rear 4 feet from alley
 Building Rear 0 feet from other property lines

Patio Dwelling Unit

Building Front 8 feet (Principal Building)
 10 feet (Garage perpendicular)
 6 feet (Garage parallel)
 Building Sides 8 feet from corner street
 Building Sides 0 feet from other property lines
 Building Rear 4 feet from alley
 Building Rear 0 feet from other property lines

- d. **Building Separation.** The minimum building separation shall be the greater of:
- i) seven and ½ (7.5) feet for Single Family Detached Dwelling Units, ten (10) feet for Buildings containing Duplex Units, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each SFf Lands Use Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within SFf Planning Areas shall exceed thirty-five (35) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes In SFf residential Planning Areas shall be ~~thirty-five~~thirty-five hundred (3500) square feet.

E. Residential (SFg)

1. Intent

Provide for residential Development allowing for Estate Single Family Detached Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.

- b. Attached or detached private garages.
 - c. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Town of Parker Zoning Ordinance.
 - d. Public parks, playgrounds and other recreational areas.
 - e. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.
3. **Uses Permitted by Special Review**
- a. Neighborhood public service, health and education facilities, community centers, libraries and museums.
4. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**
- a. Shall also include utility facilities and well sites.
5. **Development Standards**
- a. **Average Density.** The Average Density shall be up to one unit per one- and one-half acres (0.67 Dwelling Units per acre) for each SFg Planning Area. These Average Densities are set forth on the PD Development Plan and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
 - b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each SFg residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
 - c. **Building Setback:** The minimum Building Setbacks in SFg residential Planning Areas shall be:
 - Building front 20 feet
 - Building side 15 feet
 - Building rear 20 feet
 - d. **Building Separation.** The minimum building separation shall be the greater of:
 - i) twenty (20) feet for Single Family Detached Residential Buildings located within SFg Lands Use Planning Areas, or
 - ii) shall be governed by the applicable building code.
 - e. **Building Height.** No residential Buildings within SFg Planning Areas shall exceed thirty-five (35) feet in height except by Special Review
 - f. **Minimum Lot Sizes.** The minimum lot sizes in SFg residential Planning Areas shall be 0.67 acre.
 - g. **Specific to PA-41 & 47,** if these areas are developed for a clustered Age Targeted Development, the minimum lot size may be reduced to 80 feet in width and 120 feet in depth. The number of units allowed in each planning area may not increase beyond the 31 units allowed in PA-41, and the 18 units allowed in PA-47; the gross density may increase to a maximum of 1.5 du/ac. The site design for these areas must include homes backing to open space.

F. Residential (THd)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-Detached, Clustered ~~Single Family~~Single-Family Dwelling Units, Multi-family/Condominium Units, Duplex Dwelling Units, Townhome Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units.
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- e. Clustered ~~Single Family~~Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- f. Age targeted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- g. Group Homes
- h. Age restricted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- i. Independent and/or Assisted Living.
- j. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- k. Attached or detached private garages (3 cars maximum).
- l. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- m. Public Open Space.
- n. Public and private schools and related administrative facilities for elementary and secondary education.
- o. Private recreational and park uses, country clubs, recreational facilities, including but not limited to ~~tennis~~ tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking and biking trails.
- p. Public parks, playgrounds and other recreational areas.
- q. Places of religious assembly, religious schools.
- r. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

3. Uses Permitted by Special Review

- a. Common recreation vehicle storage area.
- b. Buildings, garages and utility stations related to emergency services, such as ambulance, fire, police and rescue.
- c. Neighborhood public service, health and education facilities, such as community centers, libraries and museums.
- d. Child Care Centers.

4. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**
Shall also include utility facilities and well sites.

5. **Development Standards**

- a. **Average Density.** The Average Density shall be up to ten (10) Dwelling Units per acre for each THd Planning Area. These average densities are set forth on the PD Development Plan and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each THd residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback:** The minimum Building Setbacks in THd residential Planning Areas will vary depending upon the product type in any given portion of the Planning Areas. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes)

Building Front	4 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	4 feet from corner street

Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building) 10 feet (Garage perpendicular) 6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley

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- d. **Building Separation.** The minimum building separation shall be the greater of:
 - i) Seven and ½ (7.5) feet for Single Family Detached Residential Buildings, ten (10) feet for Buildings containing **Duplex Units**, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each THd Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within THd Planning Areas shall exceed forty (40) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes In THd residential Planning Areas shall be one thousand two hundred fifty (1250) ~~square~~ **square** feet with a width not less than twenty (20) feet.

G. Residential (THd)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered ~~Single-Family~~ **Single-Family** Dwelling Units, Duplex Dwelling Units, Townhome Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. All uses permitted by right within Residential (THd) Land Use Category. standards contained within the Residential (THd) Land Use Section shall apply, as required.
- b. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as determined by the Planning Director.

3. Uses Permitted by Special Review

All Uses permitted by Special Review within the Residential (THd) Land Use Category.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170

Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to fourteen (14) Dwelling Units per acre for each The Planning Area. These average densities are set forth on the PD Master Plan and reflect the number of units over the entire acreage

for the parcel. Densities within portions of the parcel will vary depending on product type.

- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each The residential Planning Area shall not exceed the 1.2 times the maximum number set forth on the PD Master Plan for each individual Planning Area.
- c. **Building Setback.** The minimum Building Setbacks in The residential Planning Areas will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes)

Building Front	4 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building) 10 feet (Garage perpendicular)
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6 feet (Garage parallel)
 Building Sides 8 feet from corner street
 Building Sides 0 feet from other property lines
 Building Rear 4 feet from alley

- d. **Building Separation.** The minimum building separation shall be the greater of:
- i) Seven and ½ (7.5) feet for Single Family Detached Residential Buildings, ten (10) feet for Buildings containing Duplex Units, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each THd Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within THd Planning Areas shall exceed forty (40) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes in THd residential Planning Areas shall be one thousand two hundred fifty (1250) feet with a width not less than twenty (20) feet.

H. Mixed Use (MU)

1. Intent

To provide for the integration, horizontally and vertically, of a broad range of retail goods and services, business and professional services with Duplex, Triplex, Fourplex, Townhome, Condominiums and/or Multi-family residential development.

There are ~~two~~ six areas of the PD Plan that are designated as MU are located at the ; ~~one at the~~ intersection of Chambers Road and Stroh Road and ~~one at the~~ intersection of Bayou Gulch Road and North Pinery Parkway. These MU Planning areas are anticipated to develop as commercial/retail centers with commercial and residential uses. Some of these commercial/retail centers will have a live work residential component built within these areas.

Should market conditions change, the developer may desire to build a residential project in lieu of these commercial/retail areas. By allowing both commercial and residential uses in the MU Planning areas, this affords the Property Owner the opportunity to build what is appropriate for these areas based on market demand.

2. Specific Requirements for MU Mixed-Use Planning Areas 35, 36, 43 and 44.

The 28 residential units contained within Planning Area 43 and ~~4~~ residential units within Planning Area 35 are hereby transferred as follows:

Planning Area	Additional Residential Units	Total Residential Units Allowed
34	1	199
36	8	44
39	5	189
41	12	31
44	6	44

3. Specific Requirements for MU Mixed-Use Planning Areas 3, 4, 12 and 14

A. Market conditions may not immediately warrant the development of commercial/ retail centers, so in order to assure that a portion of the MU Mixed- Use Planning Areas is ultimately developed pursuant to the zoning set forth in this Development Guide, Sections III(H)4.a., Retail and/ or III(H)4.b., Commercial Convenience Grocery (collectively, the Commercial Zoning"), a minimum of one third (1/3) of the developable land area included in the MU Mixed- Use Planning Areas 3, 4, 12 and 14 shall be developed exclusively for commercial uses pursuant to the Commercial Zoning (the " Commercial Area"). The required Commercial Area must be located in at least two (2) of the MU Mixed- Use Planning Areas. Notwithstanding the requirement of the Commercial Area, the total number of residential units for the MU Mixed- Use Planning Areas as described in the Hess Ranch Development Chart contained in the Development Plan shall be preserved, and Property Owner shall have the option to transfer unused residential yield, if any, from the Commercial Area to other MU Mixed- Use Planning Areas. After any such transfer, if any residential yield remains, the Property Owner shall have the option to transfer the remaining unused residential yield to residential Planning Areas (not to include Planning Areas 6, 7, 8, 9, 21 or 25) but no such transfer may increase the residential yield in any such residential Planning Area by more than 20% as provided in Section 1, Part C of the Development Guide. A note will be added to the Development Plan to describe the commitment to provide the Commercial Area, which shall state as follows:

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"The future development of Planning Areas 3, 4, 12 and 14 shall incorporate commercial use and development as enumerated by the Hess Ranch Development Guide on a minimum of one- third (1/3) of the developable area within these Planning Areas as provided by Town of Parker Resolution No. 19-028, Series of 2019."

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B. The Commercial Area shall be determined in conjunction with the application for and approval of the Segment 2, as described in Town of Parker Resolution No. 19- 028, Series of 2019 (the "Resolution") (or Segment 2A as described in the Resolution, as applicable) Development Sketch and Preliminary Plan, which Development Sketch and Preliminary Plan shall include the MU Mixed Use Planning Areas. The determination to transfer residential yield shall be made concurrently with the approval of said Development Sketch and Preliminary Plan for Segment 2 (or Segment 2A, as applicable).

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C. The requirement to provide a Commercial Area shall be deemed to have been satisfied upon Town Council approval of the application for the Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan which designates the Commercial Area within the MU Mixed Use Planning Areas. The Property Owner shall have no obligation to agree to a Commercial Area any greater area than one- third (1/ 3) of the developable area, and the Town shall have no right to require that greater than one-third (1/3) of the developable area be Commercial Area.

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D. Mixed- Use Development: The Parker 2035 Master Plan recommends mixed- use development within Planning Areas 3, 4, 12 and 14 and vertical mixed- use development is encouraged within the area to be reserved, zoned and used for

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future commercial development. A density bonus of ten percent (10%), not to exceed a total of 36 dwelling units, shall be available to support vertical mixed-use development(s) consisting of ground floor commercial use with multifamily residential use on the upper floors within Planning Areas 3, 4, 12 and 14, subject to the approval of the Planning Director.

- E. Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan Scope of Work for the Commercial Area shall be prepared and completed as follows:

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- F. The purpose of this section is to provide the methodology for evaluating and determining the required Commercial Area constituting a minimum one- third (1/3) of the developable land within the MU Mixed- Use Planning Areas 3, 4, 12 and 14. The Commercial Area shall be determined in conjunction with the application for and approval of the Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan, which Development Sketch and Preliminary Plan shall include the MU Mixed- Use Planning Areas. This shall be achieved by the Property Owner's preparation of a concept plan in consultation with the Town illustrating the location and extent of the required Commercial Area for MU Mixed-Use Planning Areas 3, 4, 12 and 14 (the "Concept Plan"). The Concept Plan shall identify the required Commercial Area and provide an evaluation of the development envelope, roadway access, limits of environmentally sensitive areas, drainage/stormwater, and grading. It shall form the basis of the required Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan with respect to the MU Mixed- Use Planning Areas 3, 4, 12 and 14 and shall address the following tasks:

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- a. Task 1: Prepare and submit a base map consistent with Section 13.07.060(g)(9) of the Code. The map shall be at a scale of 1" = 100' illustrating the planning area limits for Planning Areas 3, 4, 12 and 14, existing topography, existing utility easements, natural features including steep slopes and 100- year floodplain, as well as adjacent planning areas.

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- b. Task 2: Prepare and submit a development envelope map consistent with Section 13.07.060(f)(10) of the Code illustrating the future upland developable area(s) for Planning Areas 3, 4, 12 and 14 located outside of areas unsuitable for development, such as 100- year floodplain, steep slopes and utility corridors/ easements.

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- c. Task 3: Prepare and submit an access map addressing the Town's Roadway Design and Construction Criteria Manual for Planning Areas 3, 4, 12 and 14 showing limits of access upon all roadway frontages and feasible public access points for the MU Mixed-Use Planning Areas.

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- d. Task 4: Prepare and submit a conceptual drainage/stormwater map consistent with Town' s Storm Drainage and Environmental Criteria Manual that illustrates the location and limits of future regional drainage facilities traversing and adjacent to Planning Areas 3, 4, 12 and 14. Identify the projected location and extent of future site-generated

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drainage necessary to accommodate future development based upon known site characteristics, such as grading, topography and soil conditions for the MU Mixed- Use Planning Areas.

e. Task 5: Prepare and submit a conceptual overlot grading map consistent with Town' s Storm Drainage and Environmental Criteria Manual and Section 13.07.060(g)(11) of the Code that illustrates the future grading of Planning Areas 3, 4, 12 and 14 necessary to support development, including contours, slopes and direction of stormwater flow.

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f. Task 6: The Concept Plan will incorporate the results of Tasks 1 through 5 illustrating the existing conditions affecting future development, projected development envelope, roadway access points, drainage/ stormwater limits and overlot grading for Planning Areas 3, 4, 12 and 14. The Concept Plan shall serve as the basis for evaluation of the appropriate location and extent of the required Commercial Area upon a minimum one- third (1/3) of the developable land within the MU Mixed-Use Planning Areas.

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g. Task 7: Divide Planning Areas 3, 4, 12 and 14 into two subareas each: one for the required commercial use upon a minimum one- third (1/ 3) of the developable land and the other for the remainder which shall retain the existing mixed- use zone designation. In the alternative, the applicant may elect to satisfy the requirement to zone a minimum of one-third (1/3) of total developable land of Planning Areas 3, 4, 12 and 14 by allocating the commercial zoning across no less than two (2) MU Mixed-Use Planning Areas; each of which shall be divided as described herein.

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h. Task 8: Prepare and submit a table of permitted commercial uses consistent with the existing MU Mixed-Use Planning Areas contained in this Development Plan and Guide and identify any requested revisions by addition, deletion, or modification for Town approval.

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i. Task 9: Upon review and direction by Town staff, utilize the Concept Plan to prepare and submit a complete application for the Segment 2 (or Segment 2A, as applicable) Sketch and Preliminary Plan that addresses the required Commercial Area, as described herein.

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G. Compliance with the Requirement: The requirement to provide for future commercial use upon a minimum of one- third (1/ 3) of the developable area of the MU Mixed Use Planning Areas 3, 4, 12 and 14 shall be deemed to have been satisfied upon successful completion of the Concept Plan Scope of Work described herein and Town Council approval of the Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan consistent with the Tasks described above; provided, however, that Property Owner may, at its option, provide the Concept Plan consistent with Task 6 above with the submittal of the Development Sketch and Preliminary Plan for the MU Mixed- Use Planning Areas 3, 4, 12 and 14.

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4. **Uses Permitted by Right – Mixed Use Planning Areas 12, 14, 35, 36, 43 and 44**

- a. Retail
 - (1) Grocery store
 - (2) Convenience retail shopping facilities, including but not limited to:
 - a. drug stores
 - b. liquor stores
 - c. convenience grocery
 - (3) Specialty retail including but not limited to:
 - a. art gallery
 - b. antiques
 - c. artisan shops
 - d. gift shop
 - e. pet shops
 - f. florists
 - g. bookstore
 - h. stationery stores
 - i. retail food specialty shops which sell food products not intended to be consumed on the premises
 - j. butcher shops
 - k. candy stores
 - l. bakeries
 - m. doughnut shops
 - n. dairy product shops
 - o. toy and game stores
 - p. battery and accessory stores
 - q. bicycle stores
 - r. music stores
 - s. sporting goods store
 - (4) Hardware and building material stores
 - (5) General retail merchandise and apparel shops, including but not limited to:
 - a. junior department stores
 - b. craft and hobby stores
 - c. discount department stores
 - d. clothing stores
 - e. shoe stores
 - f. furniture stores
 - g. household appliance stores
 - h. floor covering, drapery and upholstery stores
 - l. electronics stores
 - j. cosmetic store

b. ~~(6)~~ Development Sales and Marketing Center

c. ~~a.~~ Eating and Drinking Establishments

- (1) restaurants
- (2) fast food, drive-through or carryout restaurants
- (3) ice cream parlors
- (4) coffee shops
- (5) delicatessens
- (6) lounge, bar or microbrewery

~~d.~~ **b.** Personal Services

- (1) Convenience service establishments, including but not limited to:
 - a. barber shops and beauty salons
 - b. dry cleaners and laundries
 - c. photo studio
 - d. shoe repair shops
 - e. watch or jewelry repair
 - f. travel agency
- (2) day care centers
- (3) health clubs

~~ee.~~ Entertainment-Indoors

- (1) indoor movie theaters
- (2) performance arts
- (3) bowling alleys
- (4) skating rinks (both ice and roller)
- (5) pool halls
- (6) arcade amusement centers

~~df.~~ General Office and Professional Services

- (1) business and professional offices
- (2) medical and dental offices and clinics
- (3) banks and other financial service establishments, with or without drive-through facilities

~~e.~~ ~~gb.~~ Commercial Convenience Grocery

- (1) Convenience retail shopping facilities, including but not limited to: drug stores, liquor stores, florists, book and stationery stores, hardware stores, auto supply stores, record and tape stores, and retail food specialty shops which sell food products not intended to be consumed on the premises, such as (but not limited to) butcher shops, candy stores, bakeries, doughnut shops, dairy product shops, ice cream parlors, coffee shops and delicatessens.
- (2) Convenience service establishments, including but not limited to: barber and beauty shops, cleaners, shoe repair shops, laundries, watch or jewelry repair, and travel service.
- (3) Low intensity specialty goods and service establishments, including but not limited to: art gallery, antiques, artisan shops, photo studio, gift shop, plant store or nursery, pet shops,

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- furniture store, home furnishings, newspaper office, apparel, and appliances.
- (4) Conventional restaurants.
 - (5) Fast food, drive-in or carryout restaurants.
 - (6) Electronic funds transfer facilities.
 - (7) Photo service facilities.
 - (8) Medical and dental offices and clinics.
 - (9) Business and professional offices.
 - (10) Private recreational and park uses, country clubs, recreational facilities, including but not limited to open space, tennis courts, swimming pools and jogging, riding, hiking and biking trails.
 - (11) Neighborhood public service, health and education facilities, such as community centers, libraries and museums, except for PA-3, 4, 12, 14, 35, 36, 43 and 44 which are retail uses only.
 - (12) Nursery schools and day/childcare centers.
 - (13) Retail food and food service establishments, including but not limited to groceries and supermarkets, and cafeterias.
 - (14) General retail merchandise and apparel shops, including but not limited to: junior department stores; variety stores; discount department stores; clothing stores; accessory and specialty stores; shoe stores; furriers and fur stores; furniture stores; home furnishing stores; household appliance stores; floor covering, drapery and upholstery stores; and radio, television, stereo and video stores.
 - (15) Personal service establishments.
 - (16) General retail business establishments, including but not limited to card and gift stores; tobacco shops; cosmetic store; toy and game stores; automotive tire, battery and accessory stores, garden, plant, and floral shops; and bicycle stores.
 - (17) Car care centers, gasoline service/stations, tire sales and service, car wash.
 - (18) Commercial entertainment businesses, including but not limited to indoor movie theaters, performance arts, bowling alleys, skating rinks (both ice and roller), pool halls, and arcade amusement centers.
 - (19) Banks, savings and loan and other financial service establishments.
 - (20) Public utility administrative and business offices.
 - (21) Buildings, garages and utility stations related to emergency services, such as ambulance, fire, police and rescue.
 - (22) Motels, Hotels, including detached guest units, restaurants, gift shops and other incidental accessory uses located within the principal building.
 - (23) Transit facilities.
 - (24) Universities, Colleges, or higher educational type uses.

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- (25) Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as determined by the Planning Director.
- (26) Sales Center - conversion to a recreation facility adjacent to open space.

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Agricultural. Until such time that PA 44 develops commercially, or until such time that Planning Areas 3,4,12 and 14 develop, permitted uses include:

- (1) Farming, including plowing, tillage, cropping, seeding, ~~cultivating~~cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber operations) produced on the premises.
- (2) Ranching, including grazing of livestock (except commercial feed yards, poultry, pig farms, fur farms or kennels).
- (3) Open space.
- (4) Selling agricultural products not requiring a state tax license.

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Residential

- (1) Duplex, Triplex, and Fourplex Dwelling Units.
- (2) Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- (3) Condominiums
- (4) Independent and/or Assisted Living.
- (5) Group Homes
- (6) Clustered ~~Single-Family~~Single-Family Dwelling Units, including

but not limited
Units, Two,
Atrium Dwelling

to Zero Lot Line Dwelling Units, Patio Dwelling
Three, and Four Family Dwelling Units and
Units.

- (7) A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- (8) Attached or detached private garages (3 cars maximum).
- (9) Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- (10) Public Open Space.
- (11) Public and private schools and related administrative facilities for elementary and secondary education.
- (12) Private recreational and park uses, country clubs, recreational facilities, including but not limited to: ~~to~~to tennis courts, swimming pools and jogging, riding, hiking and biking trails.
- (13) Public parks, ~~playgrounds~~playgrounds, and other recreational

areas.

- (14) Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.
- (15) All those uses permitted within the Parks, Open Space Land Use categories.

5. **Uses Permitted by Special Review (except Uses by Special Review shall be prohibited in PA-44)**
- a. Common recreation vehicle storage area.
 - b. Buildings, ~~garages~~~~garages~~, and utility stations related to emergency services, such as ambulance, fire, ~~police~~~~police~~, and rescue.
 - c. Neighborhood public service, ~~health~~~~health~~, and education facilities, such as community centers, ~~libraries~~~~libraries~~, and museums.
 - d. Child Care Centers.
 - e. Small animal veterinary clinics with no outside facilities.

6. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**
Shall also include utility facilities and well sites.

7. **Development Standards**

- a. ~~Floor/Area Ratio. The maximum floor-area ratio for each development tract within the Mixed-Use Planning Area shall be six tenths (.60) to one (1).~~
Floor/Area Ratio.
The maximum floor-area ratio for each development tract: Within the Mixed-Use Planning Areas shall be six tenths (.60) to one (1).
- b. **Maximum Number of Dwelling Units.** The maximum density allowed for all Planning Areas designated as Mixed Use is 22 dwelling units per acre. Density adjustments and variations as described in Section I, Part C. cannot be used to increase the maximum allowed density within a ~~Mixed-Use~~Mixed-Use District, unless the request is processed as a Major Amendment to the Development Plan and Guide.
- c. **Building Setback: Non-Residential.** The minimum building setback from any public street right-of-way shall be:
 - Building front 0 feet
 - Building side 0 feet
 - Building rear 0 feet
- d. **Building Setback: Residential.** For residential components within Mixed Use (MU) zoning, the building setback standards outlined in the Townhome/Patio Home (THE) Land Use Category shall apply. For Multi-family Dwelling Units, the setbacks shall be:
 - Building front 0 feet
 - Building side 0 feet
 - Building rear 4 feet from alley
 - Building rear 0 feet
- e. **Building Separation.** The minimum building or structure separation shall be the greater of:
 - i) ten (10) feet or

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- ii) shall be governed by the applicable building code.
- f. **Building Height.** ~~Buildings or structures in Mixed Use Planning Areas are permitted up to 45' in height without special review and up to 50' in height with Special Review. However, in Planning Areas 3, 4, 9, 12, 14, 35, 36, 43 and 44, buildings or structures are permitted up to 50' in height without Special Review and up to 60' in height with Special Review.~~

- i) ~~Buildings or structures in Mixed Use Planning Areas are permitted up to 45 feet in height without special review and up to 50 feet in height with Special Review.~~
- ii) ~~However, in Planning Areas 9, 12, 14, 35, 36, 43, and 44, buildings or structures are permitted up to 50 feet in height without Special Review and up to 60 feet in height with Special Review.~~

- g. **Minimum Lot Size:** The minimum lot size for Townhome Dwelling Units in the MU Mixed Use Planning Areas shall be one-thousand two hundred fifty (1,250) ~~square~~ square feet with a width not less than twenty (20) feet.

I. Commercial Use Areas

1. Intent

To provide for a broad range of retail goods and services, business and professional services

There are two areas of the PD Plan that are designated as Commercial. One is located at the southeast corner of Chambers Road and Stroh Road and one is located at the southwest corner of Chambers Road and Stroh Road. These Commercial Planning areas are anticipated to develop as commercial, retail, offices, and service uses.

2. Uses Permitted by Right in the Commercial Planning Areas 3 and 4

Planning Director Determination for and Unlisted Use: If an unlisted use is proposed, the Planning Director shall determine the appropriate designation of a specific use type by considering potential impacts of the use including the nature and compatibility of the use and whether it includes dwellings, sales, processing, or storage and typical operations, employment characteristics, nuisances, and requirements for public services and utilities.

a. Public, Institutional, and Civic Uses

- (1) Community and Cultural
- i. Community Facilities including Outdoor Recreational Facilities
- ii. Commercial Day Care Facility
- iii. Public Safety Facility
- iv. Parks and Open Space
- (2) Educational Facilities
- (3) Healthcare Facilities
- Medical and Dental Clinics

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b. Commercial Uses

- (1) Veterinary Clinic and Hospital
- (2) Retail and Service Commercial

c. Recreation and Entertainment

- (1) Indoor and Outdoor Recreational Facilities
- (2) Indoor and Outdoor Entertainment Facilities

d. Food and Beverage Services

- (1) Bar and Lounge
- (2) Microbrewery, Cidery, Distillery or Winery
- (3) Restaurant with or without:
 - i. Drive through facilities
 - ii. Liquor Sales
 - iii. Indoor and Outdoor Seating

e. Office, Business and Professional Services

- (1) Administrative, Professional and Government Offices
- (2) Automated Teller Machines (Stand Alone or associated with a Financial Institution)
- (3) Financial Institution with or without Drive through Facilities
- (4) Research and Development
- (5) Development Sales and Marketing Center

f. Personal Services

- (1) Self Service Laundry
- (2) Personal Instruction or Studio
- (3) Person Service, General
- (4) Health Clubs

g. Retail Sales

- (1) Building Materials and Supplies including outdoor greenhouse sales (Outdoor display is limited to 25% of the gross floor area of the principal building)
- (2) General Retail (any size and product)
- (3) Outdoor Sales and display as an accessory use
- (4) Convenience Retail Shopping Facility
- (5) Temporary/Seasonal Outdoor Markets

h. Lodging Facilities

- (1) Bed and Breakfast
- (2) Hotel/Motel

i. Transportation, Vehicles and Equipment

- (1) Automotive Fuel Service and Sales with or without:
 - i. Car wash
 - ii. Convenience Retail
 - iii. Parts and tire sales
- (2) Automotive repair (minor)
- (3) Car wash

2. Uses Permitted by Special Review

- (1) Outdoor Recreational Facilities
- (2) Outdoor Entertainment Facilities

3. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170
Shall also include utility facilities and well sites.

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4. Development Standards

- a. **Floor/Area Ratio.** The maximum floor-area ratio for each development tract within the Commercial: None
- b. **Building Setback: Non-Residential.** The minimum building setback from any public street right-of-way shall be:
 - Building front 10 feet
 - Building side 0 feet
 - Building rear 10 feet
- c. **Building Separation.** The minimum building or structure separation shall be the greater of:
 - i) ten (10) feet or
 - ii) shall be governed by the applicable building code.
- d. **Building Height:** Buildings or structures in the Commercial Planning Areas 3 and 4 are permitted up to 60 feet in height.
- e. **Minimum Lot Size:** None.

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I. Fire Station

Intent

PA-45 is intended to be a future Fire Station location. If this site is not selected/constructed as a Fire Station, this Planning Area (PA-45) can only be used for the commercial uses allowed within the Mixed Use (MU) designation, excluding residential uses, and excluding uses allowed by special review. The Mixed Use (MU) Development Standards shall apply if not developed as a Fire Station, as provided herein.

J. Parks

1. Intent

To provide for park uses which compliment residential neighborhoods. Parks to include pocket parks, neighborhood parks and regional parks.

2. Park Designations

- a. Pocket
- b. Neighborhood
- c. Community
- d. Regional

3. Development Criteria for parks

- a. Pocket Park
 - (1) Refer to the Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space and schools, specifically Section 13.07.140(c)(9) Design criteria for parks, trails and open space.
 - (2) Size: ¼ to ½ acre
 - (3) Location/Orientation: Centrally located within the residential development and/or easily accessible by residents without the use of vehicles. A ~~5-10 minute~~ 5-10-minute walking distance
 - (4) Frontage: Required on one, preferred two or more local streets.

- (5) Minimum development features and/or amenities: Turf and landscape plantings to provide shade over at least 15% of the area, benches in shade and sun, bike racks and trash receptacles. Optional features: a small shade structure, small playground and/or ~~small-scale~~small-scale tot-lot, picnic tables, minimal signage, security lighting.
- b. Neighborhood Park
 - (1) Refer to Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space and schools
 - (2) Size: Determined by Town Council, refer to the Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space and schools, specifically Section 13.07.140(c)(2)(c). A minimum of 3 acres in size.
 - (3) Location/Orientation: Within an immediate neighborhood with a ¼ to ½ mile service radius. Neighborhood parks shall serve as an extension of the neighborhood around them. They shall be a social and recreation focal point. Interconnected to trails/sidewalks low-volume streets within walking/biking distance of most users.
 - (4) Frontage: High visibility to surrounding local streets. On street parking
 - (5) Minimum development features and/or amenities: 50%/50% split between active and passive recreational uses. Active recreational features may include: a children's playground, unobstructed open play areas for practice or pick-up games and low impact recreation options such as bocce ball and/or horseshoes. Other amenities should include picnic shelters, internal trails, benches, trash receptacles, bike racks, public art, signage and security lighting.
- c. Community Park
 - (1) Refer to Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space and schools
 - (2) Size: Determined by Town Council, refer the Town of Parker Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space and schools, specifically Section 13.07.140 (c)(2)(c). A minimum of 10 acres in size.
 - (3) Location/Orientation: Within an immediate neighborhood with a 2.5 - mile service area. Located adjacent to open space, a community facility such as an activity center or a middle or elementary school to maximize resources and to benefit from joint use of such facilities as fields, multi-use courts or skate parks.
 - (4) Frontage: Located on arterial or collector streets and accessible by public transportation, personal vehicle, walking or by bicycle. Geographically centered within the overall development.
 - (5) Development features and/or amenities: Lighted sports fields, drinking fountains, public art, benches with shade, picnic tables with shade, trash receptacles, permanent rest room facility, security lighting, signage, large play structures, game courts, disc golf, climbing wall, skate park and/or other similar popular activities, jogging trails, informal ball fields for youth play, low impact recreation options such as bocce ball and/or horseshoes, parking lots, an area for outdoor farmer's markets and/or outdoor concerts.
- d. Regional Park
 - (1) Size: A minimum of 100 acres in size.

- (2) Location/Orientation: Located to service the community within a distance of a 6 mile radius, adjacent to open space, a community facility such as an activity center or a middle or elementary school to maximize resources and to benefit from joint use of such facilities as fields, multi-use courts or skate parks.
- (3) Frontage: Located on arterial or collector streets and accessible by public transportation, personal vehicle, walking or by bicycle. Geographically centered within the overall development.
- (4) Development features and/or amenities: A community activity center that includes sports fields and courts, multiuse fields that are both lighted and unlighted, tennis courts, basketball court, rest room building, concession building, play structures for the 2-5 yrs. of age and separate play structures for 5-12 yrs. of age, walkways and trails, parking lots, drinking fountains, public art, benches with shade, picnic tables with shade, trash receptacles, security lighting, signage, jogging trails, low impact recreation options such as bocce ball and/or horseshoes.

4. Uses Permitted by right

- a. Passive recreation uses and open space.
- b. Active recreation uses, including but not limited to the following facilities: baseball diamonds, softball diamonds, soccer fields, tennis courts, volleyball courts, basketball courts, swimming pools, play apparatus, picnic areas, recreation center, and jogging, hiking and/or bicycling trails.
- c. Free standing light fixtures 14' and under.

5. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170
Shall also include utility facilities and well sites.

6. Development Standards

- a. **Building Setback- Street.** The minimum building setback from any public street right-of-way line shall be:
Building front 25 feet
Building side 20 feet
Building rear 25 feet
- b. **Building Separation.** The minimum building or structure separation shall be the greater of:
i) twenty (20) feet, or
ii) shall be governed by the applicable building code.
- c. **Building Height.** No buildings or structures shall exceed thirty-five (35) feet in height, except by Special Review, in which case no Buildings or Structures shall exceed forty-five (45) feet

K. Open Space (OS)

1. Intent

To provide passive open space uses which will separate, define and protect the development planning areas contained within this Planned Development. Open Space does not include golf courses.

2. Uses Permitted by Right

- a. Passive recreation uses and open space.
- b. Jogging, hiking and/or bicycle trails.
- c. Dog Parks

- d. Community Gardens
- e. Drainage Facilities
- f. Picnic shelters.
- g. Frisbee golf
- h. Recreation Center with associated parking and outdoor recreational amenities
- i. Observation platforms/overlook
- k. Interpretive Signage or elements
- l. Fitness incline/challenge steps
- m. Nature play features
- n. Dog waste station
- o. Trash receptacles
- p. Outdoor nature classroom
- q. Programmable indoor or outdoor space

3. Development Standards

- a. **Building Setback-Street.** The minimum building setback from any public street right-of-way line shall be:
 Building front 25 feet
 Building side 15 feet
 Building rear 25 feet
- b. **Building Separation.** The minimum building or structure separation shall be the greater of:
 i) twenty (20) feet or
 ii) shall be governed by the applicable building code.
- c. **Building Height.** No buildings or structures shall exceed thirty-five (35) feet in height, except by Special Review, in which case no Buildings or Structures shall exceed ~~forty five~~forty-five (45) feet.

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L. Trails

The Development Plan depicts trail connections through open spaces and buffer areas and makes connections to off-site trails.

Trail connections through development parcels are anticipated. These trail connections shall be made in subsequent phases of the Town of Parker's entitlement process.

The Development Plan indicates the number of trail connections, but the exact locations will be determined in latter phases of the entitlement process. These trail connections include:

- 1. ~~Three-A~~ trail connections along the southern edge of the property ~~Adjacent to~~ (PA 22, ~~—~~23, 24, 25 and 33).
- 2. One trail connection along the west property line.
- 3. ~~A~~Two trail connections from the east-west drainage in the center of the site (Brandy Gulch) ~~to the trail along Lemon Gulch and Oak Gulch through PA 29 and 31.~~
- 4. One trail connection from the Crowfoot Valley buffer to the MU Planning area through Planning Areas 37
- 5. Special Trail Requirements.
 - a. Future Builders of Planning Areas 22, 23, 24, 25 and 33 are advised that trail connection ~~between Planning Areas 23 and 24s through these planning areas~~ will be designed in conjunction with subdivision proposals upon these planning

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areas. ~~These~~This interconnections ~~is~~are intended to connect from ~~the Southern Regional~~The trail along the Hess Ranch southerly boundary, ~~internally through these filings,~~ ultimately to the regional trail in Brandy Gulch open-space corridor located north of Planning Areas ~~16, 17, 18, 19, 20, 21, and 32;~~ and the regional trail along Oak Gulch drainage east of. ~~These trail segments will be designed and constructed by the future builders for Planning Areas 1, 30 and 26. This 6, 17, 18, 19, 20 and 32 trail segment will be designed and constructed by the developer or future builders of the above stated Planning Areas and~~ and secured as part of Subdivision Improvement Agreement for residential filings upon these specified Planning Areas.

Similarly, ~~the developer or~~ future builders of Planning Areas ~~16, 17, 18, 19, 20 and 32-7, 8, 9, 11, 12, and 13 are~~ are advised that each filing will be required to contribute a pro-rata share for the cost of constructing an internal trail within the open space corridor which abuts all these planning areas. This contribution will be determined at the time of Final Plat for each planning area and specified In the Subdivision Improvement Agreement for each planning area.

The Development Plan depicts trail connections through open spaces and buffer areas and makes connections to off-site trails.

Trail connections through development parcels are anticipated. These trail connections shall be made in subsequent phases of the Town of Parker's entitlement process.

The Development Plan indicates the number of trail connections, but the exact locations will be determined in latter phases of the entitlement process. These trail connections include:

1. A trail connection along the southern edge of the property adjant to (PA 22, 23, 24, 25 and 33).
2. One trail connection along the west property line.
3. Trail connections from the east-west drainage in the center of the site Brandy Gulch) to the trail along Lemon Gulch and Oak Gulch.
4. One trail connection from the Crowfoot Valley buffer to the MU Planning area through Planning Areas 37
5. Special Trail Requirements.
 - a. Future Builders of Planning Areas 22, 23, 24, 25 and 33 are advised that trail connections between Planning Areas 23 and 24 will be designed in conjunction with subdivision proposals upon these planning areas. This interconnection is intended to connect from the trail along the Hess Ranch southerly boundary, , ultimately to the regional trail Brandy Gulch located north of Planning Areas 18, 19, 20, 21, and 32; and the regional trail along the Oak Gulch drainage located east of Planning Areas 1, 30, and 26. This trail segment will be designed and constructed by the developer or future builders for the above designated Planning Areas and secured as part of Subdivision Improvement Agreement for residential filings upon these specified Planning Areas.

Similarly, the developer or future builders of Planning Areas 2, 7, 8, 9, 11, 12, and 13 are advised that each filing will be required to contribute a pro-rata share for the cost of constructing an internal trail within the open space corridor which abuts all these planning areas. This contribution will be determined at the time

of Final Plat for each planning area and specified In the Subdivision Improvement Agreement for each planning area.

IV. ADDITIONAL PLANNING AREA REQUIREMENTS

A. General

As stated in Section III, Land Use Regulations, the maximum number of dwelling units permitted within each residential planning area shall not exceed 120% of the units shown on the Development Plan for each individual Planning Area. However, regardless of the unit count in each Planning Area, in no case will the total unit count of Planning Areas collectively exceed 3,379 units.

B. Lone Tree Intergovernmental Agreement

At the time of the Town Council's approval of this Development Plan and Guide, Planning Areas designated as SFe, SFf and SFg were within an area that was regulated by an Intergovernmental Agreement (IGA) between the Town of Parker and the City of Lone Tree. The number of dwelling units prescribed by the IGA was limited to 100 units for these Planning Areas. On September 5, 2015 the IGA expired. The day after, September 6, 2015 the cumulative number of dwelling units allowed for Planning Areas 27, 28, 29, 30, 31, 32 and 33 were increased to a number greater than 100. This increase will not require a Major Amendment to the Development Plan and will be counted as part of the overall 3,379 dwelling units allowed by the Plan.

C. Douglas County Intergovernmental Agreement

1. In the southern part of Anthology, now "Hess Ranch", in an effort to preserve the rural roadside character of Crowfoot Valley Road, it will be necessary to maintain an average buffer area along Crowfoot Valley Road of 300', adjacent to Planning Areas 34 and 40, as represented on the Hess Ranch Development Plan. This buffer, whose intent is to screen and soften highly visible areas, should include enhanced landscape (greater density of planting as opposed to open space areas, palette of predominantly native plant materials), earth berming, and if necessary, open and transparent fencing, to visually minimize development Impact.
2. The rural character of Crowfoot Valley Road shall be reflected in the development of this corridor, including:
 - a. The average 300' buffer between the adjacent residential development and Crowfoot shall be respected and the landscape in this buffer shall consist of earth berming, open and transparent fencing with a palette of plant materials that enhances and augments the existing and native landscape, as described in section 2, above.
 - b. Minimize the negative visual impact of parking areas through orientation parallel to and away from Crowfoot Valley Road, landscape screening and/or berming, and the presence of landscaped islands and planting strips within parking lots themselves to reduce the perceived sizes of the parking lot.
 - c. Screening of dumpster and service areas throughout the ~~Mixed-Use~~Mixed-Use Center through landscape and/or architectural elements.
 - d. Architecture that is articulated or enhanced on those sides that face Crowfoot Valley Road.

D. Minimum Lot Size for Townhome Dwelling Units: The minimum lot size for Townhome Dwelling Units (TDUs) shall be 1,500 square feet with a width not less than 20-feet in all

Planning Areas where TDUs are a Use Permitted by Right except for Residential Planning Area 5 and MU Mixed Use Planning Areas ~~3,4~~, 12, 14, 35, 36, 43 and 44.

- E. **Minimum Lot Size for Duplex Dwelling Units:** The minimum lot size for Duplex Dwelling Units shall be 2,100 square feet with a width not less than 20-feet.

I. ENFORCEMENT AND ADMINISTRATION

A. Incorporation of Planned Development Master Plan

The plan of development for HESS Ranch Development, including the location and boundaries of Planning Areas, the circulation elements, and the densities established by the HESS RANCH DEVELOPMENT PLAN AND GUIDE together with everything shown thereon and all amendments thereto.

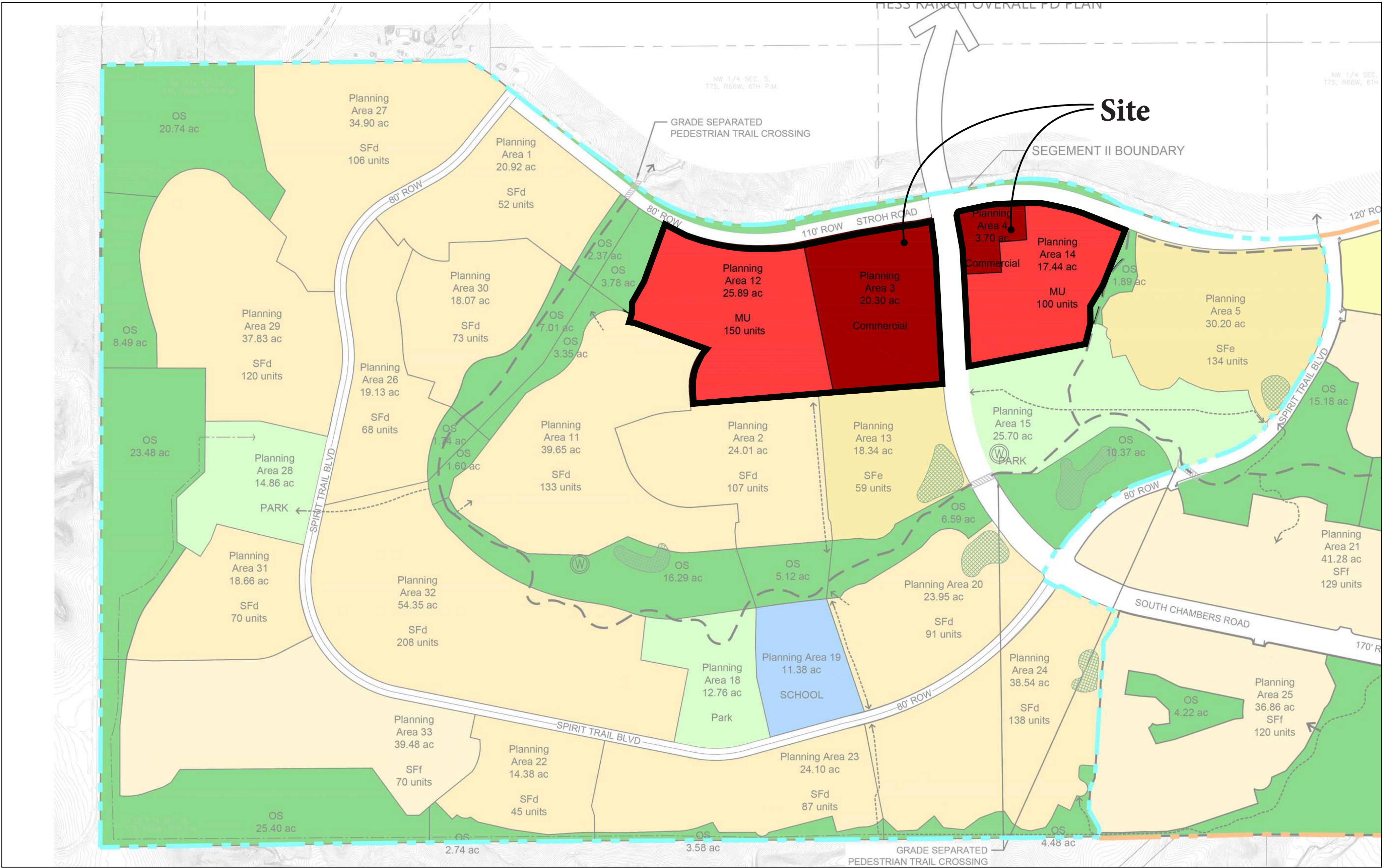
B. Effect of Recorded Plan

The approval by Ordinance of the HESS RANCH DEVELOPMENT PLAN AND GUIDE by the Town Council and the recording of such Development Plan and Guide with the Douglas County Clerk and Recorder shall be deemed to be rezoning to a PD-Planned Development District under Section 13.04.150 of the Parker Municipal Code for the real property described in the Development Plan.

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019

EXHIBIT 8



NOTES:

ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS

SHEET INDEX:

SHEET 1	COVER SHEET
SHEET 2	TASK 1 MAP
SHEET 3	TASK 2 MAP
SHEET 4	TASK 3 MAP
SHEET 5	TASK 4 MAP
SHEET 6	TASK 5 MAP
SHEET 7	TASK 5 WALL PROFILES
SHEET 8	TASK 6 MAP
SHEET 9	TASK 7 MAP
SHEET 10	TASK 8 PERMITTED LAND USES

10/22/2020

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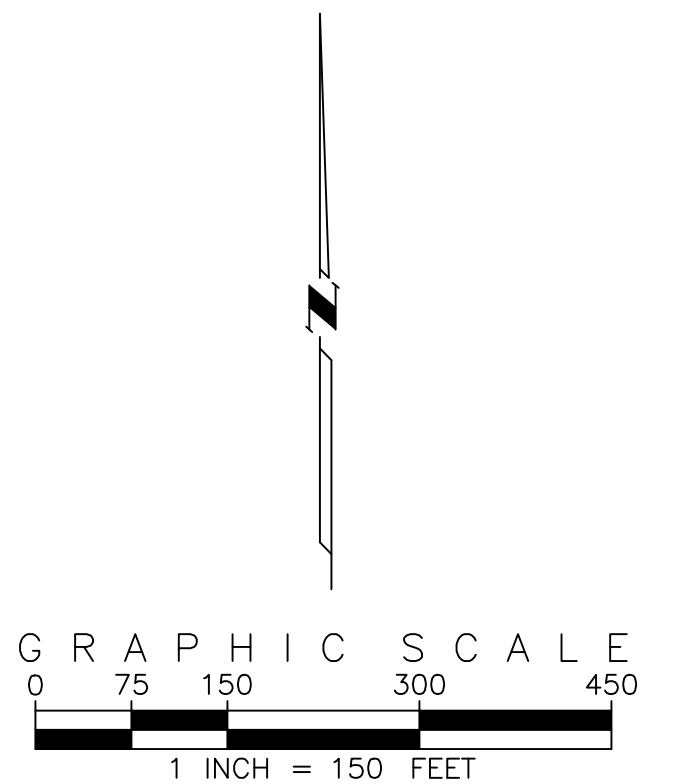
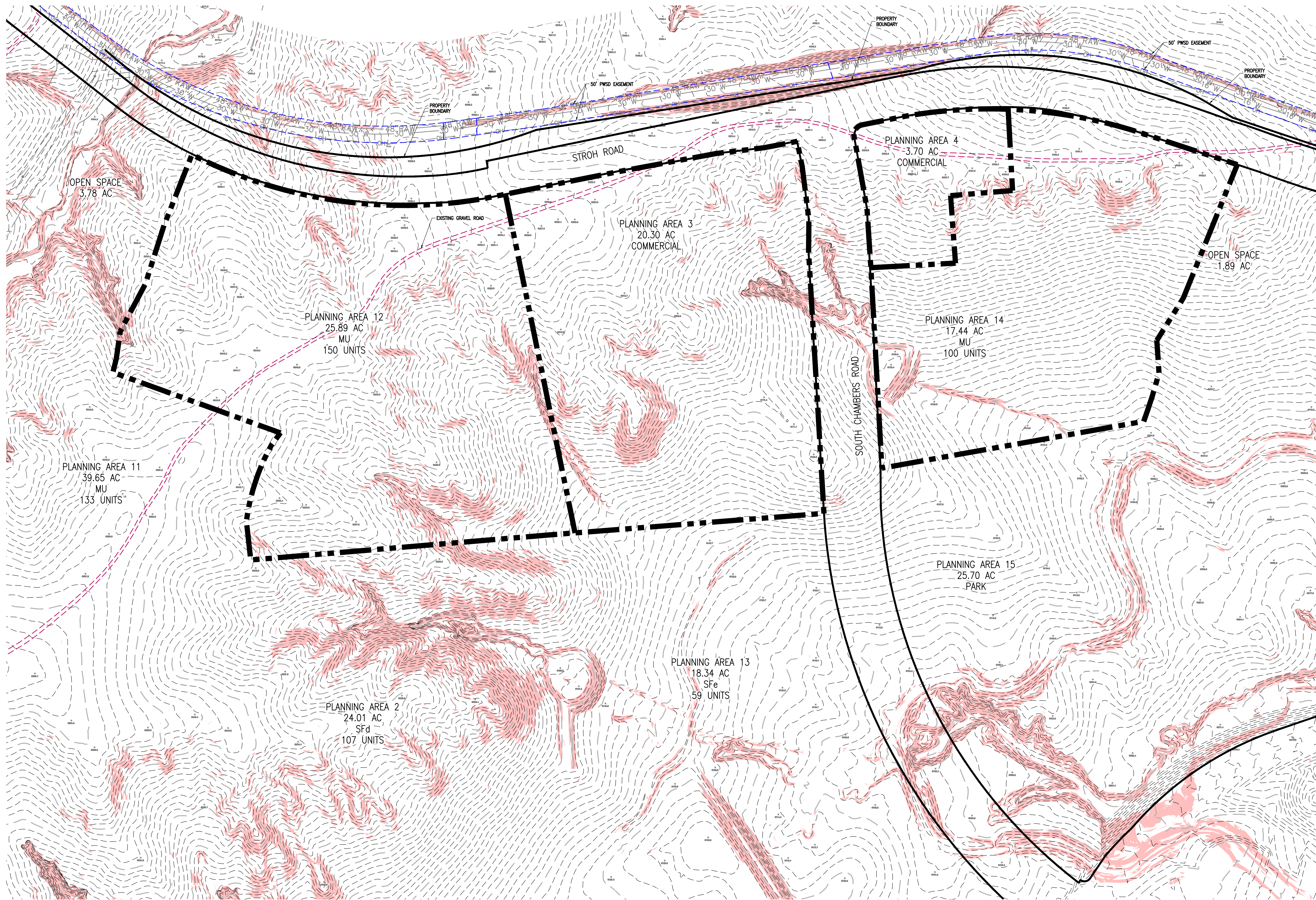
LEGEND

- EXISTING SLOPES 5:1 (20%) OR STEEPER
- EXISTING 10 FOOT CONTOUR
- EXISTING 2 FOOT CONTOUR

Cover Sheet

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



- LEGEND**
- EXISTING SLOPES 5:1 (20%) OR STEEPER
 - PLANNING AREA BOUNDARY
 - EXISTING 10 FOOT CONTOUR
 - EXISTING 2 FOOT CONTOUR
 - EXISTING VEGETATION

- NOTES**
- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
 - NO PREBLES MEADOW JUMPING MOUSE PRESENT IN THIS AREA.
 - LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 1:
Prepare and submit a base map consistent with Section 13.07.060(g)(9) of the Code. The map shall be at a scale of 1" = 100' illustrating the planning area limits for Planning Areas 3, 4, 12 and 14, existing topography, existing utility easements, natural features including steep slopes and 100-year floodplain, as well as adjacent planning areas.

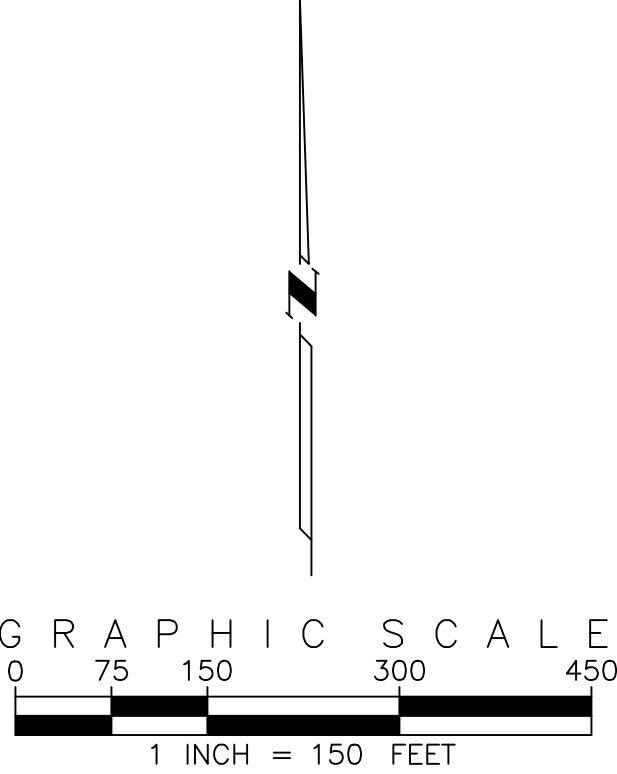
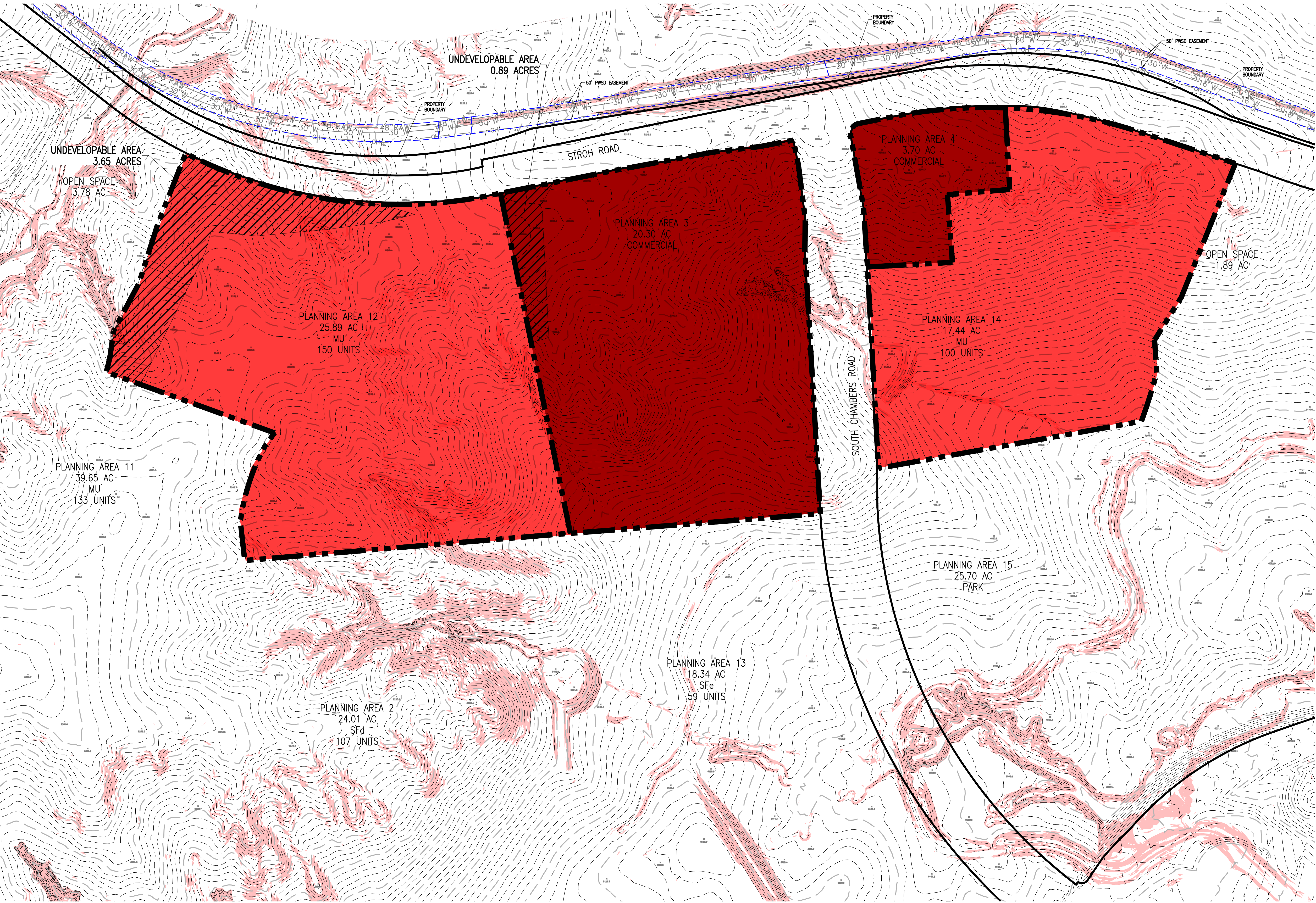
Planning Areas 3, 4, 12 and 14 are void of significant natural features. The existing ground is generally composed of slopes less than 20%. Slopes 20% or greater have been identified. These slopes will not limit development, however, and will be graded with the future development of each parcel. 100-year floodplains do not exist in this area and it has not been identified as Prebles Meadow Jumping Mouse habitat.

A Parker Water and Sanitation District easement parallels the property boundary but is not contained within the Planning Areas.

The site is suitable for developing with the intended uses.

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



LEGEND

- EXISTING SLOPES 5:1 (20%) OR STEEPER
- PLANNING AREA BOUNDARY
- EXISTING 10 FOOT CONTOUR
- EXISTING 2 FOOT CONTOUR
- EXISTING VEGETATION
- UNDEVELOPABLE AREA

NOTES

- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
- ALL AREAS WITHIN PLANNING AREAS 3, 4, 12 AND 14 ARE DEVELOPABLE
- LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 2:

Prepare and submit a development envelope map consistent with Section 13.07.060(f)(10) of the Code illustrating the future upland developable area(s) for Planning Areas 3, 4, 12 and 14 located outside of areas unsuitable for development, such as 100-year floodplain, steep slopes and utility corridors/easements.

Planning Areas 3, 4, 12 and 14 total 67.33 acres. These areas are not impacted by the 100-year floodplain or existing utility corridors/easements. Steep slopes do not limit development and will be graded as part of future development. Detention is provided in areas located outside of Planning Areas 3, 4, 12 and 14.

PLANNING AREAS 3, 4, 12 & 14 DEVELOPABLE AREA					
	PA 3	PA 4	PA 12	PA 14	TOTAL
GROSS TOTAL ACREAGE	20.30	3.70	25.89	17.44	67.33
UNDEVELOPABLE AREA					
GRADING BUFFER ZONE	0.89	0.00	3.65	0.00	4.54
TOTAL DEVELOPABLE ACREAGE	19.41	3.70	22.24	17.44	62.79
REQUIRED COMMERCIAL AREA (% DEVELOPABLE AREA)	20.93				
PROPOSED DEVELOPED COMMERCIAL AREA	23.11				

FR

FRONT RANGE COMMUNITIES, LLC

henry
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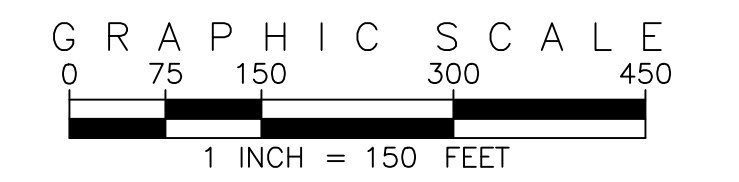
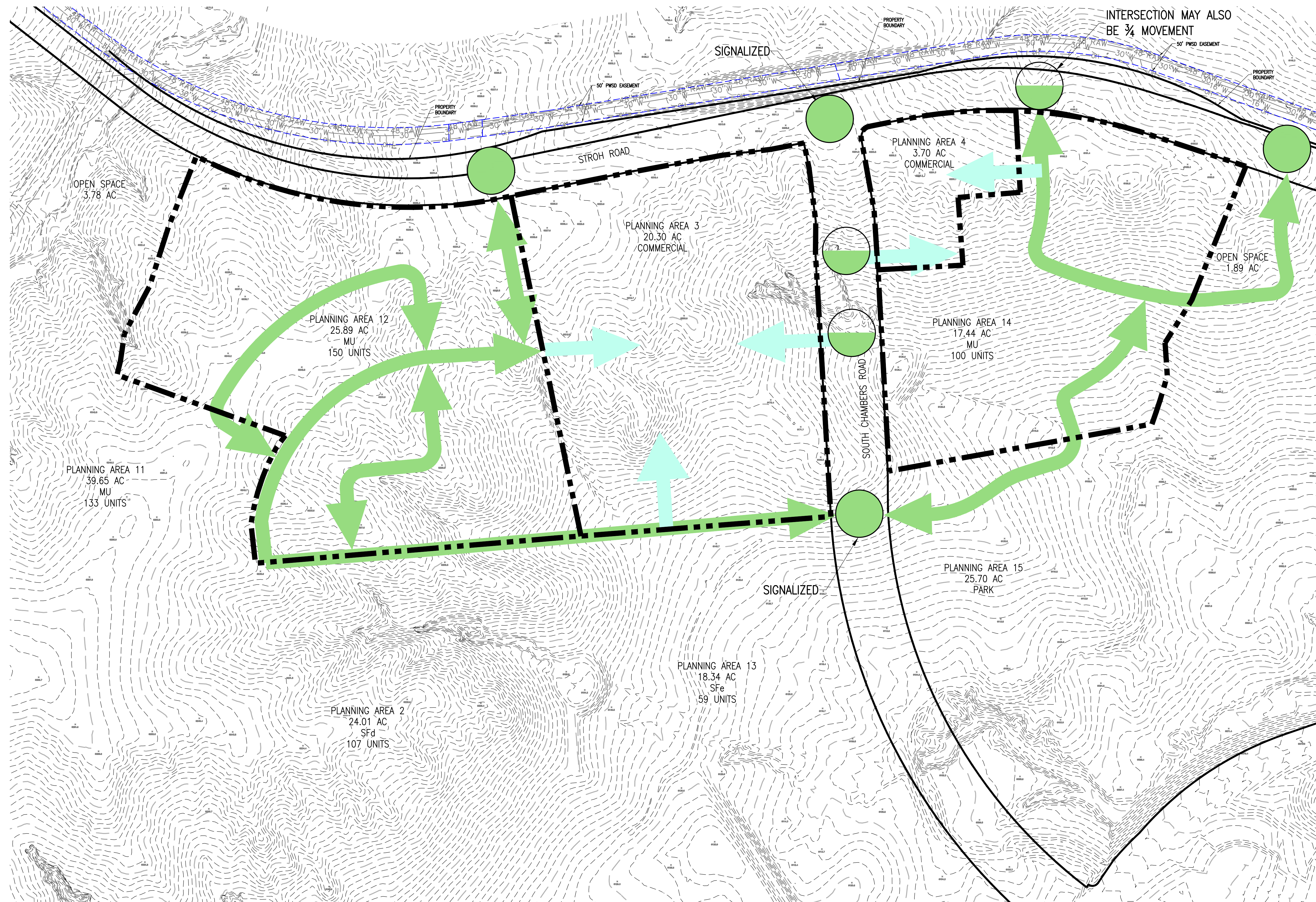
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TASK 2

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



LEGEND

	PLANNING AREA BOUNDARY
	EXISTING 10 FOOT CONTOUR
	EXISTING 2 FOOT CONTOUR
	1/2 MOVEMENT
	3/4 MOVEMENT
	FULL MOVEMENT
	ROADWAY ACCESS
	COMMERCIAL ACCESS

NOTES

- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
- LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 3:

Prepare and submit an access map addressing the Town's Roadway Design and Construction Criteria Manual for Planning Areas 3, 4, 12 and 14 showing limits of access upon all roadway frontages and feasible public access points for the MU Mixed-Use Planning Areas.

From the intersection of Stroth Rd. and South Chambers Rd, which is full-movement and signalized, the following intersections serve Planning Areas 3,4,12 and 14:

- A full-movement intersection 1050' west on Stroth Rd. serving PA 12 and 3.
- A 1/2-movement intersection 650' east on Stroth Rd. serving PA 14 and 4 and a full-movement 1425' east on Stroth Rd. serving PA 14.
- A 1/2-movement intersection 500' south on South Chambers Rd serving PA 14, a 1/2-movement drive access 650' south on South Chambers Rd serving PA 3, and a full-movement signalized intersection 1200' south on South Chambers Rd serving PA 3 and 12.

Conceptual roadways to these access points are presented for connectivity.

FR

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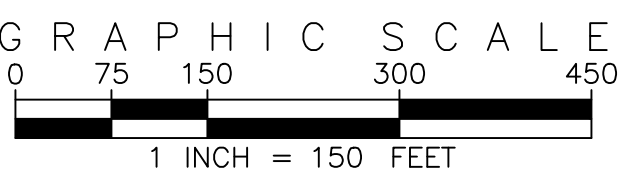
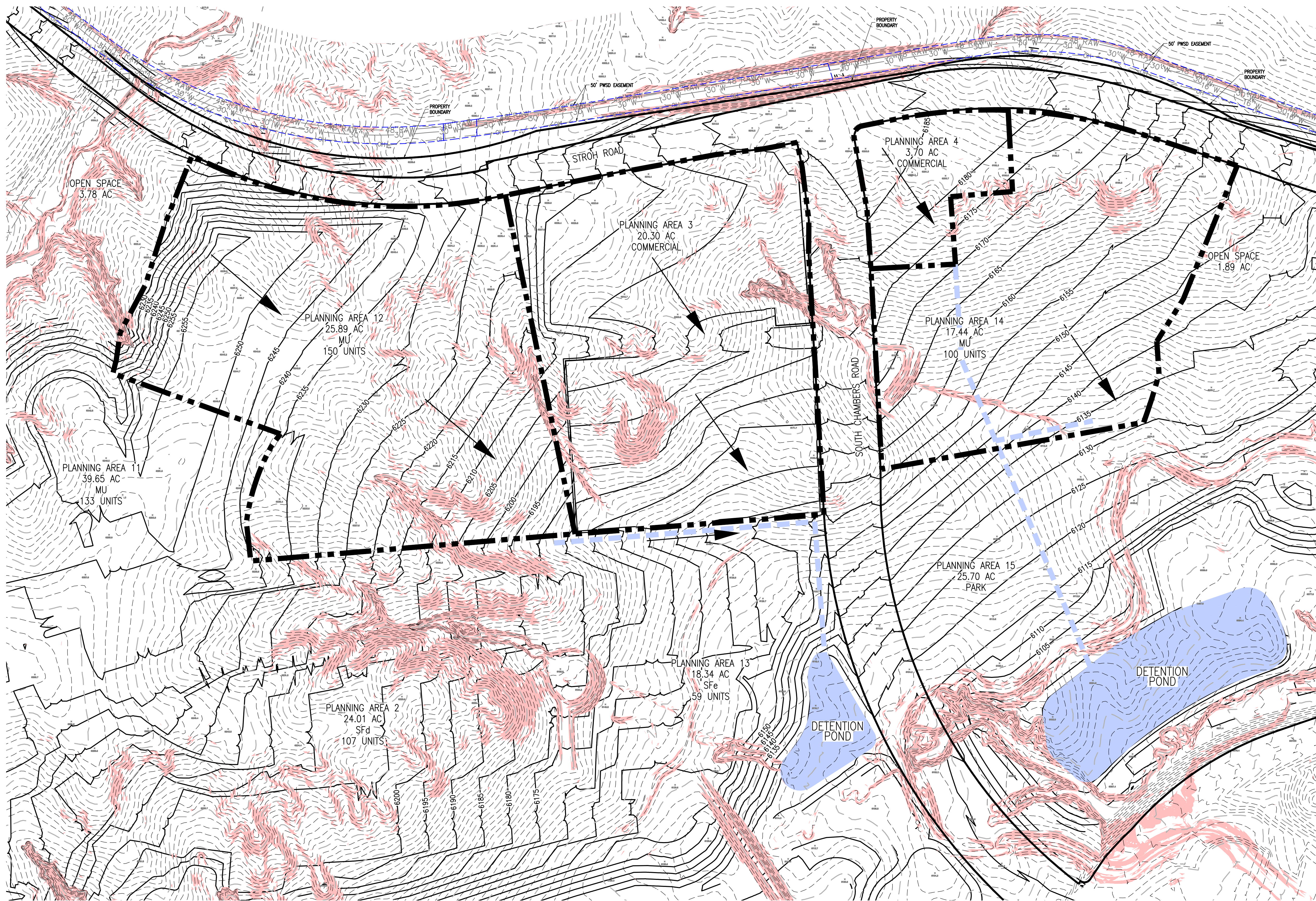
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TASK 3

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



- LEGEND**
- PLANNING AREA BOUNDARY
 - PROPOSED 10 FOOT CONTOUR
 - PROPOSED 2 FOOT CONTOUR
 - EXISTING 10 FOOT CONTOUR
 - EXISTING 2 FOOT CONTOUR
 - STORM SEWER PIPE
 - FLOW DIRECTION
 - DETENTION PONDS

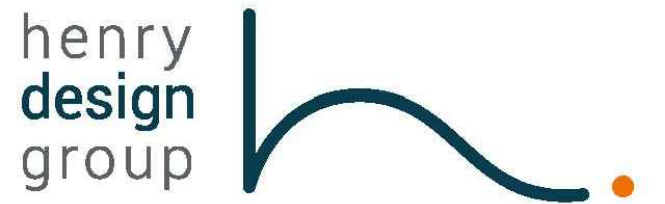
- NOTES**
- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
 - LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 4:
Prepare and submit a conceptual drainage/stormwater map consistent with Town's Storm Drainage and Environmental Criteria Manual that illustrates the location and limits of future regional drainage facilities traversing and adjacent to Planning Areas 3, 4, 12 and 14. Identify the projected location and extent of future site-generated drainage necessary to accommodate future development base upon known site characteristics, such as grading, topography and soil conditions for the MU Mixed-Use Planning Areas.

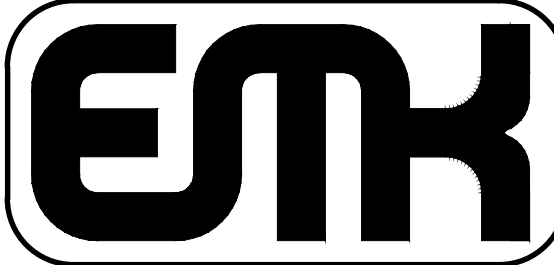
A conceptual stormwater collection network is presented along with the proposed detention pond locations serving PA 3, 4, 12 and 14. There are no planned on-site detention facilities. Detention facilities discharge to existing Brandy Gulch, following the historic drainage pattern.



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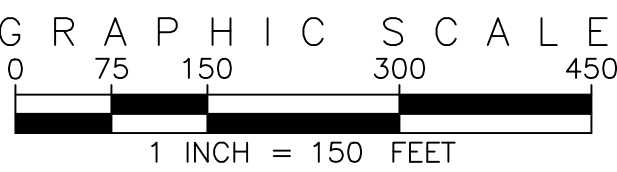
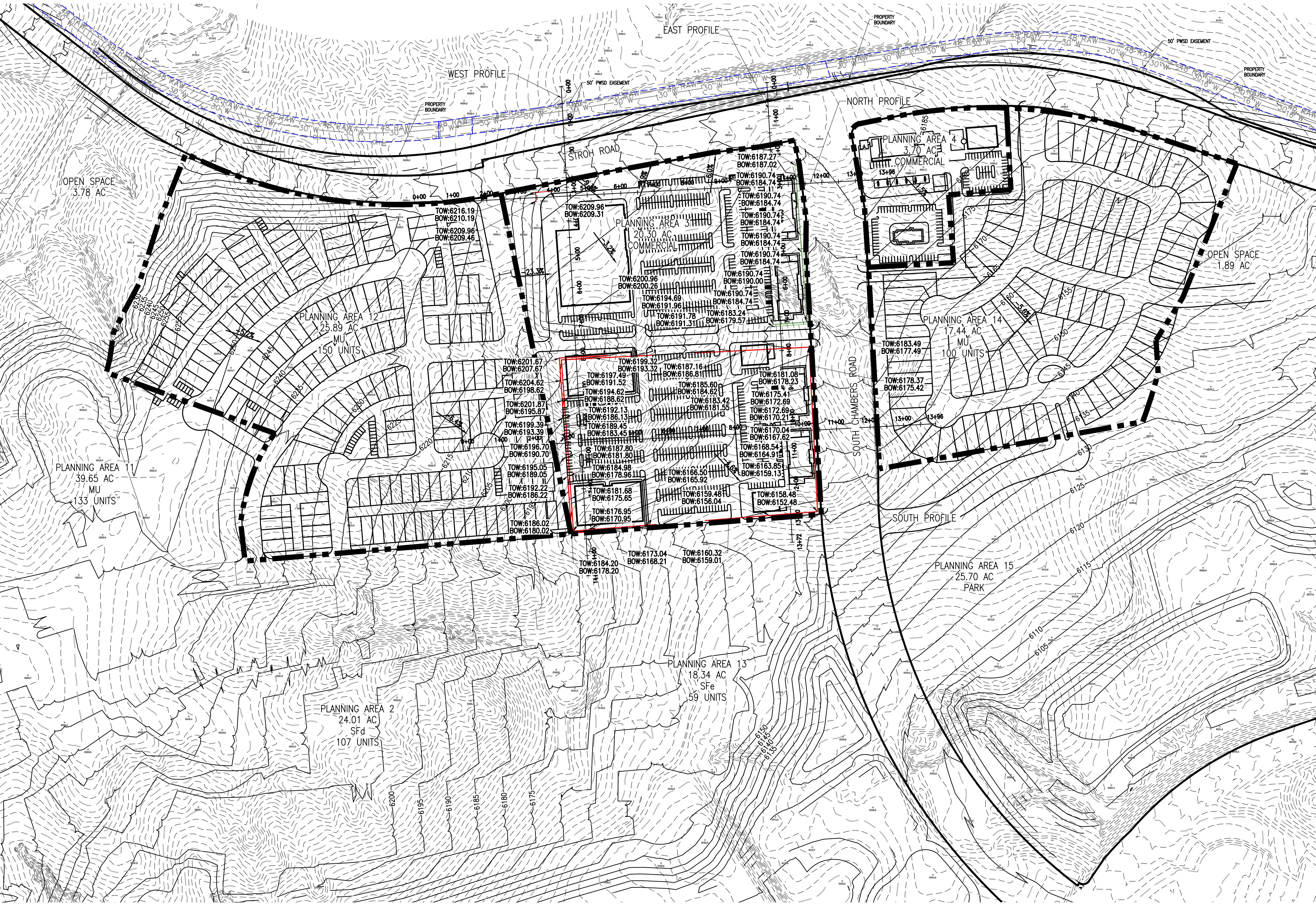
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HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



LEGEND

- PLANNING AREA BOUNDARY
- PROPOSED WALLS
- PROPOSED 10 FOOT CONTOUR
- PROPOSED 2 FOOT CONTOUR
- EXISTING 10 FOOT CONTOUR
- EXISTING 2 FOOT CONTOUR

NOTES

- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
- LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 5:

Prepare and submit a conceptual overlot grading map consistent with the Town's Storm Drainage and Environmental Criteria Manual and Section 13.07.060(g)(11) of the Code that illustrates the future grading of Planning Areas 3, 4, 12 and 14 necessary to support development, including contours, slopes and direction of stormwater flow.

Conceptual grading with 5' contours is presented. Several walls may be necessary and have been identified. Walls will be minimized with a formal land plan. Sections have been provided showing wall elevations and details.

Note: Site plan shown is conceptual. Any walls required will meet Town of Parker Municipal Code 13.10.100



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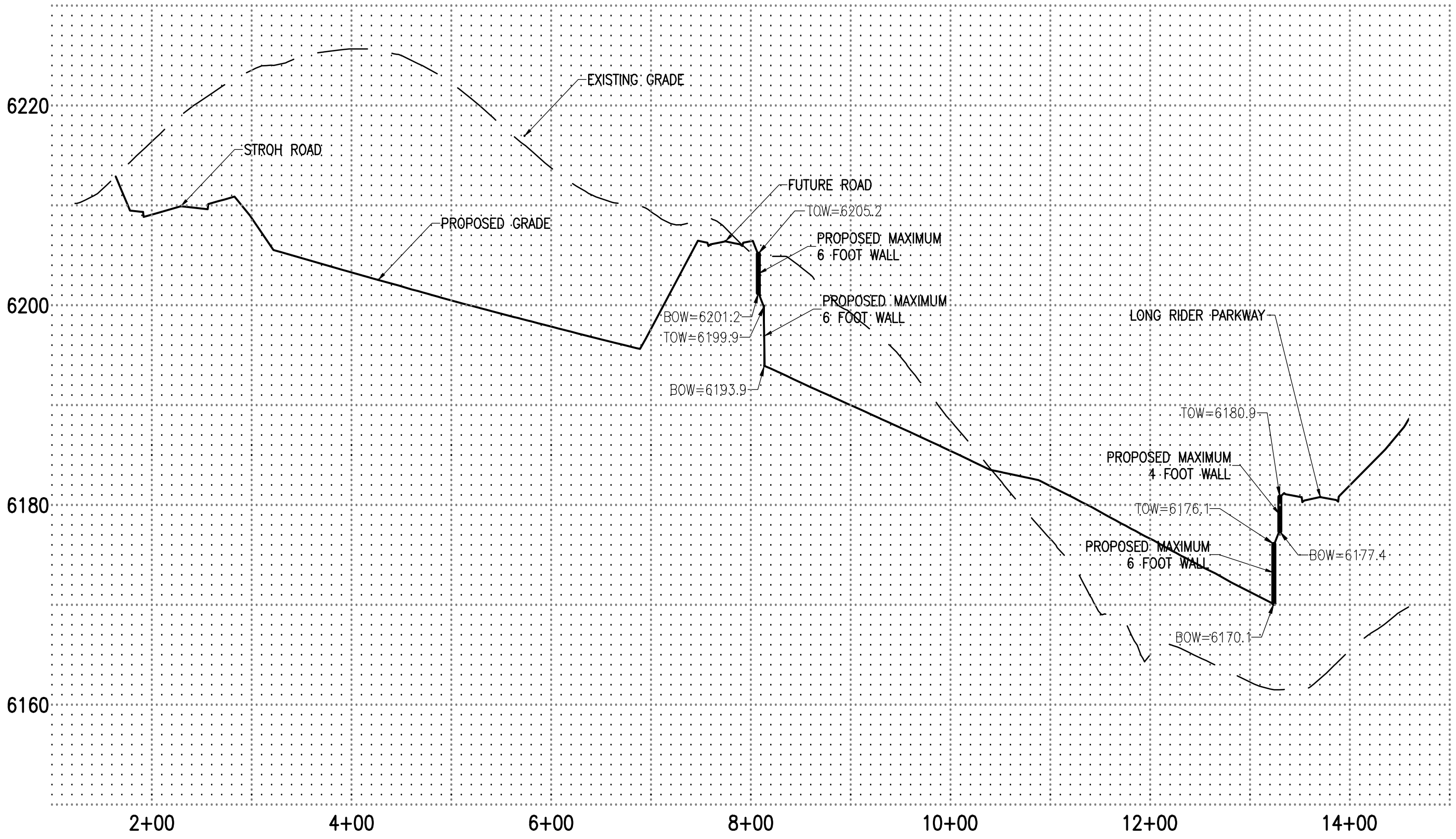


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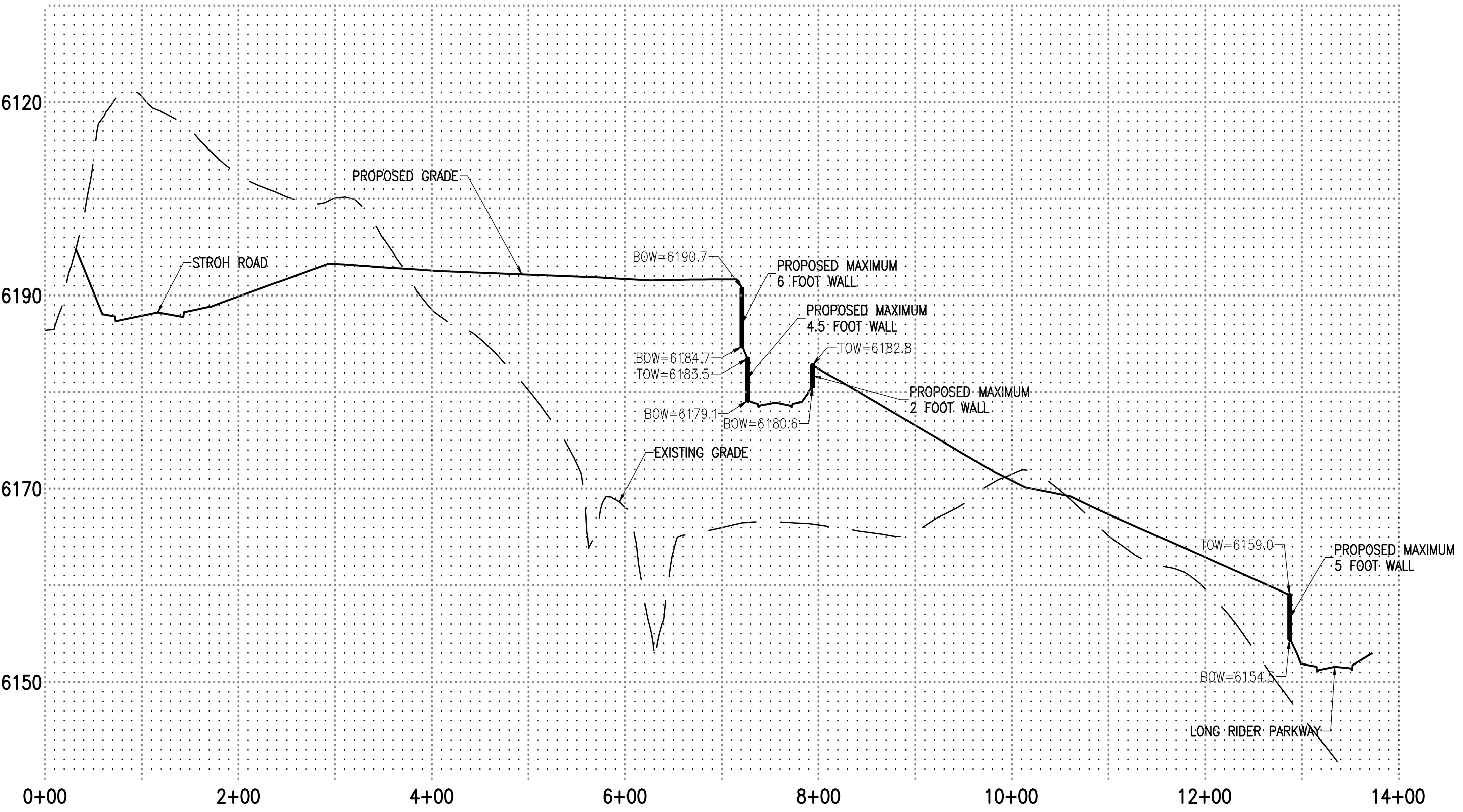
HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
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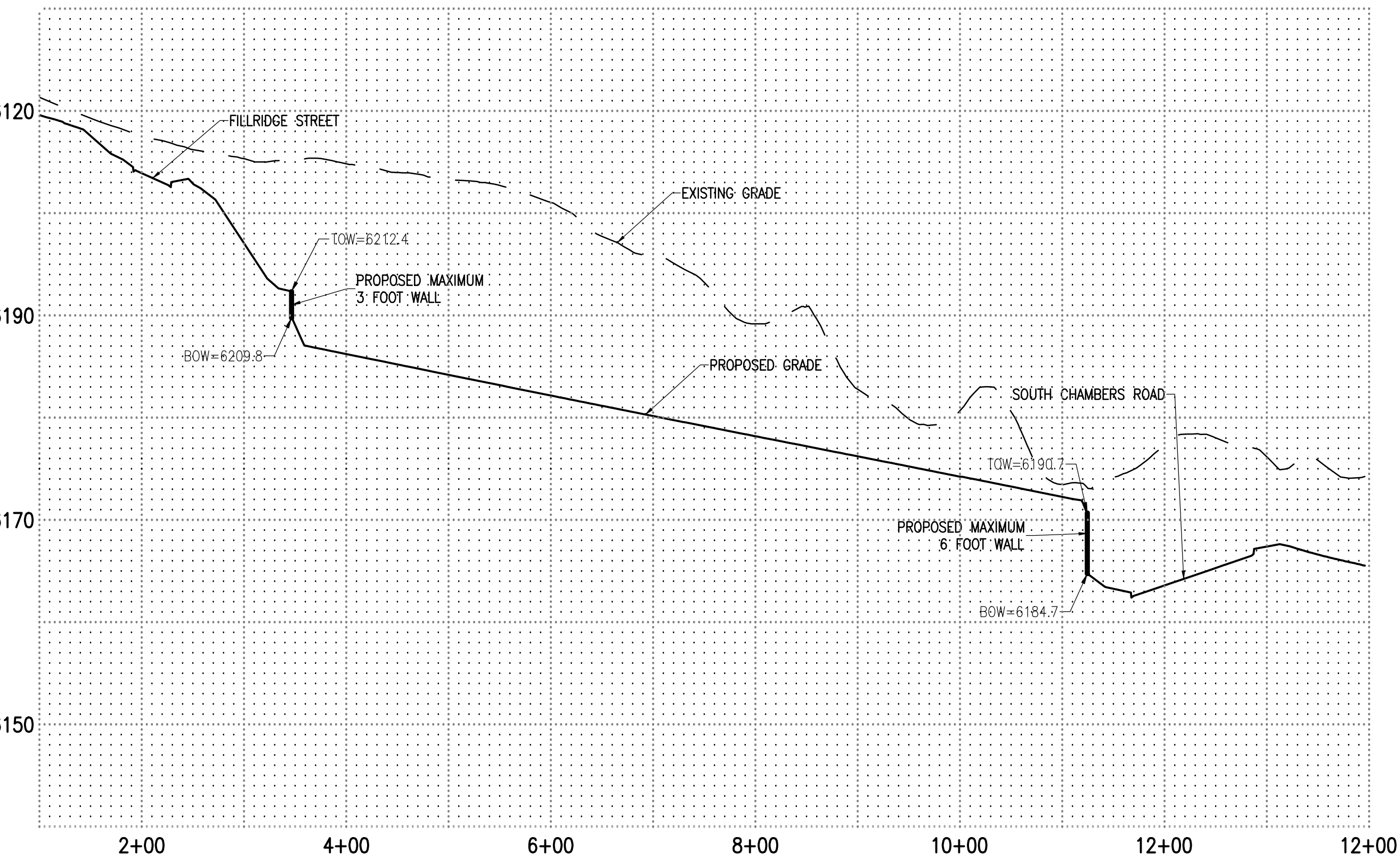
WEST PROFILE



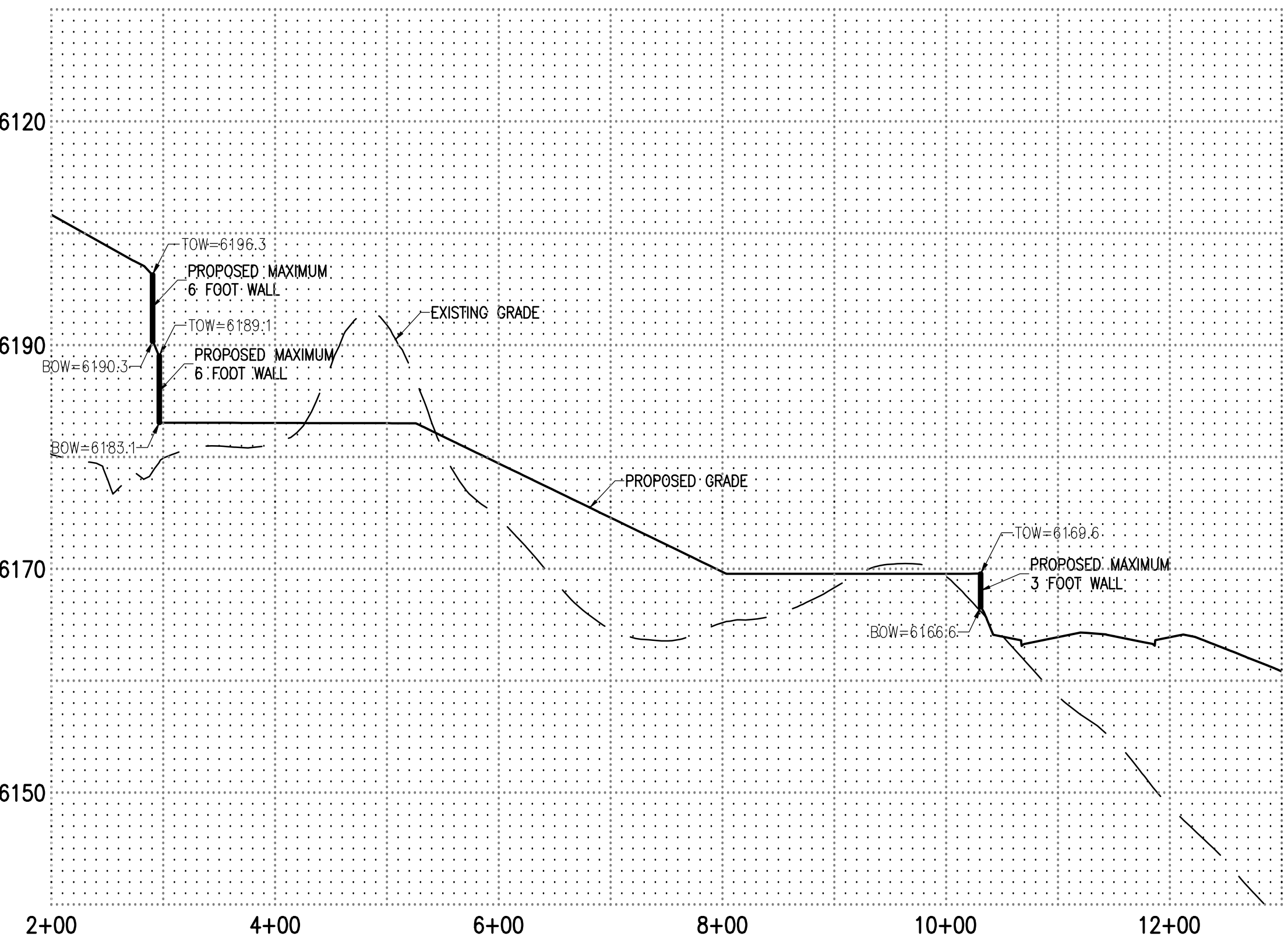
EAST PROFILE



NORTH PROFILE



SOUTH PROFILE



Retaining walls. Use of retaining walls is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to revegetation.

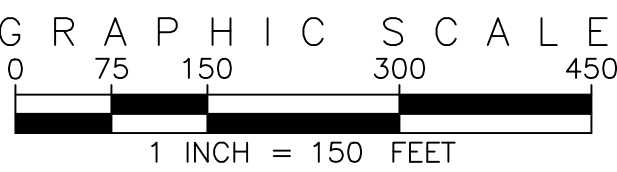
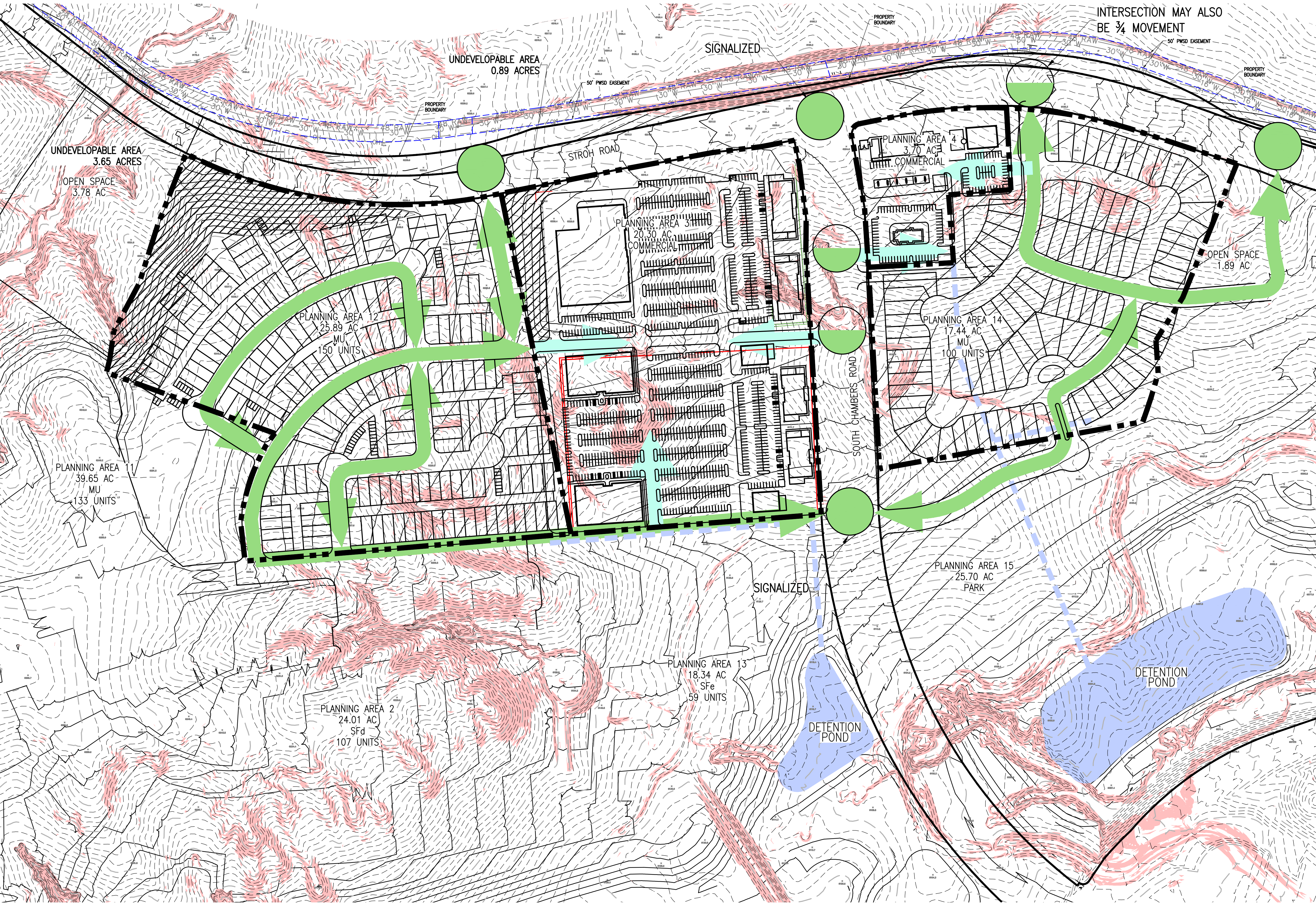
1. Retaining walls may be permitted to support steep slopes but shall not exceed four (4) feet in height from the finished grade, except for:

- a) A structure's foundation wall, or
- b) As necessary to construct a driveway from the street to a garage or parking area, or
- c) As otherwise expressly allowed by this Section.

2. In no case shall a retaining wall exceed six (6) feet in height. Retaining walls greater than four (4) feet in height shall be supported by appropriate engineering and reviewed and approved by the Town before construction.

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



LEGEND

- EXISTING SLOPES 5:1 (20%) OR STEEPER
- PLANNING AREA BOUNDARY
- PROPOSED WALLS
- PROPOSED 10 FOOT CONTOUR
- PROPOSED 2 FOOT CONTOUR
- EXISTING 10 FOOT CONTOUR
- EXISTING 2 FOOT CONTOUR

NOTES

- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
- LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 6:

The Concept Plan will incorporate the results of Tasks 1 through 5 illustrating the existing conditions affecting future development, projected development envelope, roadway access points, drainage/stormwater limits and overlot grading for Planning Areas 3, 4, 12 and 14. The Concept Plan shall serve as the basis for evaluation of the appropriate location and extent of the required Commercial Area upon a minimum one-third (1/3) of the developable land within the MU Mixed-Use Planning Areas.

The conceptual elements have been combined to reflect how commercial will function in these Planning Areas. Commercial development is most feasible in Planning Areas 3 and 4 due to the ease of access, proximity to major roadways, site visibility and a viable grading plan. Planning Areas 12 and 14 are designated as the Mixed-Use Areas.

PLANNING AREAS 3, 4, 12 & 14 DEVELOPABLE AREA					
	PA 3	PA 4	PA 12	PA 14	TOTAL
GROSS TOTAL ACREAGE	20.30	3.70	25.89	17.44	67.33
UNDEVELOPABLE AREA					
GRADING BUFFER ZONE	0.89	0.00	3.65	0.00	4.54
TOTAL DEVELOPABLE ACREAGE	19.41	3.70	22.24	17.44	62.79
REQUIRED COMMERCIAL AREA (1/3 DEVELOPABLE AREA)	20.93				
PROPOSED DEVELOPED COMMERCIAL AREA	23.11				



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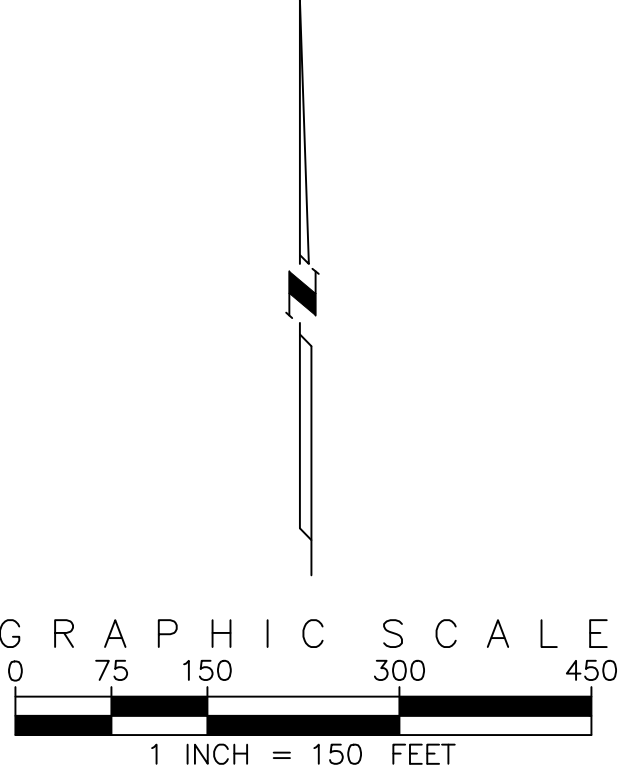
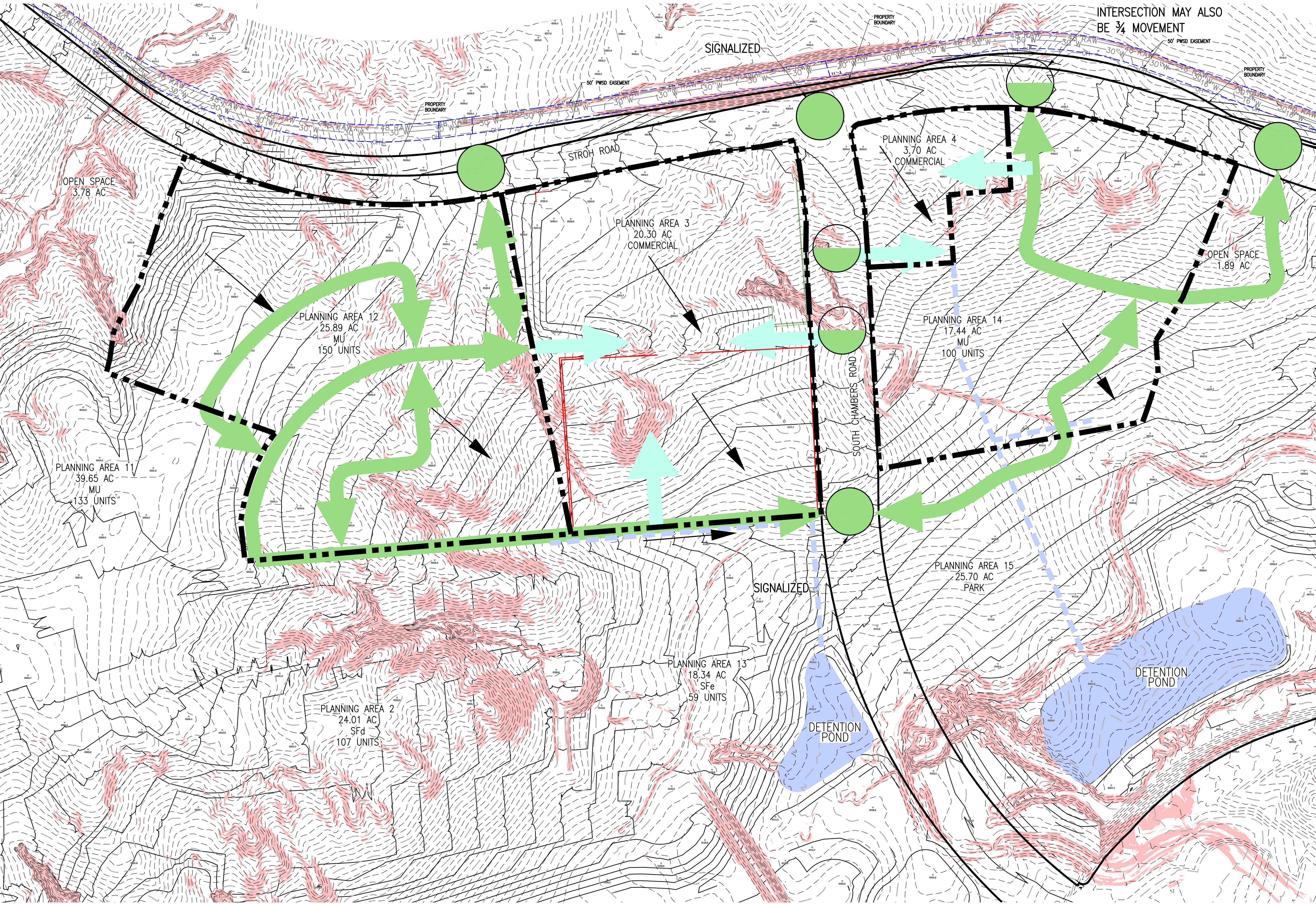


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TASK 6

HESS RANCH NORTH PARCEL

WAIVER RESOLUTION NO. 19-028 SERIES OF 2019
EXHIBIT 8



LEGEND	
	EXISTING SLOPES 5:1 (20%) OR STEEPER
	PLANNING AREA BOUNDARY
	PROPOSED WALLS
	PROPOSED 10 FOOT CONTOUR
	PROPOSED 2 FOOT CONTOUR
	EXISTING 10 FOOT CONTOUR
	EXISTING 2 FOOT CONTOUR

- NOTES**
- ALL FUTURE DEVELOPMENTS WILL NEED TO MEET ALL TOWN REQUIREMENTS, INCLUDING THE TOWN'S DESIGN STANDARDS.
 - LAND PLANS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL PLANNING.

Task 7:
PDivide Planning Areas 3, 4, 12 and 14 into two subareas each: one for the required commercial use upon a minimum one-third (1\3) of the developable land and the other for the remainder which shall retain the existing mixed-use zone designation. In the alternative, the applicant may elect to satisfy the requirement to zone a minimum of one-third (1\3) of total developable land of Planning Areas 3, 4, 12 and 14 by allocating the commercial zoning across no less than two (2) MU Mixed-Use Planning Areas; each of which shall be divided as described herein.

Planning Areas 3, 4, 12 and 14 contain 62.79 acres of Developable Area with one-third or 20.93 acres required to be commercial. Planning Areas 3 and 4 have been designated the commercial areas and contain 23.11 acres which exceeds the requirement.

Hess Ranch North Parcel

Waiver Resolution No. 19-028, Series of 2019

Exhibit 8

I. **Uses Permitted by Right – Mixed Use Planning Areas 12, 14, 35, 36, 43 and 44**

- a. Retail
- (1) Grocery store
- (2) Convenience retail shopping facilities, including but not limited to:
- a. drug stores
- b. liquor stores
- c. convenience grocery
- (3) Specialty retail including but not limited to:
- a. art gallery
- b. antiques
- c. artisan shops
- d. gift shop
- e. pet shops
- f. florists
- g. bookstore
- h. stationery stores
- i. retail food specialty shops which sell food products not intended to be consumed on the premises
- j. butcher shops
- k. candy stores
- l. bakeries
- m. doughnut shops
- n. dairy product shops
- o. toy and game stores
- p. battery and accessory stores
- q. bicycle stores
- r. music stores
- s. sporting goods store
- (4) Hardware and building material stores
- (5) General retail merchandise and apparel shops, including but not limited to:
- a. junior department stores
- b. craft and hobby stores
- c. discount department stores
- d. clothing stores
- e. shoe stores
- f. furniture stores
- g. household appliance stores
- h. floor covering, drapery and upholstery stores
- i. electronics stores
- j. cosmetic store
- b. Development Sales and Marketing Center
- c. Eating and Drinking Establishments
- (1) restaurants
- (2) fast food, drive-through or carryout restaurants
- (3) ice cream parlors
- (4) coffee shops
- (5) delicatessens
- (6) lounge, bar, or microbrewery
- d. Personal Services
- (1) Convenience service establishments, including but not limited to:
- a. barber shops and beauty salons
- b. dry cleaners and laundries
- c. photo studio
- d. shoe repair shops
- e. watch or jewelry repair
- f. travel agency
- (2) day care centers
- (3) health clubs
- e. Entertainment-Indoors
- (1) indoor movie theaters
- (2) performance arts
- (3) bowling alleys
- (4) skating rinks (both ice and roller)
- (5) pool halls
- (6) arcade amusement centers
- f. General Office and Professional Services
- (1) business and professional offices
- (2) medical and dental offices and clinics
- (3) banks and other financial service establishments, with or without drive-through facilities
- g. Commercial Convenience Grocery
- (1) Convenience retail shopping facilities, including but not limited to: drug stores, liquor stores, florists, book and stationery stores, hardware

- stores, auto supply stores, record and tape stores, and retail food specialty shops which sell food products not intended to be consumed on the premises, such as (but not limited to) butcher shops, candy stores, bakeries, doughnut shops, dairy product shops, ice cream parlors, coffee shops and delicatessens.
- (2) Convenience service establishments, including but not limited to barber and beauty shops, cleaners, shoe repair shops, laundries, watch or jewelry repair, and travel service.
- (3) Low intensity specialty goods and service establishments, including but not limited to: art gallery, antiques, artisan shops, photo studio, gift shop, plant store or nursery, pet shops, furniture store, home furnishings, newspaper office, apparel, and appliances.
- (4) Conventional restaurants.
- (5) Fast food, drive-in or carryout restaurants.
- (6) Electronic funds transfer facilities.
- (7) Photo service facilities.
- (8) Medical and dental offices and clinics.
- (9) Business and professional offices.
- (10) Private recreational and park uses, country clubs, recreational facilities, including but not limited to open space, tennis courts, swimming pools and jogging, riding, hiking, and biking trails.
- (11) Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums, except for PA, 12, 14, 35, 36, 43 and 44 which are retail uses only.
- (12) Nursery schools and day/childcare centers.
- (13) Retail food and food service establishments, including but not limited to groceries and supermarkets, and cafeterias.
- (14) General retail merchandise and apparel shops, including but not limited to: junior department stores; variety stores; discount department stores; clothing stores; accessory and specialty stores; shoe stores; furniers and fur stores; furniture stores; home furnishing stores; household appliance stores; floor covering, drapery and upholstery stores; and radio, television, stereo and video stores.
- (15) Personal service establishments.
- (16) General retail business establishments, including but not limited to card and gift stores; tobacco shops; cosmetic store; toy and game stores; automotive tire, battery and accessory stores, garden, plant, and floral shops; and bicycle stores.
- (17) Car care centers, gasoline service/stations, tire sales and service, car wash.
- (18) Commercial entertainment businesses, including but not limited to indoor movie theaters, performance arts, bowling alleys, skating rinks (both ice and roller), pool halls, and arcade amusement centers.
- (19) Banks, savings and loan and other financial service establishments.
- (20) Public utility administrative and business offices.
- (21) Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- (22) Motels, Hotels, including detached guest units, restaurants, gift shops and other incidental accessory uses located within the principal building.
- (23) Transit facilities.
- (24) Universities, Colleges, or higher educational type uses.
- (25) Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as determined by the Planning Director.
- (26) Sales Center - conversion to a recreation facility adjacent to open space.
- h. Agricultural. Until such time that PA 44 develops commercially, or until such time that Planning Areas 3,4,12 and 14 develop, permitted uses include:
- (1) Farming, including plowing, tillage, cropping, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber operations) produced on the premises.

- (2) Ranching, including grazing of livestock (except commercial feed yards, poultry, pig farms, fur farms or kennels).
- (3) Open space.
- (4) Selling agricultural products not requiring a state tax license.

i. Residential

- (1) Duplex, Triplex, and Fourplex Dwelling Units.
- (2) Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- (3) Condominiums
- (4) Independent and/or Assisted Living.
- (5) Group Homes
- (6) Clustered Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- (7) A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- (8) Attached or detached private garages (3 cars maximum).
- (9) Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- (10) Public Open Space.
- (11) Public and private schools and related administrative facilities for elementary and secondary education.
- (12) Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, swimming pools and jogging, riding, hiking, and biking trails.
- (13) Public parks, playgrounds, and other recreational areas.
- (14) Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.
- (15) All those uses permitted within the Parks, Open Space Land Use categories.

2. **Uses Permitted by Special Review (except Uses by Special Review shall be prohibited in PA-44)**

- a. Common recreation vehicle storage area.
- b. Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- c. Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums.
- d. Child Care Centers.
- e. Small animal veterinary clinics with no outside facilities.

3. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**

Shall also include utility facilities and well sites.

II. **Commercial Use Areas**

1. **Uses Permitted by Right in the Commercial Planning Areas 3 and 4**

Planning Director Determination for and Unlisted Use: If an unlisted use is proposed, the Planning Director shall determine the appropriate designation of a specific use type by considering potential impacts of the use including the nature and compatibility of the use and whether it includes dwellings, sales, processing, or storage and typical operations, employment characteristics, nuisances, and requirements for public services and utilities.

- a. **Public, Institutional, and Civic Uses**
- (1) Community and Cultural
- a. Community Facilities including Outdoor Recreational Facilities
- b. Commercial Day Care Facility
- c. Public Safety Facility
- d. Parks and Open Space
- (2) Educational Facilities
- (3) Healthcare Facilities
- Medical and Dental Clinics
- b. **Commercial Uses**
- (1) Veterinary Clinic and Hospital
- (2) Retail and Service Commercial
- c. **Recreation and Entertainment**
- (1) Indoor Recreational Facilities
- (2) Indoor Entertainment Facilities
- d. **Food and Beverage Services**
- (1) Bar and Lounge
- (2) Microbrewery, Cidery, Distillery or Winery
- (3) Restaurant with or without:
- a. Drive through facilities
- b. Liquor Sales
- c. Indoor and Outdoor Seating
- e. **Office, Business and Professional Services**
- (1) Administrative, Professional and Government Offices
- (2) Automated Teller Machines (Stand Alone or associated with a Financial Institution)
- (3) Financial Institution with or without Drive through Facilities
- (4) Research and Development
- (5) Development Sales and Marketing Center
- f. **Personal Services**
- (1) Self Service Laundry
- (2) Personal Instruction or Studio
- (3) Person Service, General
- (4) Health Clubs
- g. **Retail Sales**
- (1) Building Materials and Supplies including outdoor greenhouse sales (Outdoor display is limited to 25% of the gross floor area of the principal building)
- (2) General Retail (any size and product)
- (3) Outdoor Sales and display as an accessory use
- (4) Convenience Retail Shopping Facility
- (5) Temporary/Seasonal Outdoor Markets
- h. **Lodging Facilities**
- (1) Bed and Breakfast
- (2) Hotel/Motel
- i. **Transportation, Vehicles and Equipment**
- (1) Automotive Fuel Service and Sales with or without:
- i. Car wash
- ii. Convenience Retail
- iii. Parts and tire sales
- (2) Automotive repair (minor)
- (3) Standalone car wash
2. **Uses Permitted by Special Review**
- (1) Outdoor Recreational Facilities
- (2) Outdoor Entertainment Facilities
3. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**
- Shall also include utility facilities and well sites.

PARKS, TRAILS AND OPEN SPACE-

MASTER PLAN

AMENDMENT NO. 1 TO SEGMENT 1

SEGMENT 2A AND 2B

OCTOBER 24, 2020



LOOKING GLASS

PARKER • CO



DEVELOPMENT TEAM



OWNER/DEVELOPER:
JEN COLORADO 18, LLC
FRONT RANGE COMMUNITIES, LLC
4100 E. Mississippi Ave
Suite 500
Denver, CO 80246

Contact: Matthew Osborn/ Lawrence Jacobson



PLANNING / LANDSCAPE ARCHITECTURE:
HENRY DESIGN GROUP, INC.
1501 Wazee Street,
Suite 1-C
Denver, CO 80202

Contact: Karen Henry



ENGINEERING CONSULTANT:
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7008 S. Alton Way,
Building F
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Contact: Eric McDaniel



BRAND / DESIGN:
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209 Kalamath,
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Contact: Cindy Milnick

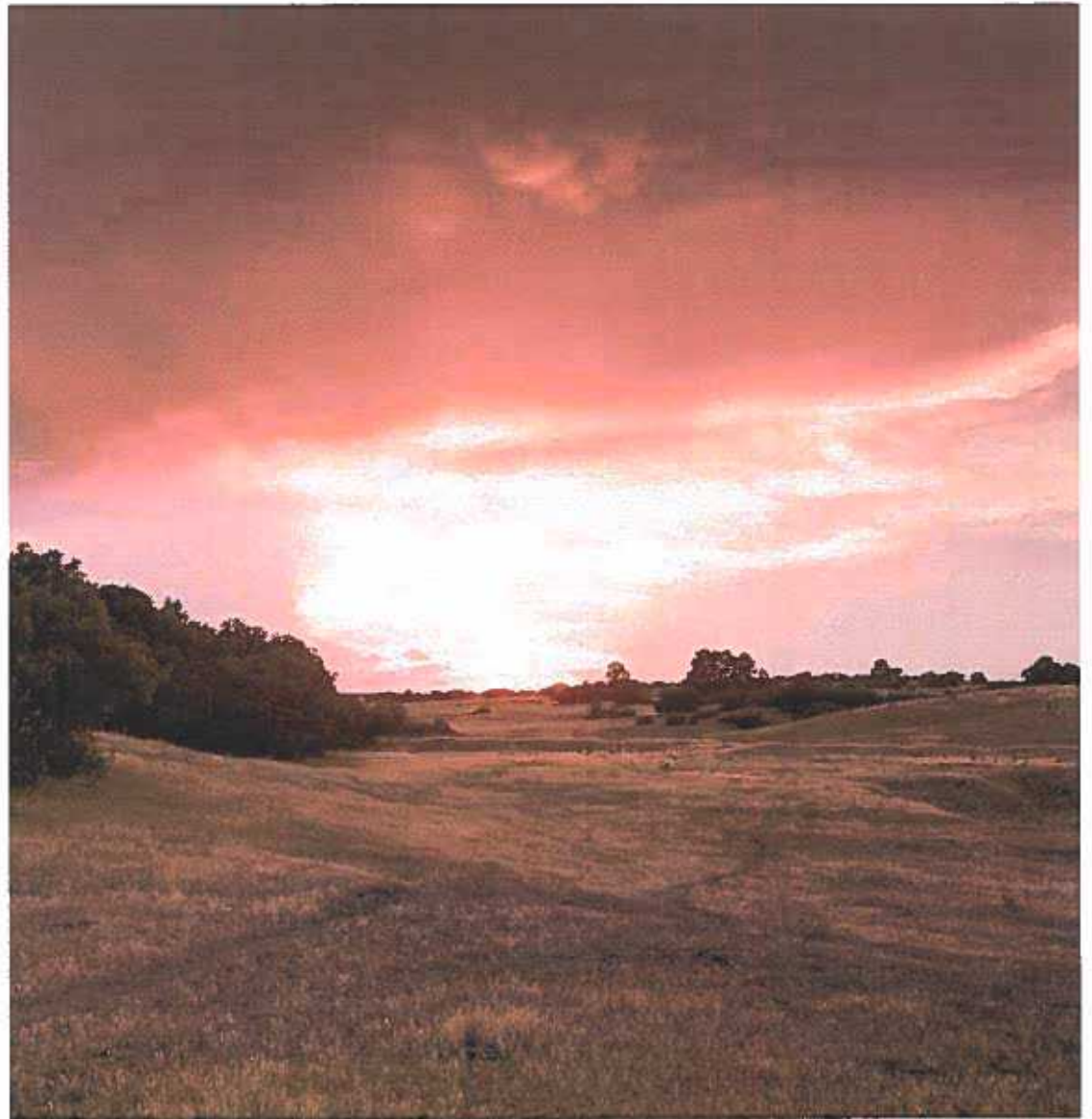


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34. Filing 15 Park Enlargement Plan

V. PARK LOCATIONS AND SITE ANALYSIS- SEGMENT 2b

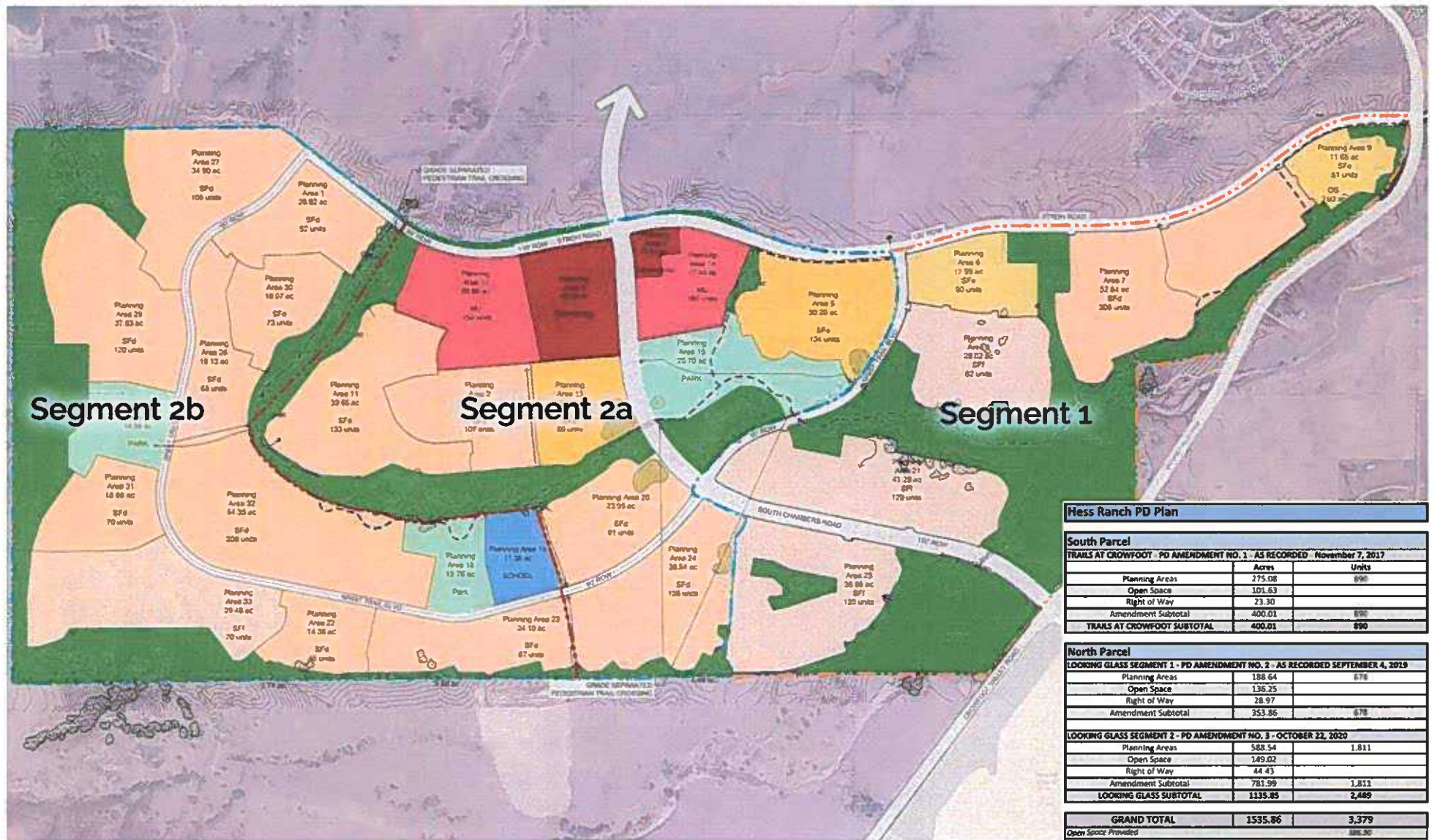
35. Five Mile Loop Trail Exhibit
36. PA 28 Community Park Site Analysis
37. PA 18 Community Park Site Analysis
38. Conclusion



LOOKING GLASS

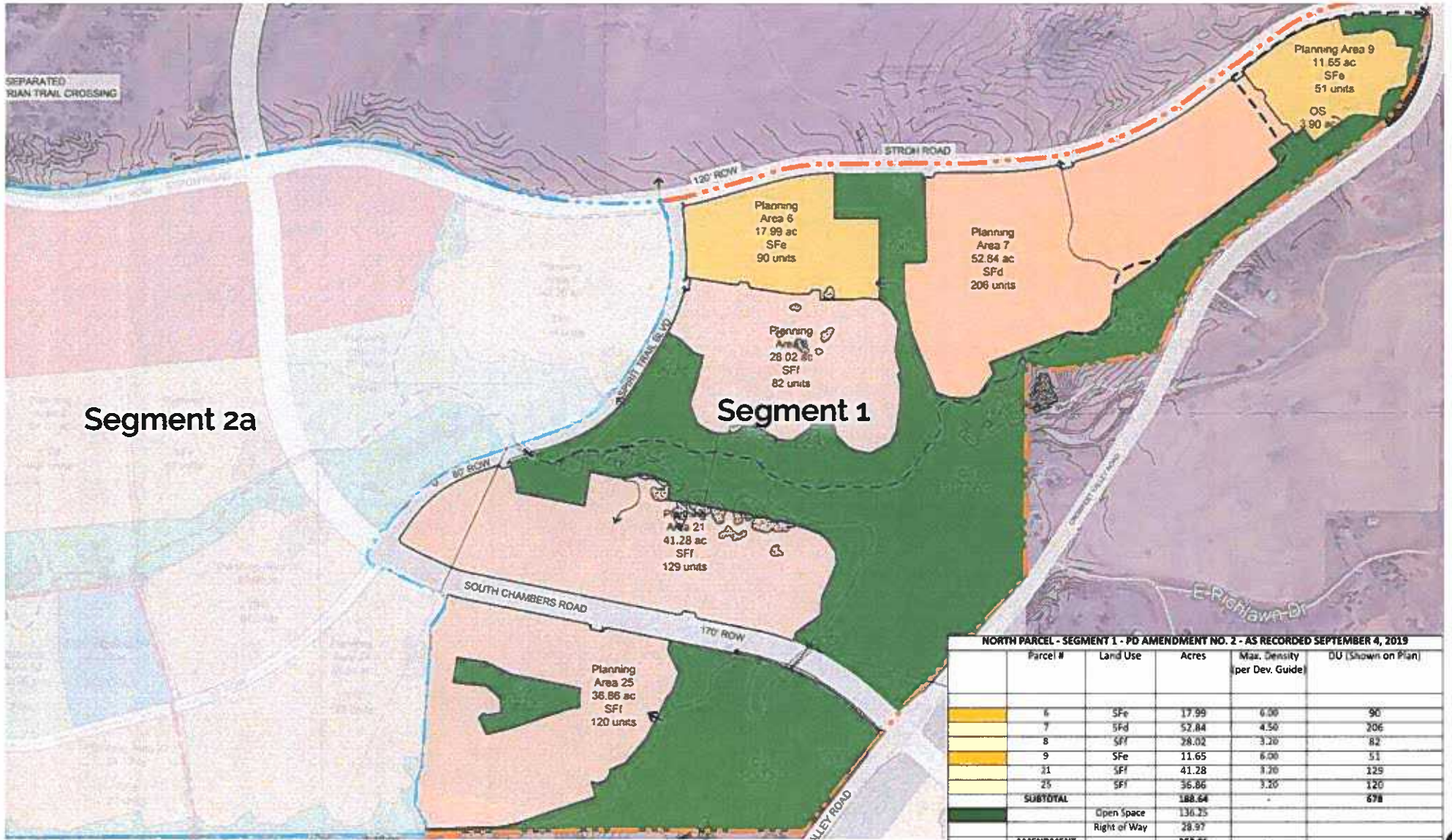
PARKS, TRAILS & OPEN SPACE

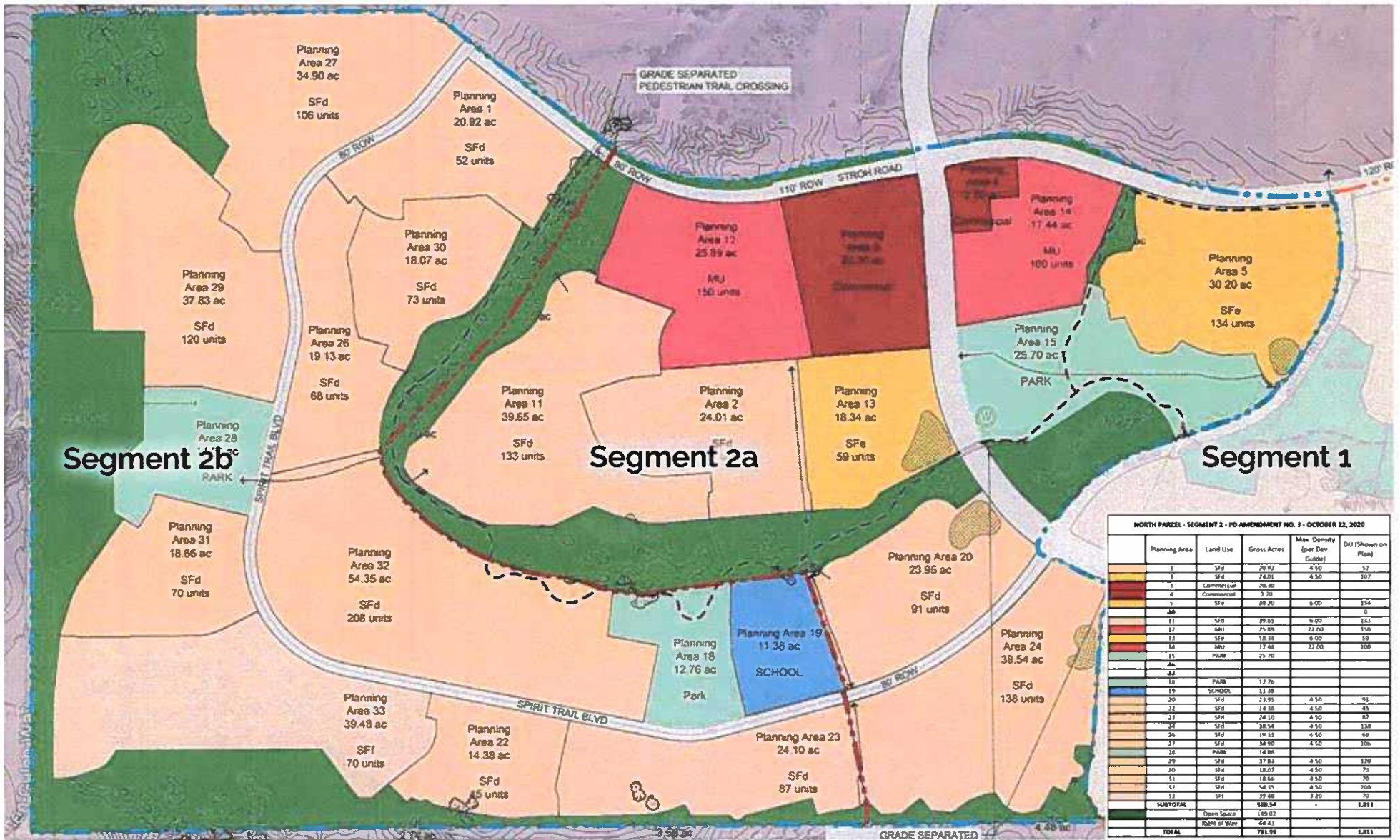
HESS RANCH PD AMENDMENT III; SEGMENTS 1, 2a & 2b



Hess Ranch PD Plan		
South Parcel		
TRAILS AT CROWFOOT - PD AMENDMENT NO. 1 - AS RECORDED - November 7, 2017		
Planning Areas	275.08	890
Open Space	101.63	
Right of Way	23.30	
Amendment Subtotal	400.01	890
TRAILS AT CROWFOOT SUBTOTAL		
	400.01	890
North Parcel		
LOOKING GLASS SEGMENT 1 - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019		
Planning Areas	188.64	678
Open Space	136.25	
Right of Way	28.97	
Amendment Subtotal	353.86	678
LOOKING GLASS SEGMENT 2 - PD AMENDMENT NO. 3 - OCTOBER 22, 2020		
Planning Areas	588.54	1,811
Open Space	149.02	
Right of Way	44.43	
Amendment Subtotal	781.99	1,811
LOOKING GLASS SUBTOTAL		
	1,135.85	2,489
GRAND TOTAL		
	1,535.86	3,379
Open Space Provided		388.25
Open Space Required per the Anticipation Agreement		384.4

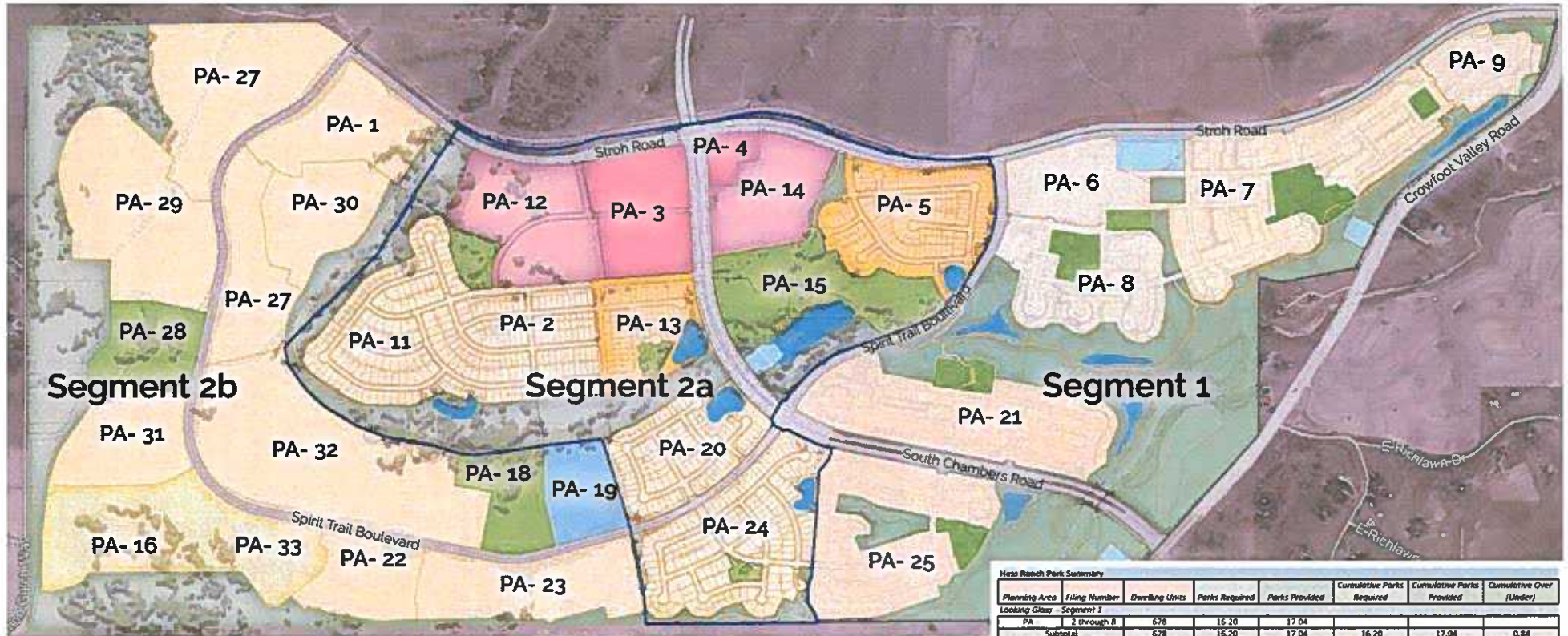






Planning Area	Land Use	Gross Acres	Max Density (per Dev. Guide)	DU (Shown on Plan)
1	SFd	20.92	4.50	52
2	SFd	24.01	4.50	107
3	Commercial	26.80		
4	Commercial	3.30		
5	SFe	30.20	8.00	134
6				0
11	SFd	39.65	6.00	133
12	MU	25.89	22.00	150
13	SFe	18.34	6.00	59
14	MU	17.44	22.00	100
15	PARK	25.70		
16				
17				
18	PARK	12.76		
19	SCHOOL	11.38		
20	SFd	23.95	4.50	91
21	SFd	14.38	4.50	45
22	SFd	24.10	4.50	87
23	SFd	38.54	4.50	138
24	SFd	19.13	4.50	68
25	SFd	34.90	4.50	106
26	PARK	14.38		
27	SFd	37.83	4.50	120
28	SFd	18.66	4.50	70
29	SFd	39.48	4.50	70
30	SFd	54.35	4.50	208
31	SFd	18.66	4.50	70
32	SFd	54.35	4.50	208
33	SFd	39.48	4.50	70
34	SFd	14.38	4.50	15
35	SFd	14.38	4.50	15
36	SFd	14.38	4.50	15
37	SFd	14.38	4.50	15
38	SFd	14.38	4.50	15
39	SFd	14.38	4.50	15
40	SFd	14.38	4.50	15
41	SFd	14.38	4.50	15
42	SFd	14.38	4.50	15
43	SFd	14.38	4.50	15
44	SFd	14.38	4.50	15
45	SFd	14.38	4.50	15
46	SFd	14.38	4.50	15
47	SFd	14.38	4.50	15
48	SFd	14.38	4.50	15
49	SFd	14.38	4.50	15
50	SFd	14.38	4.50	15
51	SFd	14.38	4.50	15
52	SFd	14.38	4.50	15
53	SFd	14.38	4.50	15
54	SFd	14.38	4.50	15
55	SFd	14.38	4.50	15
56	SFd	14.38	4.50	15
57	SFd	14.38	4.50	15
58	SFd	14.38	4.50	15
59	SFd	14.38	4.50	15
60	SFd	14.38	4.50	15
61	SFd	14.38	4.50	15
62	SFd	14.38	4.50	15
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73	SFd	14.38	4.50	15
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90	SFd	14.38	4.50	15
91	SFd	14.38	4.50	15
92	SFd	14.38	4.50	15
93	SFd	14.38	4.50	15
94	SFd	14.38	4.50	15
95	SFd	14.38	4.50	15
96	SFd	14.38	4.50	15
97	SFd	14.38	4.50	15
98	SFd	14.38	4.50	15
99	SFd	14.38	4.50	15
100	SFd	14.38	4.50	15
SUBTOTAL		588.54		1,811
Open Space		145.07		
Right of Way		64.43		
TOTAL		798.04		1,811





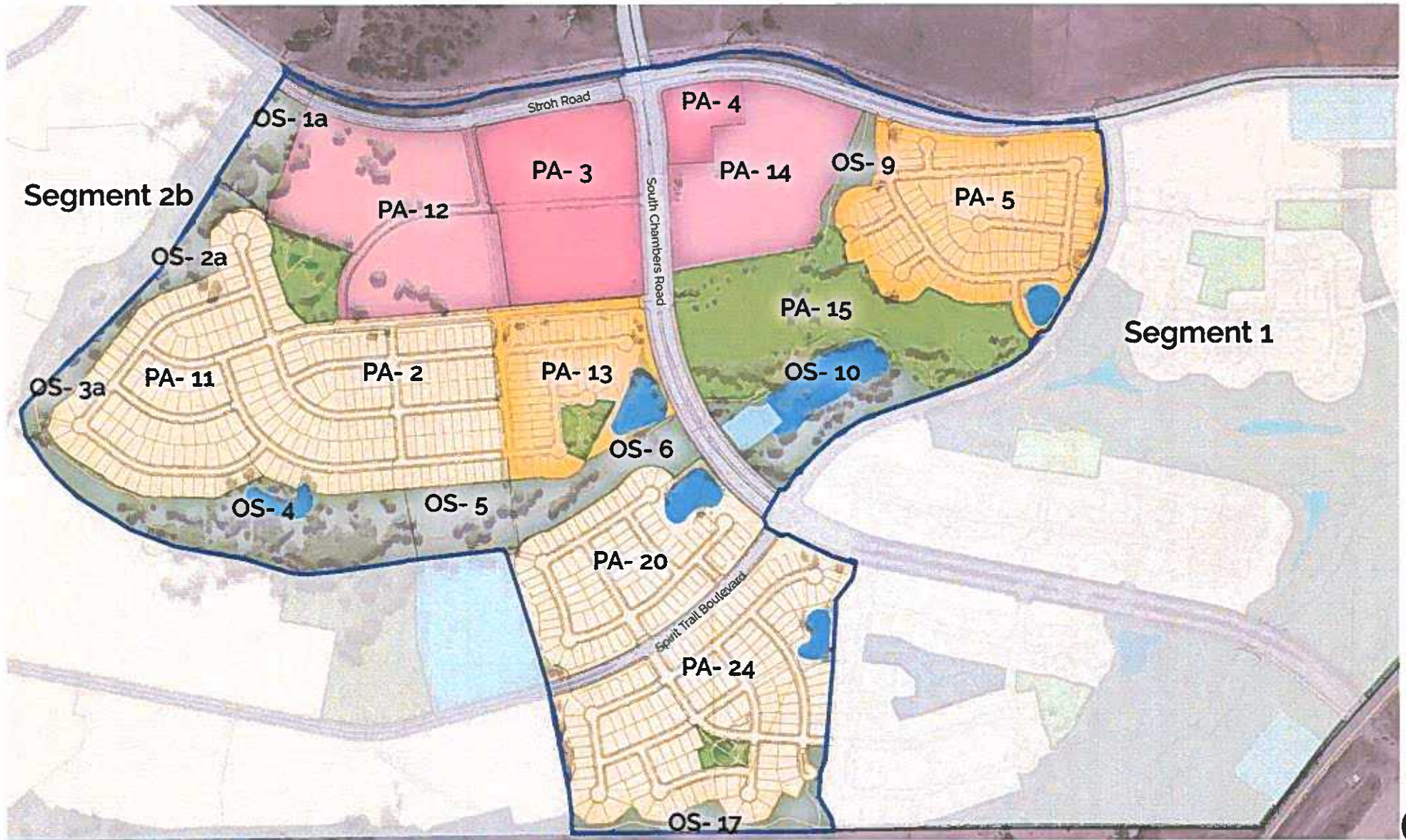
Hess Ranch	Parks Required	Parks Provided	Open Spaces Provided	Percent OS of Gross Acres	Dwelling Units	Gross Acres
Trails at Crowfoot						
PD Amendment 1 (Trails)	21.27	23.45	101.63	25%	890	400.1
Looking Glass						
PD Amendment 2 (Segment 1)	16.20	17.04	136.25	39%	678	353.86
PD Amendment 3 (Segment 2a)	21.80	32.06	53.47	16%	912	342.86
Subtotal	38.00	49.10	189.72	27%	1590	696.72
PD Amendment 3 (Segment 2b)	21.49	27.62	95.55	22%	899	439.13
Total	59.49	76.72	285.27	25%	2489	1135.85
Grand Total	80.76	100.17	386.90	25%	3379	1535.95
Required per Annexation Agreement	67.28		384.4		3379 units allowed	

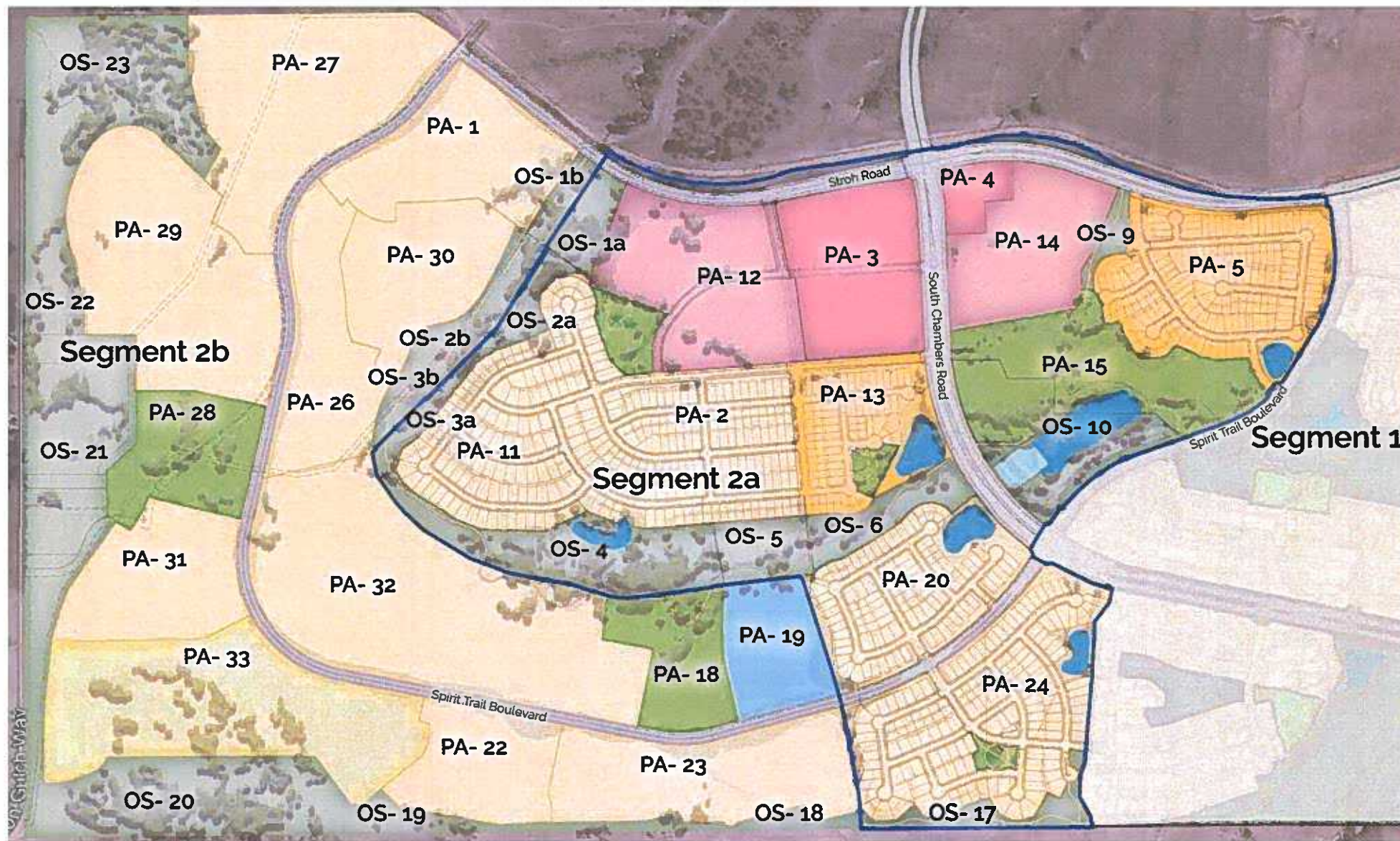
Hess Ranch Park Summary						
Planning Area	Filing Number	Dwelling Units	Parks Required	Parks Provided	Cumulative Parks Required	Cumulative Parks Provided
Looking Glass - Segment 1						
PA 2	2 through 8	678	16.20	17.04		
Subtotal		678	16.20	17.04	16.20	17.04
Looking Glass - Segment 2a						
PA 15		0	0.00	25.7	16.20	42.74
PA 2		107	2.56	3.81	18.76	46.55
PA 5		134	3.20		21.96	46.55
PA 24		138	3.30	1.05	25.26	47.6
PA 20		91	2.17		27.44	47.6
PA 13		59	1.41	1.5	28.85	49.1
PA 12		150	3.59		32.43	49.1
PA 11		133	3.18		35.61	49.1
PA 14		100	2.39		38.00	49.1
Subtotal		912	21.80	32.06	38.00	49.1
Looking Glass - Segment 2b						
PA 28				14.86	38.00	63.96
PA 18				12.76	38.00	76.72
PA	Future Filings	899	21.49		59.49	76.72
Subtotal		899	21.49	27.62	59.49	76.72
Total		2489	59.48	76.72	59.48	76.72
Trails at Crowfoot						
PA 34-47		890	21.27	18.30		
				5.35		
Total		890	21.27	23.45		
Grand Total		3379	80.76	100.17		
			Parks required per the Annexation Agreement		67.28	
			Community Served Parks		71.42	

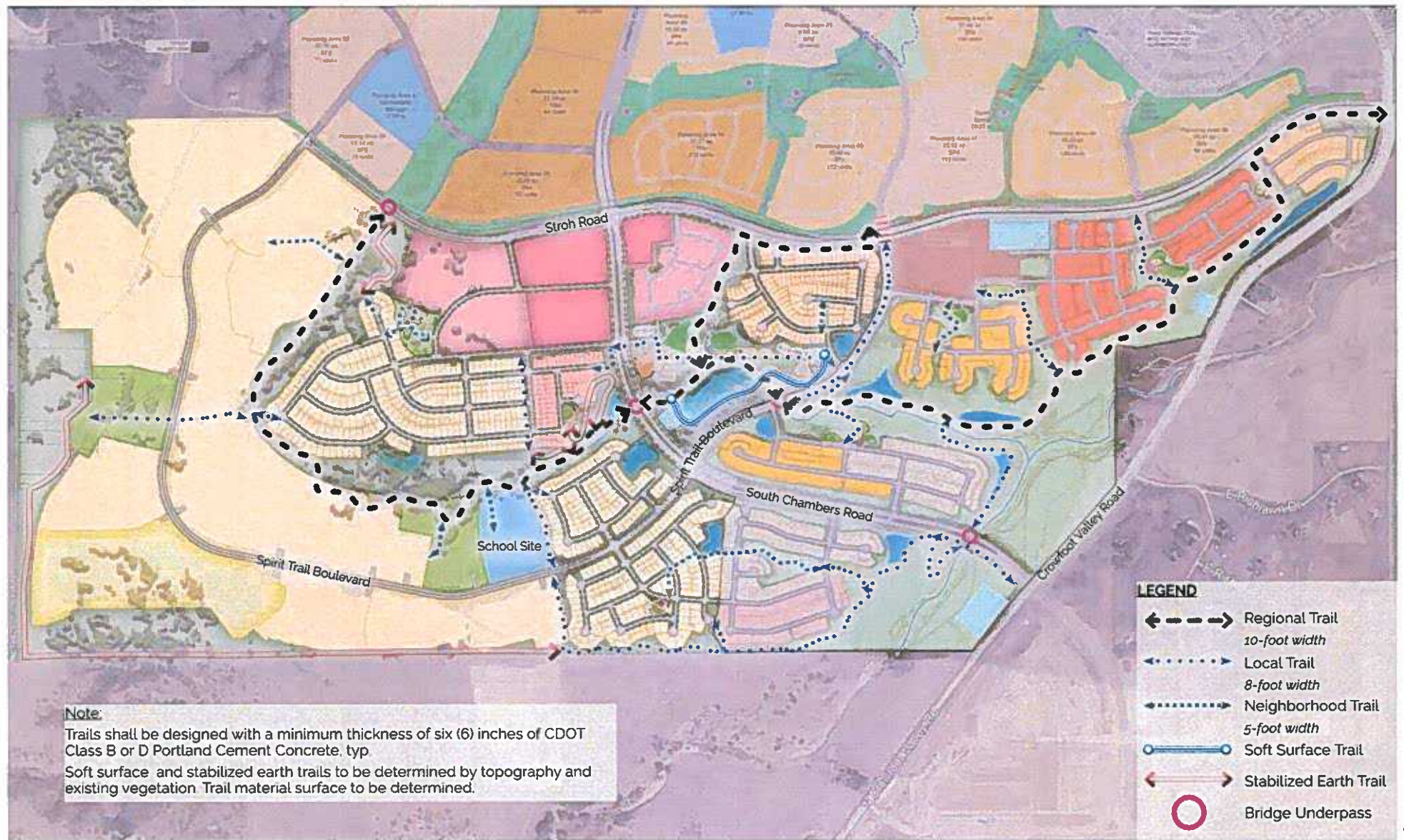


Planning Area	Development Units	Planning Area Acres	Park Area	Provided Park Area	Open Space Area	Open Space Acres Approved PD	Open Space Acres Proposed PD
6	90	17.99	2.15	1.51	12	7.36	7.06
7	206	52.84	4.92	5.6	13	19.24	13.24
8	82	28.02	1.96	3.29	14	55.52	57.72
9	51	11.65	1.22	1	15	3.26	3.9
21	129	41.28	3.08	3.11	11	11.55	15.18
25	120	36.86	2.87	2.54	16	29.93	39.15
TOTAL	678	188.64	16.2	17.05		126.86	136.25







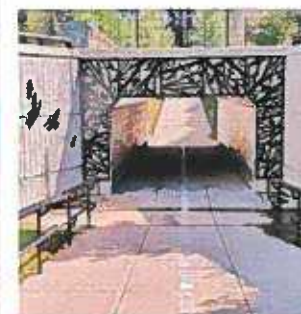




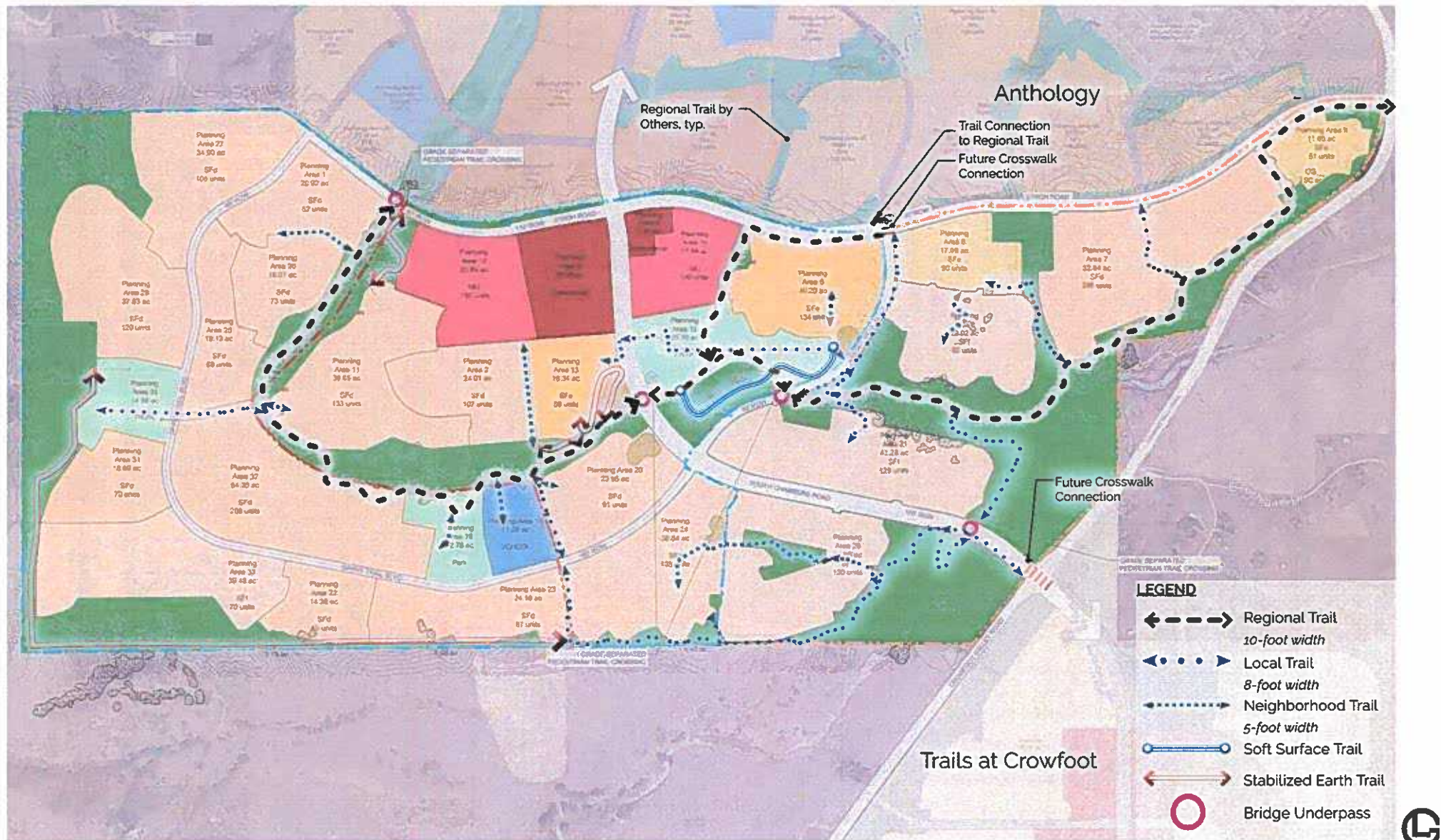
LEGEND

- ← - - - → Regional Trail
10-foot width
- ◀ . . . ▶ Local Trail
8-foot width
- ◀ ▶ Neighborhood Trail
5-foot width
- Soft Surface Trail
- >—<— Stabilized Earth Trail
- Bridge Underpass

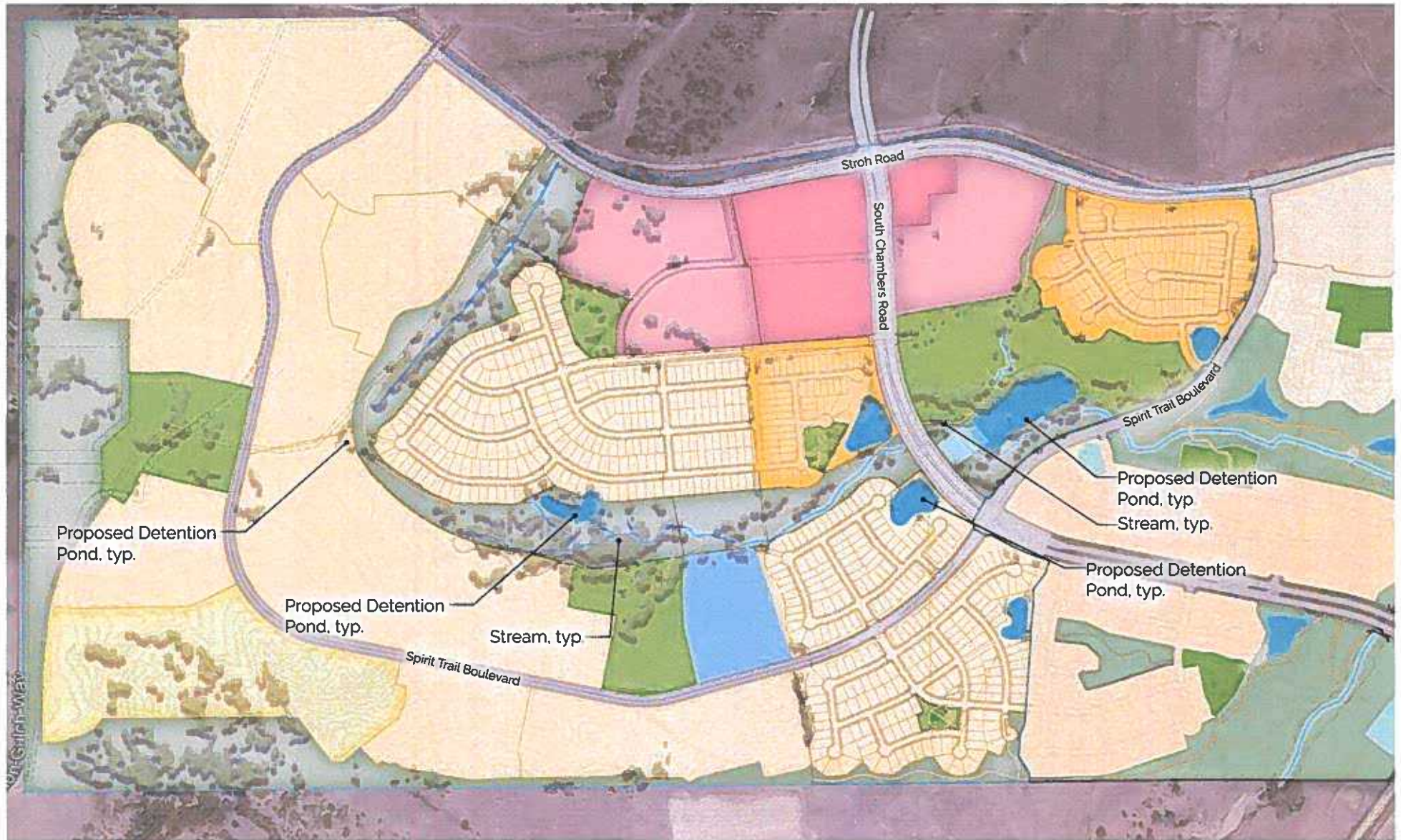


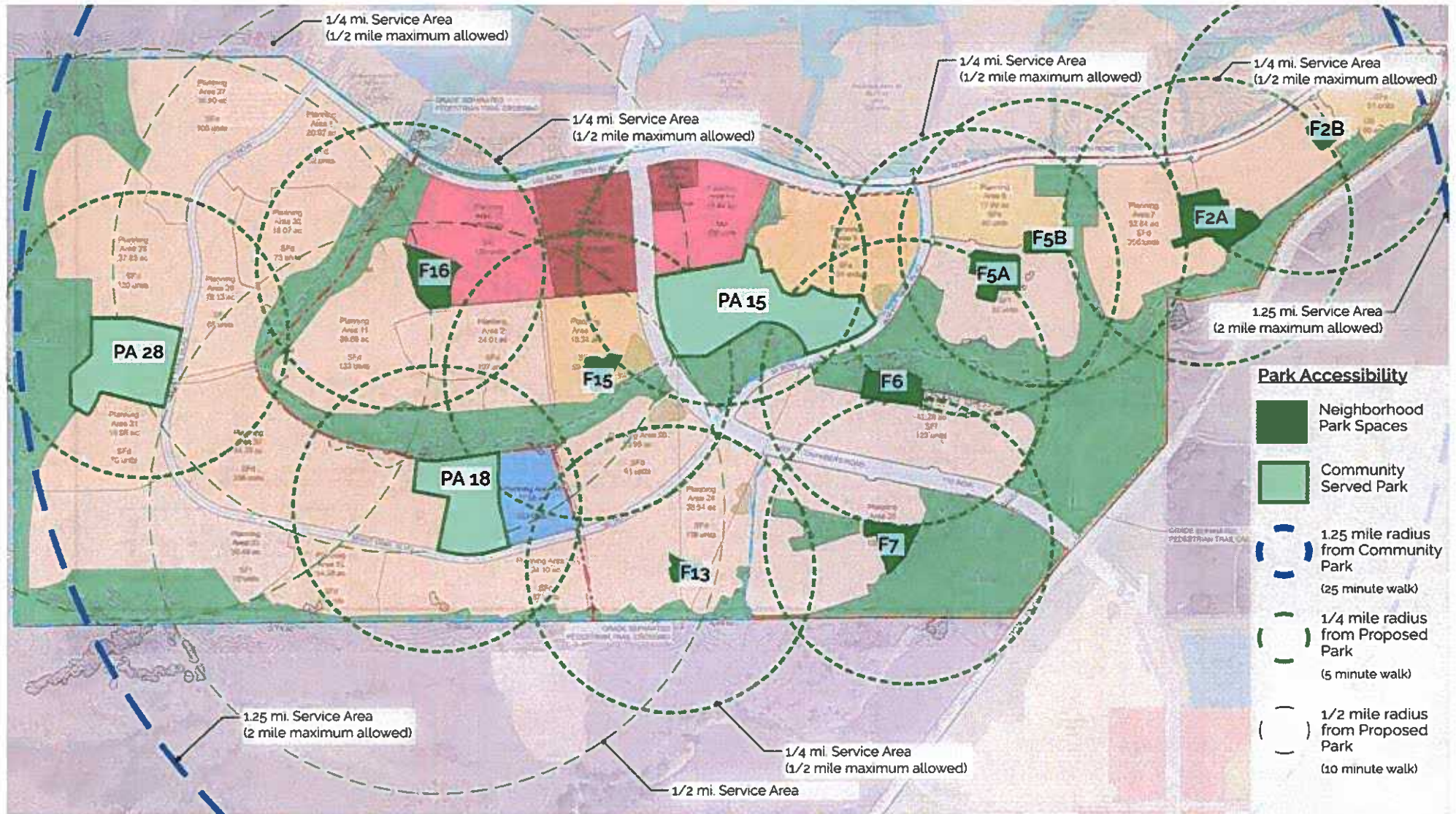




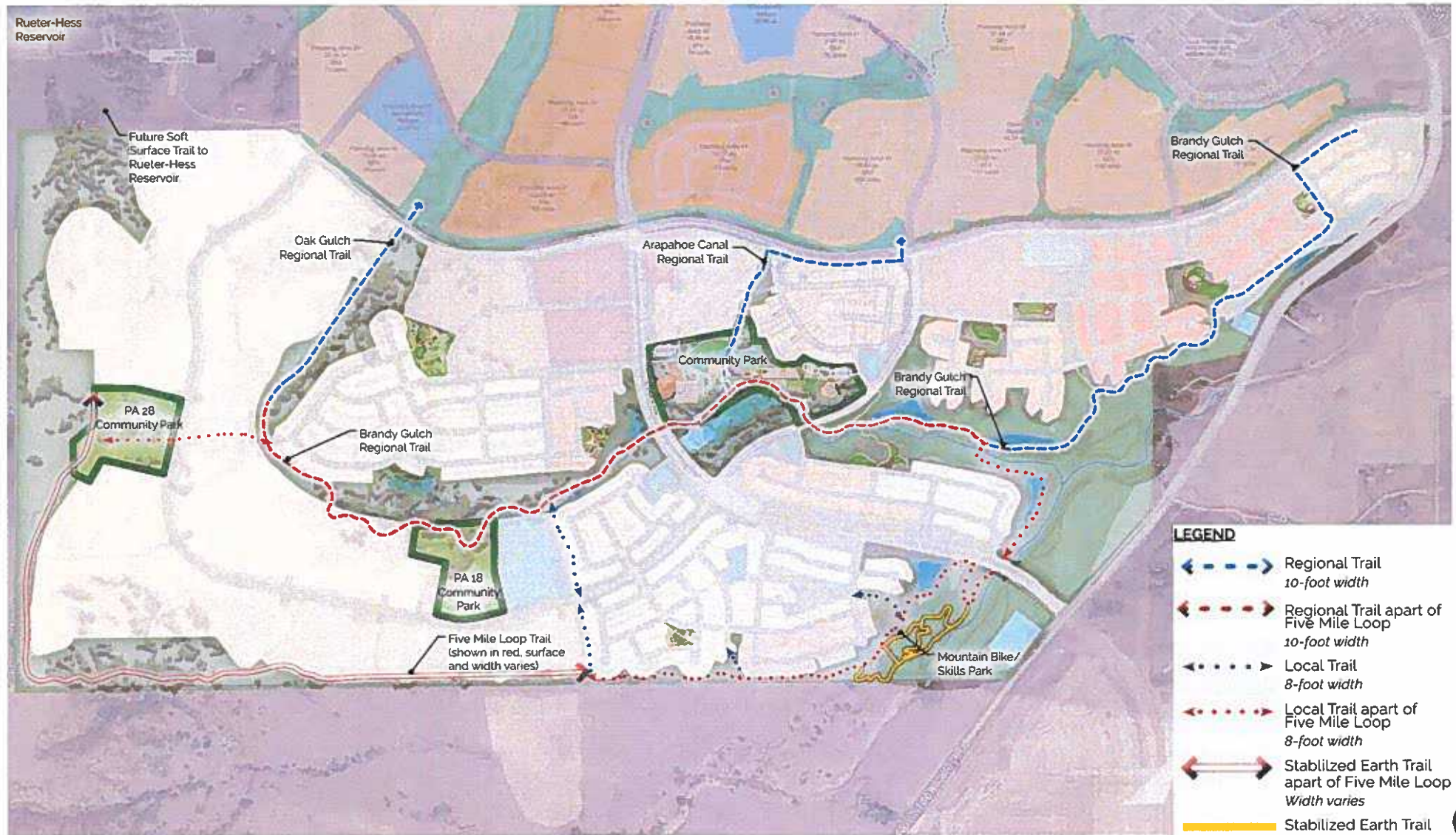


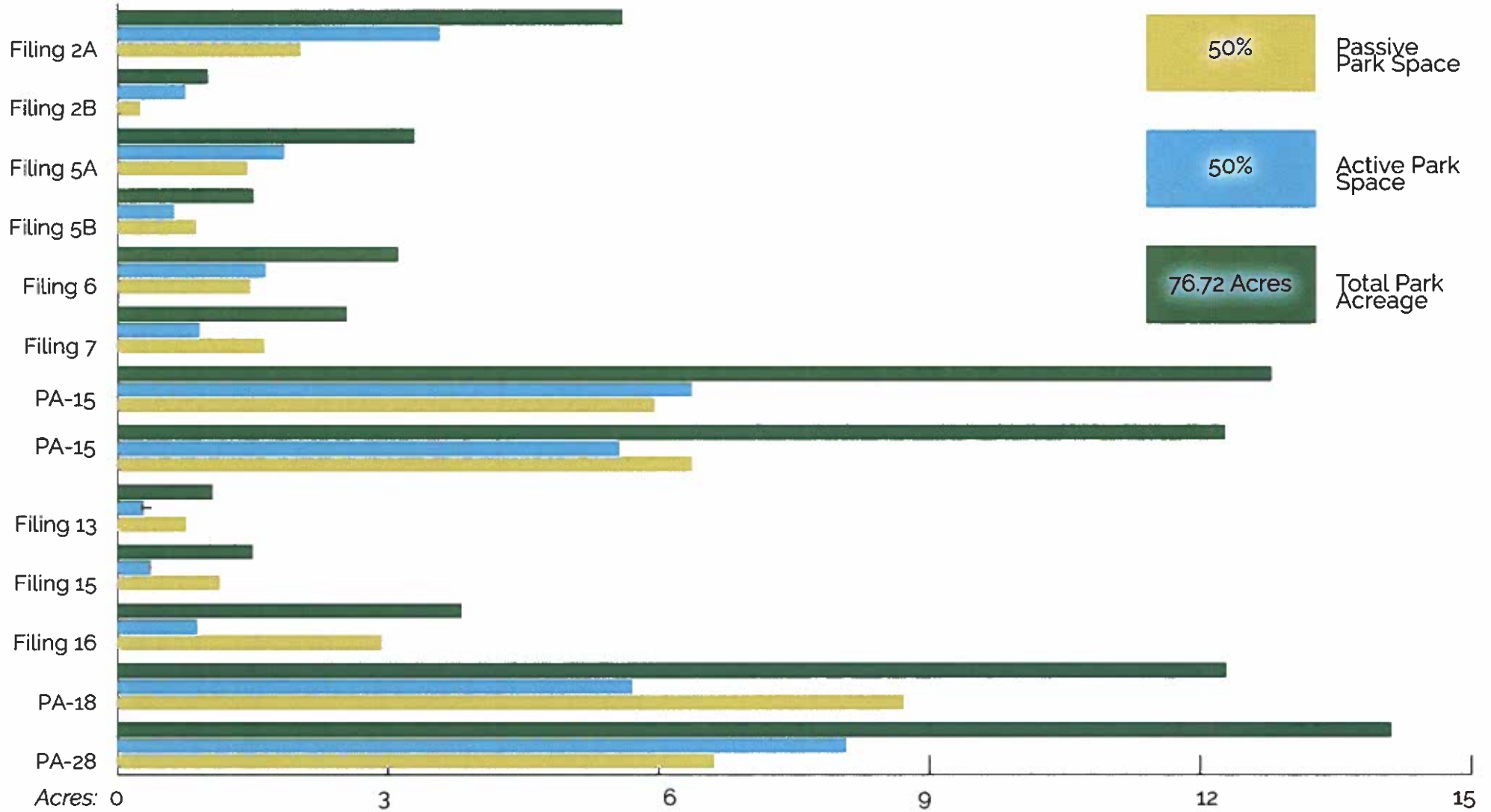


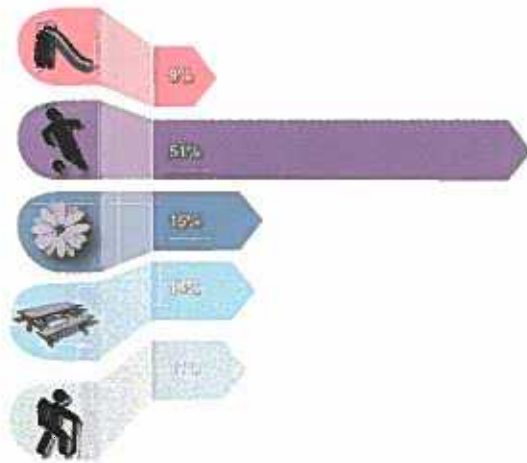




Conceptual neighborhood park required per code for Segment 2b. Park sizes and locations to be determined at Sketch / Preliminary Plan for Segment 2b.







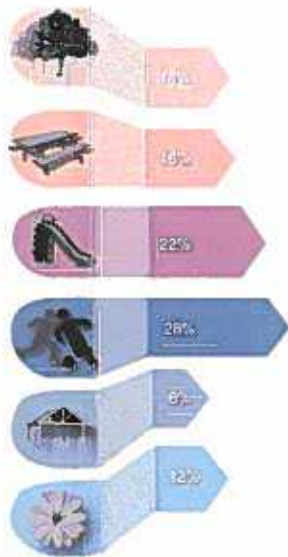
Filing 2 Park A - Active Amenities Offered



Filing 2 Park B- Active Amenities Offered



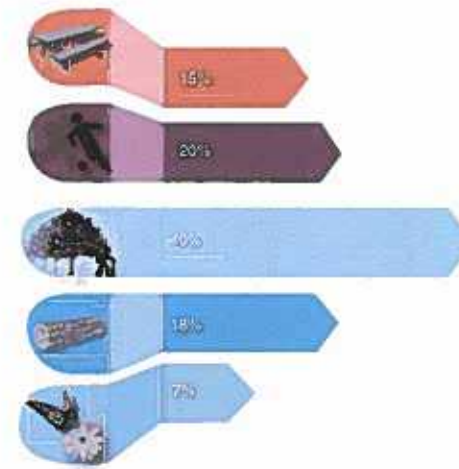
Filing 5 Park A- Active Amenities Offered



Filing 5 Park B- Active Amenities Offered



Filing 6 Park- Active Amenities Offered



Filing 7 Park- Active Amenities Offered

Community-Serving Park Requirements:		PA-15 (25.7 acres)
#	Requirements	Section 13.07.140(c)10 Required / Provided
Required amenities for all parks:		
1	Landscaping	✓
2	Tables and Seating	✓
3	Internal access pathway	✓
4	Open turf play areas	✓
5	Universal and inclusive play elements	✓
6	Dog waste stations (3)	✓
7	Trash receptacle (3)	✓
All community-serving parks shall provide:		
9 a)	Large Shelter (31-100 users)	✓
9 b)	Loop path with mileage markers	✓
9 c)	Large Destination Play Area	✓
9 d)	Programmed Space	✓
9 e)	Drinking fountain	✓
9 f)	Diamond or Rectangular Ball Field	✓
9 g)	Two Sport Courts	✓
9 h)	Bike rack and repair station	✓
9 i)	Restrooms	✓
9 j)	Barbecues	✓
9 k)	Off-Street Parking	✓

Options for Parks and Open Space Amenities

Category 1	Gathering Spaces & Self-directed Group Activities	Section 13.07.140(c)10	Section 13.07.140A
	Gardens	Required / Provided	Pick 1
1.1	Gardens: Arboreta / decorative		✓
1.1	Gardens: Community garden / raised garden		
	Gathering and Social Space	Required / Provided	Pick 1
1.2	Amphitheater		
1.2	Festival / event space		
1.2	Outdoor nature classroom		✓
1.2	Outdoor performance space / stage		
1.2	Programmable space	✓	
1.2	Seating and tables	✓	
1.2	Shelter (31-100 users)	✓	
	Interpretive and Placemaking	Required / Provided	Pick 1
1.3	Interactive, functional, or visual art		
1.3	Interpretive signage or elements		✓
1.3	Site design theme		
	Outdoor Specialized	Required / Provided	Pick 1
1.4	Activity hubs (ping pong, foosball, chess table, cornhole, etc.)		
1.4	Bike park, skills area, or pump track		
1.4	Climbing spire or wall		
1.4	Disc golf course		
1.4	Dog off-leash area (fenced)		✓
1.4	Horseshoe pit		
1.4	Skate park		

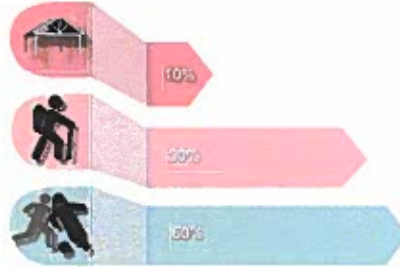
Category 2	Active Uses	Section 13.07.140(c)10	Section 13.07.140A
	Paths, Trails, and Trailheads	Required / Provided	1 per Acre
2.1	Greenway connection or trailhead		+3
2.1	Hard-surfaced multi-use trail		+2
2.1	Internal access pathway	✓	
2.1	Loop path (with mileage markers)	✓	
2.1	Soft-surface jogging / hiking trail		
2.1	Soft-surface equestrian or bike trail		
	Play Space and Equipment	Required / Provided	1 per Acre
2.2	Climbing structure or boulders		+2
2.2	Nature play features		+1
2.2	Open turf play area	✓	
2.2	Playground, small-scale		+1
2.2	Play area, large destination-scale	✓	
2.2	Thematic play features		+2
2.2	Universal and inclusive play elements	✓	
2.2	Zip line		
	Sports and Fitness	Required / Provided	1 per Acre
2.3	Artificial turf field, multi-purpose		+1
2.3	Ball field (baseball, softball, or multi-use)	✓	
2.3	Field with lighting		
2.3	Outdoor fitness equipment		
2.3	Specialty sport field or stadium		
2.3	Sport court	✓ (2)	+2
2.3	Tournament sport court		
Category 3	Support Amenities	Section 13.07.140(c)10	Section 13.07.140A
	Support Amenities	Required / Provided	Additional*
3.1	Barbecues, single or dual with ash disposal	✓ (2)	+2
3.1	Bike rack and repair station	✓ (1)	+1
3.1	Dog waste station	✓ (3)	+4
3.1	Drinking fountain	✓	
3.1	Parking, off-street	✓ (1)	+1
3.1	Parking, on-street		
3.1	Restroom, portable (screened)		
3.1	Restroom, permanent (full or vault)	✓	
3.1	Signage (identification)	✓	
3.1	Trash Receptacles	✓ (3)	+3
Category 4	Specialized Facilities	Section 13.07.140(c)10	Section 13.07.140A
	Aquatics and Water Access		Pick 1
4.1	Splash pad or water play feature		
4.1	Swimming pool		✓
	Aquatics and Water Access		
4.2	Activity building / clubhouse		+1
4.2	Environmental education center		
4.2	Recreation center or fieldhouse		

* IN ORDER TO MEET THE NUMBER OF ELEMENTS REQUIRED; EXTRA BBQ, BIKE RACKS, PET WASTE STATIONS AND TRASH RECEPTACLES WILL BE ADDED FOR THE COMMUNITY PARK.



Planning Area 18 Community Park- Amenities Offered

(Filing number to be determined at Sketch
Preliminary Plan)



Planning Area 28 Community Park- Amenities Offered

(Filing number to be determined at Sketch
Preliminary Plan)



Community-Serving Park Requirements:		PA-18 (12.76 acres)
#	Requirements (Section 13.07.140(c)10)	Required / Provided
Required amenities for all parks.		
1	Landscaping	✓
2	Tables and Seating	✓
3	Internal access pathway	✓
4	Open turf play areas	✓
5	Universal and inclusive play elements	✓
6	Dog waste stations (3)	✓
7	Trash receptacle (3)	✓
All community-serving parks shall provide:		
9 a)	Large Shelter	✓
9 b)	Loop path with mileage markers	✓
9 c)	Large Destination Play Area	✓
9 d)	Programmed Space	✓
9 e)	Drinking fountain	✓
9 f)	Diamond or Rectangular Ball Field	✓
9 g)	Two Sport Courts	✓
9 h)	Bike rack and repair station	✓
9 i)	Restrooms	✓
9 j)	Barbecues	✓
9 k)	Off Street Parking	✓
Category	Additional Amenities (Section 13.07.140A)	Required / Provided
1.1	Gardens	*
1.2	Gathering and Social Space	*
1.3	Interpretive and Placemaking	*
1.4	Outdoor Specialized	*
2.1	Paths, Trails, and Trailheads	*
2.2	Play Space and Equipment	*
2.3	Sports and Fitness	*
3	Support Amenities	*
4	Specialized Facilities	*

* Options for Parks and Open Space Amenities to be determined at P.T.OS Amendment 3 for Segment 2b.

Community-Serving Park Requirements:		PA-28 (14.86 acres)
#	Requirements (Section 13.07.140(c)10)	Required / Provided
Required amenities for all parks.		
1	Landscaping	✓
2	Tables and Seating	✓
3	Internal access pathway	✓
4	Open turf play areas	✓
5	Universal and inclusive play elements	✓
6	Dog waste stations (3)	✓
7	Trash receptacle (3)	✓
All community-serving parks shall provide:		
9 a)	Large Shelter	✓
9 b)	Loop path with mileage markers	✓
9 c)	Large Destination Play Area	✓
9 d)	Programmed Space	✓
9 e)	Drinking fountain	✓
9 f)	Diamond or Rectangular Ball Field	✓
9 g)	Two Sport Courts	✓
9 h)	Bike rack and repair station	✓
9 i)	Restrooms	✓
9 j)	Barbecues	✓
9 k)	Off Street Parking	✓
Category	Additional Amenities (Section 13.07.140A)	Required / Provided
1.1	Gardens	*
1.2	Gathering and Social Space	*
1.3	Interpretive and Placemaking	*
1.4	Outdoor Specialized	*
2.1	Paths, Trails, and Trailheads	*
2.2	Play Space and Equipment	*
2.3	Sports and Fitness	*
3	Support Amenities	*
4	Specialized Facilities	*

* Options for Parks and Open Space Amenities to be determined at P.T.OS Amendment 3 for Segment 2b.

Neighborhood Park Requirements:		Filing 13 (1.05 acres)
#	Requirements Section 13.07.140(c)10	Required / Provided
Required amenities for all parks.		
1	Landscaping	✓
2	Tables and Seating	✓
3	Internal access pathway	✓
4	Open turf play areas	✓
5	Universal and inclusive play elements	✓
6	Dog waste stations (3)	✓
7	Trash receptacle (3)	✓
All neighborhood parks shall provide:		
8	Small Shelter (5-10 users)	✓
Category	Additional Amenities Section 13.07.140A	Amenity Provided
1	Gathering and Self-directed Activities	Activity Hub
2.2	Active Uses	Nature Play Features
2.2	Active Uses	Small Playground
3	Support Amenity (1 per acre)	On street parking
4	Optional - Specialized Facilities	Not Required

Neighborhood Park Requirements:		Filing 15 (1.5 acres)
#	Requirements Section 13.07.140(c)10	Required / Provided
Required amenities for all parks.		
1	Landscaping	✓
2	Tables and Seating	✓
3	Internal access pathway	✓
4	Open turf play areas	✓
5	Universal and inclusive play elements	✓
6	Dog waste stations (3)	✓
7	Trash receptacle (3)	✓
All neighborhood parks shall provide:		
8	Small Shelter (5-10 users)	✓
Category	Additional Amenities Section 13.07.140A	Amenity Provided
1	Gathering and Self-directed Activities	Outdoor Nature Classroom
2.1	Active Uses	Greenway connection
2.2	Active Uses	Small Playground
3	Support Amenity (1 per acre)	On street parking
4	Optional - Specialized Facilities	Not Required

Neighborhood Park Requirements:		Filing 16 (3.81 acres)
#	Requirements Section 13.07.140(c)10	Required / Provided
Required amenities for all parks.		
1	Landscaping	✓
2	Tables and Seating	✓
3	Internal access pathway	✓
4	Open turf play areas	✓
5	Universal and inclusive play elements	✓
6	Dog waste stations (3)	✓
7	Trash receptacle (3)	✓
All neighborhood parks shall provide:		
8	Small Shelter (5-10 users)	✓
Category	Additional Amenities Section 13.07.140A	Amenity Provided
1	Gathering and Self-directed Activities	Horseshoe pit
2.2	Active Uses	Artificial Turf / Specialty Field
2.2	Active Uses	Bocce court
3	Support Amenity (1 per acre)	Barbecues
3	Support Amenity (1 per acre)	Off Street parking
3	Support Amenity (1 per acre)	On street parking
4	Optional - Specialized Facilities	Not Required



Filing 2 Park A/Planning Area 7 serves as a focal point of interest of Looking Glass. The park's proximity to entry drives and the regional trail, enables its amenities to be a structured, fully programmed park that includes a playground and shelter to host neighborhood events. A drainage swale through the park provides a natural amenity with a loop trail.

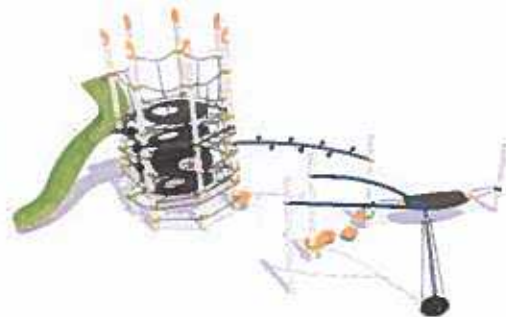
Potential Program Highlights

- Playground
- Play Field
- Park Shelter
- Loop trail
- Connectivity to Regional Trail and Open Space

Land Use

Acreage: 5.6
(Based on 206 Dwelling Units (DUs))





Filing 2 Park B/Planning Area 7 faces Stroh Road and is surrounded by family-oriented lots. The park is in close proximity to the Regional Trail. Highlights of the park include a tree alley, a playground, an open lawn large enough for informal volleyball, and a picnic shelter. The park is intended as a play area for families.

Potential Program Highlights

- Tree Alley
- Display Garden
- Playground
- Picnic Shelter
- Connectivity to Regional Trail and Open Space

Land Use

Acreage: 1.0
(Based on 51 DUs)





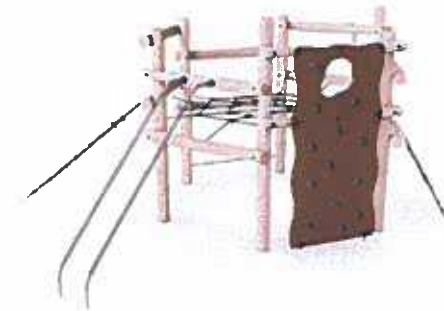
Filing 5 Park A/ Planning Area 8 serves as a point of interest in Looking Glass. Due to the park's proximity to entry drives, regional trail access, and terrain, the park boasts a play field and playground, as well as a park shelter and picnic area while preserving existing vegetation.

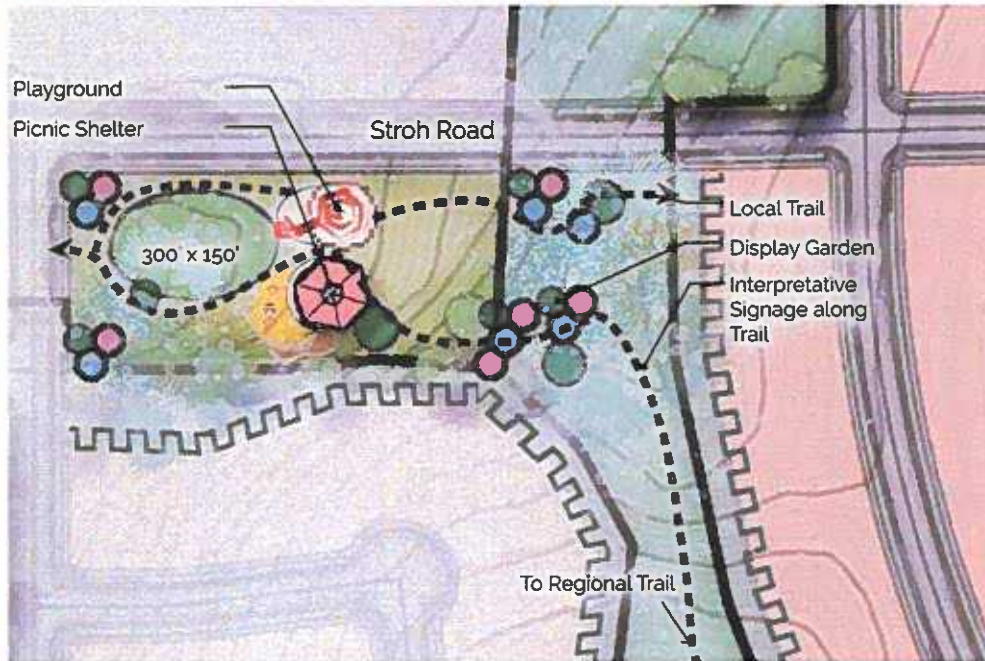
Potential Program Highlights

- Playground
- Play Field
- Park Shelter
- Picnic Area
- Interpretive Signage
- Connectivity to Regional Trail and Open Space

Land Use

Acreage: 3.29
(Based on 82 DUs in PA 8)





Filing 5 Park B/Planning Area 6 features a playground, community shelter and open play field. The park trail also connects to the regional trail to the south.

Potential Program Highlights

- Playground
- Picnic Shelter
- Interpretative Signage
- Display Garden
- Connectivity to Regional Trail and Open Space

Land Use
Acreage: 1.51
(Base on 90 DUs in PA 6)



Filing 6 Park/Planning Area 21 is framed by the Regional Trail and serves as a linear park with terrain that lends to a gathering area a 'natural play' playground and an expanse of soft surface trails. To the northeast corner of the site there is a pump track. The site has mature vegetation and is adjacent to the Lemon Gulch tributary.

Potential Program Highlights

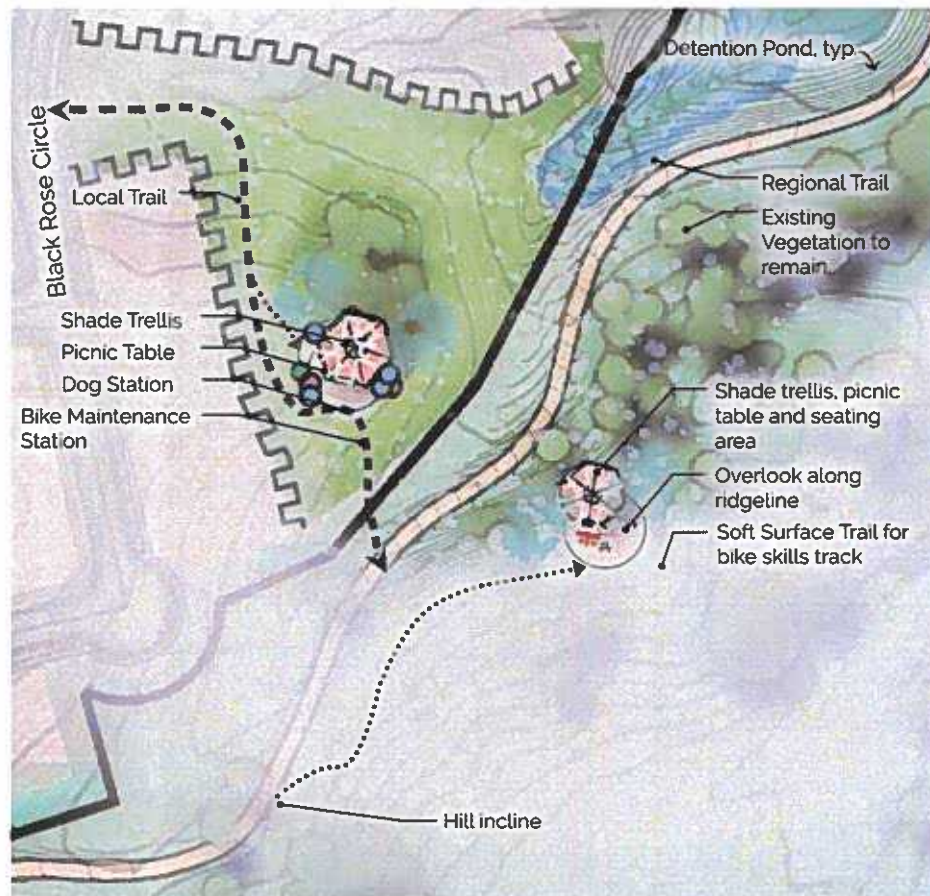
- Soft Surface Trails within Existing Vegetation
- Natural Play Playground
- Picnic Shelter
- Connectivity to Regional Trail and Open Space

Land Use

Acreage 3.11

(Based on 129 DUs)





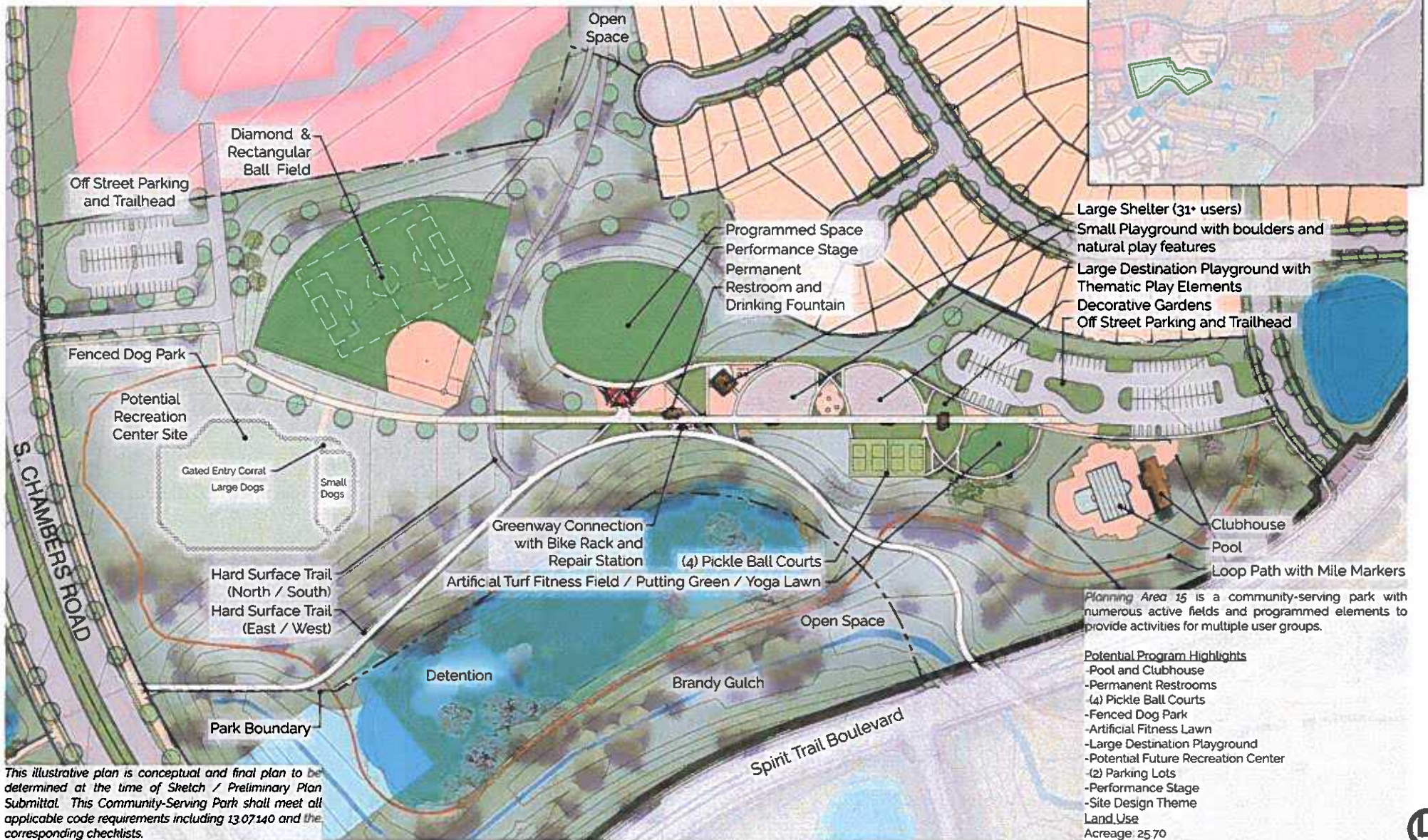
Filing 7 Park /Planning Area 25 features a challenging expanse of landscape. Through preservation of existing trees along prominent ridge lines, views of Pike's Peak are highlighted through soft surface trails and a nature overlook. The gathering area provides a bike maintenance station before venturing onto the Regional Trail.

Potential Program Highlights

- Hiking/Running Trails with Interpretative Signage
- Gathering Area
- Scenic Overlook
- Bike Maintenance Station
- Connectivity to Regional Trail and Open Space

Land Use
Acreage 2.54
(Based on 120 DUs)





This illustrative plan is conceptual and final plan to be determined at the time of Sketch / Preliminary Plan Submittal. This Community-Serving Park shall meet all applicable code requirements including 13.07.140 and the corresponding checklists.





Filing 16 Park /Planning Area 11 is a park programmed for active adults. The clubhouse and outdoor dining area sit on top of a hill, looking out over the neighborhood and providing a great place for onlookers to witness friends participating in friendly competition.

Potential Program Highlights

- Clubhouse
- Off Street Parking
- Outdoor Seating
- Bocce
- Croquet
- Herb & Vegetable Gardens
- Artificial Turf Area

Land Use
Acreage: 3.81



Keymap



Filing 13 /Planning Area 24 provides an acre park for surrounding users with enhanced landscape, a playground, picnic shelter and open lawn.

Potential Program Highlights

- Small Playground
- Shelter (5-10 users)
- Activity Hub
- Open Lawn

Land Use

Acreage 1.05



Keymap



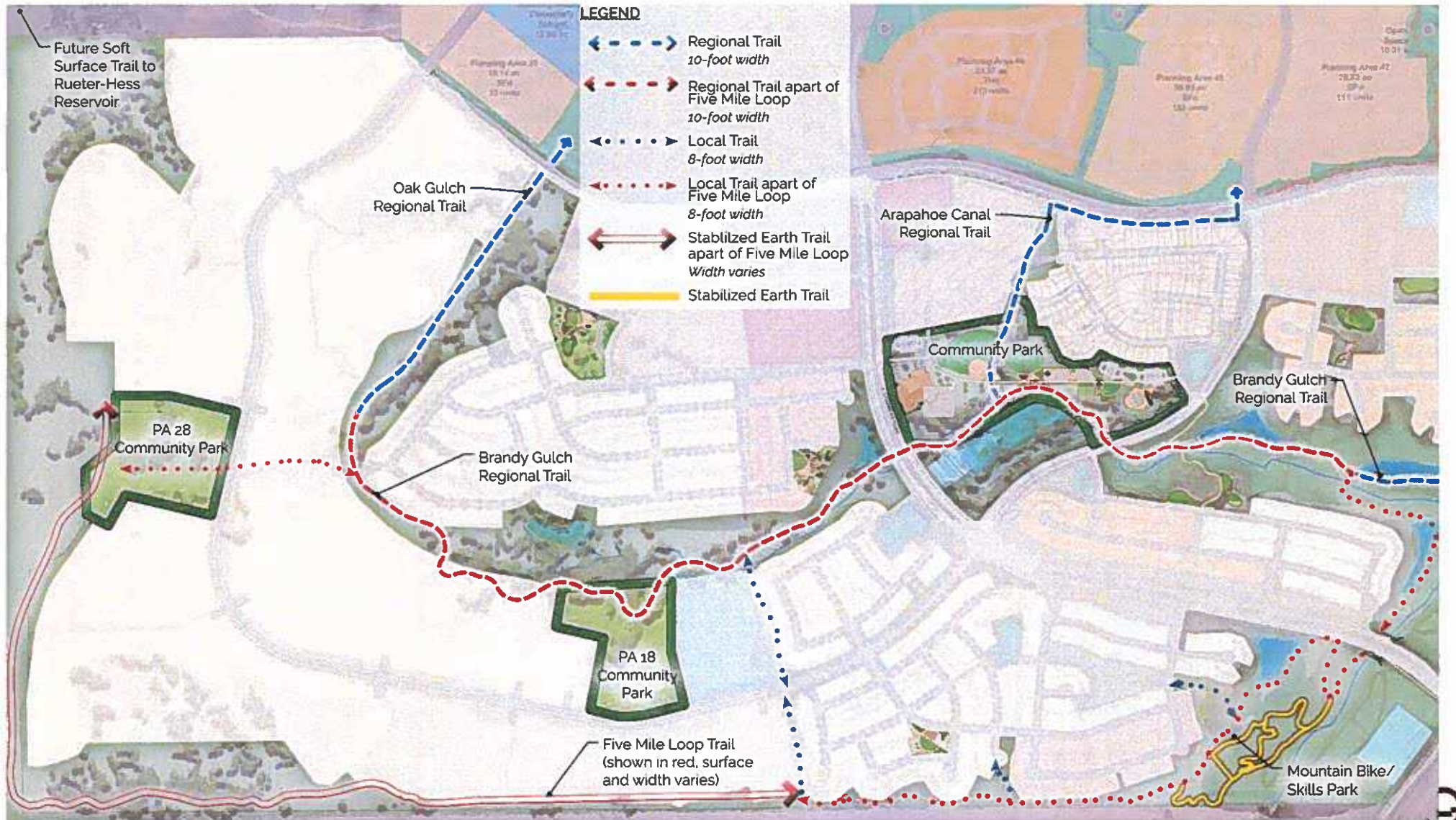


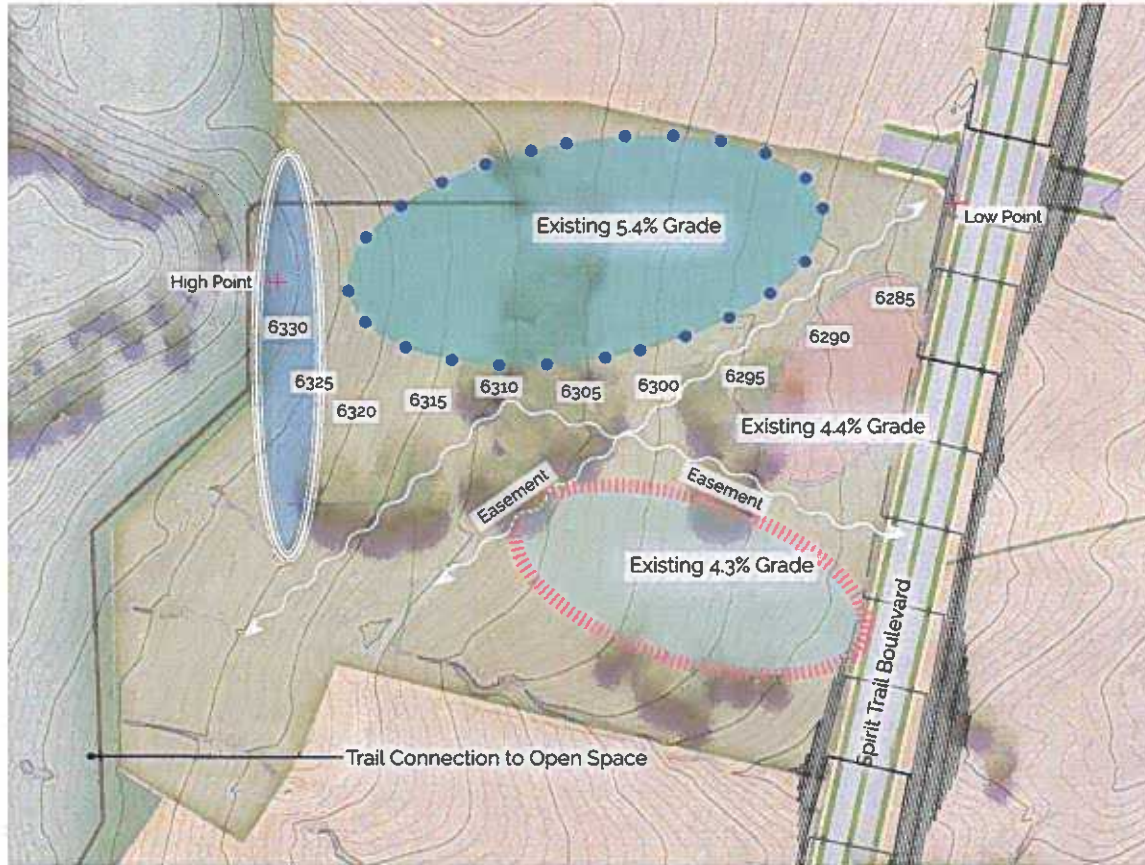
Filing 15 /Planning Area 13 provides a playground picnic shelter and open lawn in close proximity to the regional trail.

Potential Program Highlights
 -Small Playground
 -Shelter (5-10 users)
 -Greenway Connection
 -Open Lawn
 -On Street Parking

Land Use
 Acreage 15





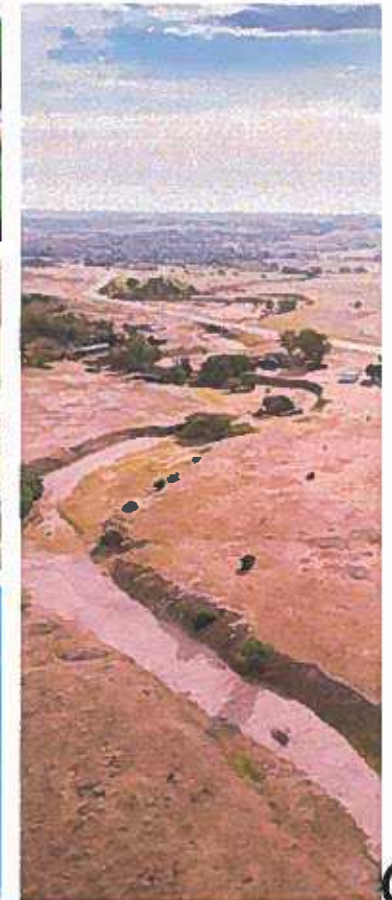


Planning Area 28 is a proposed community-serving park. The existing topography of the area lends itself to play fields and additional programmable items without intensive grading.

Potential Program Highlights
 - Large Destination Playground
 - Multiple Play Fields

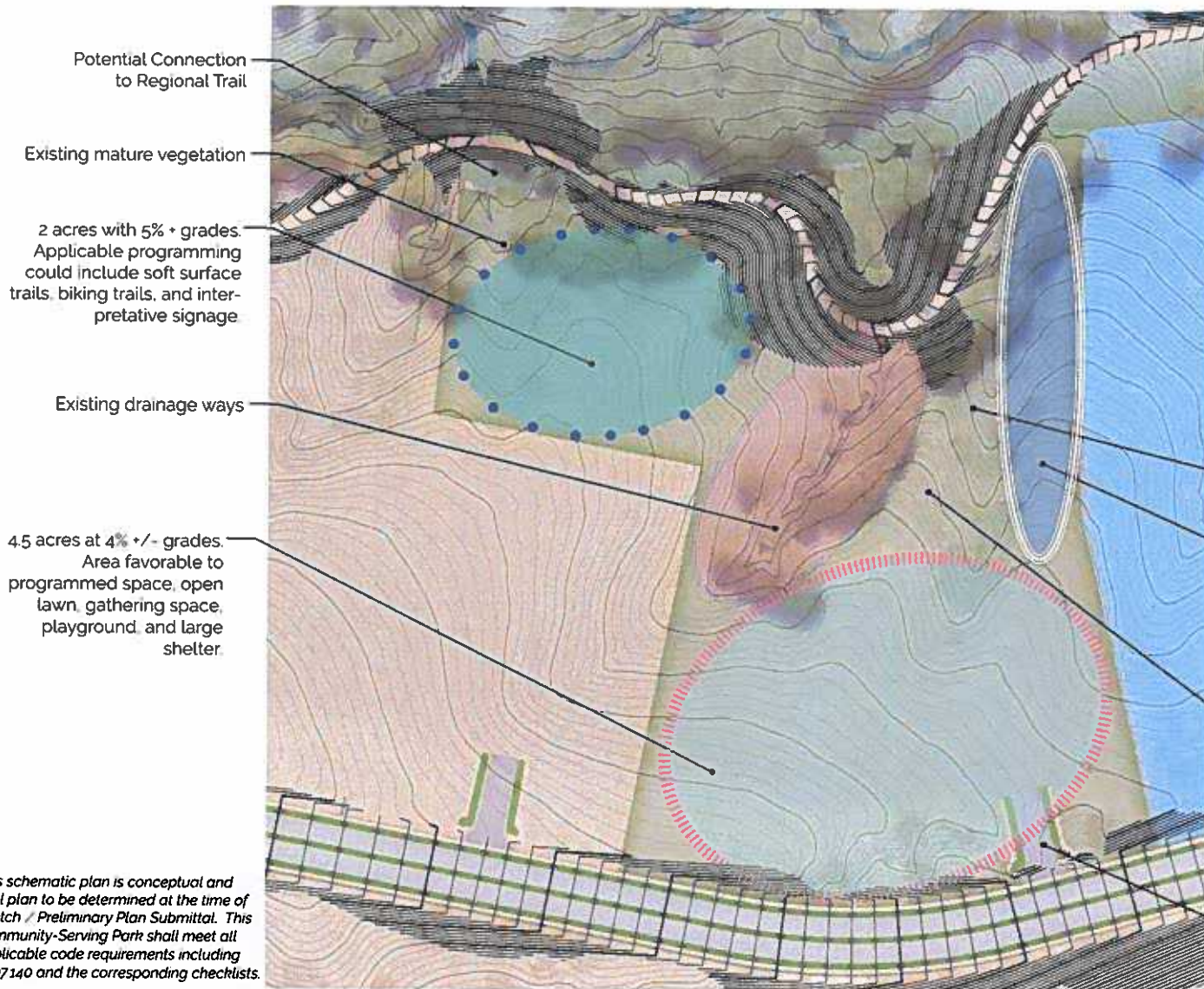
Land Use
 Acreage: 14.86

Keymap



This schematic plan is conceptual and final plan to be determined at the time of Sketch / Preliminary Plan Submittal. This Community-Serving Park shall meet all applicable code requirements including 13.07.140 and the corresponding checklists.





This schematic plan is conceptual and final plan to be determined at the time of Sketch / Preliminary Plan Submittal. This Community-Serving Park shall meet all applicable code requirements including 13.07.140 and the corresponding checklists.

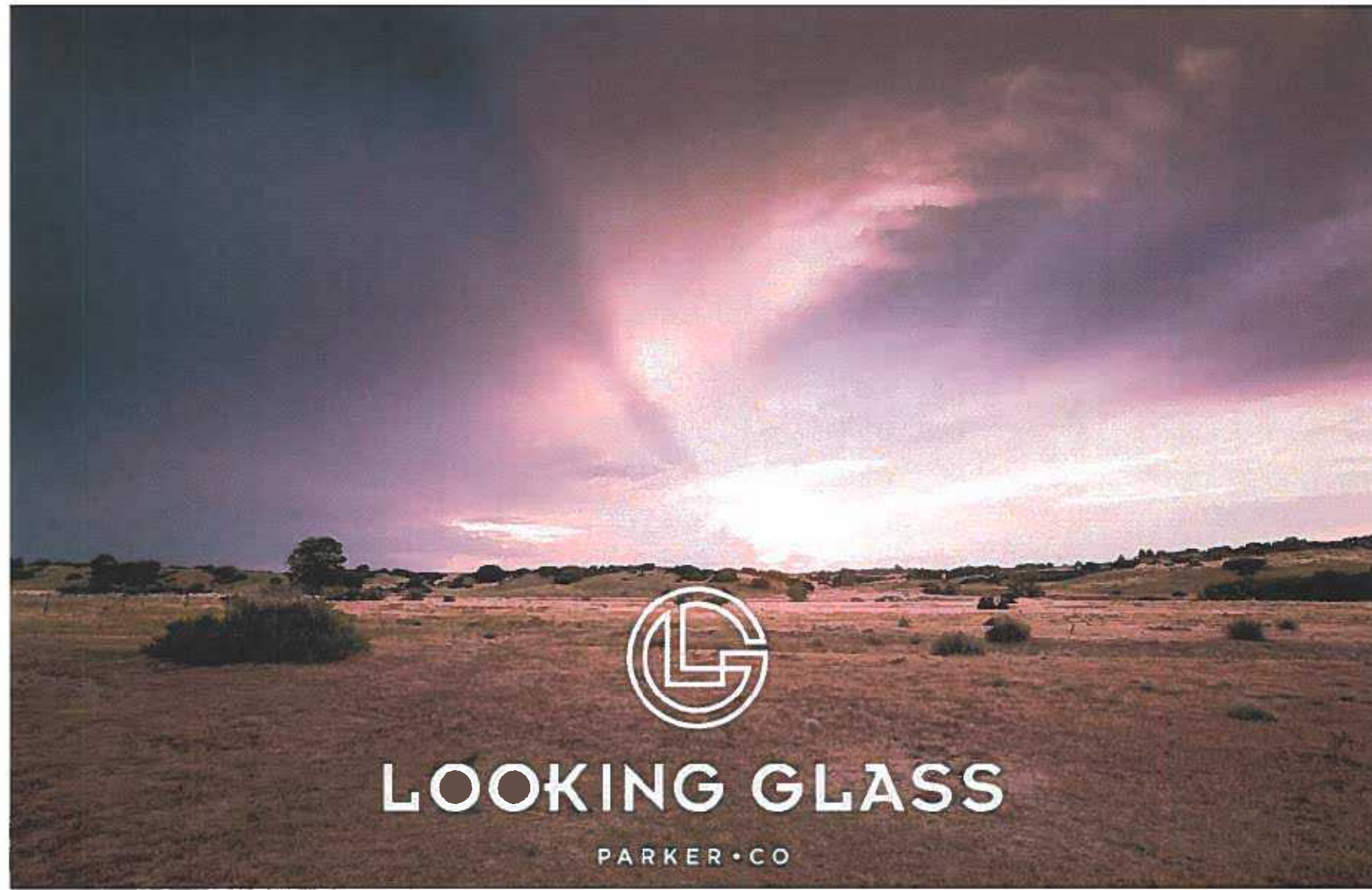


Planning Area 18 is a proposed community-serving park. The existing topography of the area lends itself to play fields and additional programmable items without intensive grading.

Potential Program Highlights
 -Large Destination Playground
 -Multiple Play Fields

Land Use
 Acreage: 12.76

- Existing mature vegetation
- Programming constrained due to existing grades greater than 9.5%
- Potential soft surface trail connection
- Potential connection to collector road





Planning Commission Staff Report

Planning Commission Date: 11/12/2020

Town Council Date: 12/7/2020

Hearing Type: Public Hearing
HESS RANCH PLANNED DEVELOPMENT - Rezone
TRAKiT No(s): Z20-005

Location: Generally located south and west of the intersection of Stroh Road and Crowfoot Valley Road

Project Planner: BrieAnna Simon, Associate Planner

Applicant: Matt Osborn, Front Range Communities

Executive Summary: The applicant, Front Ranch Communities, is proposing to amend the Hess Ranch Planned Development (PD) zoning to reflect dendritic drainage design, preserve commercial at the future intersection of Stroh Road and Chambers Road and realign the proposed location of the future intersection of Stroh Road and Chambers Road to the northerly property line.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the requested Hess Ranch Planned Development rezoning."

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve the requested Hess Ranch Planned Development rezoning, subject to the following conditions:"

-List proposed conditions

"I move the Planning Commission recommend Town Council deny the requested Hess Ranch Planned Development rezoning as the request does not meet the following approval criteria:"

-List criteria not met (either by staff or Planning Commission)

"I move the Planning Commission vote to continue the requested Hess Ranch Planned Development rezoning to a future date."

I. BACKGROUND/DISCUSSION

The subject property is generally located south and west of the intersection of Stroh Road and Crowfoot Valley Road. The site is currently undeveloped and is directly adjacent to the current, under development, site to the east (Hess Ranch Segment 1), the undeveloped Anthology North property to the north, and unincorporated Douglas County to the west.

The applicant, Front Range Communities, is requesting the approval of a zoning amendment to the Hess Ranch PD. Specifically, the applicant is requesting the following changes:

Planning Area Boundary Amendment:

The applicant is requesting to amend Planning Area boundaries located in Hess Ranch Segment 2, as described in the Partial Waiver Resolution. The driving forces behind the proposed zoning changes are moving the future intersection of Stroh Road and Chambers Road to the northerly property line and to allow for a subdivision layout called “Dendritic Design”. Dendritic design is a way of planning a subdivision in order to respond to natural features (floodplains, drainage ways, topography, etc.) in a way that incorporates those natural features into the subdivision design as opposed to ignoring or removing the natural features that are present. It is important to note that while the Planning Area boundaries are proposed to be reconfigured, there is no increase in the overall number of residential units that are currently permitted in the current PD or Segment 2. The new zoning is also adding commercial planning areas which are further described below under ‘Partial Waiver Resolution Compliance.’

Stroh Road Realignment:

Stroh Road is proposed to be realigned to the northerly border shared with Anthology North to accommodate drainage and grading needs of the site. The proposed PD shows the new proposed location of Stroh Road. Stroh Road, Chambers Road and Spirit Trail Boulevard will provide access to the future commercial development and filings for planned individual residential lots. All future access from these roadways will meet the Town’s spacing criteria. The applicant has submitted additional information and analysis on the relocation of Stroh Road which was uploaded to TRAKiT. Staff has reviewed and analyzed the information and proposed relocation of Stroh Road and supports the new design.

Partial Waiver Resolution Compliance:

In May of 2019, the Town Council approved a Partial Waiver Resolution to allow the applicant to defer specific submittal requirements generally required during the submittal of a sketch and preliminary plan in order to allow the applicant to phase the sketch and preliminary plans for the 1,100 acres Hess Ranch property into three segments. The Partial Waiver Resolution allowed the applicant to defer the submittal of detailed documents for Segment 2. Town Council approved this request subject to certain developer obligations.

- One of those obligations was to process a PD zoning amendment to ensure that one-third (1/3) of the total developable area of Planning Areas 3, 4, 12 and 14 be zoned from Mixed Use to Planning Areas that only allow for commercial uses.

The requirement for one-third (1/3) of Planning Areas 3, 4, 12 and 14 to be developed for commercial uses was borne out of the Town of Parker 2035 Master Plan language for Neighborhood Centers.

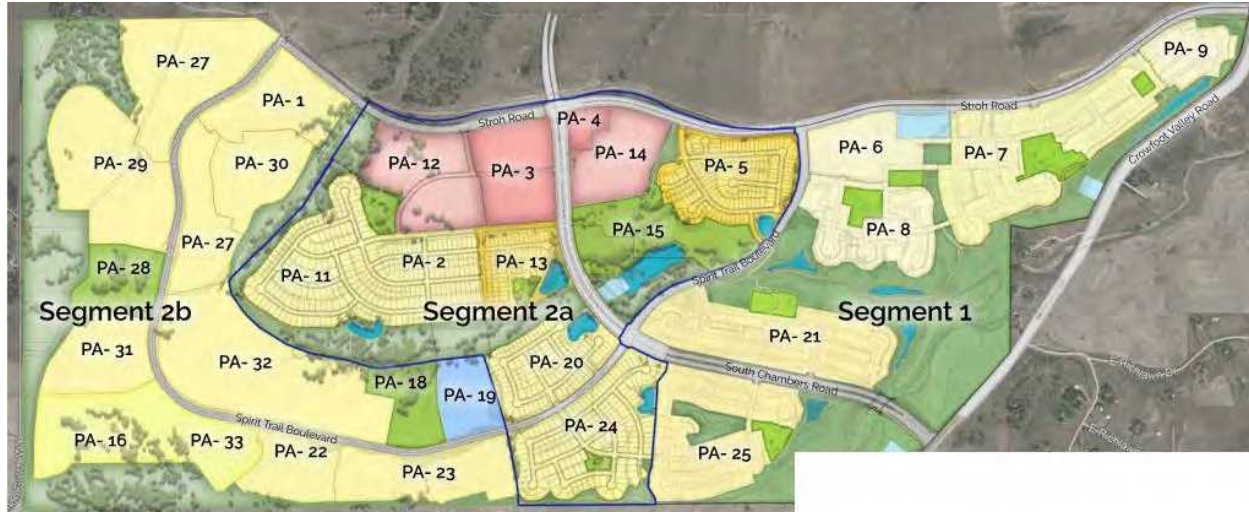
This language states; *“In general, a Neighborhood Center shall have no less than 33 percent or eight (8) acres, whichever is greater of its total land area zoned and developed for commercial use with corner located parcels zoned and developed principally for commercial, retail, service and restaurant use. Residential use shall be a secondary element unless part of a vertical mixed-use.”* The intent of this language is to ensure that there is meaningful commercial development within identified Neighborhood Centers. This will ensure commercial services are available to current and future residents of the Town while helping to maintain the fiscal health of the Town. One-third (1/3) of the total area of Planning Areas 3, 4, 12 and 14 is approximately 67 acres, 23 acres are proposed to be rezoned strictly for commercial uses with this rezoning.

- The second obligation to be partially addressed with the rezoning process is the requirement for the Parks, Trails and Open Space Master Plan (to be developed in both Segment 1 and 2). The Partial Waiver Resolution allowed the applicant to defer details on the associated parks, trails and open space for Segment 2b until there is proposed development for Segment 2b. The applicant has provided detail analysis of the parks, trails and open space amenities located within Segment 2a. The Hess Ranch Parks, Trails and Open Space Master Plan shows compliance with the requirements outlined in the Partial Waiver Resolution and the new parks standards adopted by the Town on October 19, 2020.

Vicinity Map



Segment 2a Project Area



PRIOR ACTIONS

Date	Action
1984	The east half of the subject property was voluntarily annexed by the Town (Ordinance 2.27) and zoned Stroth Ranch PD allowing for a variety of residential and commercial uses.
2003	The west half of the subject property was voluntarily annexed by the Town (Ordinance 2.140), combined with the easterly vacant portion of the property and zoned as Sunmarke PD- Planned Development to allow a variety of residential and commercial uses.
2007	Town Council approved a PD Amendment to rename the PD from Sunmarke to Anthology and to amend the roadway network, open space reservation and other land uses.
2008	Town Council approved a PD Amendment to to make minor changes to the roadway network and land uses.
2015	The PD-Planned Development zoning covering the subject property was split from the northerly portion of the property and named Hess Ranch, The amended PD approved by Town Council and allowed for a variety of residential and commercial uses.
2019	The current PD-Planned Development rezoning was amended to allow for dendritic design of Segment 1 of the subject property and was approved by Town Council.

II. CURRENT SITE DATA

Existing Zoning	PD - Planned Development		
Overlay District	N/A		
PD & Plan Area	Hess Ranch Planned Development		
Master Plan Area	Medium Density Residential, Low-Density Residential and Neighborhood Center		
Site Acreage	1,135.86 acres		
Subdivision	Hess Ranch Segment 2 Sketch and Preliminary Plan (under review)		
Existing Use	Undeveloped		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Medium Density Residential	PD - Planned Development	Undeveloped (Anthology North)
South	Douglas County	Douglas County Zoning	Large lot residential
East	Medium Density Residential	PD - Planned Development and Douglas County Zoning	Crowfoot Valley Road and single-family detached residential units
West	Medium Density Residential	PD - Planned Development	Undeveloped Segment 2b then Reuter Hess Reservoir

III. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Medium Density Residential ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	<u>Low Density Residential:</u> Consists of an overall gross density of 2.2 dwelling units per acre. Higher densities for housing for older adults may be considered as long as impacts are comparable to other uses permitted within this Character Area. <u>Medium Density Residential:</u> The Medium Density Residential Character Area will consist of an overall gross density of 3.5 dwelling units per acre. Higher densities for housing for older adults may be considered as long as impacts are comparable to other uses permitted within this Character Area. <u>Community Center:</u> A Community Center is characterized as a concentration of commercial and higher density residential developments near intersections of major arterials or collector streets.

	Typical uses within Community Centers include retail and personal/business services. Other compatible uses such as small offices, recreational and restaurants are also permitted. Generally, the total Gross Leasable Area (GLA) for the commercial/office components within an entire Community Center should range from 250,000 to 500,000 square feet combined.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.B Land Use 1.D Land Use 1.E Land Use 1.F Land Use 1.G Land Use 1.H Land Use 1.I Housing and Neighborhoods 2 Housing and Neighborhoods 2.A Housing and Neighborhoods 5 Housing and Neighborhoods 5.A Natural Resource Protection 1 Natural Resource Protection 1.A Natural Resource Protection 1.B Natural Resource Protection 1.C Natural Resource Protection 2 Natural Resource Protection 2.A Natural Resource Protection 2.C Natural Resource Protection 2.D Natural Resource Protection 4.B Natural Resource Protection 4.C Natural Resource Protection 4.D Natural Resource Protection 4.E Natural Resource Protection 4.F Natural Resource Protection 4.G Natural Resource Protection 4.H Natural Resource Protection 4.I Open Space and Recreation 1 Open Space and Recreation 1.A Open Space and Recreation 2 Open Space and Recreation 2.A Open Space and Recreation 3 Open Space and Recreation 3.A
Inconsistent Goals/Strategies	None
Staff Analysis	The subject property is identified for low and medium density residential uses, within a Community Center per the General Land Use Plan.

	The proposed amendments to the Hess Ranch PD will facilitate the development of single-family attached and detached homes in accordance with the low and medium density residential designation for the entirety of the Hess Ranch property. The Hess Ranch PD will also create a new commercial zoning district in accordance with the Community Center designation.
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IV. LAND DEVELOPMENT ORDINANCE

Residential planning areas will not be changing. However, there will be an addition of a commercial zoning district described below.

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	Current	Proposed	Analysis
Setbacks	None	Building front 10 feet Building side 0 feet Building rear 10 feet	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Building Separation	None	10 feet	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Floor/Area Ratio	None	None	☐ Consistent ☐ Inconsistent ☒ No Change ☐ N/A
Allowed Uses	None	Public, Institutional, and Civic Uses (1) Community and Cultural a. Community Facilities including Outdoor Recreational Facilities b. Commercial Day Care Facility c. Public Safety Facility d. Parks and Open Space (2) Educational Facilities (3) Healthcare Facilities Medical and Dental Clinics Commercial Uses (1) Veterinary Clinic and Hospital (2) Retail and Service Commercial Recreation and Entertainment (1) Indoor Recreational Facilities	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A

		(2) Indoor Entertainment Facilities Food and Beverage Services (1) Bar and Lounge (2) Microbrewery, Cidery, Distillery or Winery (3) Restaurant with or without: a. Drive through facilities b. Liquor Sales c. Indoor and Outdoor Seating e. Office, Business and Professional Services (1) Administrative, Professional and Government Offices (2) Automated Teller Machines (Stand Alone or associated with a Financial Institution) (3) Financial Institution with or without Drive through Facilities (4) Research and Development (5) Development Sales and Marketing Center Personal Services (1) Self Service Laundry (2) Personal Instruction or Studio (3) Person Service, General (4) Health Clubs Retail Sales (1) Building Materials and Supplies including outdoor greenhouse sales (Outdoor display is limited to 25% of the gross floor area of the principal building) (2) General Retail (any size and product) (3) Outdoor Sales and display as an accessory use (4) Convenience Retail Shopping Facility (5) Temporary/Seasonal Outdoor Markets Lodging Facilities (1) Bed and Breakfast (2) Hotel/Motel	
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		Transportation, Vehicles and Equipment (1) Automotive Fuel Service and Sales with or without: i. Car wash ii. Convenience Retail iii. Parts and tire sales (2) Automotive repair (minor) (3) Standalone car wash	
Height/Stories	None	60 feet	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Staff Analysis	The request to add commercial planning areas in the Hess Ranch PD is consistent with requirements outlined in the waiver resolution and the Parker 2035 Master Plan. The requested amendments simply create a new commercial only planning areas, which is consistent with the Town's current commercial zoning and with commercial planning areas in the adjacent zoning (Anthology North).		

V. DESIGN REVIEW

N/A. There is no design review associated with a rezoning application.

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

Segment 1 of the Hess Ranch development is served by Stroh Road and Chambers Road extensions. A new collector street, Spirit Trail Boulevard, will be constructed to connect these two arterial streets. The Stroh Road and Chambers Road extensions associated with this Segment (Segment 2) will provide connections to the existing infrastructure and road network while implementing a portion of the overall roadway plan adopted in the Town's Transportation Master Plan. As future segments of Hess Ranch are developed, the roadway plan will continue to be implemented and provide connectivity to the overall development and the regional roadway system as it has been contemplated in the approved Planned Development since 2015.

At full capacity, Stroh Road and Chambers Road will be four and six lane arterial roadways, respectively. However, as agreed to in the annexation agreement for Hess Ranch, the applicant is responsible for designing and grading the entirety of these roadways, but will generally only be constructing half of the lanes of Chambers Road. The Town will construct the remaining three lanes of Chambers Road in the future when traffic counts warrant the expansion of the roadway as a part of a future Capital Improvement Program (CIP) process. The developer of the adjacent property to the north will construct the remainder of the shared portion of Stroh Road. The portion of Stroh Road that is located entirely within the Looking Glass property will be constructed in full by the Looking Glass developer. The expansion of Chambers Road will be done as a part of a future Capital Improvement Program (CIP) process.

Stroh Road, Chambers Road and Spirit Trail Boulevard will provide access to the future commercial development and residential filings for planned individual lots. All future access from these roadways will meet the Town's spacing criteria.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant's Response:

The PD Amendment is being requested primarily due to the desire to accommodate a more sensitive and natural approach to the drainage systems throughout the site; Waiver Resolution 19-028, Series of 2019 and the realignment of Stroh Road to better accommodate the site's topography. As such, designated open space areas, planning area boundaries and road alignments have been modified to accommodate development, drainage, and open space in harmony.

Staff Analysis:

The rezoning is needed to fulfill the obligations of the Partial Waiver Resolution ensuring one-third of the total developable area in Planning Area 3, 4, 12 and 14 (Segment 2a) will be developed for commercial purposes. The rezoning will develop commercial planning areas that allow for and limit these planning areas to commercial uses. Additionally, the applicant is fulfilling the obligation of providing a Parks, Trails and Open Space Master Plan that complies with the annexation agreement and the new park requirements.

In addition, the request to amend the Hess Ranch PD is implementing a dendritic design. In an effort to ensure that natural features are incorporated into the subdivision design, the Planning Area boundaries need to be revised.

Based on this analysis, the proposal meets this criterion.

2. The particular parcel of ground is indeed the correct site for the proposed development.

Applicant's Response:

The PD Amendment as requested will not modify the previously approved land uses, density, or number of dwelling units, nor will it reduce planned open space. The relocation of the Stroh Road intersection is a result of detailed analysis of the existing topography and viability of an intersection in the approved location.

Additionally, the dendritic design led to many of the proposed changes in the PD. This approach uses techniques to reduce the increased runoff from development to levels closer to natural predeveloped watershed conditions and thus enable softer practices -- more reliant on-stream form, vegetation, and natural materials -- to stabilize streams. The intent allows for more cost-effective long-term stream maintenance and creates desirable stream-focused open spaces for Looking Glass.

Staff Analysis:

The requested rezoning will not change the total number of allowable residential units. The subject property is the correct site for this rezoning request because there are significant features that are unique to this property that are proposed to be either preserved or incorporated into the subdivision layout through dendritic design. This could not be achieved without the modification of Planning Area boundaries.

The change to the lot standards is necessary in order to accommodate reasonable development of types of the residential uses allowed by the zoning. The change to C-Commercial and MU Mixed-Use for Planning Area 3, 4, 12 and 14 is based on the analysis completed with the Partial Waiver Resolution. The assurance of commercial development in Planning Area 3, 4, 12 and 14 is necessary as this was a condition of the Partial Waiver Resolution approved by Town Council.

Based on this analysis, the proposal meets this criterion.

3. There has been an error in the original zoning; or

Applicant's Response:

Not applicable.

Staff Analysis:

There has been no error in the original zoning. Therefore, this criterion has been met.

4. There have been significant changes in the area to warrant a zone change.

Applicant's Response:

The area continues to change as new developments are being constructed. The PD Amendment is primarily driven by the philosophical change to dendritic drainage patterns, realignment of primary roads due to topography and the realignment of Planning Area boundaries and densities to better accommodate site constraints and opportunities.

Staff Analysis:

The existing zoning for the subject property was approved in 2015, but many of the lot standards have not changed since the site was rezoned in 2003. Over the course of the last 16 years, the market demands for housing have changed and led to a need to amend the lot standards in this Planned Development.

The applicant desires, and staff supports, a dendritic design of the subdivision as opposed to a more traditional approach. This represents a change in the fundamental approach to the development of the property and would not be able to be accomplished without amending the Planning Area boundaries.

Finally, Town Council approved a Partial Waiver Resolution to allow the applicant to defer certain submittal requirements for Segment 2a of the Anthology North development.

As a condition of this approval, the applicant is required to process this zoning request to ensure that one-third (1/3) of the developable area for Planning Areas 3, 4, 12 and 14 is zoned strictly for commercial uses. The requested zone change for Planning Areas 3, 4, 12 and 14 is a result of the site's existing natural features. Planning Areas 2 and 3 rezone represents the viable commercial land.

Based on this analysis, this criterion has been met.

5. Adequate circulation exists and traffic movement would not be impeded by development.

Applicant's Response:

The PD Amendment request will facilitate and enable the development of S. Chambers Road and Stroh Road which are significant improvements that provide regional transportation needs for the area. The roads are designed to accommodate the transportation needs of not only the Looking Glass community but the surrounding commuting traffic as well. The PD Amendment does not increase the approved number of residential units.

Staff Analysis:

The Town of Parker Public Works/Engineering Department has reviewed and approved the traffic analysis that was provided by the applicant. The applicant has agreed to dedicate all right-of-way that has been requested by the Town. Additional information related to this analysis can be found in Section VI of this staff report.

Based on this analysis, this criterion has been met.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

Applicant's Response:

The PD Amendment request will not create a change to any municipal services that were previously anticipated by the Town.

Staff Analysis:

There are no municipal service costs that the Town is not prepared to meet.

Based on this analysis, this criterion has been met.

7. There are minimal environmental impacts or impacts can be mitigated.

Applicant's Response:

The PD Amendment request will not change any environmental condition that was previously anticipated. Rather - to the contrary, the modifications to the Planning Area boundaries permit better quality dendritic/low maintenance drainage infrastructure which will better accommodate the proposed more natural design of the drainage systems and the preservation of the steeper slope areas of the site. Impacts to wildlife is likely as development occurs. However, urban wildlife will continue to frequent the area and utilize the ample open space corridors for travel.

The preservation of the natural drainage corridors of Oak Gulch and Brandy Gulch, as well as the significant open space corridors to the west and southwest areas of the site, will continue to provide the primary travel corridors, vegetative cover, and food sources for the wildlife.

Staff Analysis:

There are no known additional environmental impacts associated with the requested rezoning and no referral agencies have indicated any additional environmental impacts.

The implementation of the dendritic design is specifically intended to be sensitive to and incorporate environmental considerations. Therefore, environmental impacts will be reduced with this proposed rezoning.

Based on this analysis, this criterion has been met.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Applicant's Response:

The PD Amendment request remains consistent with the Town of Parker 2035 Master Plan as determined by the approval of the original PD by Town Council in September of 2015. The Town's Master Plan designates this site as Low Density Residential at a gross density of 2.2 dwelling unit per acre and a Neighborhood Commercial at the corner of Stroh Road and S. Chambers Road. The PD Amendment maintains the Neighborhood Commercial area and adjacent Mixed Use areas and no change is proposed to the 3,379 dwelling units as originally approved original Hess Ranch Planned Development.

Staff Analysis:

As detailed in Section III of this staff report, the proposed zoning amendment is consistent with the Town's Parker 2035 Master Plan.

Based on this analysis, this criterion has been met.

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

Applicant's Response:

The PD Amendment request does not propose any change to land uses that would impact or change any of the obligations related to services or the needs of the developing community. The proposed number of dwelling units remains the same for the Hess Ranch PD-North as was originally intended. As such, there are not additional impacts to services, school needs or parks.

Staff Analysis:

The Parker Water and Sanitation District has indicated an ability to serve the subject property. With the original annexation and zoning, the zoning has set aside one school sites.

The reservation of these sites and the future dedication of the sites will satisfy the school dedication requirements from the Land Development Ordinance. As a part of the sketch plan and preliminary plans applications for the individual residential lots, staff will evaluate and the applicant will be required to meet all park and open space dedication requirements.

Based on this analysis, this criterion has been met.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
AzTec Consultants	No further comments
Town of Parker Building	No comments
Town of Parker Comprehensive Planning	The proposed PD Amendment does not conflict with the Parker 2035 Master Plan.
Douglas County Planning	As with the 2nd Amendment, this proposal would result in a substantial reduction in the width of the community separation buffer along the southern edge of the PD. That buffer has long been envisioned in this area in both Town and County planning documents and master plans. This proposal also appears to eliminate a planned regional trail that was previously depicted in the Hess Ranch PD, and included in the Town's Parks, Trails, and Greenways Master Plan for at least a decade.
Douglas County Schools	DCSD school design guidelines recommend that new school sites have access to at least two adjacent streets in order to distribute bus and auto traffic to avoid congestion and traffic conflicts. As currently depicted, only the southern property line of this site is adjacent to a street. The northern property line is adjacent to an open space parcel and the eastern property line is adjacent to rear yards of proposed residential development. Consistent with the design guidelines, DCSD looks to ensure that the western property line of the school site is adjacent to a street. With this in mind, DCSD hereby requests the opportunity to meet with the applicant to work together to evaluate the proposed school site in the context of this subdivision and future subdivisions. We would like to have confirmation of concurrence with these commitments for the application to move forward. Once we receive that confirmation, DCSD supports this application for approval.
Fire Life Safety	No comments
IREA	Approved

Town of Parker Engineering	A full review of the traffic study will be performed and comments provided within the Sketch Plan and Preliminary Plan records. Per previous communications, the impacts that the proposed Stroh Road realignment would have on the adjacent property's development layout will need to be codified in a concurrent PD amendment for that property.
Town of Parker Police	No comments
Town of Parker Parks and Recreation	Parks, Trails and Open Space Comments have been addressed.
Parker Water and Sanitation	Approved
Public Service Company of Colorado	Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the Hess Ranch PD Amendment No. 3. Please be advised that Public Service Company has existing natural gas distribution along Crowfoot Valley Road, and has no objection to this proposed amendment, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

IX. CONCLUSION

The subject property is generally located south and west of the intersection of Stroh Road and Crowfoot Valley Road. This segment of the site is currently undeveloped and is directly west of the Looking Glass Segment 1 site which is currently under development, Anthology North residential and commercial development to the north, and the Meadowlark development and the Trails at Crowfoot development to the east.

The benefits of the requested Hess Ranch PD rezone will be the implementation of a more environmentally friendly dendritic design, the incorporation of more open space than what was initially anticipated in the existing zoning and the assurance that an additional 23 acres (one-third (1/3) of Planning Area 2, 3, 12 and 14) will be zoned for and limited to allow for commercial uses.

X. RECOMMENDED CONDITIONS

None

XI. ATTACHMENTS

1. Project Narrative and Rezoning Criteria Analysis
2. Proposed Development Plan
3. Proposed PD Guide
4. Proposed Partial Waiver Agreement – PA 2, 3, 12 and 14
5. Proposed Parks, Trails and Open Space Master Plan
6. Ordinance 3.315.3

Report Approved By: Bryce Matthews, Planning Manager

ORDINANCE NO. 3.315.3, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO AMEND THE HESS RANCH DEVELOPMENT, TOWN OF PARKER, COLORADO, PD DEVELOPMENT GUIDE – SECOND AMENDMENT, PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE, AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Finding of Fact.

a. Application has been made for amending the PD-Planned Development zoning for the “Hess Ranch Development, Town of Parker, Colorado, PD Development Guide – Second Amendment,” approved by the Town Council on November 6, 2017, and recorded in the Office of the Douglas County Clerk and Recorder’s Office on August 22, 2019, at Reception No. 2019052295, pursuant to the Town of Parker Land Development Ordinance.

b. Public notice has been given of such zoning by publication on the Town’s website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the Property for fifteen (15) consecutive days prior to said hearing.

e. The requirements contained in Section 13.04.240(b) of the Parker Land Development Ordinance for amending the PD-Planned Development zoning the property described in **Exhibit 1**, which is attached hereto and incorporated by this reference (the “Property”), have been satisfied.

Section 2. The Hess Ranch Development, Town of Parker, Colorado, PD Development Guide – Second Amendment for the Property is hereby amended as provided in the “Hess Ranch Development, Town of Parker, Colorado, PD Development Guide – Third Amendment,” which is attached hereto as **Exhibit 2** and incorporated by this reference (the “Third Amendment”). The uses permitted for the Property are specifically described in the Third Amendment.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning change to the property.

Section 4. Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

Section 5. **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. **Severability.** If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Exhibit 1 (Legal Description)

SEGMENT 1:

A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, THENCE SOUTH 89 DEGREES 30 MINUTES 05 SECONDS WEST, A DISTANCE OF 73.04 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF CROWFOOT VALLEY ROAD, AS RECORDED IN THE DOUGLAS COUNTY SURVEYOR'S LAND SURVEY PLATS/RIGHT-OF-WAY SURVEYS, SURVEY NO. LSP-2474, SAID POINT ALSO BEING **THE POINT OF BEGINNING**;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID CROWFOOT VALLEY ROAD THE FOLLOWING TEN (10) COURSES:

1) SOUTH 00 DEGREES 14 MINUTES 48 SECONDS WEST, A DISTANCE OF 84.10 FEET TO A POINT OF NON-TANGENT CURVATURE;

2) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREES 21 MINUTES 48 SECONDS, A RADIUS OF 885.12 FEET, AND AN ARC LENGTH OF 21.06 FEET, (CHORD BEARS SOUTH 00 DEGREES 57 MINUTES 17 SECONDS WEST, A DISTANCE OF 21.06 FEET);

3) SOUTH 13 DEGREES 41 MINUTES 33 SECONDS WEST, A DISTANCE OF 317.67 FEET TO A POINT OF NON-TANGENT CURVATURE;

4) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 05 DEGREES 25 MINUTES 44 SECONDS, A RADIUS OF 787.50 FEET, AND AN ARC LENGTH OF 74.62 FEET, (CHORD BEARS SOUTH 17 DEGREES 03 MINUTES 01 SECONDS WEST, A DISTANCE OF 74.59 FEET) TO A POINT OF COMPOUND CURVATURE;

5) ALONG THE ARC OF SAID COMPOUND CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10 DEGREES 11 MINUTES 52 SECONDS, A RADIUS OF 885.00 FEET, AND AN ARC LENGTH OF 157.52 FEET, (CHORD BEARS SOUTH 32 DEGREES 13 MINUTES 49 SECONDS WEST, A DISTANCE OF 157.31 FEET);

6) SOUTH 52 DEGREES 22 MINUTES 39 SECONDS EAST, A DISTANCE OF 15.00 FEET TO A POINT OF NON-TANGENT CURVATURE;

7) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 15 DEGREES 50 MINUTES 48 SECONDS, A RADIUS OF 900.00 FEET, AND AN ARC LENGTH OF 248.92 FEET, (CHORD BEARS SOUTH 45 DEGREES 18 MINUTES 01 SECONDS WEST, A DISTANCE OF 248.13 FEET);

8) SOUTH 53 DEGREES 13 MINUTES 25 SECONDS WEST, A DISTANCE OF 1,098.00 FEET TO A POINT OF CURVATURE;

9) ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 27 DEGREES 17 MINUTES 24 SECONDS, A RADIUS OF 1,010.00 FEET, AND AN ARC LENGTH OF 481.07 FEET, (CHORD BEARS SOUTH 39 DEGREES 34 MINUTES 43 SECONDS WEST, A DISTANCE OF 476.53 FEET);

10) SOUTH 25 DEGREES 56 MINUTES 01 SECONDS WEST, A DISTANCE OF 433.56 FEET TO A POINT ON THE NORTH LINE OF THE PARCEL OF LAND RECORDED AT RECEPTION NO. 9123329 OF THE AFOREMENTIONED RECORDS;

THENCE ALONG THE NORTH LINE OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:

1) SOUTH 79 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 645.52 FEET;

2) NORTH 79 DEGREES 00 MINUTES 13 SECONDS WEST, A DISTANCE OF 197.45 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4;

THENCE SOUTH 00 DEGREES 17 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 314.41 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER;

THENCE SOUTH 00 DEGREES 15 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 1,041.28 FEET TO A POINT OF NON-TANGENT CURVATURE ON THE WESTERLY RIGHT-OF-WAY OF SAID CROWFOOT VALLEY ROAD;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID CROWFOOT VALLEY ROAD THE FOLLOWING SEVEN (7) COURSES:

1) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREES 48 MINUTES 48 SECONDS, A RADIUS OF 3,761.00 FEET, AND AN ARC LENGTH OF 119.03 FEET, (CHORD BEARS SOUTH 41 DEGREES 10 MINUTES 27 SECONDS WEST, A DISTANCE OF 119.02 FEET);

2) SOUTH 40 DEGREES 40 MINUTES 53 SECONDS WEST, A DISTANCE OF 245.65 FEET;

3) SOUTH 42 DEGREES 04 MINUTES 51 SECONDS WEST, A DISTANCE OF 958.65 FEET TO A POINT OF CURVATURE;

4) ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 07 MINUTES 22 SECONDS, A RADIUS OF 7,692.00 FEET, AND AN ARC LENGTH OF 419.23 FEET, (CHORD BEARS SOUTH 40 DEGREES 31 MINUTES 10 SECONDS WEST, A DISTANCE OF 419.18 FEET);

5) SOUTH 51 DEGREES 02 MINUTES 31 SECONDS EAST, A DISTANCE OF 3.00 FEET TO A POINT OF NON-TANGENT CURVATURE;

6) ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02 DEGREES 17 MINUTES 08 SECONDS, A RADIUS OF 7,689.00 FEET, AND AN ARC LENGTH OF 306.73 FEET, (CHORD BEARS SOUTH 37 DEGREES 48 MINUTES 55 SECONDS WEST, A DISTANCE OF 306.71 FEET);

7) SOUTH 36 DEGREES 40 MINUTES 21 SECONDS WEST, A DISTANCE OF 79.57 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE NORTH 89 DEGREES 43 MINUTES 04 SECONDS WEST, ALONG SAID SECTION LINE, A DISTANCE OF 1,275.36 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 4 MONUMENTED BY A 2 1/2" ALUMINUM CAP STAMPED LS 6935;

THENCE SOUTH 89 DEGREES 16 MINUTES 12 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 2639.06 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 5 MONUMENTED BY A 3 1/4" ALUMINUM CAP STAMPED LS 6935;

THENCE SOUTH 89 DEGREES 44 MINUTES 38 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 2643.05 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 5 MONUMENTED BY A 2" ALUMINUM CAP STAMPED LS 33202;

THENCE SOUTH 89 DEGREES 08 MINUTES 04 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6, A DISTANCE OF 2,644.95 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 6 MONUMENTED BY A STONE MATCHING MONUMENT RECORDS;

THENCE NORTH 00 DEGREES 07 MINUTES 38 SECONDS EAST, ALONG THE CENTER LINE OF SAID SECTION 6, A DISTANCE OF 5,240.64 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 6 MONUMENTED BY A 2 1/2" ALUMINUM CAP STAMPED LS 22088;

THENCE NORTH 89 DEGREES 24 MINUTES 47 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, A DISTANCE OF 2,484.33 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11 DEGREES 18 MINUTES 23 SECONDS, A RADIUS OF 1335.23 FEET, AND AN ARC LENGTH OF 263.49 FEET, (CHORD BEARS SOUTH 57 DEGREES 41 MINUTES 27 SECONDS EAST, A DISTANCE OF 263.06 FEET);

THENCE SOUTH 52 DEGREES 02 MINUTES 15 SECONDS EAST, A DISTANCE OF 651.65 FEET;

THENCE SOUTH 55 DEGREES 15 MINUTES 38 SECONDS EAST, A DISTANCE OF 412.26 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 62 DEGREES 35 MINUTES 03 SECONDS, A RADIUS OF 1,265.85 FEET, AND AN ARC LENGTH OF 1382.69 FEET (CHORD BEARS SOUTH 79 DEGREES 28 MINUTES 40 SECONDS EAST, A DISTANCE OF 1,314.97 FEET);

THENCE NORTH 81 DEGREES 01 MINUTES 59 SECONDS EAST, A DISTANCE OF 1,141.54 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 50 DEGREES 07 MINUTES 53 SECONDS, A RADIUS OF 1142.75 FEET, AND AN ARC LENGTH OF 999.86 FEET, (CHORD BEARS SOUTH 81 DEGREES 36 MINUTES 36 SECONDS EAST, A DISTANCE OF 968.27 FEET);

THENCE SOUTH 71 DEGREES 26 MINUTES 40 SECONDS EAST, A DISTANCE OF 415.03 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 25 DEGREES 57 MINUTES 29 SECONDS, A RADIUS OF 2408.42 FEET, AND AN ARC LENGTH OF 1,091.15 FEET (CHORD BEARS SOUTH 88 DEGREES 02 MINUTES 01 SECONDS EAST, A DISTANCE OF 1,081.84 FEET);

THENCE NORTH 74 DEGREES 13 MINUTES 52 SECONDS EAST, A DISTANCE OF 480.67 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20 DEGREES 01 MINUTES 18 SECONDS, A RADIUS OF 1,374.23 FEET, AND AN ARC LENGTH OF 480.22 FEET (CHORD BEARS NORTH 79 DEGREES 53 MINUTES 07 SECONDS EAST, A DISTANCE OF 477.78 FEET);

THENCE NORTH 89 DEGREES 32 MINUTES 38 SECONDS EAST, A DISTANCE OF 543.29 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES 07 SECONDS EAST, A DISTANCE OF 307.11 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02 DEGREES 43 MINUTES 59 SECONDS, A RADIUS OF 11,639.30 FEET, AND AN ARC LENGTH OF 555.22 FEET, (CHORD BEARS NORTH 85 DEGREES 41 MINUTES 05 SECONDS EAST, A DISTANCE OF 555.17 FEET) TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 24 DEGREES 24 MINUTES 54 SECONDS, A RADIUS OF 2,197.49 FEET, AND AN ARC LENGTH OF 936.40 FEET, (CHORD BEARS NORTH 66 DEGREES 58 MINUTES 29 SECONDS EAST, A DISTANCE OF 929.33 FEET);

THENCE NORTH 52 DEGREES 19 MINUTES 16 SECONDS EAST, A DISTANCE OF 242.53 FEET; THENCE NORTH 54 DEGREES 06 MINUTES 02 SECONDS EAST, A DISTANCE OF 556.22 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 01 MINUTES 26 SECONDS, A RADIUS OF 1,070.97 FEET, AND AN ARC LENGTH OF 598.59 FEET, (CHORD BEARS NORTH 74 DEGREES 28 MINUTES 16 SECONDS EAST, A DISTANCE OF 590.83 FEET);

THENCE SOUTH 89 DEGREES 31 MINUTES 00 SECONDS EAST, A DISTANCE OF 314.11 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF MOTSENBOCKER ROAD;

THENCE SOUTH 00 DEGREES 13 MINUTES 09 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 21.60 FEET TO THE **POINT OF BEGINNING**.

SEGMENT 2:

A PARCEL OF LAND BEING A PART OF THE NORTHWEST QUARTER SECTION 4, A PART OF SECTION 5 AND THE EAST HALF OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF LOOKING GLASS FILING NO. 1, PER PLAT RECORDED APRIL 15, 2020 AT RECEPTION NO. 2020028941 IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOOKING GLASS FILING NO. 1 THE FOLLOWING 31 COURSES:

1. SOUTH 05°15'37" EAST, 71.80' TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 20.00 FEET;

2. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $87^{\circ}34'16''$ AN ARC LENGTH OF 30.57 FEET (THE CHORD OF SAID CURVE BEARS SOUTH $51^{\circ}28'29''$ EAST, 27.68 FEET);
3. TANGENT TO SAID CURVE, SOUTH $07^{\circ}41'21''$ EAST, 173.10 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 910.00 FEET;
4. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $39^{\circ}26'44''$ AN ARC LENGTH OF 626.50 FEET;
5. TANGENT TO SAID CURVE, SOUTH $31^{\circ}45'23''$ WEST, 327.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 750.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $04^{\circ}33'58''$ AN ARC LENGTH OF 59.77 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 20.00 FEET;
7. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $95^{\circ}30'09''$ AN ARC LENGTH OF 33.34 FEET;
8. NON-TANGENT TO SAID CURVE, SOUTH $41^{\circ}49'31''$ WEST, 100.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 20.00 FEET;
9. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $95^{\circ}30'09''$ AN ARC LENGTH OF 33.34 FEET (THE CHORD OF SAID CURVE BEARS SOUTH $00^{\circ}25'25''$ EAST, 29.61 FEET) TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 750.00;
10. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $23^{\circ}39'20''$ AN ARC LENGTH OF 309.65 FEET;
11. TANGENT TO SAID CURVE, SOUTH $70^{\circ}59'00''$ WEST, 586.56 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1,000.00 FEET;
12. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ}16'00''$ AN ARC LENGTH OF 528.25 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1000.43;
13. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $06^{\circ}32'41''$ AN ARC LENGTH OF 114.28 FEET (THE CHORD OF SAID CURVE BEARS SOUTH $43^{\circ}30'08''$ WEST, 114.21 FEET);
14. NON-TANGENT TO SAID CURVE, SOUTH $34^{\circ}10'02''$ WEST, 81.85 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 20.00 FEET;
15. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $93^{\circ}09'56''$ AN ARC LENGTH OF 32.52 FEET;
16. NON-TANGENT TO SAID CURVE, SOUTH $29^{\circ}55'17''$ WEST, 193.43 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 30.00 FEET;
17. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $87^{\circ}40'37''$ AN ARC LENGTH OF 45.91 FEET (THE CHORD OF SAID CURVE BEARS SOUTH $09^{\circ}40'17''$ EAST, 41.56 FEET);

18. NON-TANGENT TO SAID CURVE, SOUTH 60°30'34" EAST, 101.34 FEET

19. SOUTH 55°49'58" EAST 10.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 25.00 FEET;

20. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°48'02" AND ARC LENGTH OF 37.87 FEET (THE CHORD OF SAID CURVE BEARS NORTH 77°34'03" EAST, 34.35 FEET) TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1,695.00 FEET;

21. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°11'21" AN ARC LENGTH OF 419.77 FEET;

22. NON-TANGENT TO SAID CURVE, SOUTH 16°46'42" WEST, 90.34 FEET;

23. SOUTH 36°44'54" WEST, 138.77 FEET;

24. SOUTH 01°18'00" EAST, 103.53 FEET;

25. SOUTH 06°24'08" WEST, 180.20 FEET;

26. SOUTH 00°51'50" EAST, 65.59 FEET;

27. SOUTH 04°08'00" WEST, 565.00 FEET;

28. SOUTH 23°25'25" WEST, 74.16 FEET;

29. SOUTH 04°08'00" WEST, 149.07 FEET;

30. SOUTH 31°10'52" EAST, 139.68 FEET;

31. SOUTH 00°43'48" EAST, 57.39 FEET TO THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 89°16'12" WEST, 1,496.68 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, SOUTH 89°44'38" WEST, 2,643.05 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 5;

THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6, SOUTH 89°08'04" WEST, 2,644.95 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 6;

THENCE ALONG THE CENTER LINE OF SAID SECTION 6, NORTH 00°07'38" EAST, 5,240.64 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 6;

THENCE ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, NORTH 89°24'47" EAST, 2,484.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1,335.23 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°18'23" AN ARC LENGTH OF 263.49 FEET, (THE CHORD OF SAID CURVE BEARS SOUTH 57°41'27" EAST, 263.06 FEET);
THENCE TANGENT TO SAID CURVE, SOUTH 52°02'15" EAST, 651.65 FEET;

THENCE SOUTH $55^{\circ}15'38''$ EAST, 412.26 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1,265.85;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $62^{\circ}35'03''$ AN ARC LENGTH OF 1,382.69 FEET (THE CHORD OF SAID CURVE BEARS SOUTH $79^{\circ}28'40''$ EAST, 1,314.97 FEET);

THENCE NON-TANGENT TO SAID CURVE NORTH $81^{\circ}01'59''$ EAST, 1,141.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,142.75 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $50^{\circ}07'53''$ AN ARC LENGTH OF 999.86 FEET, (THE CHORD OF SAID CURVE BEARS SOUTH $81^{\circ}36'36''$ EAST, 968.27 FEET);

THENCE NON-TANGENT TO SAID CURVE, SOUTH $71^{\circ}26'40''$ EAST, 415.03 FEET TO THE BEGINNING OF NON-TANGENT CONCAVE NORTHERLY HAVING A RADIUS OF 2,408.42 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $22^{\circ}24'54''$ AN ARC LENGTH OF 942.21 FEET (THE CHORD OF SAID CURVE BEARS SOUTH $86^{\circ}15'43''$ EAST, 936.22 FEET) TO THE POINT OF BEGINNING;

CONTAINS 34,063,308 SQUARE FEET OR 781.9859 ACRES

EXHIBIT 2

Hess Ranch Development Town of Parker, Colorado

PD DEVELOPMENT GUIDE – THIRD AMENDMENT

November 2, 2020

Owner:

JEN Colorado 18, LLC
Front Range Communities
4100 E. Mississippi Avenue, Suite 500
Denver, CO 80246
Contact: Matthew Osborn/Lawrence Jacobson
303.598.5970/303.748.5466

Planning Consultant:

Henry Design Group, Inc.
1501 Wazee Street, Suite 1-C
Denver, CO 80202
303.446.2368
Contact: Karen Henry

Engineering Consultant:

EMK Consultants, Inc.
7008 S. Alton Way, Building F
Centennial, CO 80112
303.694.1520
Contact: Eric McDaniel

Traffic Consultant:

NAVJOY
301 Commercial Road, Suite B
Golden, CO 80401
720-399-4402 Ext. 109
Contact: Devin Joslin

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I. GENERAL PROVISIONS

A. Application

The standards outlined in the Development Guide shall apply to all property contained within the "HESS RANCH DEVELOPMENT PLAN AND GUIDE" (the "Development Plan") except as provided herein. The standards outlined in the Development Plan may be divergent from the zoning regulations contained in Chapter 13.04 of the Parker Municipal Code, but not any other Chapter of the Parker Municipal Code. In the event there is a conflict between the standards contained in the Development Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control. The terms "DEVELOPMENT PLAN" and "MASTER PLAN" may be used interchangeably.

This Development Guide is only one of several documents that will help guide the Hess Ranch Planned Development. The Development Guide and the Development Plan are the planning documents for this development.

The Development Agreement is a third document that will help frame the overall development with specific language of agreements, triggers, responsibilities, etc. Please refer to this document to gain a full understanding of the Hess Ranch Planned Development.

B. Density Standards

The Dwelling Unit Density permitted in any residential Planning Area is an Average Density that shall apply to the entire residential Planning Area and shall not be specifically applicable to any portion thereof. The Average Density of any residential Planning Area shall be computed by dividing the total number of Dwelling Units in the residential Planning Area by the gross acres in the residential Planning Area.

C. Density Variation

In no event shall the total number of 3,379 residential Dwelling Units within all Planning Areas as set forth on the "HESS RANCH DEVELOPMENT PLAN AND GUIDE" be exceeded.

In general, residential Planning Areas may contain up to an additional twenty percent (20%) of the number of units allowed for each Planning Area, as set forth in the "HESS RANCH PD DEVELOPMENT PLAN AND GUIDE", as determined by the Developer. The total number of Dwelling Units actually developed in a Planning Area may be less than the number established on the Development Plan. Unbuilt or unused dwelling units resulting from the Final Plat of any Planning Area, may be transferred to other areas provided that the receiving Planning Area does not receive more than 20% of the original density provided for on the Hess Ranch Development Plan. The transfer of any unbuilt or unused dwelling units may occur at any time throughout the development process of Hess Ranch. Any increase or decrease of dwelling units within a Planning Area by more than 20% must be processed as a Major Amendment under Section 13.04.240 of the Parker Municipal Code.

D. Planning Area Boundaries

Wherever a Planning Area abuts a street as shown on the "HESS RANCH DEVELOPMENT PLAN", the Planning Area boundary is the edge of the abutting right-of-way of such street (except Crowfoot Valley Road). Wherever a Planning Area does not so abut a street, the Planning Area boundary shall be as shown on the "HESS RANCH DEVELOPMENT PLAN". Modifications in Planning Area boundaries and streets may be accomplished by the Developer by final road alignments or engineering refinements shown on a Site Plan or Plat, without any amendment to the "HESS RANCH DEVELOPMENT PLAN" provided the Planning Area does not increase or decrease by more than twenty percent (20%) in size.

E. Underground Utility Requirements

All electrical and communications distribution lines shall be placed underground. All transmission lines shall be underground unless same cannot be accomplished by direct burial.

F. Homeowner Associations

Homeowner Associations composed of property owners in residential areas may be created for the following purposes: a) to provide for the continued development, improvement and maintenance of properties and facilities which it owns or administers, and b) to protect the investment, enhance the value, and control the use of property owned by its members.

Homeowner's Associations or special districts may be created in residential areas where common lands or facilities are to be owned and maintained by the Homeowner's Association or special district.

G. Agricultural Uses

Any portion or portions of the property described as the Hess Ranch Planned Development, where development has not commenced in accordance with the adopted Development Guide and Plan, may be used on a temporary basis for agricultural purposes, as provided herein.

II. DEFINITIONS

A. Purposes: It is the purpose of this Article to define words, terms and phrases contained within this PD Development Guide. See the Town of Parker Land Development Code for other definitions not defined herein.

B. Word Usage: In the interpretation of this Guide, the provisions and rules of this section shall be observed and applied, except when the context requires otherwise.

1. The particular controls the general.
2. In the case of any difference of meaning or implication between the text of this Guide and any caption or table, the text shall control.
3. Words used or defined in one tense or form shall include other tenses and derivative forms.
4. Words in the singular number shall include the plural number and words in the plural number shall include the singular number.
5. The masculine gender shall include the feminine and the feminine gender shall include the masculine.
6. The word "shall" is mandatory.
7. The word "may" is permissive.

C. Definitions:

1. **Abut.** To have a common border with.
2. **Accessory Buildings.** Detached subordinate building(s) or Structure(s), the use of which is customarily incidental to that of the Principal Building or to the main use of the land and which is located on the same lot with the Main Building or use, including carriage house units located above detached and semi-detached garages, designated for and occupied by not more than one family, and with a maximum size of 600 square feet.
3. **Age Targeted Dwelling.** Housing designed to appeal to the lifestyle needs of buyers over 55 years of age.
4. **Age Restricted Dwelling.** Housing limited to buyers and occupants 55 years of age or older.
5. **Agricultural Uses.** The uses which are permitted include:
 - 1) Farming, including plowing, tillage, cropping, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber operations) produced on the premises.
 - 2) Ranching, including grazing of livestock (except commercial feed yards, poultry, pig farms, fur farms or kennels).
 - 3) Open space.
 - 4) Selling agricultural products not requiring a state tax license.
6. **Building, Principal or Main.** A building or buildings which may contain one or more Dwelling Unit(s) in which is conducted one or more of the permitted Principal Uses of the Lot or project in which it is situated and including areas such as garages, carports, storage sheds which are attached to or architecturally integrated with the principal building.
7. **Building Front.** That exterior wall of a Building which faces a Front Lot Line of a Lot.
8. **Building Ground Coverage.** The amount of land covered or permitted to be covered by a Building.
9. **Building Setback.** The distance between the Building and the adjacent street right-of-way, property line, exterior of the Private Street Easement, or external planning area boundary.
10. **Building Side.** That exterior wall of a Building which faces a Side Lot Line of a Lot.
11. **Building Rear.** That exterior wall of a Building which faces a Rear Lot Line of a Lot.
12. **Car Care Center.** An establishment providing sales of vehicle fuel and such services as lubrication, oil and tire changes, and minor repairs. This use does not Include paint spraying or body repair.
13. **Density, Gross or Average.** A ratio of number of Dwelling Units per acre calculated by dividing the number of Dwelling Units within the boundary of one or more residential Planning Areas or portion thereof by the number of acres contained within the Planning Area(s) or portions thereof; including all land within said Planning Area(s) or portion thereof reserved or dedicated for Parks, Open Space, recreation, educational, community, or public use, and Public Street rights-of way and Easements. For calculation purposes, the gross density excludes the 100-year floodplain as mapped by FEMA and slopes of 20% or greater.
14. **Density, Net.** A ratio of number of Dwelling units per acre calculated by dividing the number of Dwelling Units within the boundary of one or more residential Planning Areas or portion thereof by the number of acres contained within the Planning Area(s) or portion thereof; excluding all land within said Planning Area(s) or portion thereof reserved or dedicated for Roads, Parks, Open Space, recreations, educational, community or public use, and Public Street rights-of-ways and easements. For

calculation purposes, the gross density excludes the 100-year floodplain as mapped by FEMA and slopes of 20% or greater

15. **Dwelling Unit, Atrium.** An alternative type of Single Family Detached or Attached Dwelling Unit in which the private Individual Open Space associated with each Dwelling Unit is consolidated into a private yard surrounded by buildings or walls forming an atrium. This atrium replaces the conventional front side and rear yards associated with traditional Single Family Detached Dwelling Units.
16. **Dwelling Unit, Clustered Single Family.** A type of Single Family Detached or Attached Dwelling Unit development that combines reduced lot size with compensating amounts of Open Space within the proposed development.
17. **Dwelling Unit, Duplex.** A detached building on a single parcel containing two (2) dwelling units, designed for or used as dwellings exclusively by two (2) families each living as an independent housekeeping unit, or two attached units sharing a common wall with separate entries and separate lots for each unit.
18. **Dwelling Unit, Patio.** An alternative type of Single Family Detached or Attached Dwelling Unit in which the private Individual Open Space associated with each Dwelling Unit is consolidated into a garden or patio area commonly located toward the side or rear of the Lot. This patio area replaces the conventional front, side and rear yards associated with traditional Single Family Detached Dwelling Units.
19. **Dwelling Unit Single Family Attached.** A Building designated for and containing more than one Dwelling Unit and occupied by not more than 6 families within one Structure each which is separated from the others by one (1) or more un-pierced walls from ground to roof.
20. **Dwelling Unit, Single Family Detached.** A type of Dwelling Unit designated for and occupied by not more than one family and having no roof, wall, or floor in common with any other Dwelling Unit.
21. **Dwelling Unit, Townhome.** A type of Single Family Attached or Multi-Family Dwelling Unit in which each single Dwelling Unit goes from ground to roof and is separated from other Townhome Dwelling Units by a common wall. Each Townhome Dwelling Unit has Individual outside access. Townhome Dwelling may have no side yards, or front and rear yards. May include duplex, triplex, fourplex, or more.
22. **Dwelling Unit, Zero Lot Line.** An alternative type of Single Family Detached Dwelling Unit which is situated on a Lot so that one or more sides rest directly on the boundary line of the Lot.
23. **Dwelling Unit, Live/Work.** An alternative type of Townhome Dwelling Unit in which a range of retail goods and services, consistent with the Mixed Use (MU) designation are permitted, in combination with residential use, and where setbacks apply.
24. **Dwelling Unit, Condominium.** A type of Single-Family Dwelling Unit. The unit is individually owned, each owner receives a recordable deed to the individual unit purchased, including the right to sell, mortgage, etc., that unit and sharing in joint ownership of any common grounds, passageways, etc.
25. **Easement, Private Street.** An acquired right of use, interest or privilege in land owned by another containing a privately owned access way constructed to the specifications of the Town of Parker but not maintained by the Town of Parker. Town of Parker and Parker Fire Protection District approved fire access shall be provided in all cases.
26. **Exterior Storage.** Outdoor storage of fuel, raw materials, products, and equipment. In the case of lumberyards, exterior storage includes all impervious materials stored outdoors.

27. **Garage, Parallel.** A garage attached or detached, which is oriented so that the axis which corresponds with the garage opening is substantially parallel to the adjacent street from which the Lot derives access.
28. **Garage, Perpendicular.** A garage attached or detached, which is oriented so that the axis which corresponds with the garage opening is substantially perpendicular to the adjacent street from which the Lot derives access.
29. **Group Care Facilities.** A facility where three or more persons are provided supervision and a planned treatment of counselling, therapy, or other rehabilitative social services in a family environment. Such residence must be licensed by or operated by a federal, state, county or local judicial health/welfare agency or serve only referrals from such agencies. Examples of group care facilities are group foster care, children's homes, halfway houses, rehabilitative centers, assisted living, maternity, or senior citizen homes.
30. **Land Use Category.** A set of permitted land use types which are aggregated to form a land use classification similar in nature to zoning districts. Each Land Use Category is identified on the PD Master Plan and in Section III. Land Use Regulations of this PD Development Guide.
 - A. **UNIFORM LAND USES**
 - 1) Single Family Detached Dwellings
 - 2) Duplex
 - 3) Single Family Attached Dwellings-these will include atrium clustered patio, live work, townhome, duplex, including duplex, triplex and fourplex dwelling units.
 - 4) Multifamily
 - 5) Live/Work Dwelling Units - shall be associated with all MU planning areas and shall be located above retail/commercial areas that are compatible with a live work community. Usually associated with commercial developments.
 - 6) Accessory Dwelling Units - shall include all structures described in the Parker Land Use Ordinance 13.04.170. May also include utility facility enclosures and well sites.
 - 7) Places of Religious Assembly
 - 8) Accessory Structure and Uses
 - 9) Open Space
 - 10) Parks
 - 11) Neighborhood Recreational Centers and Facilities
 - 12) Group Home - refer to Group Care Facilities definition
 - 13) Assisted Living Residence - a housing facility that provides assistance to disabled individuals. These individuals cannot perform all of the ADL's (activities of daily living) i.e. eating, bathing, feeding, etc. These facilitates do not provide 24-hour care.
 - 14) Long Term Care Facility/Nursing Home
31. **Nursery.** An enterprise which conducts the retail and wholesale sale of plants grown on the site, as well as accessory items (but not farm implements) directly related to their care and maintenance. The accessory items normally sold are clay pots, polling soil, fertilizers, insecticides, hanging baskets, rakes, and shovels.
32. **Planning Areas.** Areas of land delineated on the PD Master Plan identified with a phrase or symbol which designates a specific set of permitted land use types according to the Land Use Categories provided in Section III. - Land Use Regulations of this PD Development Guide. Planning Area boundaries are as depicted on the PD Master Plan.

33. **Planning Commission.** The Planning Commission of the Town of Parker.
34. **Principal Use.** The specific primary purpose, activity or use for which land or any building thereon is designed, arranged, or intended, or for which it is occupied or maintained.
35. **Recreational Vehicle.** A vehicle or a unit that is mounted on or drawn by another vehicle primarily designed for recreation or temporary living. Recreational vehicles include travel trailers, camping trailers, truck campers, mobile homes, boats, snowmobiles, and other similar recreation equipment.
36. **Restaurant, Conventional.** An establishment whose principal business is the sale of food and/or beverages to customers whose principal method of operation includes one or both of the following characteristics: (1) customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed. And (2) cafeteria type operation where food and beverages generally are consumed within the restaurant building.
37. **Restaurant, Fast Food.** An establishment whose principal business is the sale of food and/or beverages in a "ready to consume" state: (1) within the restaurant building; (2) within a motor vehicle parked on the premises; or (3) off the premises as carry out orders and whose principal method of operation includes the following characteristics: food and/or beverages are usually served in edible containers or in paper, plastic or other disposable containers.
38. **Restaurant, Fast Food with Drive Through Facilities.** Drive-in or drive-through means an accessory use to a building or facility that by design facilitates, encourages or allows customers to receive services or obtain goods while remaining in their motor vehicle, excluding reserved parking spaces for take-out goods where there is no menu board or communication facility.
39. **Setback.** The distance between the building line and the adjacent street right-of-way line or Lot Boundary.
40. **Structure.** Anything constructed or erected, which requires permanent location on the ground or is attached to something having a permanent location on the ground, but not including fences or walls less than six (6) feet, poles, lines, cables, or other transmission or distribution facilities or public utilities.
41. **Town Council.** The Town Council for the Town of Parker.
42. **Traditional Neighborhood Design (TND).** Traditional Neighborhood Design standards are intended to provide flexibility allowing land use patterns representative of those that were planned earlier in the 20th century. Traditional neighborhoods generally have a broad mix of uses including Single Family and Multi-Family land use patterns that help to create more pedestrian friendly streetscapes, in neighborhoods where homes and other uses orient toward the street.
43. **Transit Oriented Design (TOD).** Transit Oriented Design neighborhoods contain a broad mix of uses including Single Family and Multi-Family residential combined with commercial and retail opportunities in land use patterns that help to create a pedestrian friendly environment, with convenient access to public transit.

III. LAND USE REGULATIONS

A. General

At the time of the Town Council's initial approval of this Development Plan and Guide, Planning Areas designated as SFe, SFf and SFg were within an area that was regulated by an

Intergovernmental Agreement (IGA) between the Town of Parker and the City of Lone Tree. The number of dwelling units prescribed by the IGA was limited to 100 units for these Planning Areas. On September 5, 2015, the IGA expired. The day after, September 8, 2015, the cumulative number of dwelling units allowed for Planning Areas 27, 28, 29, 30, 31, 32 and 33 were increased to a number greater than 100. This increase will not require a Major Amendment to the Development Plan and will be counted as part of the overall 3,379 dwelling units allowed by the Plan.

B. Residential (SFd)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single Family Dwelling Units, Duplex, Triplex, and Fourplex Dwelling Units, Townhome Dwelling Units, Condominium Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- e. Condominiums
- f. Age targeted housing (Not depicted on plan for this PD Submittal – Will be included in Site Plan/Subdivision Submittals)
- g. Age restricted senior housing. (Not depicted on plan for this PD Submittal – Will be included In Site Plan/Subdivision Submittals)
- h. Group Homes/Nursing Homes
- i. Clustered Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- j. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- k. Attached or detached private garages (3 cars maximum).
- l. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antenna, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of household pets according to the regulations and standards within the Parker Municipal Code.
- m. Public Open Space.
- n. Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking, and biking trails.
- o. Public parks, playgrounds, and other recreational areas.
- p. Places of religious assembly, religious schools.
- q. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

- r. Public and private schools and related administrative facilities for elementary and secondary education.

3. Uses Permitted by Special Review

- a. Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- b. Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums.
- c. Child Care Centers.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170

Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to four and five-tenths (4.5) Dwelling Units per acre for each SFd Planning Area. These Average Densities are set forth on the PD Development Plan and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Areas will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each SFd residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback.** The minimum Building Setbacks in SFd residential Planning Area will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street

Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes and Condominiums)

Building Front	4 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building) 10 feet (Garage perpendicular) 6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

- d. **Building Separation.** The minimum building separation shall be the greater of:
 - (i) Seven and ½ (7.5) feet for Single Family Detached Residential Buildings, fifteen (15) feet for Buildings containing Single Family Attached Dwelling Units and twenty (20) feet for other Principal Buildings located within SFd Land Use Planning Areas, or
 - (ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within SFd Planning Areas shall exceed thirty-five (35) feet in height.
- f. **Minimum Lot Sizes.** The minimum lot sizes in SFd residential Planning Areas shall be thirty-five hundred (3500) square feet.

C. Residential (SFd)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single Family Dwelling Units, Duplex Dwelling Units, Triplex and Fourplex Dwelling Units, Townhome Dwelling Units, Condominium Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- e. Condominiums

- f. Age targeted housing (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- g. Age restricted senior housing (Not depicted on plan for this PD Submittal - Will be included In Site Plan/Subdivision Submittals)
- h. Clustered Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- i. Group Homes/Nursing Homes
- j. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- k. Attached or detached private garages (3 cars maximum).
- l. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antenna, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of household pets according to the regulations and standards within the Parker Municipal Code.
- m. Public Open Space.
- n. Public and private schools and related administrative facilities for elementary and secondary education.
- o. Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking, and biking trails.
- p. Public parks, playgrounds, and other recreational areas.
- q. Places of religious assembly, religious schools.
- r. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

3. Uses Permitted by Special Review

- a. Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- b. Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums.
- c. Child Care Centers.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170
Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to six (6.0) Dwelling Units per acre for each SFe Planning Area, as set forth in the PO Development Plan, and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each SFe residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback:** The minimum Building Setbacks in SFe residential Planning Area will vary depending upon the product type in any given portion of the

Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	10 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes and Condominiums)

Building Front	4 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building)
	10 feet (Garage perpendicular)
	6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

- d. **Building Separation.**
The minimum building separation shall be the greater of:
 - i) Seven and ½ (7.5) feet for Single Family Detached Dwelling Units, ten (10) feet for Buildings containing Duplex Units, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each SFe Lands Use Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within SFe Planning Areas shall exceed thirty-five (35) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes In SFe residential shall be two thousand (2,000) square feet for a duplex lot and thirty-five hundred (3,500) square feet for a Single-Family detached lot.

D. Residential (SFf)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single Family Dwelling Units, Duplex Dwelling Units, Triplex and Fourplex Dwelling Units, Townhome Dwelling Units, Condominium Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units.
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live Work Dwelling Units.
- e. Age targeted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- f. Age restricted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- g. Group Homes/Nursing Homes
- h. Clustered Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- i. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- j. Attached or detached private garages (3 cars maximum).
- k. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- l. Public Open Space.
- m. Public and private schools and related administrative facilities for elementary and secondary education.

- n. Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking, and biking trails.
- o. Public parks, playgrounds, and other recreational areas.
- p. Places of religious assembly, religious schools.
- q. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

3. Uses Permitted by Special Review

- a. Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- b. Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums.
- c. Child Care Centers.

4. Accessory uses and building • Refer to Town of Parker Land Use Ordinance 13.04.170

Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to three point two (3.2) Dwelling Units per acre for each Sff Planning Area, as set forth in the PD Development Plan, and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each Sff residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback.** The minimum Building Setbacks in Sff residential Planning Areas will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building)
	12 feet (Garage perpendicular)
	8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes and Condominiums)

Building Front	4 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building) 10 feet (Garage perpendicular) 6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

- d. **Building Separation.** The minimum building separation shall be the greater of:
- i) seven and ½ (7.5) feet for Single Family Detached Dwelling Units, ten (10) feet for Buildings containing Duplex Units, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each SFF Lands Use Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within SFF Planning Areas shall exceed thirty-five (35) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes in SFF residential Planning Areas shall be thirty-five hundred (3500) square feet.

E. Residential (SFg)**1. Intent**

Provide for residential Development allowing for Estate Single Family Detached Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Attached or detached private garages.
- c. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage

sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Town of Parker Zoning Ordinance.

- d. Public parks, playgrounds, and other recreational areas.
- e. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

3. Uses Permitted by Special Review

- a. Neighborhood public service, health and education facilities, community centers, libraries, and museums.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170

- a. Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to one unit per one- and one-half acres (0.67 Dwelling Units per acre) for each SFg Planning Area. These Average Densities are set forth on the PD Development Plan and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each SFg residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback:** The minimum Building Setbacks in SFg residential Planning Areas shall be:
 - Building front 20 feet
 - Building side 15 feet
 - Building rear 20 feet
- d. **Building Separation.** The minimum building separation shall be the greater of:
 - i) twenty (20) feet for Single Family Detached Residential Buildings located within SFg Lands Use Planning Areas, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within SFg Planning Areas shall exceed thirty-five (35) feet in height except by Special Review
- f. **Minimum Lot Sizes.** The minimum lot sizes in SFg residential Planning Areas shall be 0.67 acre.
- g. **Specific to PA-41 & 47,** if these areas are developed for a clustered Age Targeted Development, the minimum lot size may be reduced to 80 feet in width and 120 feet in depth. The number of units allowed in each planning area may not increase beyond the 31 units allowed in PA-41, and the 18 units allowed in PA-47; the gross density may increase to a maximum of 1.5 du/ac. The site design for these areas must include homes backing to open space.

F. Residential (THd)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-Detached,

Clustered Single-Family Dwelling Units, Multi-family/Condominium Units, Duplex Dwelling Units, Townhome Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. Single Family Detached Dwelling Units.
- b. Zero Lot Line Dwelling Units.
- c. Duplex, Triplex, and Fourplex Dwelling Units.
- d. Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- e. Clustered Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- f. Age targeted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- g. Group Homes
- h. Age restricted dwellings. (Not depicted on plan for this PD Submittal - Will be included in Site Plan/Subdivision Submittals)
- i. Independent and/or Assisted Living.
- j. A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- k. Attached or detached private garages (3 cars maximum).
- l. Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- m. Public Open Space.
- n. Public and private schools and related administrative facilities for elementary and secondary education.
- o. Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, pickle ball courts, swimming pools and jogging, riding, hiking, and biking trails.
- p. Public parks, playgrounds, and other recreational areas.
- q. Places of religious assembly, religious schools.
- r. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.

3. Uses Permitted by Special Review

- a. Common recreation vehicle storage area.
- b. Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- c. Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums.
- d. Child Care Centers.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170
Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to ten (10) Dwelling Units per acre for each THd Planning Area. These average densities are set forth on the PD Development Plan and reflect the number of units over the entire acreage for the Planning Area. Densities within portions of the Planning Area will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each THd residential Planning Area shall not exceed 120% of the units shown on the PD Development Plan for each individual Planning Area.
- c. **Building Setback:** The minimum Building Setbacks in THd residential Planning Areas will vary depending upon the product type in any given portion of the Planning Areas. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes)

Building Front	4 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building) 10 feet (Garage perpendicular) 6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley

- d. **Building Separation.** The minimum building separation shall be the greater of:
 - i) Seven and ½ (7.5) feet for Single Family Detached Residential Buildings, ten (10) feet for Buildings containing Duplex Units, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each THd Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within THd Planning Areas shall exceed forty (40) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes In THd residential Planning Areas shall be one thousand two hundred fifty (1250) square feet with a width not less than twenty (20) feet.

G. Residential (THe)

1. Intent

Provide for residential Development allowing for a variety of Single Family Detached Dwelling Units, Zero Lot Line Dwelling Units, Single Family Attached, Semi-detached, Clustered Single-Family Dwelling Units, Duplex Dwelling Units, Townhome Dwelling Units and Accessory Uses.

2. Uses Permitted by Right

- a. All uses permitted by right within Residential (THd) Land Use Category. standards contained within the Residential (THd) Land Use Section shall apply, as required.
- b. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as determined by the Planning Director.

3. Uses Permitted by Special Review

All Uses permitted by Special Review within the Residential (THd) Land Use Category.

4. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170

Shall also include utility facilities and well sites.

5. Development Standards

- a. **Average Density.** The Average Density shall be up to fourteen (14) Dwelling Units per acre for each THe Planning Area. These average densities are set forth on the PD Master Plan and reflect the number of units over the entire acreage for the parcel. Densities within portions of the parcel will vary depending on product type.
- b. **Maximum Number of Dwelling Units.** The maximum number of Dwelling Units permitted within each THe residential Planning Area shall not exceed the 1.2

times the maximum number set forth on the PD Master Plan for each individual Planning Area.

- c. **Building Setback.** The minimum Building Setbacks in The residential Planning Areas will vary depending upon the product type in any given portion of the Planning Area. The following setbacks will be associated with the different product types defined as a Use Permitted by Right.

Single Family Detached Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Zero Lot Line Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Duplex Dwelling Unit

Building Front	10 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	10 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Townhome Dwelling Unit (Including Live/Work Townhomes)

Building Front	4 feet (Principal Building) 12 feet (Garage perpendicular) 8 feet (Garage parallel)
Building Sides	4 feet from corner street
Building Sides	0 feet from other property lines & lots with common walls
Building Rear	4 feet from alley
Building Rear	0 feet from other property lines

Patio Dwelling Unit

Building Front	8 feet (Principal Building) 10 feet (Garage perpendicular) 6 feet (Garage parallel)
Building Sides	8 feet from corner street
Building Sides	0 feet from other property lines
Building Rear	4 feet from alley

- d. **Building Separation.** The minimum building separation shall be the greater of:
 - i) Seven and ½ (7.5) feet for Single Family Detached Residential Buildings, ten (10) feet for Buildings containing Duplex Units, Single Family Attached Dwelling Units, and twenty (20) feet for other Principal Buildings located within each THd Planning Area, or
 - ii) shall be governed by the applicable building code.
- e. **Building Height.** No residential Buildings within THd Planning Areas shall exceed forty (40) feet in height except by special review.
- f. **Minimum Lot Sizes.** The minimum lot sizes in THd residential Planning Areas shall be one thousand two hundred fifty (1250) feet with a width not less than twenty (20) feet.

H. Mixed Use (MU)

1. Intent

To provide for the integration, horizontally and vertically, of a broad range of retail goods and services, business and professional services with Duplex, Triplex, Fourplex, Townhome, Condominiums and/or Multi-family residential development.

There are six areas of the PD Plan that are designated as MU are located at the intersection of Chambers Road and Stroh Road: and at the intersection of Bayou Gulch Road and North Pinery Parkway. These MU Planning areas are anticipated to develop as commercial/retail centers with commercial and residential uses. Some of these commercial/retail centers will have a live work residential component built within these areas.

Should market conditions change, the developer may desire to build a residential project in lieu of these commercial/retail areas. By allowing both commercial and residential uses in the MU Planning areas, this affords the Property Owner the opportunity to build what is appropriate for these areas based on market demand.

2. Specific Requirements for MU Mixed-Use Planning Areas 35, 36, 43 and 44.

The 28 residential units contained within Planning Area 43 and 44 residential units within Planning Area 35 are hereby transferred as follows:

Planning Area	Additional Residential Units	Total Residential Units Allowed
34	1	199
36	8	44
39	5	189
41	12	31
44	6	44

3. Specific Requirements for MU Mixed-Use Planning Areas 3, 4, 12 and 14

- A. Market conditions may not immediately warrant the development of commercial/ retail centers, so in order to assure that a portion of the MU Mixed- Use Planning Areas is ultimately developed pursuant to the zoning set forth in this Development Guide, Sections III(H)4.a., Retail and/ or III(H)4.b., Commercial Convenience Grocery (collectively, the Commercial Zoning"), a

minimum of one third (1/3) of the developable land area included in the MU Mixed- Use Planning Areas 3, 4, 12 and 14 shall be developed exclusively for commercial uses pursuant to the Commercial Zoning (the " Commercial Area"). The required Commercial Area must be located in at least two (2) of the MU Mixed- Use Planning Areas. Notwithstanding the requirement of the Commercial Area, the total number of residential units for the MU Mixed- Use Planning Areas as described in the Hess Ranch Development Chart contained in the Development Plan shall be preserved, and Property Owner shall have the option to transfer unused residential yield, if any, from the Commercial Area to other MU Mixed- Use Planning Areas. After any such transfer, if any residential yield remains, the Property Owner shall have the option to transfer the remaining unused residential yield to residential Planning Areas (not to include Planning Areas 6, 7, 8, 9, 21 or 25) but no such transfer may increase the residential yield in any such residential Planning Area by more than 20% as provided in Section 1, Part C of the Development Guide. A note will be added to the Development Plan to describe the commitment to provide the Commercial Area, which shall state as follows:

"The future development of Planning Areas 3, 4, 12 and 14 shall incorporate commercial use and development as enumerated by the Hess Ranch Development Guide on a minimum of one- third (1/3) of the developable area within these Planning Areas as provided by Town of Parker Resolution No. 19-028, Series of 2019."

- B. The Commercial Area shall be determined in conjunction with the application for and approval of the Segment 2, as described in Town of Parker Resolution No. 19- 028, Series of 2019 (the "Resolution") (or Segment 2A as described in the Resolution, as applicable) Development Sketch and Preliminary Plan, which Development Sketch and Preliminary Plan shall include the MU Mixed Use Planning Areas. The determination to transfer residential yield shall be made concurrently with the approval of said Development Sketch and Preliminary Plan for Segment 2 (or Segment 2A, as applicable).
- C. The requirement to provide a Commercial Area shall be deemed to have been satisfied upon Town Council approval of the application for the Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan which designates the Commercial Area within the MU Mixed Use Planning Areas. The Property Owner shall have no obligation to agree to a Commercial Area any greater area than one- third (1/ 3) of the developable area, and the Town shall have no right to require that greater than one-third (1/3) of the developable area be Commercial Area.
- D. Mixed- Use Development: The Parker 2035 Master Plan recommends mixed-use development within Planning Areas 3, 4, 12 and 14 and vertical mixed- use development is encouraged within the area to be reserved, zoned and used for future commercial development. A density bonus of ten percent (10%), not to exceed a total of 36 dwelling units, shall be available to support vertical mixed-use development(s) consisting of ground floor commercial use with multifamily residential use on the upper floors within Planning Areas 3, 4, 12 and 14, subject to the approval of the Planning Director.

- E. Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan Scope of Work for the Commercial Area shall be prepared and completed as follows:
- F. The purpose of this section is to provide the methodology for evaluating and determining the required Commercial Area constituting a minimum one- third (1/3) of the developable land within the MU Mixed- Use Planning Areas 3, 4, 12 and 14. The Commercial Area shall be determined in conjunction with the application for and approval of the Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan, which Development Sketch and Preliminary Plan shall include the MU Mixed- Use Planning Areas. This shall be achieved by the Property Owner's preparation of a concept plan in consultation with the Town illustrating the location and extent of the required Commercial Area for MU Mixed-Use Planning Areas 3, 4, 12 and 14 (the "Concept Plan"). The Concept Plan shall identify the required Commercial Area and provide an evaluation of the development envelope, roadway access, limits of environmentally sensitive areas, drainage/stormwater, and grading. It shall form the basis of the required Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan with respect to the MU Mixed- Use Planning Areas 3, 4, 12 and 14 and shall address the following tasks:
- a. Task 1: Prepare and submit a base map consistent with Section 13.07.060(g)(9) of the Code. The map shall be at a scale of 1" = 100' illustrating the planning area limits for Planning Areas 3, 4, 12 and 14, existing topography, existing utility easements, natural features including steep slopes and 100- year floodplain, as well as adjacent planning areas.
 - b. Task 2: Prepare and submit a development envelope map consistent with Section 13.07.060(f)(10) of the Code illustrating the future upland developable area(s) for Planning Areas 3, 4, 12 and 14 located outside of areas unsuitable for development, such as 100- year floodplain, steep slopes and utility corridors/ easements.
 - c. Task 3: Prepare and submit an access map addressing the Town's Roadway Design and Construction Criteria Manual for Planning Areas 3, 4, 12 and 14 showing limits of access upon all roadway frontages and feasible public access points for the MU Mixed-Use Planning Areas.
 - d. Task 4: Prepare and submit a conceptual drainage/stormwater map consistent with Town's Storm Drainage and Environmental Criteria Manual that illustrates the location and limits of future regional drainage facilities traversing and adjacent to Planning Areas 3, 4, 12 and 14. Identify the projected location and extent of future site-generated drainage necessary to accommodate future development based upon known site characteristics, such as grading, topography and soil conditions for the MU Mixed- Use Planning Areas.

- e. Task 5: Prepare and submit a conceptual overlot grading map consistent with Town's Storm Drainage and Environmental Criteria Manual and Section 13.07.060(g)(11) of the Code that illustrates the future grading of Planning Areas 3, 4, 12 and 14 necessary to support development, including contours, slopes and direction of stormwater flow.
- f. Task 6: The Concept Plan will incorporate the results of Tasks 1 through 5 illustrating the existing conditions affecting future development, projected development envelope, roadway access points, drainage/ stormwater limits and overlot grading for Planning Areas 3, 4, 12 and 14. The Concept Plan shall serve as the basis for evaluation of the appropriate location and extent of the required Commercial Area upon a minimum one- third (1/3) of the developable land within the MU Mixed-Use Planning Areas.
- g. Task 7: Divide Planning Areas 3, 4, 12 and 14 into two subareas each: one for the required commercial use upon a minimum one- third (1/ 3) of the developable land and the other for the remainder which shall retain the existing mixed- use zone designation. In the alternative, the applicant may elect to satisfy the requirement to zone a minimum of one-third (1/3) of total developable land of Planning Areas 3, 4, 12 and 14 by allocating the commercial zoning across no less than two (2) MU Mixed-Use Planning Areas; each of which shall be divided as described herein.
- h. Task 8: Prepare and submit a table of permitted commercial uses consistent with the existing MU Mixed-Use Planning Areas contained in this Development Plan and Guide and identify any requested revisions by addition, deletion, or modification for Town approval.
- i. Task 9: Upon review and direction by Town staff, utilize the Concept Plan to prepare and submit a complete application for the Segment 2 (or Segment 2A, as applicable) Sketch and Preliminary Plan that addresses the required Commercial Area, as described herein.
- G. Compliance with the Requirement: The requirement to provide for future commercial use upon a minimum of one- third (1/ 3) of the developable area of the MU Mixed Use Planning Areas 3, 4, 12 and 14 shall be deemed to have been satisfied upon successful completion of the Concept Plan Scope of Work described herein and Town Council approval of the Segment 2 (or Segment 2A, as applicable) Development Sketch and Preliminary Plan consistent with the Tasks described above; provided, however, that Property Owner may, at its option, provide the Concept Plan consistent with Task 6 above with the submittal of the Development Sketch and Preliminary Plan for the MU Mixed- Use Planning Areas 3, 4, 12 and 14.

4. Uses Permitted by Right – Mixed Use Planning Areas 12, 14, 35, 36, 43 and 44

- a. Retail
 - (1) Grocery store

- (2) Convenience retail shopping facilities, including but not limited to:
 - a. drug stores
 - b. liquor stores
 - c. convenience grocery
- (3) Specialty retail including but not limited to:
 - a. art gallery
 - b. antiques
 - c. artisan shops
 - d. gift shop
 - e. pet shops
 - f. florists
 - g. bookstore
 - h. stationery stores
 - i. retail food specialty shops which sell food products not intended to be consumed on the premises
 - j. butcher shops
 - k. candy stores
 - l. bakeries
 - m. doughnut shops
 - n. dairy product shops
 - o. toy and game stores
 - p. battery and accessory stores
 - q. bicycle stores
 - r. music stores
 - s. sporting goods store
- (4) Hardware and building material stores
- (5) General retail merchandise and apparel shops, including but not limited to:
 - a. junior department stores
 - b. craft and hobby stores
 - c. discount department stores
 - d. clothing stores
 - e. shoe stores
 - f. furniture stores
 - g. household appliance stores
 - h. floor covering, drapery and upholstery stores
 - i. electronics stores
 - j. cosmetic store
- b. Development Sales and Marketing Center
- c. Eating and Drinking Establishments
 - (1) restaurants
 - (2) fast food, drive-through or carryout restaurants
 - (3) ice cream parlors

- (4) coffee shops
- (5) delicatessens
- (6) lounge, bar, or microbrewery

d. Personal Services

- (1) Convenience service establishments, including but not limited to:
 - a. barber shops and beauty salons
 - b. dry cleaners and laundries
 - c. photo studio
 - d. shoe repair shops
 - e. watch or jewelry repair
 - f. travel agency
- (2) day care centers
- (3) health clubs

e. Entertainment-Indoors

- (1) indoor movie theaters
- (2) performance arts
- (3) bowling alleys
- (4) skating rinks (both ice and roller)
- (5) pool halls
- (6) arcade amusement centers

f. General Office and Professional Services

- (1) business and professional offices
- (2) medical and dental offices and clinics
- (3) banks and other financial service establishments, with or without drive-through facilities

g. Commercial Convenience Grocery

- (1) Convenience retail shopping facilities, including but not limited to: drug stores, liquor stores, florists, book and stationery stores, hardware stores, auto supply stores, record and tape stores, and retail food specialty shops which sell food products not intended to be consumed on the premises, such as (but not limited to) butcher shops, candy stores, bakeries, doughnut shops, dairy product shops, ice cream parlors, coffee shops and delicatessens.
- (2) Convenience service establishments, including but not limited to barber and beauty shops, cleaners, shoe repair shops, laundries, watch or jewelry repair, and travel service.
- (3) Low intensity specialty goods and service establishments, including but not limited to: art gallery, antiques, artisan shops, photo studio, gift shop, plant store or nursery, pet shops, furniture store, home furnishings, newspaper office, apparel, and appliances.
- (4) Conventional restaurants.
- (5) Fast food, drive-in or carryout restaurants.

- (6) Electronic funds transfer facilities.
- (7) Photo service facilities.
- (8) Medical and dental offices and clinics.
- (9) Business and professional offices.
- (10) Private recreational and park uses, country clubs, recreational facilities, including but not limited to open space, tennis courts, swimming pools and jogging, riding, hiking, and biking trails.
- (11) Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums, except for PA, 12, 14, 35, 36, 43 and 44 which are retail uses only.
- (12) Nursery schools and day/childcare centers.
- (13) Retail food and food service establishments, including but not limited to groceries and supermarkets, and cafeterias.
- (14) General retail merchandise and apparel shops, including but not limited to: junior department stores; variety stores; discount department stores; clothing stores; accessory and specialty stores; shoe stores; furriers and fur stores; furniture stores; home furnishing stores; household appliance stores; floor covering, drapery and upholstery stores; and radio, television, stereo and video stores.
- (15) Personal service establishments.
- (16) General retail business establishments, including but not limited to card and gift stores; tobacco shops; cosmetic store; toy and game stores; automotive tire, battery and accessory stores, garden, plant, and floral shops; and bicycle stores.
- (17) Car care centers, gasoline service/stations, tire sales and service, car wash.
- (18) Commercial entertainment businesses, including but not limited to indoor movie theaters, performance arts, bowling alleys, skating rinks (both ice and roller), pool halls, and arcade amusement centers.
- (19) Banks, savings and loan and other financial service establishments.
- (20) Public utility administrative and business offices.
- (21) Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.
- (22) Motels, Hotels, including detached guest units, restaurants, gift shops and other incidental accessory uses located within the principal building.
- (23) Transit facilities.
- (24) Universities, Colleges, or higher educational type uses.
- (25) Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as determined by the Planning Director.
- (26) Sales Center - conversion to a recreation facility adjacent to open space.

h. Agricultural. Until such time that PA 44 develops commercially, or until such time that Planning Areas 3,4,12 and 14 develop, permitted uses include:

- (1) Farming, including plowing, tillage, cropping, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber operations) produced on the premises.
- (2) Ranching, including grazing of livestock (except commercial feed yards, poultry, pig farms, fur farms or kennels).
- (3) Open space.
- (4) Selling agricultural products not requiring a state tax license.

i. Residential

- (1) Duplex, Triplex, and Fourplex Dwelling Units.
- (2) Townhome Dwelling Units including Single Family Attached, Semi-detached Dwelling Units and Live/Work Dwelling Units.
- (3) Condominiums
- (4) Independent and/or Assisted Living.
- (5) Group Homes
- (6) Clustered Single-Family Dwelling Units, including but not limited to Zero Lot Line Dwelling Units, Patio Dwelling Units, Two, Three, and Four Family Dwelling Units and Atrium Dwelling Units.
- (7) A temporary sales and marketing center function developed to showcase a variety of builders and housing types within a limited area.
- (8) Attached or detached private garages (3 cars maximum).
- (9) Commonly associated Accessory Uses, incidental to the Principal Use or Building, including but not limited to: carriage house units not for sale, storage sheds, private greenhouses, home occupations, radio or TV antennas, TV satellite dishes, private tennis courts, private swimming pools, and private facilities for the keeping of common household pets according to the regulations and standards contained within the Parker Municipal Code.
- (10) Public Open Space.
- (11) Public and private schools and related administrative facilities for elementary and secondary education.
- (12) Private recreational and park uses, country clubs, recreational facilities, including but not limited to tennis courts, swimming pools and jogging, riding, hiking, and biking trails.
- (13) Public parks, playgrounds, and other recreational areas.
- (14) Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein, as permitted by Section 13.04.220 of the Parker Municipal Code.
- (15) All those uses permitted within the Parks, Open Space Land Use categories.

5. Uses Permitted by Special Review (except Uses by Special Review shall be prohibited in PA-44)

- a. Common recreation vehicle storage area.
- b. Buildings, garages, and utility stations related to emergency services, such as ambulance, fire, police, and rescue.

- c. Neighborhood public service, health, and education facilities, such as community centers, libraries, and museums.
- d. Child Care Centers.
- e. Small animal veterinary clinics with no outside facilities.

6. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170

Shall also include utility facilities and well sites.

7. Development Standards

- a. **Floor/Area Ratio.**
The maximum floor-area ratio for each development tract: Within the Mixed-Use Planning Areas shall be six tenths (.60) to one (1).
- b. **Maximum Number of Dwelling Units.** The maximum density allowed for all Planning Areas designated as Mixed Use is 22 dwelling units per acre. Density adjustments and variations as described in Section I, Part C. cannot be used to increase the maximum allowed density within a Mixed-Use District, unless the request is processed as a Major Amendment to the Development Plan and Guide.
- c. **Building Setback: Non-Residential.** The minimum building setback from any public street right-of-way shall be:
 - Building front 0 feet
 - Building side 0 feet
 - Building rear 0 feet
- d. **Building Setback: Residential.** For residential components within Mixed Use (MU) zoning, the building setback standards outlined in the Townhome/Patio Home (THE) Land Use Category shall apply. For Multi-family Dwelling Units, the setbacks shall be:
 - Building front 0 feet
 - Building side 0 feet
 - Building rear 4 feet from alley
 - Building rear 0 feet
- e. **Building Separation.** The minimum building or structure separation shall be the greater of:
 - i) ten (10) feet or
 - ii) shall be governed by the applicable building code.
- f. **Building Height.**
 - i) Buildings or structures in Mixed Use Planning Areas are permitted up to 45 feet in height without special review and up to 50 feet in height with Special Review.
 - ii) However, in Planning Areas 9, 12, 14, 35, 36, 43, and 44, buildings or structures are permitted up to 50 feet in height without Special Review and up to 60 feet in height with Special Review.

- g. **Minimum Lot Size:** The minimum lot size for Townhome Dwelling Units in the MU Mixed Use Planning Areas shall be one-thousand two hundred fifty (1,250) square feet with a width not less than twenty (20) feet.

I. Commercial Use Areas

1. Intent

To provide for a broad range of retail goods and services, business, and professional services

There are two areas of the PD Plan that are designated as Commercial. One is located at the southeast corner of Chambers Road and Stroh Road and one is located at the southwest corner of Chambers Road and Stroh Road. These Commercial Planning areas are anticipated to develop as commercial; retail, offices, and service uses.

2. Uses Permitted by Right in the Commercial Planning Areas 3 and 4

Planning Director Determination for and Unlisted Use: If an unlisted use is proposed, the Planning Director shall determine the appropriate designation of a specific use type by considering potential impacts of the use including the nature and compatibility of the use and whether it includes dwellings, sales, processing, or storage and typical operations, employment characteristics, nuisances, and requirements for public services and utilities.

a. Public, Institutional, and Civic Uses

- (1) Community and Cultural
 - a. Community Facilities including Outdoor Recreational Facilities
 - b. Commercial Day Care Facility
 - c. Public Safety Facility
 - d. Parks and Open Space
- (2) Educational Facilities
- (3) Healthcare Facilities
 - Medical and Dental Clinics

b. Commercial Uses

- (1) Veterinary Clinic and Hospital
- (2) Retail and Service Commercial

c. Recreation and Entertainment

- (1) Indoor and Outdoor Recreational Facilities
- (2) Indoor and Outdoor Entertainment Facilities

d. Food and Beverage Services

- (1) Bar and Lounge
- (2) Microbrewery, Cidery, Distillery or Winery
- (3) Restaurant with or without:
 - a. Drive through facilities
 - b. Liquor Sales
 - c. Indoor and Outdoor Seating

- e. **Office, Business and Professional Services**
 - (1) Administrative, Professional and Government Offices
 - (2) Automated Teller Machines (Stand Alone or associated with a Financial Institution)
 - (3) Financial Institution with or without Drive through Facilities
 - (4) Research and Development
 - (5) Development Sales and Marketing Center
- f. **Personal Services**
 - (1) Self Service Laundry
 - (2) Personal Instruction or Studio
 - (3) Person Service, General
 - (4) Health Clubs
- g. **Retail Sales**
 - (1) Building Materials and Supplies including outdoor greenhouse sales (Outdoor display is limited to 25% of the gross floor area of the principal building)
 - (2) General Retail (any size and product)
 - (3) Outdoor Sales and display as an accessory use
 - (4) Convenience Retail Shopping Facility
 - (5) Temporary/Seasonal Outdoor Markets
- h. **Lodging Facilities**
 - (1) Bed and Breakfast
 - (2) Hotel/Motel
- i. **Transportation, Vehicles and Equipment**
 - (1) Automotive Fuel Service and Sales with or without:
 - i. Car wash
 - ii. Convenience Retail
 - iii. Parts and tire sales
 - (2) Automotive repair (minor)
 - (3) Standalone car wash
- 3. **Uses Permitted by Special Review**
 - (1) Outdoor Recreational Facilities
 - (2) Outdoor Entertainment Facilities
- 4. **Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170**
Shall also include utility facilities and well sites.
- 5. **Development Standards**
 - a. **Floor/Area Ratio.** The maximum floor-area ratio for each development tract within the Commercial: None
 - b. **Building Setback: Non-Residential.** The minimum building setback from any public street right-of-way shall be:
 - Building front 10 feet

Building side 0 feet
Building rear 10 feet

- c. **Building Separation.** The minimum building or structure separation shall be the greater of:
 - i) ten (10) feet or
 - ii) shall be governed by the applicable building code.
- d. **Building Height:** Buildings or structures in the Commercial Planning Areas 3 and 4 are permitted up to 60 feet in height.
- e. **Minimum Lot Size:** None.

I. Fire Station

Intent

PA-45 is intended to be a future Fire Station location. If this site is not selected/constructed as a Fire Station, this Planning Area (PA-45) can only be used for the commercial uses allowed within the Mixed Use (MU) designation, excluding residential uses, and excluding uses allowed by special review. The Mixed Use (MU) Development Standards shall apply if not developed as a Fire Station, as provided herein.

J. Parks

1. Intent

To provide for park uses which compliment residential neighborhoods. Parks to include pocket parks, neighborhood parks and regional parks.

2. Park Designations

- a. Pocket
- b. Neighborhood
- c. Community
- d. Regional

3. Development Criteria for parks

- a. Pocket Park
 - (1) Refer to the Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space, and schools, specifically Section 13.07.140(c)(9) Design criteria for parks, trails, and open space.
 - (2) Size: $\frac{1}{4}$ to $\frac{1}{2}$ acre
 - (3) Location/Orientation: Centrally located within the residential development and/or easily accessible by residents without the use of vehicles. A 5-10-minute walking distance
 - (4) Frontage: Required on one, preferred two or more local streets.
 - (5) Minimum development features and/or amenities: Turf and landscape plantings to provide shade over at least 15% of the area, benches in shade and sun, bike racks and trash receptacles. Optional features: a small shade structure, small playground and/or small-scale tot-lot, picnic tables, minimal signage, security lighting.

b. Neighborhood Park

- (1) Refer to Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space, and schools
- (2) Size: Determined by Town Council, refer to the Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space, and schools, specifically Section 13.07.140(c)(2)(c). A minimum of 3 acres in size.
- (3) Location/Orientation: Within an immediate neighborhood with a $\frac{1}{4}$ to $\frac{1}{2}$ mile service radius. Neighborhood parks shall serve as an extension of the neighborhood around them. They shall be a social and recreation focal point. Interconnected to trails/sidewalks low-volume streets within walking/biking distance of most users.
- (4) Frontage: High visibility to surrounding local streets. On street parking
- (5) Minimum development features and/or amenities: 50%/50% split between active and passive recreational uses. Active recreational features may include: a children's playground, unobstructed open play areas for practice or pick-up games and low impact recreation options such as bocce ball and/or horseshoes. Other amenities should include picnic shelters, internal trails, benches, trash receptacles, bike racks, public art, signage, and security lighting.

c. Community Park

- (1) Refer to Town of Parker Land Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space, and schools
- (2) Size: Determined by Town Council, refer the Town of Parker Development Ordinance, Section 13.07.140 Dedication for parks, trails, open space, and schools, specifically Section 13.07.140 (c)(2)(c). A minimum of 10 acres in size.
- (3) Location/Orientation: Within an immediate neighborhood with a 2.5 - mile service area. Located adjacent to open space, a community facility such as an activity center or a middle or elementary school to maximize resources and to benefit from joint use of such facilities as fields, multi-use courts or skate parks.
- (4) Frontage: Located on arterial or collector streets and accessible by public transportation, personal vehicle, walking or by bicycle. Geographically centered within the overall development.
- (5) Development features and/or amenities: Lighted sports fields, drinking fountains, public art, benches with shade, picnic tables with shade, trash receptacles, permanent rest room facility, security lighting, signage, large play structures, game courts, disc golf, climbing wall, skate park and/or other similar popular activities, jogging trails, informal ball fields for youth play, low impact recreation options such as bocce ball and/or horseshoes, parking lots, an area for outdoor farmer's markets and/or outdoor concerts.

d. Regional Park

- (1) Size: A minimum of 100 acres in size.
- (2) Location/Orientation: Located to service the community within a distance of a 6 mile radius, adjacent to open space, a community facility

such as an activity center or a middle or elementary school to maximize resources and to benefit from joint use of such facilities as fields, multi-use courts or skate parks.

- (3) Frontage: Located on arterial or collector streets and accessible by public transportation, personal vehicle, walking or by bicycle. Geographically centered within the overall development.
- (4) Development features and/or amenities: A community activity center that includes sports fields and courts, multiuse fields that are both lighted and unlighted, tennis courts, basketball court, rest room building, concession building, play structures for the 2-5 yrs. of age and separate play structures for 5-12 yrs. of age, walkways and trails, parking lots, drinking fountains, public art, benches with shade, picnic tables with shade, trash receptacles, security lighting, signage, jogging trails, low impact recreation options such as bocce ball and/or horseshoes.

4. Uses Permitted by right

- a. Passive recreation uses and open space.
- b. Active recreation uses, including but not limited to the following facilities: baseball diamonds, softball diamonds, soccer fields, tennis courts, volleyball courts, basketball courts, swimming pools, play apparatus, picnic areas, recreation center, and jogging, hiking and/or bicycling trails.
- c. Free standing light fixtures 14' and under.

5. Accessory uses and building - Refer to Town of Parker Land Use Ordinance 13.04.170
Shall also include utility facilities and well sites.

6. Development Standards

- a. **Building Setback- Street.** The minimum building setback from any public street right-of-way line shall be:
Building front 25 feet
Building side 20 feet
Building rear 25 feet
- b. **Building Separation.** The minimum building or structure separation shall be the greater of:
 - i) twenty (20) feet, or
 - ii) shall be governed by the applicable building code.
- c. **Building Height.** No buildings or structures shall exceed thirty-five (35) feet in height, except by Special Review, in which case no Buildings or Structures shall exceed forty-five (45) feet

K. Open Space (OS)

1. Intent

To provide passive open space uses which will separate, define, and protect the development planning areas contained within this Planned Development. Open Space does not include golf courses.

2. Uses Permitted by Right

- a. Passive recreation uses and open space.

- b. Jogging, hiking and/or bicycle trails.
- c. Dog Parks
- d. Community Gardens
- e. Drainage Facilities
- f. Picnic shelters.
- g. Frisbee golf
- h. Recreation Center with associated parking and outdoor recreational amenities
- i. Observation platforms/overlook
- k. Interpretive Signage or elements
- l. Fitness incline/challenge steps
- m. Nature play features
- n. Dog waste station
- o. Trash receptacles
- p. Outdoor nature classroom
- q. Programmable indoor or outdoor space

3. Development Standards

- a. **Building Setback-Street.** The minimum building setback from any public street right-of-way line shall be:
 Building front 25 feet
 Building side 15 feet
 Building rear 25 feet
- b. **Building Separation.** The minimum building or structure separation shall be the greater of:
 i) twenty (20) feet or
 ii) shall be governed by the applicable building code.
- c. **Building Height.** No buildings or structures shall exceed thirty-five (35) feet in height, except by Special Review, in which case no Buildings or Structures shall exceed forty-five (45) feet.

L. Trails

The Development Plan depicts trail connections through open spaces and buffer areas and makes connections to off-site trails.

Trail connections through development parcels are anticipated. These trail connections shall be made in subsequent phases of the Town of Parker's entitlement process.

The Development Plan indicates the number of trail connections, but the exact locations will be determined in latter phases of the entitlement process. These trail connections include:

- 1. A trail connection along the southern edge of the property adjacent to (PA 22, 23, 24, 25 and 33).
- 2. One trail connection along the west property line.
- 3. Trail connections from the east-west drainage in the center of the site (Brandy Gulch) to the trail along Lemon Gulch and Oak Gulch.
- 4. One trail connection from the Crowfoot Valley buffer to the MU Planning area through Planning Areas 37.
- 5. Special Trail Requirements.
 - a. Future Builders of Planning Areas 22, 23, 24, 25 and 33 are advised that trail connections between Planning Areas 23 and 24 will be designed in conjunction

with subdivision proposals upon these planning areas. This interconnection is intended to connect from the trail along the Hess Ranch southerly boundary, , ultimately to the regional trail in Brandy Gulch located north of Planning Areas 18, 19, 20, 21, and 32; and the regional trail along the Oak Gulch drainage located east of Planning Areas 1, 30, and 26. This trail segment will be designed and constructed by the developer or future builders for the above designated Planning Areas and secured as part of Subdivision Improvement Agreement for residential filings upon these specified Planning Areas.

Similarly, the developer or future builders of Planning Areas 2, 7, 8, 9, 11,12, and 13 are advised that each filing will be required to contribute a pro-rata share for the cost of constructing an internal trail within the open space corridor which abuts all these planning areas. This contribution will be determined at the time of Final Plat for each planning area and specified In the Subdivision Improvement Agreement for each planning area.

IV. ADDITIONAL PLANNING AREA REQUIREMENTS

A. General

As stated in Section III, Land Use Regulations, the maximum number of dwelling units permitted within each residential planning area shall not exceed 120% of the units shown on the Development Plan for each individual Planning Area. However, regardless of the unit count in each Planning Area, in no case will the total unit count of Planning Areas collectively exceed 3,379 units.

B. Lone Tree Intergovernmental Agreement

At the time of the Town Council's approval of this Development Plan and Guide, Planning Areas designated as SFe, SFF and SFg were within an area that was regulated by an Intergovernmental Agreement (IGA) between the Town of Parker and the City of Lone Tree. The number of dwelling units prescribed by the IGA was limited to 100 units for these Planning Areas. On September 5, 2015, the IGA expired. The day after, September 6, 2015 the cumulative number of dwelling units allowed for Planning Areas 27, 28, 29, 30, 31, 32 and 33 were increased to a number greater than 100. This increase will not require a Major Amendment to the Development Plan and will be counted as part of the overall 3,379 dwelling units allowed by the Plan.

C. Douglas County Intergovernmental Agreement

1. In the southern part of Anthology, now "Hess Ranch", in an effort to preserve the rural roadside character of Crowfoot Valley Road, it will be necessary to maintain an average buffer area along Crowfoot Valley Road of 300', adjacent to Planning Areas 34 and 40, as represented on the Hess Ranch Development Plan. This buffer, whose intent is to screen and soften highly visible areas, should include enhanced landscape (greater density of planting as opposed to open space areas, palette of predominantly native plant materials), earth berming, and if necessary, open and transparent fencing, to visually minimize development Impact.
2. The rural character of Crowfoot Valley Road shall be reflected in the development of this corridor, including:
 - a. The average 300' buffer between the adjacent residential development and Crowfoot shall be respected and the landscape in this buffer shall consist of earth berming, open

and transparent fencing with a palette of plant materials that enhances and augments the existing and native landscape, as described in section 2, above.

- b. Minimize the negative visual impact of parking areas through orientation parallel to and away from Crowfoot Valley Road, landscape screening and/or berming, and the presence of landscaped islands and planting strips within parking lots themselves to reduce the perceived sizes of the parking lot.
- c. Screening of dumpster and service areas throughout the Mixed-Use Center through landscape and/or architectural elements.
- d. Architecture that is articulated or enhanced on those sides that face Crowfoot Valley Road.

- D. **Minimum Lot Size for Townhome Dwelling Units:** The minimum lot size for Townhome Dwelling Units (TDUs) shall be 1,500 square feet with a width not less than 20-feet in all Planning Areas where TDUs are a Use Permitted by Right except for Residential Planning Area 5 and MU Mixed Use Planning Areas 3, 4, 12, 14, 35, 36, 43 and 44.
- E. **Minimum Lot Size for Duplex Dwelling Units:** The minimum lot size for Duplex Dwelling Units shall be 2,100 square feet with a width not less than 20-feet.

I. ENFORCEMENT AND ADMINISTRATION

A. Incorporation of Planned Development Master Plan

The plan of development for HESS Ranch Development, including the location and boundaries of Planning Areas, the circulation elements, and the densities established by the HESS RANCH DEVELOPMENT PLAN AND GUIDE together with everything shown thereon and all amendments thereto.

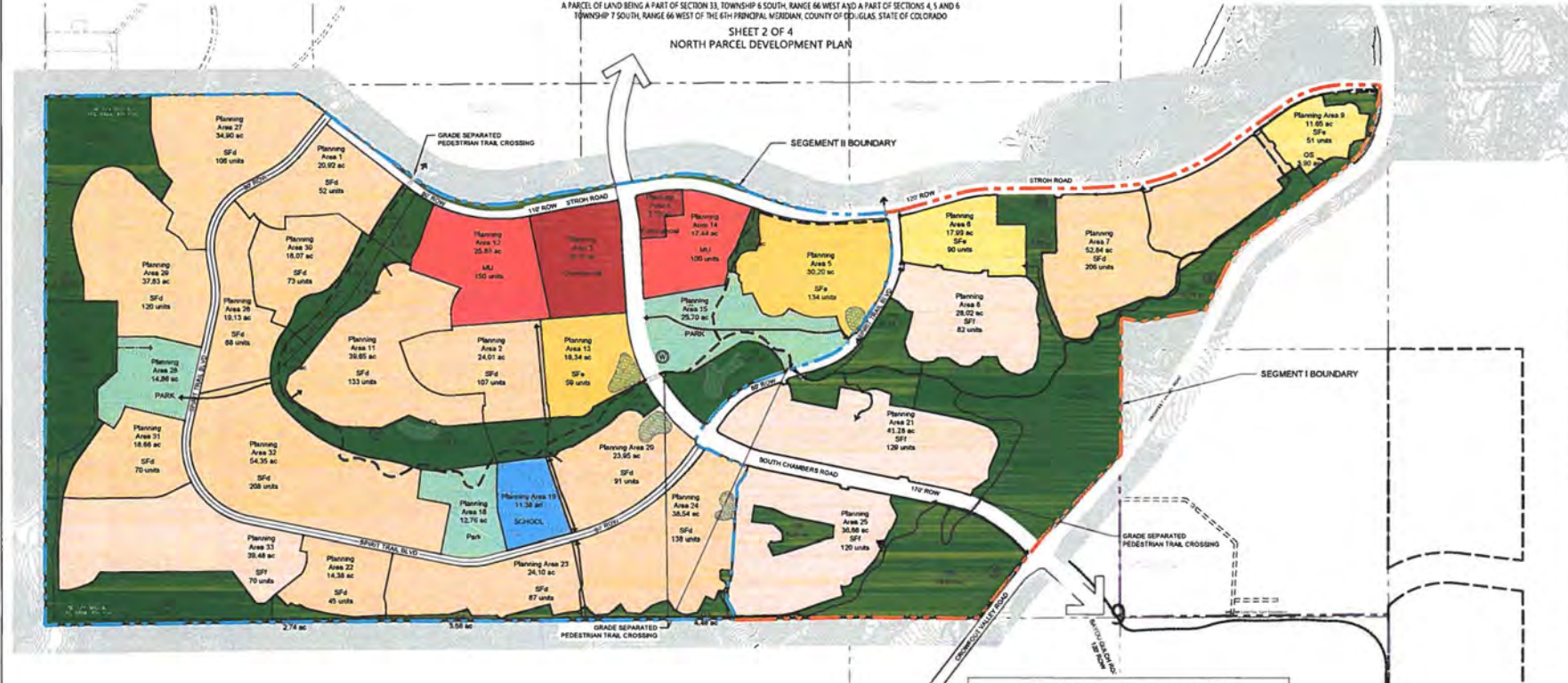
B. Effect of Recorded Plan

The approval by Ordinance of the HESS RANCH DEVELOPMENT PLAN AND GUIDE by the Town Council and the recording of such Development Plan and Guide with the Douglas County Clerk and Recorder shall be deemed to be rezoning to a PD-Planned Development District under Section 13.04.150 of the Parker Municipal Code for the real property described in the Development Plan.

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 4
NORTH PARCEL DEVELOPMENT PLAN



Reception Number: 2019055890

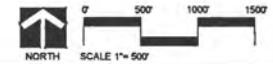
NORTH PARCEL - SEGMENT I - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019

Parcel #	Land Use	Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)
6	SF-d	27.99	5.00	90
7	SF-d	52.84	4.50	206
8	SF-d	28.02	3.20	82
9	SF-e	11.65	5.00	51
21	SF-d	41.28	3.20	129
25	SF-d	36.65	3.20	100
SUBTOTAL		188.84		678
	Open Space	136.25		
	Right of Way	28.67		
AMENDMENT SUBTOTAL		353.76		

Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)
3	SF-d	20.92	4.50	52
7	SF-d	24.01	4.50	107
9	Commercial	20.50		
4	Commercial	9.70		
5	SF-e	30.20	5.00	134
10				
11	SF-d	23.65	5.00	132
12	MU	25.88	22.00	150
13	SF-d	18.34	5.00	59
14	MU	17.44	22.00	100
15	PARK	25.70		
46				
47				
18	PARK	12.76		
19	SCHOOL	11.38		
20	SF-d	23.95	4.50	91
22	SF-d	14.38	4.50	45
23	SF-d	24.10	4.50	87
24	SF-d	28.54	4.50	119
26	SF-d	19.13	4.50	68
27	SF-d	14.90	4.50	106
28	PARK	14.86		
29	SF-d	17.84	4.50	120
30	SF-d	18.07	4.50	73
31	SF-d	18.86	4.50	70
32	SF-d	54.15	4.50	208
33	SF-d	19.48	3.20	70
SUBTOTAL		588.54		1,813
	Open Space	149.02		
	Right of Way	44.43		
TOTAL		781.99		1,813

LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- South Parcel Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detention Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site



NO.	REVISION	DATE	BY
1	1st SUBMITTAL	04-10-2020	-
2	2nd SUBMITTAL	06-05-2020	-
3	3rd SUBMITTAL	10-15-2020	-
4	4th SUBMITTAL	10-22-2020	-
5	5th SUBMITTAL	11-03-2020	-

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

Developer
Front Range Communities
4100 E. Wadsworth Ave. #500
Denver, CO 80246
303.748.5466



Chief Engineer
EMK Consultants
7006 S. Allen Way, Bldg. F
Centennial, CO 80112
303.884.1520



Planner / Landscape Architect
The Henry Design Group
1501 Wadsworth St., Suite 1-C
Denver, CO 80202
303.446.2368



DATE: 11-03-2020
JOB NO.:
DRAWN BY:
APPROVED BY:
CADD FILE:

SHEET 2

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 64 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COLORADO, COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 3 OF 4
PROPOSED PLANNING AREAS

LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detention Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site



NORTH PARCEL - SEGMENT 2 - PD AMENDMENT NO. 3

Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Code)	DU (Shown on Plan)
1	SF	20.92	4.50	92
2	SF	24.01	4.50	107
3	Commercial	20.30		
4	Commercial	1.10		
5	SF	30.20	5.50	134
10	SF	29.60	5.50	133
11	MU	25.89	22.00	170
12	SF	18.34	5.50	81
13	SF	17.44	22.00	200
14	Park	25.70		
15	Park	12.76		
16	Park	11.38		
17	SF	23.95	4.50	107
18	SF	14.38	4.50	65
19	SF	24.01	4.50	107
20	SF	38.54	4.50	173
21	SF	19.13	4.50	87
22	SF	14.38	4.50	65
23	SF	14.38	4.50	65
24	SF	14.38	4.50	65
25	SF	14.38	4.50	65
26	SF	14.38	4.50	65
27	SF	14.38	4.50	65
28	SF	14.38	4.50	65
29	SF	14.38	4.50	65
30	SF	14.38	4.50	65
31	SF	14.38	4.50	65
32	SF	14.38	4.50	65
33	SF	14.38	4.50	65
SUBTOTAL		588.54		3,813
Open Space		149.02		
Right of Way		44.41		
TOTAL		781.97		3,813

0' 300' 600' 900'
NORTH SCALE 1" = 300'

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

Developer:
Front Range Communities
4100 E. Mississippi Ave., #500
Denver, CO 80246
303.744.5466



City Engineer
EMK Consultants
7506 S. Allen Way, Bldg. F
Centennial, CO 80112
303.884.1120



Planner / Landscape Architect
The Henry Design Group
1501 W. 1st St., Suite 110
Denver, CO 80202
303.441.2368

Henry design group

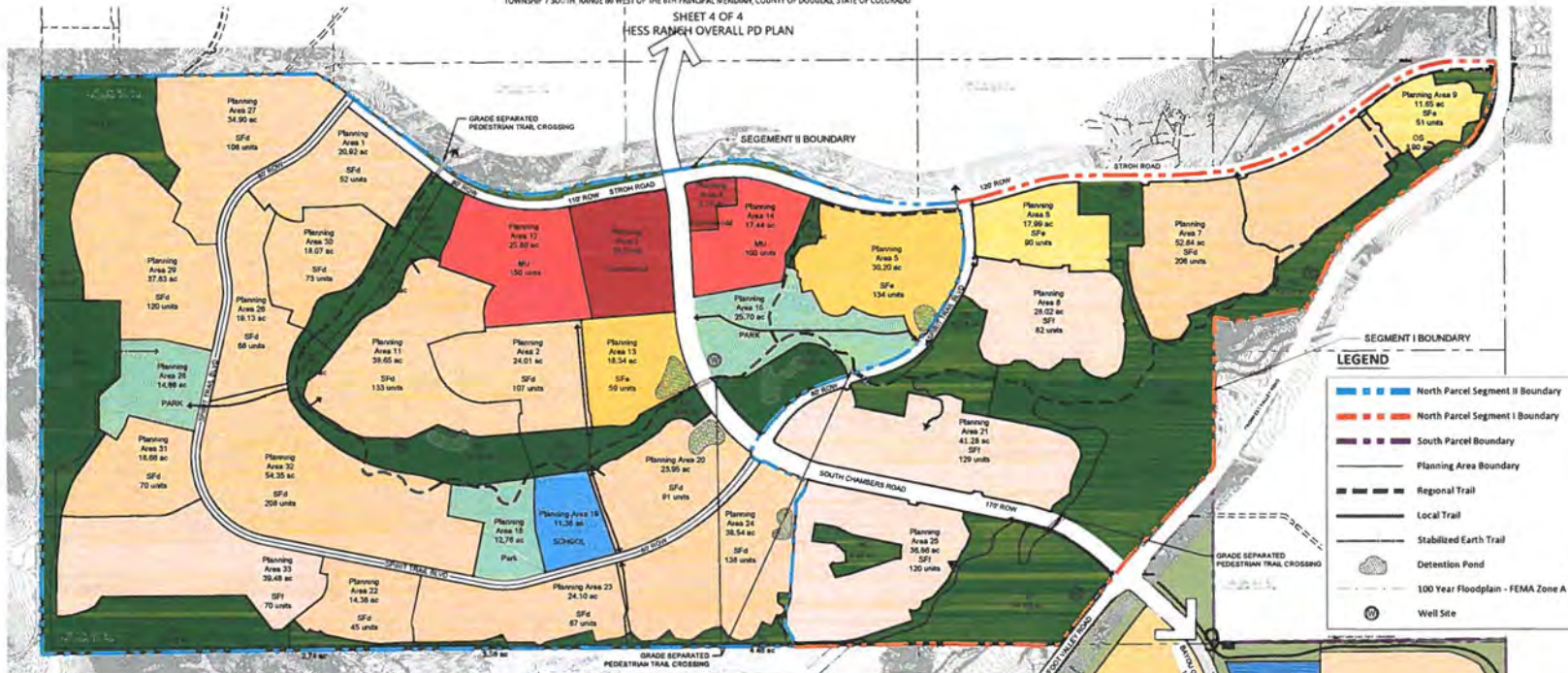
DATE: 11-02-2018
JOB NO.:
DRAWN BY:
APPROVED:
SCALE: 1" = 300'

SHEET 3

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 4 OF 4
HESS RANCH OVERALL PD PLAN



Reception Number: 2019076072

Parcel #	Land Use	Gross Acres	Proposed Density	Net Acres (Min.)	Net Acres (Max.)	Units
1	SP	49.1	4.1	11.9	18.0	180
2	SP	1.9	4.1	0.5	0.8	32
3	SP	12.7	4.1	3.1	5.2	132
4	SP	11.1	4.1	2.8	4.6	112
5	SP	40.4	4.1	10.6	17.3	432
6	SP	20.1	4.1	5.2	8.5	212
7	SP	20.2	4.1	5.2	8.5	212
8	SP	17.1	4.1	4.4	7.2	182
9	SP	17.1	4.1	4.4	7.2	182
10	SP	17.1	4.1	4.4	7.2	182
11	SP	17.1	4.1	4.4	7.2	182
12	SP	17.1	4.1	4.4	7.2	182
13	SP	17.1	4.1	4.4	7.2	182
14	SP	17.1	4.1	4.4	7.2	182
15	SP	17.1	4.1	4.4	7.2	182
16	SP	17.1	4.1	4.4	7.2	182
17	SP	17.1	4.1	4.4	7.2	182
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99	SP	17.1	4.1	4.4	7.2	182
100	SP	17.1	4.1	4.4	7.2	182

Reception Number: 2019055890

Parcel #	Land Use	Acres	Max. Density	Units
1	SP	17.99	4.00	180
2	SP	12.84	4.00	132
3	SP	20.12	4.00	212
4	SP	11.50	4.00	112
5	SP	41.28	4.00	432
6	SP	20.12	4.00	212
7	SP	20.12	4.00	212
8	SP	17.10	4.00	182
9	SP	17.10	4.00	182
10	SP	17.10	4.00	182
11	SP	17.10	4.00	182
12	SP	17.10	4.00	182
13	SP	17.10	4.00	182
14	SP	17.10	4.00	182
15	SP	17.10	4.00	182
16	SP	17.10	4.00	182
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97	SP	17.10	4.00	182
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99	SP	17.10	4.00	182
100	SP	17.10	4.00	182

Hess Ranch PD Plan

South Parcel			
TRAILS at CROOKFOOT - PD AMENDMENT NO. 3 - AS RECORDED - November 7, 2017			
Planning Areas	Acres		Units
Open Space	275.08		0%
Right of Way	20.12		
Management Subtotal	495.21		
TRAILS at CROOKFOOT SUBTOTAL	500.00		0%

North Parcel			
LOOKING GLASS SEGMENT 1 - PD AMENDMENT NO. 3 - AS RECORDED SEPTEMBER 4, 2019			
Planning Areas	Acres		Units
Open Space	188.34		0%
Right of Way	18.73		
Management Subtotal	353.89		0%

LOOKING GLASS SEGMENT 2 - PD AMENDMENT NO. 3			
Planning Areas	Acres		Units
Open Space	147.52		0%
Right of Way	49.41		
Management Subtotal	262.99		0%
LOOKING GLASS SUBTOTAL	1,126.67		2,400

GRAND TOTAL			
Open Space	1,126.67		0%
Open Space Requested per the Amortization Agreement			3,379

South Parcel			
TRAILS at CROOKFOOT - PD AMENDMENT NO. 3 - AS RECORDED - November 7, 2017			
Plan Planning Areas (PA-32)	Acres		Units
TRAILS at CROOKFOOT SUBTOTAL	18.10		0%

North Parcel			
LOOKING GLASS SEGMENT 1 - PD AMENDMENT NO. 3 - AS RECORDED SEPTEMBER 4, 2019			
Planning Areas	Acres		Units
2a - Park Planning Areas (PA-15)	35.29		0%
2b - Park Planning Areas (PA-18 and RA-25)	27.62		0%
LOOKING GLASS SUBTOTAL	62.91		2,400

GRAND TOTAL			
Plan Planning Areas Requested	CWT 27.62		3,379
Plan Planning Areas Requested per the Amortization Agreement			6,226

**FIRST AMENDMENT TO AMENDED AND RESTATED STROH RANCH/HESS
RANCH ANNEXATION AGREEMENT
(SOUTHERN PROPERTY)**

THIS FIRST AMENDMENT TO AMENDED AND RESTATED STROH/HESS ANNEXATION AGREEMENT (SOUTHERN PROPERTY) (the “**First Amendment**”) is voluntarily made and entered into this _____ day of _____, 2020, by and between the Town of Parker, a Colorado home rule municipality (together with its successors and assigns, the “**Town**”), and JEN Colorado 18 LLC a Colorado limited liability company (together with its successors and assigns, the “**Southern Property Owner**”).

RECITALS

A. The Town and Stroh Ranch Development, LLC, entered into the Amended and Restated Stroh Ranch/Hess Ranch Annexation Agreement (Southern Property) on September 21, 2015 (the “**Amended and Restated Agreement**”), which Agreement was recorded in the Douglas County Clerk and Recorder’s Office at Reception No. 2015089338.

B. Stroh Ranch Development, LLC, and HR935, LLC, entered into the Assignment and Assumption Agreement dated August 1, 2016, and recorded in the Douglas County Clerk and Recorder’s Office at Reception No. 2016052345, whereby Stroh Ranch Development, LLC, assigned some of its rights in the Amended and Restated Agreement to HR935, LLC, and HR935, LLC, agreed to assume some of the obligations of Stroh Ranch Development, LLC, under the Amended and Restated Agreement, in connection with the purchase and sale of a portion of the land subject to the Amended and Restated Agreement.

C. Stroh Ranch Development, LLC, sold certain property (the “**Hess Ranch Property**”) to the Southern Property Owner, and Stroh Ranch Development, LLC, and the Southern Property Owner entered into the Assignment and Assumption Agreement dated February 20, 2018, and recorded in the Douglas County Clerk and Recorder’s Office at Reception No. 2018011608, whereby Stroh Ranch Development, LLC, assigned all of its rights in the Amended and Restated Agreement to the Southern Property Owner and Southern Property Owner agreed to assume the obligations of Stroh Ranch Development, LLC, under the Amended and Restated Agreement.

D. The Hess Ranch Property is subject to PD-Planned Development zoning, pursuant to Town of Parker Ordinance No. 3.315, Series of 2015 and recorded at Reception No. 2015089335 of the Douglas County Clerk and Recorder’s Office, amended by Ordinance No. 3.315.1, Series of 2017, and recorded at Reception No. 2017076073 of the Douglas County Clerk and Recorder’s Office, and Ordinance No. 3.315.2, Series of 2019, and recorded at Reception No. 2019052295 of the Douglas County Clerk and Recorder’s Office (as amended, the “**Hess Ranch Development Plan**”).

E. Pursuant to Resolution No. 19-028, Series of 2019 (the “**Partial Waiver Resolution**”), the Town Council did grant a partial waiver to defer compliance with certain requirements of the Town’s Land Development Ordinance, subject to the satisfaction of certain conditions, one of which is an amendment to the Hess Ranch Development Plan so that a minimum

of one-third of the developable land area included in Planning Areas 3, 4, 12 and 14, shall be developed for commercial uses, as described in the Partial Waiver Resolution.

F. The Town and the Southern Property Owner desire to enter into this First Amendment to modify certain obligations, to the extent provided herein.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants and promises set forth below, the receipt and sufficiency of which are hereby acknowledged, the Town and the Southern Property Owner hereby agree to this First Amendment as follows:

Section 1. Subparagraph 5(a) of the Agreement is amended to provide as follows:

5. Zoning and Development.

(a) The Southern Property Owner hereby consents to zoning the Southern Property PD-Planned Development pursuant to the Hess Ranch Planned Development Amendment No. 3, which is attached as **Replacement Exhibit C** and incorporated by this reference (the “**Development Plan**”), and Hess Ranch Development PD Development Guide, that is being adopted by Ordinance No. 3.308.2, Series of 2020, contemporaneously with approval of this First Amendment (collectively, the “**Southern PD Zoning**”).

* * *

Section 2. Paragraph 6 and Subparagraph 6(a) of the Agreement are amended to provide as follows:

6. Open Space. The Southern Property Owner shall convey open space on the Southern Property to the Town, a homeowners’ association, special district (if authorized by a service plan approved by the Town), or other entity, as determined by the Town at the time of platting, by special warranty deed, according to the standards contained in the Town's Open Space, Trails and Greenways Master Plan, Free and Clear of All Liens and Encumbrances (except utility easements and similar encumbrances that exist as of April 18, 2003, which are not inconsistent with the intended use of the open space property described herein or are otherwise reasonably acceptable to the Town) and the inundation easement to be granted by the Southern Property Owner to the District, which is contained west of and adjacent to open space that is located within Planning Area 27 as depicted on the Development Plan (the “**Inundation Easement**”), (as defined in Paragraph 17), a minimum of 282.77 gross acres of open space (which amount represents the total amount of open space (384.40 acres) located on the Southern Property, less the amount of open space that is to be conveyed or that has been conveyed (101.63 acres) for that portion of the Southern Property located east of Crowfoot Valley Road), as shown on the Development Plan for the Southern PD Zoning (the “**Open Space Property**”), as provided in Subparagraphs 6(a) and 6(b). Use of the Open Space Property as “well sites,” except as otherwise provided in Paragraph 4(b),

“water storage facilities” (except for a lift station) or “above ground sewer facilities” is not consistent with the intended use of the Open Space Property and is not an acceptable use of the Open Space Property (except that one hundred percent (100%) of the Inundation Easement area will be counted as open space). The Town shall cooperate with utility providers and the Southern Property Owner concerning the installation of underground utilities across the Open Space Property to connect Planning Areas (defined below) with utilities which include, but are not limited to, water and sewer mains, stormwater mains, electrical, telephone and cable television.

(a) The Southern Property Owner shall convey the Open Space Property, as shown on the Development Plan for the Southern PD Zoning, in separate parcels, at the time of final plat of any “planning area” as shown on the Development Plan for the Southern PD Zoning (hereinafter referred to as “**Planning Area(s)**”) or portion thereof that is located adjacent to such Open Space Property. In the event that only a portion of a Planning Area is platted, the Southern Property Owner shall convey all of the Open Space Property located adjacent to the entire Planning Area at the time of final plat approval, or as required by the Town for the construction of a regional drainage facility on an open space parcel. For Planning Areas 11 and 12, the Southern Property Owner shall convey the eastern portion of the Open Space Property adjacent to such Planning Areas at the time of final plat, as shown on the Development Plan. For Planning Areas 1, 26 and 30, the Southern Property Owner shall convey the western portion of the Open Space Property adjacent to such Planning Areas at the time of final plat, as shown on the Development Plan.

* * *

Section 3. Subparagraph 6(b) of the Agreement is deleted in its entirety and is no longer of any force and effect. Subparagraph 6(c) of the Agreement is hereby re-numbered to 6(b). Exhibits D1 through D31 are hereby deleted in their entirety.

Section 4. Subparagraph 12(a) of the Agreement is amended to provide as follows:

12. Construction of Roads. The Southern Property Owner shall design and construct, at no cost to the Town (including the installation of “Parker Lights” on arterial road improvements described herein), the following road improvements on the Southern Property, according to design and construction standards determined by the Town. The Southern Property Owner shall not construct, maintain and/or operate any private, gated streets on the Southern Property, except as approved by the Town in the exercise of its sole discretion; provided, however, the Southern Property Owner shall have the right to construct private, gated streets, which include sidewalks, (excluding arterial and collector streets) to be owned and maintained by a homeowners’ association, special district (if authorized by a service plan approved by the Town), or other entity, as determined by the Town at the time of platting; provided that: (a) such entity has provided a mechanism through fees and/or assessments to set aside sufficient funds to fund the maintenance, operation and security of such private, gated streets; (b) such mechanism shall be based upon a maintenance and operation plan approved by the

Town (which approval shall be based upon the level of service used to maintain, operate and secure Town streets); (c) such private, gated streets are constructed in the same manner and according to the same standards and requirements as public streets, as provided in the Town of Parker Municipal Code, as amended, including, but not limited to, the Town of Parker Roadway Design and Construction Criteria Manual, the Town of Parker Land Development Ordinance, and the Town of Parker Storm Drainage and Environmental Criteria Manual; and (d) shall be subject to and secured by a subdivision agreement, as if a public improvement.

(a) Design and Construction of Chambers Road North of Crowfoot Valley Road. Chambers Road shall be designed as a six (6) lane principal arterial roadway section between the northernmost boundary of the Southern Property and Crowfoot Valley Road ("**North Chambers Road**"). North Chambers Road shall be constructed as a limited access arterial road and the Southern Property Owner shall construct one-half (½) of the ultimate lanes for North Chambers Road, including auxiliary, acceleration and deceleration lanes, on the Southern Property, including all auxiliary, acceleration or decelerations lanes at the intersection of Chambers Road and Stroh Road that may extend onto the Northern Property (the "Chambers and Stroh Auxiliary Lanes"). The final location of access points and separation between access points is subject to the Town of Parker Roadway Criteria Manual, as amended, and shall be in general conformance with the Development Plan.

* * *

(iii) Dedication. The Southern Property Owner shall convey sufficient real property in fee simple absolute, Free and Clear of All Liens and Encumbrances, which shall be one hundred seventy (170) feet in width, together with easements that are necessary to construct such road, including, but not limited to, drainage, slope and construction easements, as reasonably determined by the Town, for the full roadway arterial section for North Chambers Road (the "**Full Principal Arterial Section of North Chambers Road**"), except where additional right-of-way is needed to accommodate auxiliary lanes, in accordance with the Town's *Roadway Design and Construction Criteria Manual*. The Town shall reconvey any drainage, slope and construction easements described herein to the Southern Property Owner when development grading by the Southern Property Owner during the platting process eliminates the need for such drainage slope and construction easements. This dedication shall be made at no cost to the Town, and shall be made at the time of final plat for any portion of the Southern Property located north of Crowfoot Valley Road or upon thirty (30) days' written notice of the Town to the Southern Property Owner that the Town needs the requested dedication for road construction, whichever occurs first. To the extent that North Chambers Road is constructed in phases pursuant to Paragraph 12(a)(v)(2), the Southern Property Owner shall only be required to dedicate real property to the Town in connection with the final plat for the portion of North Chambers Road constructed in each phase, or upon thirty (30) days' written notice of the Town to the Southern Property Owner that the Town needs the requested dedication for road construction, whichever occurs first.

The final alignment shall be generally as shown on the Development Plan and determined upon the completion of the final design, as determined by the Town.

* * *

(v) Construction. The Southern Property Owner shall construct and/or reimburse for the cost to construct North Chambers Road, whether in a single phase or multiple phases at Southern Property Owner's discretion, as described in this Subparagraph, according to the following schedule:

(1) Nonphased Construction. Prior to the recordation of the first final plat for the Southern Property on that portion of the Southern Property that is located north of Crowfoot Valley Road, the Southern Property Owner shall complete the full arterial roadway grading, except as provided in Paragraph 12(a)(iii), and shall construct one-half (1/2) of the full limited access arterial roadway section, including all necessary auxiliary, acceleration and deceleration lanes, of North Chambers Road on the Southern Property, including the Chambers and Stroh Auxiliary Lanes. In the event that the Northern Property Owner has not constructed the segment of North Chambers Road immediately north of the shared property line at the time of the plat for the final segment of North Chambers Road (north of Spirit Trail Boulevard), the Southern Property Owner shall financially secure with the Town 110% of the cost to construct the Chambers and Stroh Auxiliary Lanes in the form of cash or letter of credit that is acceptable to the Town. The Southern Property Owner shall then construct the Chambers and Stroh Auxiliary Lanes within six (6) months of the Town's acceptance of the Northern Property Owner's segment of South Chambers Road immediately north of the shared property line. In the event these Auxiliary Lanes are not constructed as provided herein, the Town may use the financial security to construct the Auxiliary Lanes.

(2) Construction Phasing. As an alternative to Paragraph 12(a)(v)(1), and subject to the reasonable approval of the Town, the Southern Property Owner may construct North Chambers Road in segments (each such segment comprised of full arterial roadway grading, except as provided in Paragraph 12(a)(iii), and construction of one-half (1/2) the full limited access arterial roadway section) subject to the following conditions:

a. any portion of North Chambers Road abutting or adjacent to a planning area that is being final platted in whole or in part shall be constructed as part of that final plat, and the Chambers and Stroh Auxiliary Lanes shall be constructed or secured with the portion of North Chambers Road that includes the intersection of Chambers Road and Stroh Road in accordance with 12(a)(v)(2)(g);

* * *

e. the Southern Property Owner shall construct the remaining segments of North Chambers Road on the Southern Property, including the Chambers and Stroh Auxiliary Lanes, upon recording of the final plat that creates, in the aggregate with previously platted residential lots, a total number of residential lots on that portion of the Southern Property north of Crowfoot Valley Road which exceeds 1,247 units, which is fifty percent (50%) of the total number of allowable units on that portion of the Southern Property that is located north of Crowfoot Valley Road, or prior to reaching the 50% Threshold as provided by Paragraph 12(a)(v)(2)d.

g. The Southern Property Owner shall construct the Chambers and Stroh Auxiliary Lanes with the portion of North Chambers Road that includes the intersection of Chambers Road and Stroh Road. In the event that the Northern Property Owner has not constructed the segment of North Chambers Road immediately north of the shared property line at the time of the plat for the final segment of North Chambers Road (north of Spirit Trail Boulevard), the Southern Property Owner shall financially secure with the Town 110% of the cost to construct the Chambers and Stroh Auxiliary Lanes in the form of cash or letter of credit that is acceptable to the Town. The Southern Property Owner shall then construct the Chambers and Stroh Auxiliary Lanes within six (6) months of the Town's acceptance of the Northern Property Owner's segment of South Chambers Road immediately north of the shared property line. In the event these Auxiliary Lanes are not constructed as provided herein, the Town may use the financial security to construct the Auxiliary Lanes.

(vi) Separation Buffer. All platted areas on the Southern Property adjacent to North Chambers Road shall provide an average separation buffer between the back of residential lots and the edge of the North Chambers Road right-of-way, for the entire length of North Chambers Road located on the Southern Property, of one hundred (100) feet (the "Average Buffer Area"); provided, however, the separation buffer is not required on any side of North Chambers Road that is located immediately adjacent to and contiguous with the Open Space Property (and such areas will be excluded from the calculation of Average Buffer Area). In no event shall the buffer area be less than seventy-five (75) feet (which may include Open Space Property). The Southern Property Owner shall design and construct the separation buffer described herein, according to Town standards, as Planning Areas are subdivided adjacent to North Chambers Road. Notwithstanding anything to the contrary contained herein, the separation buffer described herein may be left in a natural, nonlandscaped, nonirrigated condition. To the extent that the easements described in Paragraph 12.(a)(iii) are required for North Chambers Road, such easements may be located within the separation buffer described herein. Notwithstanding the foregoing, the separation buffer is not required adjacent to

those portions of North Chambers Road that directly abut Planning Areas 3, 4, 12 and 14 provided that these planning areas are developed as a mixed use.

(vii) Reimbursement to Others. If the Town or Douglas County is interested in designing or constructing any portion of North Chambers Road on the Southern Property, including the Chambers and Stroh Auxiliary Lanes, that the Southern Property Owner is obligated to design and construct pursuant to this Southern Property Agreement prior to the time the Southern Property Owner's obligation becomes due, then, in that event, the Town or Douglas County shall provide written notice to the Southern Property Owner of such interest. The Southern Property Owner shall have thirty (30) days to respond to such written notice, and to advise the Town or Douglas County, as the case may be, as to whether the Southern Property Owner prefers to complete such design or construction. In the event that the Southern Property Owner elects to complete such design or construction, design efforts shall commence within thirty (30) days of the giving of such notice, and construction efforts shall commence within one hundred twenty (120) days and shall be substantially complete and ready for probationary acceptance by the Town within eighteen (18) months of the commencement of construction. In the event that the Southern Property Owner declines to complete such design or construction, or fails to respond to the Town or Douglas County's written notice within thirty (30) days, the Town or Douglas County may proceed with such design or construction. If the Town or Douglas County designs or constructs any portion of North Chambers Road on the Southern Property that the Southern Property Owner is obligated to design and construct pursuant to this Southern Property Agreement (grade the full width of North Chambers Road and construct one-half (1/2) of the ultimate lanes for North Chambers Road), the Southern Property Owner shall reimburse the Town or Douglas County for such party's actual costs incurred (as evidenced by payments to third-party (but not internal) engineers, contractors and similar consultants) to design and construct such segments of North Chambers Road (the "**North Chambers Reimbursement Cost**"). If the Town or Douglas County completes the construction of North Chambers Road, the Southern Property Owner shall convey the necessary right-of-way, including necessary easements to the Town, as provided by Paragraph 12(a)(iii). The North Chambers Reimbursement Cost shall increase annually, commencing at the time when the improvements described herein are substantially completed as determined by the Town, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index. The Southern Property Owner's reimbursement obligation shall arise in phases at the time when the Southern Property Owner's obligation to construct the improvements otherwise would have arisen under the terms and conditions of Paragraph 12(a)(v)(2)a. of this Southern Property Agreement, and payment of the applicable phased portion of the North Chambers Reimbursement Cost shall be a condition precedent to additional platting of the Southern Property.

Section 7. Paragraph 26 of the Agreement is amended to provide as follows:

26. Notice. All notice required under this Southern Property Agreement shall be in writing and shall be hand delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective on the earlier of actual receipt or seventy-two (72) hours after deposit in the United States mail with the proper address as set forth below. Either party by notice so given may change the address to which future notices shall be sent.

To the Town:	Town Administrator Town of Parker 20120 East Mainstreet Parker, Colorado 80138 E-mail: mkivela@parkeronline.org
With a copy to:	Town Attorney Town of Parker 20120 East Mainstreet Parker, Colorado 80138 E-mail: khoffmann@parkeronline.org
To the Southern Property Owner:	JEN Colorado 18 LLC Attn: Matthew Osborn 4100 E. Mississippi Ave., Suite 500 Denver, Colorado 80246 mosborn@frontrangecommunities.com
With a copy to:	Holland & Hart LLP Attn: James Borgel, Esq. 555 17 th Street, Suite 3200 Denver, Colorado 80202 E-mail: jbborgel@hollandhart.com

Section 8. The Town and the Southern Property Owner further acknowledge and agree that the Amended and Restated Annexation Agreement has not be amended, except as provided in this First Amendment.

Section 9. The First Amendment shall be recorded with the Clerk and Recorder of Douglas County, Colorado, and shall touch, attach to, and run with the land, shall be binding upon and shall inure to the benefit of the heirs, successors, and permitted assigns of the parties hereto.

IN WITNESS WHEREOF the parties have signed this First Amendment as of the date set forth above.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM AND SUFFICIENCY:

Town Attorney's Office

[Remainder of page intentionally left blank. Signatures continue on following page.]

**SOUTHERN PROPERTY OWNER:
JEN COLORADO 18 LLC**

By:

Matthew P. Osborn
Matthew P. Osborn, Vice President

STATE OF COLORADO)
)ss.
COUNTY OF Denver)

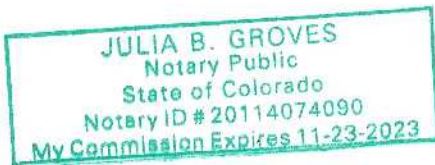
The foregoing instrument was acknowledged before me this 25th day of Nov, 2020, by Matthew P. Osborn, as Vice President, of JEN Colorado 18 LLC.

Call 11:35am

My commission expires: 11-23-2023

SEAL

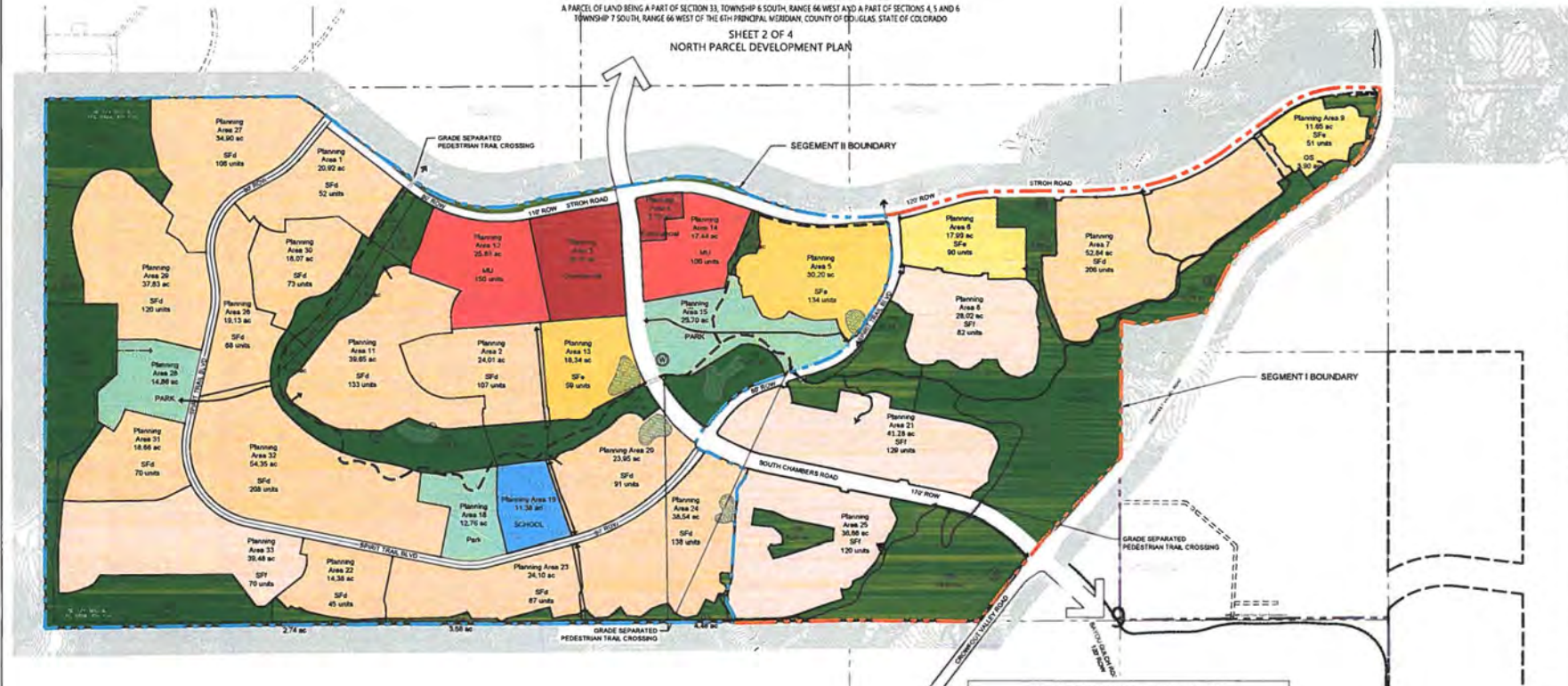
Julie Groves
Notary Public



HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 4
NORTH PARCEL DEVELOPMENT PLAN



Reception Number: 2019055890

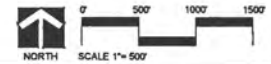
NORTH PARCEL - SEGMENT I - PD AMENDMENT NO. 2 - AS RECORDED SEPTEMBER 4, 2019

Parcel #	Land Use	Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)
6	SF-d	27.99	5.00	90
7	SF-d	52.84	4.50	206
8	SF-d	28.02	3.20	82
9	SF-d	11.65	5.00	51
21	SF-d	41.28	3.20	129
25	SF-d	36.65	3.20	100
SUBTOTAL		188.84		678
Open Space		136.25		
Right of Way		28.67		
AMENDMENT SUBTOTAL		353.76		

NORTH PARCEL - SEGMENT 2 - PD AMENDMENT NO. 3				
Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Guide)	DU (Shown on Plan)
3	SF-d	20.92	4.50	52
7	SF-d	24.01	4.50	107
9	Commercial	20.50		
4		9.70		
5	SF-d	30.20	5.00	134
10				
11	SF-d	23.65	5.00	132
12	MU	25.88	22.00	150
13	SF-d	18.34	5.00	78
14	MU	17.44	22.00	100
15	PARK	25.70		
46				
47				
18	PARK	12.76		
19	SCHOOL	11.38		
20	SF-d	23.95	4.50	91
22	SF-d	14.38	4.50	45
23	SF-d	24.10	4.50	87
24	SF-d	28.54	4.50	118
26	SF-d	19.13	4.50	68
27	SF-d	14.80	4.50	106
28	PARK	14.86		
29	SF-d	17.84	4.50	120
30	SF-d	18.07	4.50	73
31	SF-d	18.86	4.50	70
32	SF-d	54.15	4.50	208
33	SF-d	19.48	3.20	70
SUBTOTAL		588.54		1,813
Open Space		149.02		
Right of Way		44.43		
TOTAL		781.99		1,813

LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- South Parcel Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detention Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site



NO.	REVISION	DATE	BY
1	1st SUBMITTAL	04-10-2020	
2	2nd SUBMITTAL	06-05-2020	
3	3rd SUBMITTAL	10-15-2020	
4	4th SUBMITTAL	10-22-2020	
5	5th SUBMITTAL	11-03-2020	

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

Developer
Front Range Communities
4100 E. Wadsworth Ave. #500
Denver, CO 80246
303.748.5466

EMK
Civil Engineer
EMK Consultants
7006 S. Allen Way, Bldg. F
Centennial, CO 80112
303.884.1520

Planner / Landscape Architect
The Henry Design Group
1501 Wadsworth St., Suite 1-C
Denver, CO 80202
303.446.2368

henry design group

DATE: 11-03-2020
JOB NO.:
DRAWN BY:
APPROVED BY:
CADD FILE:

SHEET 2

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 64 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COLORADO, COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 3 OF 4
PROPOSED PLANNING AREAS

LEGEND

- North Parcel Segment II Boundary
- North Parcel Segment I Boundary
- Planning Area Boundary
- Regional Trail
- Local Trail
- Stabilized Earth Trail
- Detection Pond
- 100 Year Floodplain - FEMA Zone A
- Well Site



NORTH PARCEL - SEGMENT 2 - PD AMENDMENT NO. 3

Planning Area	Land Use	Gross Acres	Max. Density (per Dev. Code)	DU (Shown on Plan)
1	SF	20.92	4.50	92
2	SF	24.01	4.50	107
3	Commercial	20.30		
4	Commercial	1.10		
5	SF	30.20	5.50	134
10	SF	29.60	5.50	133
11	MU	25.89	22.00	170
12	SF	18.34	5.50	81
13	SF	17.44	22.00	200
14	Park	25.70		
15	Park	12.76		
16	Park	11.38		
17	SF	23.95	4.50	107
18	SF	14.38	4.50	65
19	SF	24.01	4.50	107
20	SF	38.54	4.50	173
21	SF	19.13	4.50	87
22	SF	14.38	4.50	65
23	SF	14.38	4.50	65
24	SF	14.38	4.50	65
25	SF	14.38	4.50	65
26	SF	14.38	4.50	65
27	SF	14.38	4.50	65
28	SF	14.38	4.50	65
29	SF	14.38	4.50	65
30	SF	14.38	4.50	65
31	SF	14.38	4.50	65
32	SF	14.38	4.50	65
33	SF	14.38	4.50	65
SUBTOTAL		588.54		3,813
Open Space		149.02		
Right of Way		44.41		
TOTAL		781.97		3,813

0' 300' 600' 900'
NORTH SCALE 1" = 300'

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

Developer:
Front Range Communities
4100 E. Mississippi Ave., #500
Denver, CO 80246
303.744.5466



City Engineer
EMK Consultants
7506 S. Allen Way, Bldg. F
Centennial, CO 80112
303.884.1120



Planner / Landscape Architect
The Henry Design Group
1501 W. 1st St., Suite 110
Denver, CO 80202
303.441.2368

Henry design group

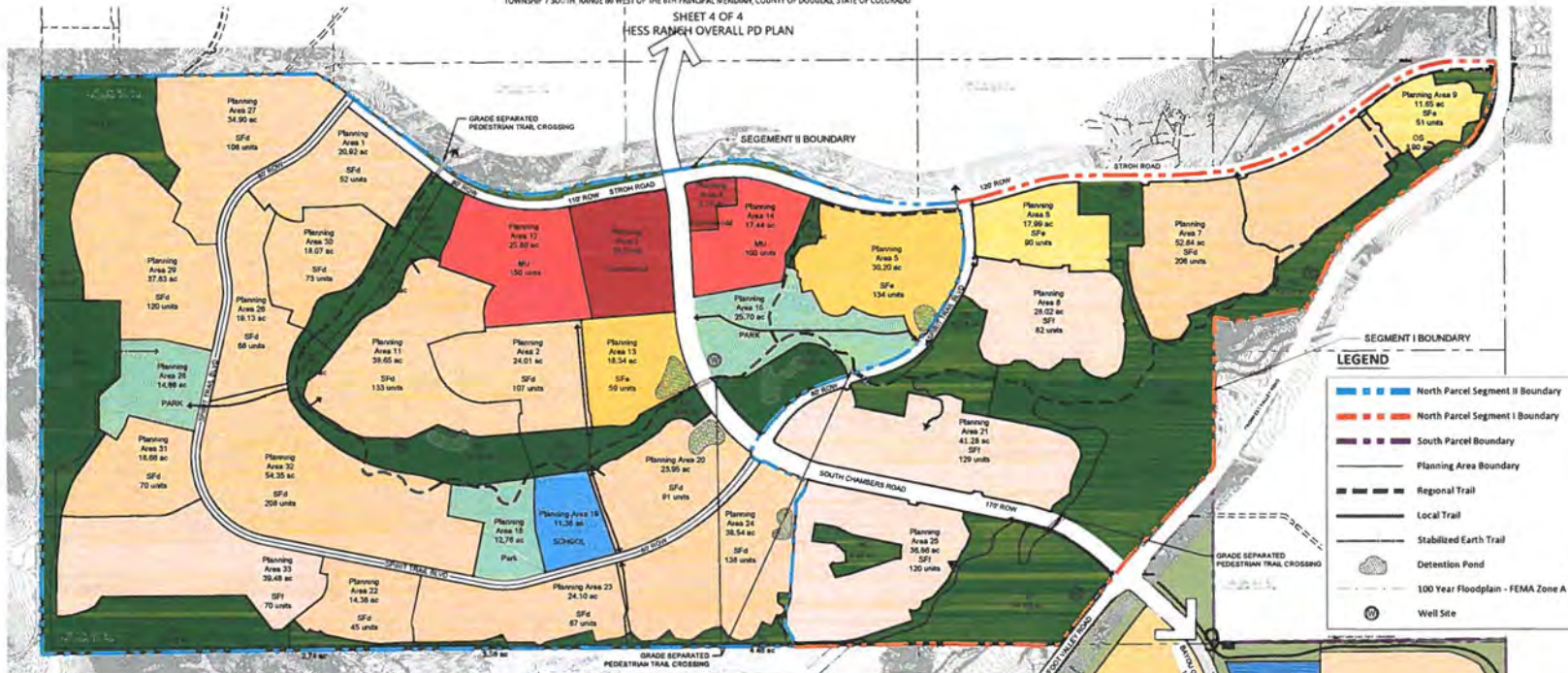
DATE: 11-02-2018
JOB NO.:
DRAWN BY:
APPROVED:
SCALE: 1" = 300'

SHEET 3

HESS RANCH PLANNED DEVELOPMENT AMENDMENT NO. 3 NORTH PARCEL DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PART OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 66 WEST AND A PART OF SECTIONS 4, 5 AND 6, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 4 OF 4
HESS RANCH OVERALL PD PLAN



Reception Number: 2019076072

Parcel #	Land Use	Gross Acres	Proposed Density	Net Acres (Min.)	Net Acres (Max.)	Units
1	SP	49.1	4.1	11.9	18.0	180
2	SP	1.9	4.1	0.5	0.8	32
3	SP	12.7	4.1	3.1	5.2	132
4	SP	11.1	4.1	2.8	4.6	112
5	SP	40.4	4.1	10.5	16.8	168
6	SP	20.1	4.1	5.1	8.4	84
7	SP	20.2	4.1	5.1	8.4	84
8	SP	1.9	4.1	0.5	0.8	32
9	SP	1.9	4.1	0.5	0.8	32
10	SP	1.9	4.1	0.5	0.8	32
11	SP	1.9	4.1	0.5	0.8	32
12	SP	1.9	4.1	0.5	0.8	32
13	SP	1.9	4.1	0.5	0.8	32
14	SP	1.9	4.1	0.5	0.8	32
15	SP	1.9	4.1	0.5	0.8	32
16	SP	1.9	4.1	0.5	0.8	32
17	SP	1.9	4.1	0.5	0.8	32
18	SP	1.9	4.1	0.5	0.8	32
19	SP	1.9	4.1	0.5	0.8	32
20	SP	1.9	4.1	0.5	0.8	32
21	SP	1.9	4.1	0.5	0.8	32
22	SP	1.9	4.1	0.5	0.8	32
23	SP	1.9	4.1	0.5	0.8	32
24	SP	1.9	4.1	0.5	0.8	32
25	SP	1.9	4.1	0.5	0.8	32
26	SP	1.9	4.1	0.5	0.8	32
27	SP	1.9	4.1	0.5	0.8	32
28	SP	1.9	4.1	0.5	0.8	32
29	SP	1.9	4.1	0.5	0.8	32
30	SP	1.9	4.1	0.5	0.8	32
31	SP	1.9	4.1	0.5	0.8	32
32	SP	1.9	4.1	0.5	0.8	32
33	SP	1.9	4.1	0.5	0.8	32
34	SP	1.9	4.1	0.5	0.8	32
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36	SP	1.9	4.1	0.5	0.8	32
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42	SP	1.9	4.1	0.5	0.8	32
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45	SP	1.9	4.1	0.5	0.8	32
46	SP	1.9	4.1	0.5	0.8	32
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48	SP	1.9	4.1	0.5	0.8	32
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50	SP	1.9	4.1	0.5	0.8	32
51	SP	1.9	4.1	0.5	0.8	32
52	SP	1.9	4.1	0.5	0.8	32
53	SP	1.9	4.1	0.5	0.8	32
54	SP	1.9	4.1	0.5	0.8	32
55	SP	1.9	4.1	0.5	0.8	32
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57	SP	1.9	4.1	0.5	0.8	32
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59	SP	1.9	4.1	0.5	0.8	32
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70	SP	1.9	4.1	0.5	0.8	32
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72	SP	1.9	4.1	0.5	0.8	32
73	SP	1.9	4.1	0.5	0.8	32
74	SP	1.9	4.1	0.5	0.8	32
75	SP	1.9	4.1	0.5	0.8	32
76	SP	1.9	4.1	0.5	0.8	32
77	SP	1.9	4.1	0.5	0.8	32
78	SP	1.9	4.1	0.5	0.8	32
79	SP	1.9	4.1	0.5	0.8	32
80	SP	1.9	4.1	0.5	0.8	32
81	SP	1.9	4.1	0.5	0.8	32
82	SP	1.9	4.1	0.5	0.8	32
83	SP	1.9	4.1	0.5	0.8	32
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87	SP	1.9	4.1	0.5	0.8	32
88	SP	1.9	4.1	0.5	0.8	32
89	SP	1.9	4.1	0.5	0.8	32
90	SP	1.9	4.1	0.5	0.8	32
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94	SP	1.9	4.1	0.5	0.8	32
95	SP	1.9	4.1	0.5	0.8	32
96	SP	1.9	4.1	0.5	0.8	32
97	SP	1.9	4.1	0.5	0.8	32
98	SP	1.9	4.1	0.5	0.8	32
99	SP	1.9	4.1	0.5	0.8	32
100	SP	1.9	4.1	0.5	0.8	32

Reception Number: 2019055890

Parcel #	Land Use	Gross Acres	Proposed Density	Net Acres (Min.)	Net Acres (Max.)	Units
1	SP	17.99	4.1	4.4	7.4	104
2	SP	12.24	4.1	3.1	5.2	132
3	SP	20.12	4.1	5.1	8.4	84
4	SP	11.50	4.1	2.9	4.7	124
5	SP	41.28	4.1	10.3	16.7	167
6	SP	30.46	4.1	7.6	12.5	125
7	SP	188.54	4.1	47.1	77.1	671
8	SP	175.75	4.1	44.0	73.4	634
9	SP	48.97	4.1	12.2	20.1	201
10	SP	115.75	4.1	29.0	47.7	477
11	SP	115.75	4.1	29.0	47.7	477
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13	SP	115.75	4.1	29.0	47.7	477
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19	SP	115.75	4.1	29.0	47.7	477
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25	SP	115.75	4.1	29.0	47.7	477
26	SP	115.75	4.1	29.0	47.7	477
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28	SP	115.75	4.1	29.0	47.7	477
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40	SP	115.75	4.1	29.0	47.7	477
41	SP	115.75	4.1	29.0	47.7	477
42	SP	115.75	4.1	29.0	47.7	477
43	SP	115.75	4.1	29.0	47.7	477
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45	SP	115.75	4.1	29.0	47.7	477
46	SP	115.75	4.1	29.0	47.7	477
47	SP	115.75	4.1	29.0	47.7	477
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70	SP	115.75	4.1	29.0	47.7	477
71	SP	115.75	4.1	29.0	47.7	477
72	SP	115.75	4.1	29.0	47.7	477
73	SP	115.75	4.1	29.0	47.7	477
74	SP	115.75	4.1	29.0	47.7	477
75	SP	115.75	4.1	29.0	47.7	477
76	SP	115.75	4.1	29.0	47.7	477
77	SP	115.75	4.1	29.0	47.7	477
78	SP	115.75	4.1	29.0	47.7	477
79	SP	115.75	4.1	29.0	47.7	477
80	SP	115.75	4.1	29.0	47.7	477
81	SP	115.75	4.1	29.0	47.7	477
82	SP	115.75	4.1	29.0	47.7	477
83	SP	115.75	4.1	29.0	47.7	477
84	SP	115.75	4.1	29.0	47.7	477
85	SP	115.75	4.1	29.0	47.7	477
86	SP	115.75	4.1	29.0	47.7	477
87	SP	115.75	4.1	29.0	47.7	477



Request for Town Council Action

Date: December 7, 2020

Submitted By: Stacey Nerger, Senior Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **OLDE TOWN AT PARKER**
Applicant: Norris Design
Location: Generally on the south and west of the intersection of Stroh Road and Crowfoot Valley Road
Department: Community Development, Stacey Nerger
TRAKiT No.: Z20-013

EXECUTIVE SUMMARY

The subject property is located south of Mainstreet between Motsenbocker Road and Jordan Road adjacent to American Academy Charter School. The applicant's representative, Norris Design, is proposing an amendment to the Olde Town at Parker Planned Development (PD) zoning to permit single-family attached housing (townhomes) on an additional 12.16 acres. This is the applicant's response to the Town Council denial of their previous PD zoning application in July, 2020 for a residential development with single-family attached housing (townhomes) and multi-family housing (condominiums). They have revised their proposal to reduce height and density by eliminating multi-family housing (condominiums).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Olde Town at Parker property was annexed into the Town in December, 2000 with PD zoning that provided for 5.5 acres of commercial use and 595 residential units with parks, trails and open space. In 2003, the PD zoning was amended and a sketch and preliminary plan was approved that enlarged the commercial Planning Area 1 (PA1) along Mainstreet to 13.35 acres. The commercial area includes an access drive and adjacent drainage pond on the eastern boundary of the new residential planning area that is proposed with this PD zoning amendment. The residential planning areas in the PD were reorganized at that time to create a central park and community center within the Olde Town community. The development of the western half of the PD ceased in 2008 with the Great Recession, but has since been largely built-out. In 2017, the applicant obtained Town Council approval to develop the eastern half of the Olde Town at Parker PD for single-family attached housing (town/paired homes) and detached single-family homes.

The proposed PD zoning amendment would add 12.16 unplatted acres located north of the original Olde Town at Parker to the community. The land would be organized into Planning Area 9 (PA9) and would permit single-family attached housing (townhomes) with a total yield of 122 units at a density of 10 units per acre. The two (2) commercial lots and the adjacent drainage pond are currently located in Planning Area 1 (PA1) and are designated as Commercial Center. This area will remain largely unchanged in terms of use with the exception of a 1.86 acre portion of the drainage pond mentioned above. This area will be redesigned and the drainage will be incorporated into the proposed PA9.

The Olde Town at Parker PD zoning allows for a range of density from 3.65 to 16 dwelling units per acre. The PD zoning amendment will add a new planning area that is similar in density with existing residential planning areas in the Olde Town at Parker PD. The proposed PD zoning amendment contemplates a residential density that is within the range of allowed densities in Olde Town at Parker and is appropriate for single-family attached (townhome) housing. The applicant will be required to meet all landscaping, park and open space requirements set forth in the Land Development Ordinance.

The Town Council held a public hearing on July 20, 2020, for a PD zoning amendment for the subject property that proposed 48 single-family attached homes (townhomes) and 108 multi-family homes (condominiums). The Town Council denied the application based upon the failure to satisfy certain criteria for approval related to the proposed density of greater than 20 dwelling units per acre and the proposed building height of 45-feet.

With this new PD zoning amendment application, the applicant is proposing a reduced density of 10 dwelling units per acre and a reduced maximum building height of 35-feet. Each of these standards is a reduction from the prior PD zoning amendment application and also eliminates the prior proposal for multi-family residential housing (condominiums) that created the height and density issues. The applicant has also held two (2) neighborhood meetings regarding the proposed PD zoning amendment.

Staff finds that the PD zoning amendment satisfies the nine (9) criteria for approval of a rezoning application as set forth in the Land Development Ordinance. It is consistent with the Parker 2035 Master Plan which identifies the area as Medium Density Residential and within a mixed-use Neighborhood Center. The project integrates commercial uses with adjacent residential and recreational uses through sidewalks and trails, creating a mixed-use neighborhood as envisioned by the Master Plan. Please see the Planning Commission staff report for additional information.

The Planning Commission held a public hearing on November 12, 2020 and unanimously recommended that the Town Council approve the proposal.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 3.162.4
2. Planning Commission Staff Report

RECOMMENDED MOTION

I move to approve Ordinance No. 3.162.4 on second reading.

ORDINANCE NO. 3.162.4, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO AMEND THE SECOND AMENDMENT TO THE OLDE TOWN AT PARKER PLANNED DEVELOPMENT GUIDE AND PLAN, PURSUANT TO THE PARKER LAND DEVELOPMENT ORDINANCE, AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Finding of Fact.

a. Application has been made for amending the Second Amendment to the Olde Town at Parker Planned Development Guide and Plan that was approved by the Town Council on April 3, 2017, and recorded at Reception No. 2017023571 of the Office of the Douglas County Clerk and Recorder's Office, pursuant to the Parker Land Development Ordinance.

a. Public notice has been given of such zoning by publication on the Town's website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the property for fifteen (15) consecutive days prior to said hearing.

b. The requirements contained in Section 13.04.240(b) of the Parker Land Development Ordinance for amending the PD-Planned Development zoning the property described in **Exhibit 1**, which is attached hereto and incorporated by this reference (the "Property"), have been satisfied.

Section 2. The Second Amendment to the Olde Town at Parker Planned Development Guide and Plan for the Property is hereby amended as provided in the "Third Amendment to the Olde Town at Parker Planned Development Guide and Plan," which is attached hereto as **Exhibit 2** and incorporated by this reference (the "Third Amendment"). The uses permitted for the Property are specifically described in the Third Amendment.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning change to the property.

Section 4. Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue, pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it

is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

September 4, 2020

Senderos Creek North Townhome Project

Exhibit 1: Legal Description of Olde Town at Parker Planned Development (PD)

Olde Town at Parker PD Amendment Legal Description

A PARCEL OF LAND IN THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306811;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N89°30'01"E A DISTANCE OF 50.01 FEET;
5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET
6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF

682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER ;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF- WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 590.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'56"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S37°22'55"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;

2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.
PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

EXHIBIT 2

Third Amendment to the OLDE TOWN AT PARKER Planned Development Guide and Plan A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Original: November 2, 2001
1st Amendment: August 27, 2003
2nd Amendment: April 3, 2017
3rd Amendment: December 7, 2020

Prepared by: Norris Design

PD Guide Index

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OLDE TOWN AT PARKER
A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Planned Development Guide

INTRODUCTION

A. Statement of Purpose

Update: September 4, 2020

Olde Town at Parker is a traditional neighborhood development encompassing approximately 129.53 acres. It is located east of Jordan Road, west of Motsenbocker Road, north of Todd Drive and south of Mainstreet.

The development was originally approved in 2003 and approximately half of the development was built out by 2015. In 2017 the remainder of the development was purchased by Pacific North LLC, was consequently sold to Meritage Homes and is currently under construction. A second amendment to the Planned Development Guide was approved at that time that reflected the resulting changes to the layout and housing types within the development. This, the third Planned Development Guide Amendment will reflect the inclusion of a new planning area, PA-9. The Olde Town at Parker Development Plan incorporates a mix of land uses bisected by a local trail system that will connect to a regional trail facility along the north side of Todd Drive. The development is based upon the traditional walking village concept of pedestrian-friendly tree-lined local streets, utilizing detached sidewalks on both sides of public streets, and complementary and compatible land uses. The entire project is connected together with pocket parks, a neighborhood center, greenways and the public sidewalk system. Most areas within the neighborhood are located within a quarter-mile of one another, to encourage residents to walk within the community and reduce dependence on the automobile for daily trips.

The development has been designed to include a variety of housing types, retail and service commercial, and community facilities to achieve a balance and reasonably self-sufficient community for families of all ages, sizes, and levels of income, but the focus of most housing will be to serve families and the active adult market. The housing opportunities include traditional single family detached homes, single family cluster homes, single family attached homes, townhomes, and duplexes. To accommodate a variety of housing types, each planning area varies in topography, size, population and street layout. The Commercial Center will be located at the southeast corner of Jordan Road and Main Street, and will be accessible by automobile, primarily from Jordan Road for pass-by-traffic and by detached walkway system of pedestrian trails and bikeways.

The open space system for the Olde Town at Parker development includes a significant central park with open space, landscaping, an outdoor pool and pool house. The park will be connected to the neighborhood by a series of neighborhood trails. All residences within the development are located within a quarter-mile (5 minute walk) of the central neighborhood park. The entire development is linked together through a public open space park-system of sidewalks and trails.

The purpose of this Development Plan and Development Guide is to establish standards for the comprehensive development and improvement of the property. The standards contained in this Development Guide are intended to carry out the goals of this planned community. They are also intended to ensure a unified high-quality community for its residents.

B. Definitions

Unless otherwise stated herein, all provisions of and definitions found in the definitions section of the Parker Land Development Code, as amended, shall apply. The following definitions are provided for clarification of the uses proposed by this Development Guide.

1. Cluster Homes:

Detached or attached homes owned in the fee title conveyed by lot or building envelope in conjunction with common open space owned and maintained by a homeowners association.

2. Condominiums:

Condominium units are conveyed by unit numbers within a condominium homeowner association in conjunction with common ownership of all common facilities.

3. Duplex Homes:

Detached building on a single parcel containing two (2) dwelling units, designed for or used as dwellings exclusively by two (2) families, each living as an independent housekeeping unit.

4. Single Family Attached Homes:

Attached homes (Townhomes) owned in the fee title conveyed by lot or building envelopes in conjunction with common open space owned and maintained by a homeowner's association.

5. Single Family Detached Homes:

Single family detached homes on fee title/simple lots.

C. Legislative Intent

It is the intent of this Development Guide is to be consistent with, and to assist in implementation of the Town of Parker Land Development Code, as amended, to:

1. Encourage innovations in development so that the residents may enjoy a greater variety in type, design and layout for buildings and by the conservation and more efficient use of open space ancillary to said buildings;
2. Encourage a more efficient use of land and public services, and/or private services to provide benefit to those who desire having in a pedestrian-oriented neighborhood;
3. Minimize the burden of traffic on streets and highways;
4. Conserve and enhance the value of the land;
5. Provide a procedure, which can relate the type and layout of the building development to the particular site, thereby encouraging preservation of the site's natural characteristics; and encourage integrated planning in order to achieve the above purposes.

D. Application

These Standards shall apply to all property contained within the Olde Town of Parker PD as shown on the Development Plan and this Development Guide. These zoning regulations and requirements shall become the governing standards for review, approval and modification of all uses occurring on the site.

Provisions of this guide shall prevail and govern the uses of the site, however, this Guide only supersedes the specific zoning category, not the Town of Parker's Land Development Code as amended. The zoning codes and regulations for the Town of Parker shall apply where the provisions of this guide do not address a specific subject; or where there is a conflict in which case the Town of Parker Land Development Code prevails.

E. Authority

The authority of this Development Guide is Chapter 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Code as amended.

F. Adoption

Reference: Chapter 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Code as amended.

G. Relationship of Town Regulations

The provisions of this Development Guide shall prevail and govern development of the Olde Town at Parker PD to the extent provided by the Town of Parker Land Development code, as amended, except where the provisions of the Development Guide do not clearly address a specific subject, or where there is a conflict. In such a case the provisions of the Town of Parker Land Development Code, or any other codes or regulations of the Town of Parker shall prevail, when applicable.

H. Enforcement

The provisions of the Development Guide relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker. All provisions of this Development Guide shall run in favor of the residents, occupants or owners of the land on which the Olde Town of Parker PD is located to the extent expressly provided in this Development Guide and in accordance with its terms and conditions, the codes of the Town of Parker, and, where applicable, State Law.

I. Additions

The addition of appropriately zoned land to Olde Town at Parker PD shall be considered a zoning amendment and shall be subject to the procedures and requirements contained in the Town of Parker Land Development Code, as amended.

CONTROL PROVISIONS

A. Control Over Use

After adoption of this Development Guide by the Town Council:

1. Any new building or other structure, and any parcel of land may be used;
2. The use of any existing building, other structure, or parcel of land may be changed or extended as provided for in this Development Guide; and
3. Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated, for any purpose permitted or required by the provisions of this Development Guide applicable to the area in which such building, other structure or parcel of land is located. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all standards

and requirements set forth or referred to in the standards and requirements for that area, and to any other applicable standards and requirements of this Development Guide and Development Plan.

B. Control Over Location and Bulk

After the adoption of this Development Guide by the Town Council, the location and bulk of all buildings and other structures built after the effective date of the Development Guide, shall be in conformance with:

1. All applicable standards contained within the Development Plan and Guide; and
2. Any other applicable standards of the Land Development Code, as amended where such standards are not specifically addressed in or are in conflict with the Development Plan Guide.

C. Incorporation of Development Plan

The plan for development of the Olde Town at Parker PD including the type, location and boundaries of land use areas is shown upon the Olde Town at Parker PD Development Plan, which is attached as Exhibit A and is hereby incorporated by reference into this Development Guide.

GENERAL PROVISIONS

A. Purpose

The purpose of this section is to establish general provisions and clarify standards and requirements for development which may occur in the Olde Town at Parker PD.

B. Planning Area Boundaries

The boundaries and acreage of all Planning Areas within the Olde Town at Parker PD are shown on the Olde Town at Parker Development Plan. Where a Planning Area abuts an internal street drive, the boundary shall be the right-of-way of that street as indicated on the PD Development Plan. Where a Planning Area abuts another Planning Area, the boundary shall be shown as on the Olde Town at Parker PD Development Plan. Changes in the boundaries and acreage of Planning Areas shall be permitted as follows:

1. The size of any Planning Area may increase or decrease (by a minimum of 15%) after final determination, through the platting process, of the alignment of any of the streets and drives, open space areas, shown on the Olde Town at Parker PD Development Plan, subject to the Parker Land Development Code, as amended.
2. No amendment to this Development Guide shall be required for an increase and/or decrease in Planning Area boundaries internal to the site which results in changes to those areas amounting to less than 15% of the area of each such area. However, the developer shall keep and submit accurate records of such boundary revisions and shall inform the Town of the same, as required by the planning director if the modification is determined to be minor.
3. Any request for a Planning Area to increase or decrease by more than 15% of its size shown on the Development Plan shall be processed as a zoning amendment in accordance with of the Town of Parker Land Development Code.
4. The final boundary of any Planning Area shall be established when the final plat is prepared for that area.

C. Utility Connections

Approval for connection to the Parker Water and Sanitation District (the "District") facilities or other appropriate utility system shall be required for each principal building to be constructed under the terms of this Development Guide within the Olde Town at Parker PD and notice of such approval shall be provided to the Town building inspector.

D. Agricultural Uses

Agricultural activities and uses, except livestock and poultry, and all accessory structures and uses which are customarily incidental or appropriate to farming and ranching shall be permitted within Olde Town at Parker PD prior to but not during the phased development of the total project, subject to the Parker Land Development Code.

E. Utility Requirements

Telephone lines, electric lines, electrical distribution lines, cable TV lines and other like utility services shall be placed underground. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts shall not be placed above ground and shall be screened as appropriate (at the time of site plan development). Equipment permitted above ground shall not be placed within the required sight triangles needed for safe traffic visibility.

F. Dedication Requirements

All dedications of Public Facilities, including but not limited to Park and Open Space lands, roadways, utility easements, drainage facilities and easements shall be made at the time of Final Plat for the specific Planning Area, except as otherwise provided in the annexation agreement for the site.

G. Application of Town of Parker Design Guidelines for Single Family, Multiple Family and Commercial Development

The Design Standards included in the Town of Parker Development Design Standards, as amended, are in addition to these standards and requirements identified in the land Development Code and these PD Development Standards. These standards shall be used when preparing site plans and architectural plans for new development. In the event there is a conflict between the design standard described herein and the Town of Parker Development Design Standards, the Town's Guidelines shall control. These standards are based upon commonly accepted principles of urban design and reflect the goals for the Town of Parker as set forth in the Town of Parker's Master Plan. The Standards address the following: (1) site design standards such as adjacent sensitivity, site development, building location and orientation access, and screening; and (2) architectural standards, such as mass and scale, architectural elements, colors and roofing. The goal is to provide high quality building materials and landscaping which is in concert with the surrounding development.

DEVELOPMENT STANDARDS

SECTION 1 – SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREAS (PA) 4 AND 7

SEC. 1-10 Description

Single Family Detached Residential Area herein called "SFD" will have a total of approximately 56.27 acres and a maximum density of 4.35 dwelling units per acre, for a total of 245 dwelling units.

SEC. 1-20 Intent

1. Provide flexibility to adjust to changes in housing trends and patterns. Encourage diversity within the development of Olde Town at Parker through a variety of housing densities and associated lifestyles.

2. Improve the environment by requiring adequate landscaping.

SEC. 1-30 Uses Permitted

1. Single family detached dwellings with front, side or alley load garages;
2. Accessory structures and uses necessary and customarily incidental to a permitted use including detached garages;
3. Private open space and recreation facilities;
4. Public and quasi-public facilities;
5. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
6. Temporary construction yards and construction office, to be removed upon completion of the development;
7. Places of religious assembly

SEC. 1-40 Uses Permitted by Special Review

1. Water wells and appurtenances

SEC. 1-50 Development Standards

Total Acreage	56.27 Acres
Maximum Allowable Density	4.35 DU/AC
Minimum Lot Area (sq. ft.)	4,500sq. ft.
Maximum Building Height	35 feet
Minimum Lot Width	
• At the street:	40 feet
• At the front building wall:	45 feet
• At cul-de-sac, or similarly curved roads and flag lots at the street:	20 feet
Primary Building Front Setback (from local street right-of-way):	18 feet to face of garage
	10 feet to face of home
	10 feet to a covered porch without having space above the porch
Primary and Accessory Structure Side Setback:	5 feet
Primary Structure Rear Setback:	15 feet
Detached Garage Structure Rear Setback	5 feet
Corner Lot Side Setback (from local street right-of-way)	10 feet to side of structure
	18 feet to garage if side entry
Minimum Building Separation (does not include overhangs)	10 feet

SEC. 1-60 Design Guidelines

1. Front porches are encouraged and may be set back a minimum of 10 feet from the right-of-way when there is no having space above the porch.
2. All units shall have a clearly defined front yard. The builder / developer / owner shall submit plans for landscaping, hedging, fencing, or a brick or stone wall, which must be approved by architectural control committee prior to installation.
3. All single family detached homes must be located with the first floor above the adjacent sidewalk.
4. Front yard landscaping shall be required for all single family detached lots and shall conform to Town of Parker minimum landscape requirements as stated in Section 13.10.161 (f) of the Town of Parker Land Development Code, as amended.
5. Two (2) car garages (minimum) shall be required.

SECTION 2 – SINGLE FAMILY CLUSTER RESIDENTIAL – PLANNING AREA (PA) 3**SEC. 2-10 Description**

The Single Family Residential Cluster Areas herein called "Cluster Homes" will have a total of approximately 7.38 acres and a maximum density of 10.03 dwelling units per acre for a total of 74 units.

SEC. 2-20 Intent

The Single Family Cluster homes proposed in the Olde Town at Parker may include a number of housing types, depending on market conditions and new unit types available. It is intended, however, that these predominately single family cluster developments not just be conventional single family residences, but unique neighborhoods with functional amenities and innovative unit types. The objective of the cluster development is to group various types of units creating communal open space, increasing privacy, improving Residential environments, and creating additional view corridors to amenities. Forms of clustering units may include, but not be limited to: an active adult community, zero lot line homes which create a more useable yard space, "keyhole" lots, wide and shallow, attached, detached "Lifestyle" full exterior maintenance homes, "Z" lots, flag lots, wedge lots, clustering of units on a common court, alley access homes, patio homes with the outdoor having space focused around a patio area and a variety of attached unit types such as duplexes, triplexes and town homes.

SEC. 2-30 Purpose

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied throughout the project phases.
3. To provide a variety of housing styles around featured amenities, in a substantially maintenance free environment.
4. To maintain or enhance the inherent natural features of the site, especially the drainage corridors and, to the extent possible, provide recreation, leisure and community areas for the residents of Olde Town at Parker cluster homes.
5. To provide cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of street by grouping the residential units together.

SEC. 2-40 Uses Permitted

1. Single family dwellings, attached and / or detached and condominiums
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

SEC. 2-50 Uses Permitted by Special Review

1. Water wells and appurtenances

SEC. 2-60 Development Standards

Total Acreage	7.38 Acres
Maximum Allowable Density	10.03 DU/AC
Maximum Building Height	35 feet
Building Setbacks	
• From local street right-of-way:	10 feet to the structure 18 feet to the face of the garage
• From private drive/court:	3 feet (no parking in driveway if less than 18 feet in length)
• From arterial or collector street right-of-way:	25 feet
• From north property boundary:	12 feet
• From private lot lines:	3 feet (7 feet between structures)
Minimum Building Separation:	7 feet
• Rear to side:	7 feet
• Rear to rear:	10 feet
• Side to side:	7 feet
• Corner to side or rear:	7 feet
• Front to front:	20 feet
• Front to side:	7 feet

1. All improvements must be setback a minimum of 10 feet from the Planning Area boundary.

SEC. 2-70 Design Guidelines

1. Individual lots and Buildings shall be arranged and situated to relate to surrounding properties.

2. Diversity and originality in a lot layout and individual building design shall be encouraged to achieve a more compatible relationship between development and the land.
3. Single Family Cluster, herein called Cluster Homes shall be a place to live, in which open space is concentrated, rather than dispersed, and maintained for the benefit of all that live there. Roads may be private, but will be built to the Town of Parker standards, and facilities and structures may be maintained by an association for the benefit of one and all. Due to anticipated variety and type of residential product, minimum street frontage, building area and lot size will be determined at time of Final Plat/Site Plan.
4. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures or sidewalks
5. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
6. Attached units which share a common wall, shall meet all applicable fire protection requirements.
7. Attached units which share a common wall must meet the development standards of the Single Family Attached District.
8. Minimum lot size will be determined based upon platting. A condominium plat will be required for the property, or the property will be limited to 1 dwelling unit per lot.

SECTION 3 – SINGLE FAMILY ATTACHED RESIDENTIAL – PLANNING AREAS (PA) 2 AND 9

SEC. 3-10 Description

The Single Family Residential Attached Area herein called "SFA" will have a total of approximately 16.92 acres (4.76 acres in PA-2, 12.16 acres in PA-9) and a maximum density of 11.35 dwelling units per acre for a total of 192 allowed dwelling units.

SEC. 3-20 Intent

The Single Family Attached area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures may be maintained by an association for the benefit of one and all. This use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats (condominium units). The purpose of the Attached Homes is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

SEC. 3-30 Uses Permitted

1. Single family dwellings, attached, town homes, duplexes, and/or detached cluster homes;

2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.

SEC. 3-40 Uses Permitted by Special Review

1. Water wells and appurtenances

SEC. 3-50 Development Standards

Total Acreage	16.92 Acres
Maximum Allowable Density	11.35 DU/AC
Maximum Building Height	35 feet
Building Setbacks	
• From local street right-of-way:	10 feet to the structure 18 feet to the face of the garage
• From private drive/court/alley:	2 feet (no parking in driveway if less than 18 feet in length)
• From arterial or collector street right-of-way:	20 feet
• Adjacent to Single Family Detached Residential:	15 feet
Minimum Building Separation:	
• Rear to side:	12 feet
• Rear to rear:	20 feet
• Side to side:	10 feet
• Corner to side or rear:	10 feet
• Front to front:	20 feet
• Front to side:	12 feet

1. All improvements must be setback a minimum of 10 feet from the Planning Area boundary.

SEC. 3-60 Design Guidelines

1. Due to anticipated variety and type of residential product street frontage, building area and lot size will be determined at time of Final Plat/Site Plan.
2. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures.

3. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
4. Attached units which share a common wall shall meet all applicable fire protection requirements.
5. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

SECTION 4 – DUPLEX RESIDENTIAL – PLANNING AREAS (PA) 5 AND 6

SEC. 4-10 Description

The Duplex Residential area will have a total of approximately 13.88 acres (3.84 acres in PA-5, 10.04 acres in PA-6) and a maximum density of 10 units per acre for a maximum total of 104 dwelling units in Planning Areas PA 5 and 6.

SEC. 4-20 Intent

The Duplex Residential area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures may be maintained by an association for the benefit of one and all. This use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats (condominium units). The purpose of the Attached Homes is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

SEC. 4-30 Uses Permitted

1. Single family dwellings, attached, town homes, stacked flats (condominiums), duplexes, and/or detached cluster homes;
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

SEC. 4-40 Uses Permitted by Special Review

1. Water wells and appurtenances

SEC. 4-50 Development Standards

Total Acreage	13.88 Acres
Maximum Allowable Density	10 DU/AC
Maximum Building Height	35 feet
Building Setbacks	
• From local street right-of-way:	10 feet to the structure 18 feet to the face of the garage
• From private drive/court/alley:	Driveway must be ≤ 5 feet or ≥ 18 feet.
• From arterial or collector street right-of-way:	20 feet
• Adjacent to Single Family Detached Residential:	15 feet
Minimum Building Separation:	
• Rear to side:	12 feet
• Rear to rear:	20 feet
• Side to side:	10 feet
• Corner to side or rear:	10 feet
• Front to front:	20 feet
• Front to side:	12 feet

1. There will be a minimum residential setback from commercial areas of 15 feet to include vegetative screening of coniferous trees and a private fence on either the commercial or residential lot.

SEC. 4-60 Design Guidelines

1. Due to anticipated variety and type of residential product street frontage, building area and lot size will be determined at time of Final Plat/Site Plan. Setbacks will not inhibit ability to achieve desired density.
2. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures.
3. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
4. Attached units which share a common wall shall meet all applicable fire protection requirements.
5. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

SECTION 5 – COMMERCIAL CENTER – PLANNING AREA (PA) 1**SEC. 5-10 Description**

The Commercial Center is a total of approximately 11.49 acres.

SEC. 5-20 Intent

The Olde Town at Parker Commercial Center or Neighborhood Shopping Village is located at the southeast intersection of Jordan Road and Mainstreet. This area is anticipated to serve the daily needs of the local neighborhood, offering a variety of goods and services. This area shall be configured to provide easy access to the neighborhoods they serve. The design of any use within the commercial shall be a "360 degree" design, i.e., every elevation of a building shall be architecturally "finished" to a similar degree. Likewise, within the building clusters, there shall be architectural compatibility with typical details, (i.e. directional signage, trash enclosures, rooftop mechanical screens etc.), similar building materials, color, massing, scale design details and pedestrian orientation. There shall also be a common landscape concept and a master circulation plan.

SEC. 5-30 Uses Permitted

The following uses are permitted in the Commercial Center:

1. Retail business activities, including, but not limited to, the following uses:
 - Antique shops
 - Artist supplies
 - Barbershops and beauty parlors
 - Bars and lounges
 - Book stores
 - Clothing stores
 - Convenience stores with fuel sales
 - Crafts and hobby shops
 - Drug stores
 - Dry cleaning and dyeing
 - Electrical and household appliances
 - Florists
 - Furniture stores, no warehousing – limited storage within the principal structure
 - Gift shops
 - Grocery stores
 - Hardware stores
 - Indoor amusement and recreational facilities
 - Instructional services/studios
 - Jewelry stores
 - Laundries – hand and coin-operated
 - Music shops
 - Office supplies
 - Package liquor stores
 - Paint stores
 - Pet shops
 - Photographic studios, equipment and supplies
 - Restaurants and other eating establishments with or without a drive-thru, including sidewalk cafes and kiosks that provide unique congregating places for sales and shopping interests

- Shoe stores
 - Sporting good and athletic equipment
 - Stationary stores
 - Toy and game stores
2. Offices: general, medical, dental, professional and governmental
 3. Cultural facilities, such as a museum, theater, art gallery;
 4. Medical and dental clinics;
 5. Child care center
 6. Financial offices, including banks, savings and loans, limited to a maximum of 5,000 square feet and not including drive-through facilities;
 7. Clubs, lodges, fraternal and service organizations;
 8. Public and private schools
 9. Health clubs, fitness center;
 10. Accessory structures and uses necessary and customarily incidental to the above uses. No outdoor storage shall be permitted; *
 11. Public and quasi-public facilities;
 12. Temporary construction yards and construction office, to be removed upon completion of the development; and
 13. Places of religious assembly.

*All uses which are incidental only to the permitted use and which may comply with all of the following conditions, may be operated as an accessory use in business and commercial districts:

1. Is clearly incidental and customary to and commonly associated with the permitted use; and
2. Is operated and maintained under the same ownership and on the same building site as the permitted use.

SEC. 5-40 Uses Permitted by Special Review

1. Uses that have 24 hour operations
2. Outdoor recreational facilities;
3. Veterinary clinics and hospitals;
4. Financial offices, including banks, savings and loans proposing over 5,000 square feet in area, and/or drive-thru facilities;
5. Funeral homes, mortuaries and crematoria;
6. Pawn shops;
7. Nursing homes, retirement centers and residential style health care facilities.
8. Water wells and appurtenances

SEC. 5-50 Maximum Building Height

The predominant portion of any building shall not exceed 35 feet in height. Ornamental architectural elements or appurtenances such as stair towers, entry and corner design features, or cupolas shall not exceed 45 feet in height.

SEC. 5-60 Setbacks

Front Building Setback

• From public and private internal rights-of-way:	0 feet
• From Jordan Road and Mainstreet:	20 feet
Side Setbacks	
• If attached to an adjacent building:	Minimum of 0 feet
• If not attached to an adjacent building:	Minimum of 5 feet
Rear Setbacks:	10 feet from all property lines

1. A minimum 20 foot landscape strip shall be provided along Jordan Road, which shall include pedestrian walkways as indicated on the concept plan.

SEC. 5-70 Off -Street Loading

Unless screening has been approved by the Town of Parker, truck docking facilities off any major or minor arterial or adjacent to a residential district, is prohibited.

SEC. 5-80 Lot Coverage and Open Space

Lot coverage and common open space requirements shall be in accordance with the Town of Parker Development Design Standards, as amended.

SEC. 5-90 Design Guidelines

1. At the time of Site Plan/Final Plat all common design elements including but not limited to a "360 degree" architectural design treatment, thematic architectural design for all buildings, thematic landscape design through the site, minimum landscape buffers, uniform signage treatment, etc. shall be indicated.
2. Off-street parking will comply with the Town of Parker Land Development Code, as amended.

SECTION 6 – PARK/OPEN SPACE – PLANNING AREA (PA) 8

SEC. 6-10 Description

The Park/Open Space Area is a total of approximately 11.50 acres.

SEC. 6-20 Intent

The Park/ Open Space Area is located in the center of the community. The area contains approximately 11.50 acres and is planned to serve as an easily accessible location for residents within the development. The central park and open space area which includes 7.72 acres will include a neighborhood activity center which will include a club house, swimming pool and pool house, hot tub, tot lot and open play area. The open space will include a regional trail and landscaping. The design of any building within this use area shall be a "360 degree" design.

SEC. 6-30 Uses Permitted

The following uses are permitted within the Park/Open Space Area:

1. Outdoor pool and pool house
2. Community building/ club house;
3. Neighborhood activity center
4. Indoor and outdoor private recreation facilities;
5. Trails;

6. Public and quasi-public facilities;
7. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
8. Temporary construction yards and construction office, to be removed upon completion of the development;
9. Accessory structures and uses necessary and customarily incidental to a permitted use; and.
10. Drainage facilities and detention ponds.

SEC. 6-40 Uses Permitted by Special Review

1. Water wells and appurtenances

SEC. 6-50 Setbacks

All buildings shall be setback a minimum of 10 feet from the Planning Area Boundary.

SEC. 6-60 Maximum Building Height

The maximum building height of any structure in the Park/Open Space Area shall be 20 feet, with the exception of the clubhouse or pool house facility which may be 35 feet in height.

SECTION 7 – NOTES

1. The developer has the right to build at a lower density in any planning area provided the Town has determined that the use is permitted and compatible with surrounding land uses and a finding of compatibility is determined at the time of Preliminary Plan or Site Plan review; provided the developer meets the requirements of that particular zone district and the intent statements of this Development Plan. This reduction shall be considered a minor change, enabling the developer to gain approval of the site without amending the Development Plan.
2. Residential Development Standards shall apply to the use described, regardless of the zone district in which they are found, (i.e., if a Single Family Detached use is proposed in the Single Family Attached Use Area, the Development Standards for the Single Family Detached Use Area shall apply) provided that such use is a Permitted Use or Use by Special Review in the subject Planning Area.
3. All roadway systems are conceptually located to provide access to the site and its environs. Final alignments, access and design will be determined at the time of Sketch/Preliminary Plan review, and shall be in substantial compliance with the Development Plan.
4. Total Park dedication for this development shall be 13.39 acres as depicted on the Development Plan.
5. The 20% open space requirement shall be provided through the following:
 - a) Non-dedicated community open space.
 - b) Cash-in-lieu of open space land paid to the Town for the off-site purchase of open space.
 - c) Improvements to regional trail and parks in lieu of open space.
6. The owner / developer of any property within the area subject to these development standards has the right to continue existing agricultural uses until the time of construction, in accordance with the requirements of Sec.13.04.230 ("Non-conforming Situations") of the Town of Parker Land Development Code as provided herein.

SECTION 8 – DESIGN INTENT

SEC. 8-10 Circulation, Road Patterns, and Standards

The roads / streets are laid out based on a dispersed network, so that there are alternate routes to every destination, thereby permitting most streets to be narrower, with slower traffic and reduced trips per day envisioned for these pedestrian oriented streets.

Extensive street trees and detached walks on both sides along the neighborhood street will encourage pedestrians to utilize the "walking street pedestrian system" for day to day local trips within the development.

SEC. 8-20 View Corridors

Views from the site can be dramatic, ranging from mountains to the plains. The mountain views to the west include a sweep of approximately 180 degrees assuming many homes an opportunity to have a view. Views to the east include a view of the Cherry Creek open space / drainage corridor and the surrounding Town of Parker.

SEC. 8-30 Constraints

Public Service Company's overhead transmission lines are located along the southern boundary of the property paralleling Todd Drive. Traffic noise impacts are anticipated at the intersection of Jordan Road and Mainstreet.

SEC. 8-40 Community Design Elements

Community design elements will create the visual amenities that will contribute to making Olde Town at Parker a cohesive, well planned community. Community design elements include landscaping, berming, planting, entry monumentation, pavement textures in select areas, walls, fencing, lighting, parks, pedestrian and bicycle circulation and street furniture.

The external streets and the treatment along these roadways create the window and primary access to the community. It is intended that treatment along the roadways (landscape planting, community design elements and street furniture) be designed and integrated in a way to demonstrate the quality and community concept of Olde Town at Parker. It is intended that street furniture such as benches and street lighting, traffic control devices, bus shelters, kiosks, drinking fountains, bike racks, trash receptacles, fencing along the arterial and collector roads, and signage along the village center, arterials & collectors, shall be installed by the developer, and be of a consistent design vocabulary while adhering to the Town's Sign Code. Street furniture and entry signage will be an integral part of the landscaping areas flanking the arterials and shall have a uniform appearance throughout Olde Town at Parker. Street furniture will complement a theme with an integrated design. Signage along arterials and collectors will be low profile type monument signs with base materials and landscaping which will complement building themes and materials, consistent with the Town's Sign Code.

Development within Olde Town at Parker will comply with all Town of Parker Landscape Guidelines. Landscape planting shall be coordinated with the other community design elements and enhance the quality of the development. Additional design standards shall be submitted to the Town of Parker on or prior to the submission of a Final Plat.

SEC. 8-50 Community/Architectural Design Elements

Architectural design and specific area site planning shall encourage high quality development. Design Guidelines shall be submitted to the Town of Parker concurrent with the first Final Plat, ensuring the integration of design control of architecture, street furniture, and establish the character for other areas within Olde Town at Parker. The creation of a homeowner's association and enforcement of design Guidelines are enabled by the Covenants, Conditions and Restrictions (CC&R's) established for the property. The HOA will be responsible for enforcing the CC&R's and the Design Guidelines. The Design Guidelines will be provided to the Town as a courtesy.

Olde Town at Parker is a planned development and special consideration must be given to the siting of all improvements with emphasis on the relationship to existing grades, and the relationship to neighboring sites and vistas. All residences will have exterior elevations, roofs and details that shall be coordinated and consistent in their architectural treatment. Exterior elevations shall be designed to complement the natural and man enhanced environments of Olde Town at Parker. Large surfaces of bright colors and reflective exterior surfaces shall be prohibited excluding all glazed areas. Panels of bright colors may be utilized for an architectural statement on certain panels or doors, but again, may not be utilized on mass surfaces.

Fencing - The developer / builder shall submit detailed fence designs with the Final Plat and/ or Site Plan. The design and materials for any fencing along any arterial or collector road shall be based on a unified theme and character determined at the time of initial Final Plat, which shall reflect the overall design intent for the development. Individual panel or specific lot fence designs shall be prohibited on all fences along arterial and/or collector roads.

Common Area Landscaping - All common areas along arterials and collector roads, buffers, entry areas, pedestrian walkways and under the Jurisdiction of the Olde Town at Parker Homeowner's Association, or other quasi-government entity shall be landscaped in accordance with a master landscape plan which shall be submitted with the Final Plat and/ or Site Plan subject to approval by the Town of Parker. The landscape plans shall indicate, but not be limited to, plant materials, grading, soil, irrigation, landscape, signs, lighting, etc., and shall be prepared by a landscape architect, and shall meet or exceed the landscape requirements specified in Sec. 13.06.070 of the Town of Parker Land Development Code as amended.

All landscaping within a public right-of-way will require a license agreement issued by the Town of Parker Public Works Department. The agreement shall be assigned to the homeowner's or commercial owner's association therefore requiring the maintenance and irrigation, including tap, by the assigned entity or individual homeowner. Maintenance, irrigation and the water source, of the tree lawns along public streets adjacent to a Single Family lot is the responsibility of the lot owner. Maintenance and irrigation of all common area landscaping, including right-of-way landscaping along Jordan Road and Motsenbocker Road shall be the responsibility of the homeowner's association. Maintenance and irrigation of all landscaping along Mainstreet and Jordan Road adjacent to the Commercial Center shall be the responsibility of the Commercial owner's association or management company.

SECTION 9 – EXHIBITS

Exhibit A: Legal Description

Exhibit B: PD Development Plan

September 4, 2020

Senderos Creek North Townhome Project

Exhibit A: Legal Description of Olde Town at Parker Planned Development (PD)

Olde Town at Parker PD Amendment Legal Description

A PARCEL OF LAND IN THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306811;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N89°30'01"E A DISTANCE OF 50.01 FEET;
5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET
6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF

682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER ;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF- WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 590.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'56"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S37°22'55"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;

2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.
PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

Olde Town At Parker

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

PD Development Plan
3rd Amendment
SHEET 1 OF 1

VICINITY MAP NOT TO SCALE



- NOTES
1. NO FLOODPLAIN EXISTS ON THIS SITE.
 2. ALL EXISTING STRUCTURES ON THIS SITE SHALL BE REMOVED.
 3. EXISTING ZONING - PD
 4. WATER AND SEWER TO BE PROVIDED BY PARKER WATER AND SANITATION DISTRICT.

LAND USE SUMMARY

PA	Planning Area	Acreage	Dwelling Units	Density	Max. Density	% of Acreage
4 & 7	S.F. Detached Res*	56.27	245	4.35	4.35	43.4%
3	S.F. Cluster	7.38	74	10.03	10.03	5.7%
2 & 9	S.F. Attached	16.92	192	11.35	11.35	13.1%
5 & 6	Duplex Residential	13.88	104	7.49	10.00	10.7%
1	Commercial Center	11.49	N/A	N/A	N/A	8.9%
8	Parks/Open Space	11.50	N/A	N/A	N/A	8.9%
	Internal ROW**	8.43	N/A	N/A	N/A	6.5%
	Motensbocker ROW Dedication	0.90	N/A	N/A	N/A	0.7%
	Open Space/Trail	2.76	N/A	N/A	N/A	2.1%
		129.53	615	4.75	5.01	100.0%

* INCLUDES INTERNAL OPEN SPACE
** AS SHOWN ON PLAN
*** MAXIMUM DENSITIES FOR ALL PA's EXCEPT PA-9 WERE ESTABLISHED VIA PREVIOUS PD AMENDMENTS.

PLANNING COMMISSION ACCEPTANCE:

THIS DEVELOPMENT PLAN WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING HELD ON _____, 2020.

PLANNING DIRECTOR, ON BEHALF OF THE TOWN OF PARKER PLANNING COMMISSION

TOWN COUNCIL ACCEPTANCE:

THIS DEVELOPMENT PLAN WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THE _____ DAY OF _____, 2020, FOR THE PROPERTY DESCRIBED AS OLDE TOWN AT PARKER. THE ZONING INFORMATION SHOWN HEREON WAS CONFIRMED WITH ADOPTION OF ORDINANCE NO. _____.

MAYOR, TOWN OF PARKER

ATTEST: _____
TOWN CLERK

CLERK AND RECORDER'S CERTIFICATE

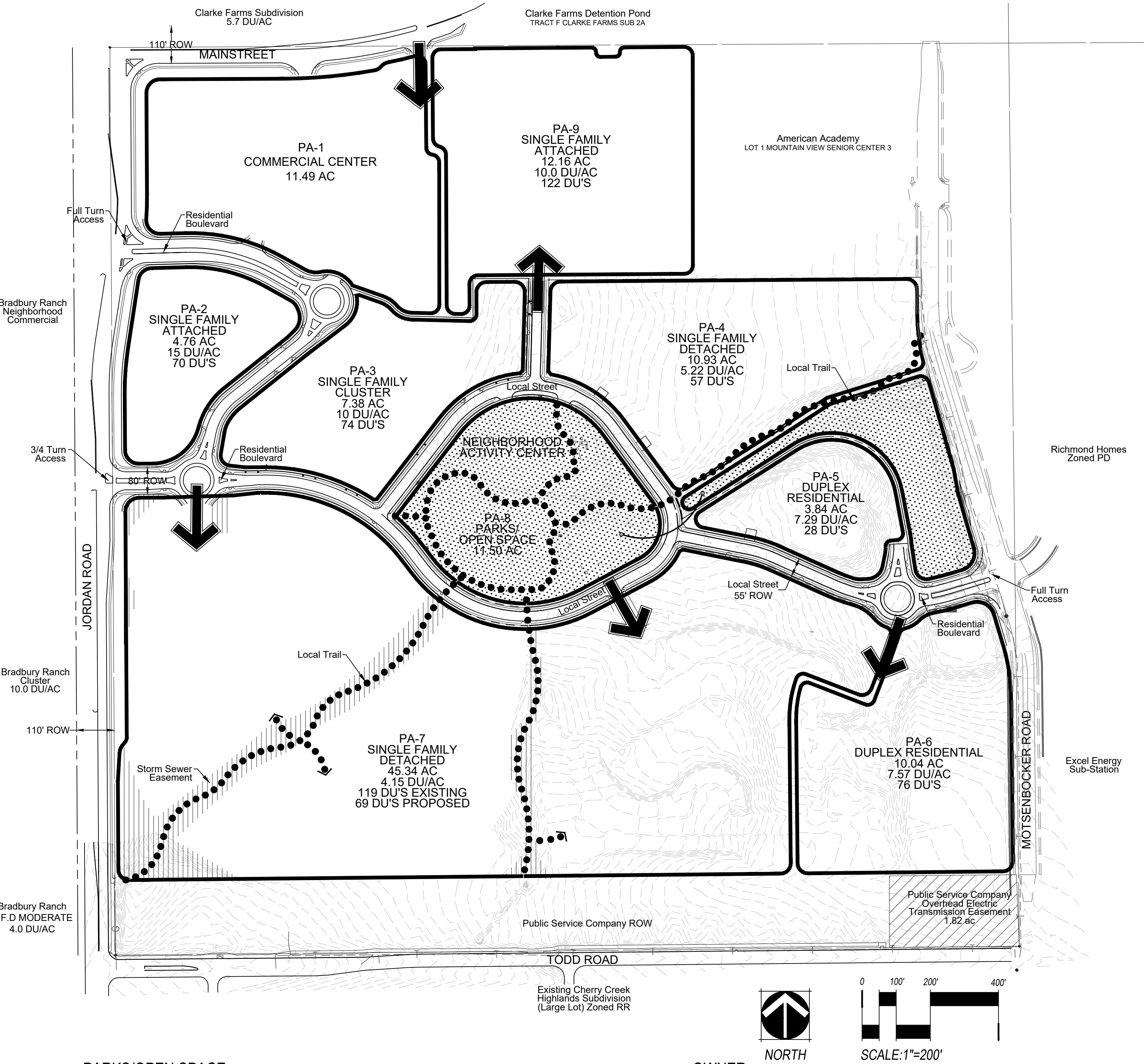
STATE OF COLORADO }
COUNTY OF DOUGLAS }

I HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2019 A.D. AT _____ O'CLOCK _____ M AND WAS RECORDED WITH RECEPTION NUMBER _____.

DOUGLAS COUNTY RECORDER

LEGEND

- Local Trail
- Access Points
- Designated Parks/Open Space within Planning Area
- Park/Open Space



PARKS/OPEN SPACE

1. PARKS DEDICATION REQUIRED
2ND AMENDMENT (2017): 595 DU'S X 3.0 PEOPLE/DU / 1,000 X 7.5: 13.39 AC*
3RD AMENDMENT (2020): 122 DU'S X 0.0139 AC/UNIT: 1.69 AC**
TOTAL PARK DEDICATION REQUIRED: 15.08 AC
3. PARK DEDICATION PROVIDED:
A. PA-8 (PARK/O.S./RECREATION CENTER): 7.22 AC
B. POCKET PARKS/OPEN SPACE IN PA-7: 2.70 AC
C. REGIONAL TRAIL CORRIDOR IN PA-7 & PA-8: 3.69 AC
D. PARK LANDS IN PA-9: 1.70 AC
TOTAL PARK DEDICATION CREDIT: 15.31 AC
4. OPEN SPACE REQUIRED: 20% OF AREA
5. OPEN SPACE TO BE MET THROUGH THE FOLLOWING:
A. NON-DEDICATED COMMUNITY OPEN SPACE AREAS
B. CASH-IN-LIEU OF OPEN SPACE PAID TO TOWN OF PARKER
C. IMPROVEMENTS TO REGIONAL TRAIL AND PARKS IN LIEU OF OPEN SPACE

* REFLECTS PREVIOUS PARKS DEDICATION FORMULA USED TO CALCULATE REQUIREMENT WITH THE 2017 PD AMENDMENT.
** REFLECTS CURRENT PARKS DEDICATION FORMULA FOR CURRENT CALCULATION.

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST QUARTER OF SAID SECTION 21;

THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

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THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

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6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER 2018070436;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

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3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
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6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
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12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
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2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.

PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

SUBMITTAL DATE: 03-14-03

REVISED: 06-3-03
REVISED: 08-5-03
REVISED: 08-22-16
REVISED: 11-07-16
REVISED: 01-06-17
REVISED: 03-09-17
REVISED: 04-19-19
REVISED: 09-23-19
REVISED: 02-18-20
REVISED: 04-03-20
REVISED: 04-30-20
REVISED: 09-04-20
REVISED: 10-30-20

OWNER

BY: _____

Title: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

APPLICANT:

PNE Neu Towne, LLC
4600 South Syracuse Street
Suite 900
Denver, CO 80237

PREPARED BY / LAND PLANNER / LANDSCAPE ARCHITECT:

1101 Barnock Street
Denver, Colorado 80204
P 303.892.1186
F 303.892.1186
www.norris-design.com

NORRIS DESIGN
Planning / Landscape Architecture / Project Foundation



Planning Commission Staff Report

Planning Commission Date: 11/12/2020

Town Council Date: 12/7/2020

Hearing Type: Public Hearing
OLDE TOWN AT PARKER PLANNED
DEVELOPMENT THIRD AMENDMENT - Rezone

TRAKiT No(s): Z20-013

Location: Generally located on the south side of Mainstreet
between Jordan Road and Motsenbocker Road.

Project Planner: Stacey Nerger, Planner

Applicant: Norris Design-Bill Mahar, Representative
Pacific North Enterprises, Owner

Executive Summary: The applicant, Norris Design, is proposing to amend the
Olde Town at Parker Planned Development (PD) to add
an additional 12 acres and allow for townhome uses.
The site is located on the south side of Mainstreet east of
Jordan Road.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve an ordinance for the Olde Town at Parker Planned Development Guide - Third Amendment."

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve an ordinance for the Olde Town at Parker Planned Development Guide - Third Amendment, subject to the following conditions:"

-List proposed conditions

"I move the Planning Commission recommend Town Council deny an ordinance for the Olde Town at Parker Planned Development Guide - Third Amendment as the request does not meet the following approval criteria:"

-List criteria not met (either by staff or Planning Commission)

“I move the Planning Commission vote to continue an ordinance for the Olde Town at Parker Planned Development Guide - Third Amendment to a future date.”

I. BACKGROUND/DISCUSSION

The Olde Town at Parker property was annexed in December, 2000, with a PD zoning which provided for 5.5 acres of commercial area and 595 residential units with trails and parks. In 2003, the PD was amended and sketch and preliminary plans were approved that enlarged the commercial area (PA1) to 13.35 acres. This commercial area included the access drive and adjacent drainage swale on the east boundary of the new planning area proposed with this amendment. The residential development under the previous PD amendment was also re-organized to create a central park and community pool area within the Olde Town project. Construction of the western half of the PD ceased in 2008 with the economic downturn but has since been largely developed. In 2017, the eastern half of the original development was approved for single-family detached and paired homes and is currently under construction.

The proposed rezoning would add 12.16 unplatted acres located north of the original development which were annexed into the Town in 2014. These 12.16 acres would be zoned Planning Area 9 (PA9) and would allow for single-family attached (townhome) development for a total of 122 units at a density of 10 units per acre. The two commercial lots and the adjacent drainage area are currently located in PA1 and are designated as Commercial Center. This area will remain largely unchanged in terms of use with the exception of a 1.86-acre portion of the drainage tract mentioned above. This drainage area will be reclaimed, redesigned and incorporated into the new residential planning areas.

The subject area is bounded on the east by the American Academy at Motsenbocker and to the west by the Mainstreet Dental Plaza commercial development. To the north of the site is the Clarke Farms single-family residential neighborhood and to the south is the Olde Town/Senderos Creek neighborhood that is currently under construction.

On August 3, 2020 Town Council considered a rezoning for this property that proposed 108 condominium units and 48 single family attached residential units. The proposal at the time included a maximum height of 45' for the condominiums and a maximum density of 17 dwelling units per acre. The proposed increase in height was 10 feet higher than the surrounding zoning and the density was greater than the rest of the planning areas in the PD. Town Council denied the previous request based on the requested height and density.

The applicant's current proposal maintains the same maximum height as the existing Olde Town PD and the Clarke Farms PD to the north. The proposed Single-Family Attached Planning Area 9 zoning aligns with the existing density allowed within the Olde Town PD.

The applicant held two neighborhood meetings on October 7, 2020 and October 29, 2020 to present their revised plan and provide feedback.



II. PRIOR ACTIONS

Date	Action
2000	The original Olde Town at Parker property was annexed into the town with a PD zoning which provided for 5.5 acres of commercial area, 595 residential units.
2003	The PD was amended and sketch and preliminary plans were approved that enlarged the commercial area to 13.35 acres. The residential development under this PD was also re-organized but with no change in the number of allowable residential units.
2008	Construction of the western half of the PD, approved with commercial and residential uses by the original developer, ceased with the economic downturn but has since been largely developed.

2017	The eastern half of the original development was approved for single-family detached and paired homes. The total number of allowed residential units was decreased to 493.
2020	A PD Amendment was proposed to include 12.16 acres into the Planned Development and zone them to allow for Condominium and single-family attached development. The proposed PD Amendment was denied by Town Council stating concerns that the proposed height and density of the condominiums were not compatible with the surrounding development.

III. CURRENT SITE DATA

Existing Zoning	A - Agricultural District		
Overlay District	N/A		
PD & Plan Area	Olde Town at Parker 2nd Amendment / Unplatted		
Master Plan Area	Medium Density Residential/Neighborhood Center		
Site Acreage	12.16 acres		
Subdivision	Olde Town at Parker / Unplatted		
Existing Use	Undeveloped		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Medium Density Residential	PD - Planned Development	Single-Family Residential – Clark Farms
South	Medium Density Residential	PD - Planned Development	Single-Family attached and detached- Olde Town at Parker
East	Medium Density Residential	PD - Planned Development	Elementary School - American Academy
West	Neighborhood Center	PD - Planned Development	Olde Town at Parker Commercial Center – Retail and Services

IV. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Medium Density Residential within a Neighborhood Center ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	Medium Density Residential: Consists of an overall gross density of 3.5 dwelling units per acre. Higher densities for housing for older adults may be considered as long as impacts are comparable to other uses permitted within this Character Area.

	<u>Neighborhood Centers:</u> Serve the basic needs of the surrounding residents. Typical uses include convenient retail and personal/business services usually anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also permitted. Higher density residential is appropriate as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development and when the design encourages residents to walk or bicycle. Typical garden style apartment designs are not appropriate.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.C Land Use 1.E Land Use 1.F Land Use 1.H Housing and Neighborhoods 2.A
Staff Analysis	This proposal is consistent with the Parker 2035 Master Plan which identifies this area as Medium Density Residential and within a Neighborhood Center. The Medium Density Residential designation recommends an overall density of 3.5 DU's per acre while the Neighborhood Center allows for higher density when applied in a mixed use walkable development. This project integrates commercial uses with adjacent residential and recreational uses through pedestrian oriented alternative access routes, creating a sense of community among those who work, live and play within the neighborhood.

LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezoning-PD Amendment)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	The Medium Density Residential recommends an overall density of 3.5 DU's per acre while the Neighborhood Center allows for higher density when applied in a mixed-	5.01 DU/AC	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A

	use walkable development.		
Allowed Uses	Medium and higher density residential uses as well as commercial uses including retail and personal service, small offices, recreational uses and restaurants.	Single-family attached Townhomes Office and commercial uses as allowed by the PD.	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	The proposed PD amendment is consistent with the Land Use and Housing and Neighborhoods sections of the Parker 2035 Master Plan. The inclusion of alternative residential housing types will expand housing options and help to diversify homeownership in Parker by meeting the needs of a wide range of the population including young families, professionals and seniors. Higher density residential is appropriate in the neighborhood center designation as a transition between less intense residential and non-residential areas when developed as part of a mixed use development. This project combines a variety of housing types with a design that expands pedestrian connectivity and encourages residents to walk or bicycle to obtain goods and services. This supports the “full service community” that is envisioned in the Parker 2035 Master Plan.		

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The property is located south of Mainstreet, east of Jordan Road, west of Motsenbocker Road and north of Todd Drive. It is anticipated that the proposed new development will be served by three existing roadways, two within the Olde Town at Parker commercial development and one within the existing Olde Town at Parker residential development (Springfield Court). The extension of Springfield Court will provide vehicular and pedestrian access from the residential areas to the adjacent commercial businesses. Springfield Court from the north will end in a cul-de-sac, avoiding thru traffic for Clarke Farms.

The existing and proposed internal network of private drives will connect to Mainstreet and the other public rights-of-way to the new residential development. The private drives will conform to Town of Parker criteria and be owned and maintained by the Olde Town Metropolitan District.

The sidewalk network is an important component of the development and is designed to provide pedestrian/bicycle connections between homes and the open space/park areas.

This network will connect to the existing sidewalks and trails within the overall neighborhood and will also provide access to the East West Regional Trail to the south and the Cherry Creek Regional Trail to the west.

VI. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant Analysis

The site features single family attached townhomes offering an underrepresented housing type necessary for the Town to accommodate the wide-ranging housing needs of its population as expressed in the Parker 2035: Changes and Choices (Master Plan).

Staff Analysis

The proposed PD Amendment will expand the boundaries of the Olde Town PD while continuing to allow for single-family residential development that is similar in height and density to that which is already permitted in the Olde Town PD. The proposed expansion will include enhanced access for the residential areas of the PD to the commercial areas and to Mainstreet. In addition, the PD Amendment will provide additional residential variety within the Town of Parker.

Based on this analysis, staff has determined that the request meets this criterion.

2. The particular parcel of ground is indeed the correct site for the proposed development.

Applicant Analysis

The particular parcel of ground is indeed the correct site for the proposed development; The parcel's location between an existing single-family residential neighborhood and a commercial development makes it an ideal place to provide a walkable neighborhood of single-family attached products that tie into the adjacent commercial district and speak to the full service community directive of the Parker Master Plan. The development completes the planned residential Senderos Creek neighborhood, filling a vacant gap between existing uses. The proposed planning area is within walking distance to local amenities such as the park and recreation center of the adjacent Neighborhood Activity Center as well as the existing and proposed commercial development to the west.

Staff Analysis

The additional acreage is directly adjacent to the existing Olde Town at Parker development. Though it is surrounded on all sides by residential and commercially zoned property, this site has remained undeveloped; presumably because of inherent challenges on the site. It is a relatively small parcel, has no direct access from Mainstreet and includes a cell tower that must be incorporated into the development. The applicant has worked closely with the Olde Town Metro District and the Homeowners' Association (HOA) throughout this process.

The additional acreage will be included into the Olde Town Metro District and HOA. Inclusion of this property into the Olde Town/Senderos Creek neighborhood will complete the subdivision and provide creative solutions to the existing development challenges.

The proposed PD amendment will maintain the existing maximum height of thirty-five (35) feet as the rest of the Olde Town PD and surrounding areas. In addition, the maximum density aligns with other Planning Areas in the Olde Town PD.

Based on this analysis, staff has determined that the request meets this criterion.

3. There has been an error in the original zoning; or

Applicant Analysis

Not applicable

Staff Analysis

There is no error in the original zoning for this property. This property was annexed in 2014 as an enclave annexation. The Town aligns enclave annexation zoning with the zoning designation in Douglas County, in this case the property was zoned Agriculture.

Based on this analysis, staff has determined that the request meets this criterion

4. There have been significant changes in the area to warrant a zone change.

Applicant Analysis

Parker's growth rate as well as larger industry trends have shifted land use priorities in the Town from agricultural towards residential. This is particularly apparent in the Olde Town Subdivision which has developed as residential. As this is the final piece of the subdivision, this project's completion will establish the area's character as a residential neighborhood. This is reflected in the Parker 2035: Choices and Changes (Master Plan) General Land Use Plan which designates the site location as Medium Residential Density. Additionally, the Town's Master Plan mentions that housing affordability has become more of an issue and notes the importance of diversifying the existing housing stock through attainable housing options in response to this.

Staff Analysis

The 12-acre site that is the subject of this request is currently zoned Agricultural and is the last undeveloped parcel in this area. The zoning proposed by the applicant is consistent with the existing development and will complete the mixed-use design originally envisioned for the Olde Town at Parker subdivision.

Based on this analysis, staff has determined that the request meets this criterion.

5. Adequate circulation exists and traffic movement would not be impeded by development; and

Applicant Analysis

Senderos Creek North will include a new street connection between the existing drive aisle in the adjacent commercial area to the west and Neu Towne Circle via an extension of East Springfield Court. East Springfield Court is currently stubbed to the Property for future extension. These street connections will provide improved connectivity both within in the neighborhood and to the surrounding community. Enhanced pedestrian connections to the existing and future commercial development adjacent to the site establishes the potential for residents to walk to work and services.

Staff Analysis

The applicant worked with the Town's engineering staff to provide adequate access, resolve incomplete streets and minimize impacts to nearby residential areas.

- The proposed access points will provide adequate circulation for the new development.
- The extension of Springfield Court from the south will provide an additional connection to the adjacent commercial uses.
- In response to concerns from the adjacent Clarke Farms subdivision, the applicant is proposing a cul-de-sac on Springfield Court from the north to avoid impacts to this established neighborhood from the new development.

Based on this analysis, staff has determined that the request meets this criterion.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

Applicant Analysis

The proposed project is meeting all applicable fees, policies, and requirements as specified by the Town of Parker and applicable utility districts.

Staff Analysis

This proposal completes an existing development previously approved for similar density. Town services to the development include road maintenance and emergency police response. The Town currently maintains public roads adjoining the development and will accept new public roads by dedication as development proceeds. Maintenance services will not need to be unreasonably extended to provide service to this development. The property is already located within the Town and the Police Department would respond to any calls currently. South Metro Fire and Rescue Authority will provide service to this area as it lies within their district boundaries.

Based on this analysis, staff has determined that the request meets this criterion

7. There are minimal environmental impacts or impacts can be mitigated.

Applicant Analysis

There are no known environmental impacts associated with development of the property.

Staff Analysis

No environmental concerns were identified by referral agencies. No significant wildlife or open space resource areas were identified for potential preservation in the Town's *Open Space, Trails and Greenways Master Plan*.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Applicant Analysis

The Proposed Project will bring zoning in line with the residential use identified for the area on the General Land Use Plan in the Town Master Plan. This is consistent with the other planning areas established in the Olde Town PD. The proposed Senderos Creek North neighborhood will be compatible with the adjacent land uses and seeks to create a "full service community" of residents with walkable connections to parks, open space, and services, as envisioned in the Town Master Plan.

Staff Analysis

The Parker 2035 Master Plan identifies this area as Medium Density Residential and as being within a Neighborhood Center. The Medium Density Residential recommends an overall density of 3.5 dwelling units per acre while the Neighborhood Center allows for higher density residential when applied in a mixed-use walkable development. This project integrates commercial uses with adjacent residential and recreational uses through a network of pedestrian oriented alternative access routes.

Recommendations within the Parker 2035 Master Plan for the Neighborhood Centers allow for higher density residential uses as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development.

The rezoning associated with this proposal is consistent with the current Parker 2035 Master Plan maps goals and policies as further described in Section IV of this staff report.

Based on this analysis, staff has determined that the request meets this criterion

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

Applicant Analysis

Parker Water and Sanitation District (PWSD) will provide potable water and sanitary sewer service to the Proposed Project. The neighborhood is located within the Douglas County School District and within the feeder area for Chaparral High School. It is anticipated that Prairie Crossing Elementary School and Sierra Middle School will also serve residents within the Proposed Project.

It should also be noted that the K-8 American Academy Charter School is located directly east of the Proposed Project and will serve residents as well. The proposed residential plan includes two parks and incorporates recreation areas such as a playground, dog park and community gardens. Along with the parks and open space within the larger Senderos Creek neighborhood, the nearby Cherry Creek Trail will offer residents expanded access to greenways in the town as well as pedestrian access to downtown Parker.

Staff Analysis

Water and sewer services will be provided by the Parker Water and Sanitation District. The cost to extend these facilities to the project area will be the responsibility of the developer.

The applicant has agreed to provide the appropriate cash-in-lieu of school facilities necessary to mitigate impacts created by the development to the satisfaction of the school district. Open space and trail dedications within this proposal have remained consistent with original approvals. Park space will be required to be designed and constructed meeting Town requirements as a part of the Final Plat process and approval.

SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Aztec	No Comment
Building	Approved
Centennial Airport	The development falls within the Airport Influence Area and recommend an aviation easement for the property.
CenturyLink	No comment
Clark Farms HOA	No comment
Comcast	No comment
Comprehensive Planning	The property is located within the Neighborhood Center of the Parker 2035 Master plan which supports higher density residential.
Douglas County Assessors	No comment
Douglas County School District	The developer and the District have agreed with a flat cash-in-lieu payment to the District of \$107,784.00 towards capital mitigation and land dedication.
IREA	Approved
Fire Life Safety	Approved
Neu Towne Metro District	The Board supports approval of the development parcel.
Neu Town HOA	The Association supports a development plan for up to 127 townhomes.
Parker Water and Sanitation District	Approved for zoning

PSCO	No objection to the proposed zoning contingent upon PSCO being able to maintain all existing rights
Public Works/Engineering	No comment

VII. CONCLUSION

The proposed rezoning will add 12.16 unplatted acres located north of the original Olde Town at Parker development. The PD amendment will add a new Planning Area that will allow for a total of 122 single family attached housing units with a maximum density of 10 units per acre. The proposed density aligns with the permitted densities in other Planning Areas of the Olde Town PD. This will not change the density in any of the existing planning areas, but will increase the overall density in the PD by about a half a dwelling unit per acre. Future applications for site development will be required to meet all Town landscaping, open space or park dedication requirements. This proposal is consistent with the Parker 2035 Master Plan which identifies this area as Medium Density Residential and within a Neighborhood Center. The uses, density and overall design considerations recommended for this district are consistent with the proposed PD and with the nine approval criteria for rezoning requests.

Therefore, staff is recommending that the Planning Commission recommend Town Council approve the Olde Town at Parker PD Guide- 3rd Amendment.

VIII. RECOMMENDED CONDITIONS

None

IX. ATTACHMENTS

1. Ordinance No. 3.162.4
2. Referral Agency Comments

Report Approved By: Bryce Matthews, Planning Manager



Request for Town Council Action

Date: December 7, 2020

Submitted By: Stacey Nerger, Senior Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: CHASE BANK

Applicant: Stantec

Location: Generally located at the southwest corner of Parker Road and Mainstreet

Department: Community Development, Stacey Nerger

TRAKiT Nos.: Z19-001 and SUB19-004

EXECUTIVE SUMMARY

The applicant's representative, Stantec, is requesting a Use by Special Review approval to allow a bank with a drive-through facility for an ATM/ITM and a Minor Development Plat to create one (1) 0.613-acre commercial lot. The subject site is located at the southwest corner of the intersection of Parker Road and Mainstreet and would replace the existing abandoned, vacant gas station on the site.

STAFF RECOMMENDATION

Approve with Conditions

BACKGROUND/DISCUSSION

The subject property is located at the southwest corner of Parker Road and Mainstreet and contains a vacant gas station that is in poor condition as well as a source of blight in Downtown. The property was annexed by the Town in 1984 as part of two (2) separate annexations, Villages of Parker VIII and Parker Enterprises. In 1987, the property owner at that time developed a gas station with auto repair bays on the property. In 2003, the property was rezoned to become part of the Greater Downtown District - Town Center zone which does not allow gas stations as a permitted use by-right. The gas station and auto repair bays ceased operation in 2014 never to resume and the use was subsequently abandoned by operation of code in 2015.

The applicant is requesting three (3) approvals from the Town Council:

1. Use by Special Review (UbSR)
2. Minor Development Plat (MDP)
3. Subdivision Agreement

The proposed UbSR would allow a bank with a single-lane drive-through ATM/ITM on the property. In the Greater Downtown District - Town Center zoning, a bank without a drive-through facility is permitted as a use by-right. However, the applicant's proposal for a bank with a drive-through facility on property adjacent to Mainstreet triggers the requirement for a UbSR.

From a planning perspective, the proposed bank with drive-through facility is generally consistent with the Parker 2035 Master Plan, including the Mainstreet Master Plan (MSMP), with certain exceptions such as the recommendation for active uses on the ground floor of buildings abutting Mainstreet (MSMP pp. 50, 52).

While the proposed bank with drive-through facility is not an active commercial use, it is possible for the applicant to activate the property and meet the intent of the Mainstreet Master Plan recommendation for active uses through a well-planned site and urban design. Using this approach, the applicant should provide adequate public amenities, improvements and usable elements to contribute to "...a vibrant and walkable downtown destination... (MSMP p.52) having the following characteristics:

1. Appropriate Use (MSMP P.49): "...the key determinants are the amount of frontage occupied and whether passersby can observe interior activities... avoiding a lengthy dead zone..."
2. Land Use Categories/Mixed Use-No Residential (MSMP p.50): "...creating a pedestrian-friendly downtown..." and "...uses should be scaled to the urban context..."

The proposed site plan and urban design incorporates several public amenities, improvements and usable elements that address the above. First, the proposed bank with a drive-through facility will improve the existing condition of the southwest corner of Mainstreet and Parker Road by removing the abandoned, vacant gas station. Second, the proposed development will incorporate improvements such as the dedication of additional right-of-way along Mainstreet, dedication of a way-finding sign easement along Parker Road, public plaza at the intersection of Parker Road and Mainstreet, widened sidewalks and additional landscape/streetscape amenities.

The Council is advised that the Community Development Department also requested that the applicant make a pro rata contribution towards the proposed way-finding sign near the intersection of Parker Road and Mainstreet to support further activation and gateway identification but they declined.

The applicant has proposed to address the visual impacts created by the proposed single-lane drive-through ATM/ITM by locating it at the southwest corner of the property and screening it from view with the building and landscaping. The use impacts of the bank with drive-through ATM/ITM, namely lack of activation, are to be addressed by the site and urban design, amenities/improvements and a proposed future commercial space or amenity zone on the west side of the building. The applicant should confirm their intention to develop this commercial space or amenity zone and when they intend to do so in response to the Mainstreet Master Plan recommendation for active uses along Mainstreet.

Subject to the above, staff has determined after evaluation of the information provided by the applicant that they have satisfied the nine (9) criteria for approval of a UbSR as described in the

Land Development Ordinance.

The applicant's proposed MDP would create one (1) 0.613-acre commercial lot and one 0.103-acre tract for additional right-of-way along Mainstreet from the two (2) existing metes and bounds legal descriptions. The proposed MDP includes two (2) dedications to the Town: (1) the 0.103 acre tract for additional right-of-way along Mainstreet to provide a continuous right-turn lane from eastbound Mainstreet to southbound Parker Road; and (2) the sign easement along the Parker Road frontage to allow the Town to install a future way-finding sign. The proposed MDP meets the requirements of the Land Development Ordinance and the Greater Downtown District - Town Center zoning regulations.

The applicant is also requesting the approval of Subdivision Agreement to secure the construction of required public improvements.

The Planning Commission reviewed this application on November 12, 2020, and recommended that the Town Council approve the project subject to the recommended conditions contained in the Planning Commission staff report.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Planning Commission Staff Report
2. UBSR Exhibit
3. Minor Development Plat
4. Subdivision Agreement

RECOMMENDED MOTION

(1) I move to approve the Chase Bank Use by Special Review, based on staff findings, with the following conditions contained in the staff report.

1. That the Use by Special Review materials submitted to the Community Development Department on September 29, 2020 shall be the approved Use by Special Review materials.
2. The applicant shall submit a Site Plan that includes a minimum of the following:
 - a. The building shall be two-stories in height or at a minimum include two-story massing along Mainstreet.
 - b. The building shall include an area along the Mainstreet frontage for future commercial space or an amenity zone. The amenity zone shall at a minimum provide activation and a continuous hardscape edge along the Mainstreet sidewalk subject to Town approval.

3. This approval shall expire twelve (12) months after the date of approval unless the applicant applies for a building permit. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

(2) I move to approve the Chase Bank Minor Development Plat, based on staff findings, contained in the staff report.

(3) I move to approve the Chase Bank Subdivision Agreement, based on staff findings, contained in the staff report.



Planning Commission Staff Report

Planning Commission Date: 11/12/2020

Town Council Date: 12/7/2020

Hearing Type: Public Hearing
CHASE BANK –
1. Use by Special Review
2. Minor Development Plat

TRAKiT No.: Z19-001 and SUB19-004

Location: Generally located at the southwest corner of Parker Road and Mainstreet

Project Planner: Stacey Nerger, Planner

Applicant: Brian Reno, Stantec

Executive Summary: The applicant, Stantec, is requesting a Minor Development Plat to create one 0.613-acre commercial lot and a Use by Special Review approval to allow for a bank drive through located at the southwest corner of Parker Road and Mainstreet.

Staff Recommendation: Approval

RECOMMENDED MOTIONS

"I move the Planning Commission recommend Town Council approve the Chase Bank Use by Special Review to allow for a drive through subject to the three (3) conditions contained in staff's report:"

1. *That the Use by Special Review materials submitted to the Community Development Department on September 29, 2020 shall be the approved Use by Special Review materials.*
2. *The applicant shall submit a Site Plan that includes a minimum of the following:*
 - a. *The building shall be two-stories in height or at a minimum include two-story massing along Mainstreet.*
 - b. *The building shall include an area along the Mainstreet frontage for future commercial space or an amenity zone. The amenity zone shall at a minimum provide a continuous hardscape edge along the Mainstreet sidewalk.*

3. *This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.*

"I move the Planning Commission recommend Town Council approve the Chase Bank Minor Development Plat."

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve the Chase Bank Use by Special Review."

"I move the Planning Commission recommend Town Council approve the Chase Bank Minor Development Plat."

"I move the Planning Commission recommend Town Council deny the Chase Bank Use by Special Review."

-List criteria not met (either by staff or Planning Commission)

"I move the Planning Commission recommend Town Council deny the Chase Bank Minor Development Plat."

-List criteria not met (either by staff or Planning Commission)

"I move the Planning Commission vote to continue the Chase Bank Use by Special Review to a future date."

"I move the Planning Commission vote to continue the Chase Bank Minor Development Plat to a future date."

I. BACKGROUND/DISCUSSION

The applicant is requesting two (2) applications. The first application is a Use by Special Review to allow for a single-lane drive-through ATM associated with the bank use proposed on the property. The subject site is located at the southwest corner of Parker Road and Mainstreet. The site is located within the Greater Downtown District Town Center zoning. A drive through facility is listed as a Use by Special Review within the Greater Downtown District Town Center zoning.

The second application is a Minor Development Plat to create one 0.613-acre commercial lot and one 0.103-acre tract for additional right-of-way along Mainstreet from two existing metes and bounds legal descriptions. The proposed Minor Development Plat meets all requirements of the Town Land Development Ordinance and the Greater Downtown District Town Center Zoning regulations. The proposed Minor Development Plat includes two dedications to the Town. The first dedication is additional right-of-way along Mainstreet to provide a continuous right-turn lane from east bound Mainstreet to south bound Parker Road.

The second dedication is a sign easement along the Parker Road frontage to allow the Town to install a Parker downtown sign. The applicant was asked to contribute towards half of the construction cost of the sign, but declined to contribute.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
April 17, 1984	The existing northern property along Mainstreet was Annexed into the Town of Parker as part of the Villages of Parker VIII Annexation.
July 16, 1984	The existing southern property was Annexed into the Town of Parker as part of the Parker Enterprises Annexation.
1987	The existing vacant gas station was constructed on the property in 1987.
2003	The property was rezoned to become part of the Greater Downtown District, a zoning composed of five Sub-Districts (in this case, Town Center Sub-District)

CURRENT SITE DATA

Existing Zoning	GD - Greater Downtown District		
Overlay District	N/A		
PD & Plan Area	N/A		
Master Plan Area	Downtown Core		
Site Acreage	0.7812 Acres		
Subdivision	Chase Bank (Proposed)		
Existing Use	The property consists of vacant convenience store and gas station.		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Downtown Core	GD - Greater Downtown District	Crossroads Shopping Center – BOK Financial
South	Downtown Core	GD - Greater Downtown District	Parker Market Place Shopping Center – Key Bank
East	Downtown Core	GD - Greater Downtown District	Parker Road and Wells Fargo
West	Downtown Core	GD - Greater Downtown District	Parker Market Place Shopping Center Kneaders Bakery

III. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Mainstreet Master Plan Area ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	The Mainstreet Master Plan Area envisions future development for the Mainstreet corridor as a pedestrian-friendly environment that supports a vibrant and sustainable downtown area. Building upon this vision, new development and redevelopment strategies for the larger Mainstreet corridor will strive to encourage active pedestrian oriented ground floor uses for buildings and parcels adjacent to Mainstreet, while directing office and residential uses to upper floors.

	Focus will be placed on filling in physical gaps between existing buildings and increasing development intensity and critical mass. The Mainstreet Master Plan also includes specific guidance on the following: • Ground-floor active uses will be promoted to support a walkable pedestrian environment with interactive storefronts for Mainstreet. Active ground-floor uses will include retail, restaurants, boutiques, coffee shops, art galleries, personal services and other similar uses. • Daytime Activity - Actively pursue employers to the Downtown area will create a higher intensity of office jobs and higher education uses that support a daytime economy. • Streetscape - Create character, shade, and visual interest for the built environment in Downtown will emphasize the installation of a continuous line of street trees, public art, street furnishings, and hardscape along both sides of Mainstreet. • Building Heights - New development within the Mainstreet Master Plan Area must be a minimum of two stories, • Architecture - Emphasis will be placed on using high quality building materials in the design of authentic and diverse architecture. The Denver Regional Council of Governments (DRCOG) classifies this character area as an Urban Center through their Metro Vision 2035 Plan.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.C
Inconsistent Goals/Strategies	None
Staff Analysis	The property is located within the Mainstreet Master Plan Character Area of the Town's Master Plan. The proposed bank will be constructed along Mainstreet with parking and the drive through located on the south side of the property.

	The drive through component is a drive up ATM that is located at the far southwest corner of the property, so this project would limit any negative impacts on the surrounding community and services. The bank facility is classified as an office use (financial service), which is consistent with the General Land Use Plan recommendations in Chapter 6 of the Parker 2035 Master Plan. The proposal has a two story massing and is proposing to reserve the westerly portion of the property for a future commercial addition to address the Mainstreet Master Plan recommendation for first floor active uses on Mainstreet.
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IV. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Site Plan/UBSR/Sketch/Prelim Plan/MDP)			
Provisions	Existing/Required	Proposed	Analysis
Setbacks	Front – 0 feet from Mainstreet (subject to required widths for sidewalk and amenity zones) Parker Road – 35 feet Side – 0 feet Rear – 0 feet	The proposed construction of the Bank is not associated with this application, but with a concurrent Site Plan submittal. Based on the Site Plan, the building will have the following setbacks: Front (north) – 16 - 18 feet Side (east) – 51.5 feet from Parker Rd. Side (west) – 56.1 feet Rear (south)– 105.1 feet	☒ Consistent ☐ Inconsistent ☐ N/A
Density	N/A	The proposed bank will include only one structure on the property while removing the two existing vacant structures.	☒ Consistent ☐ Inconsistent ☐ N/A
Height/Stories	Maximum building height of 60 feet.	30' 6"	☒ Consistent ☐ Inconsistent ☐ N/A
Lot Size	N/A	The existing two lots will be combined into one lot approximately 0.613 acres in size.	☒ Consistent ☐ Inconsistent ☐ N/A

Lot Coverage	N/A	The applicant will demolish the existing vacant convenience store, gas canopy and auto repair building and replace it with a 3,470 square foot bank.	☒ Consistent ☐ Inconsistent ☐ N/A
Landscaping	Title 13.06.070	The applicant will be required to install new landscaping with the new bank building to meet both the Town Center Zoning requirements along with the Landscaping requirements.	☒ Consistent ☐ Inconsistent ☐ N/A
Off-Street Parking	Title 13.06.050 : The minimum parking requirements for an office use which includes a bank is 1 parking space per 300 square feet of net leasable area.	The applicant will be required to meet the minimum parking requirements as outlined within the code.	☒ Consistent ☐ Inconsistent ☐ N/A
Miscellaneous	Utilities	Parker Water and Sanitation District, Xcel Energy and IREA will continue to provide utility service to the development.	☒ Consistent ☐ Inconsistent ☐ N/A
Staff Analysis	Staff has determined that the proposed use meets the intent and purpose of the Greater Downtown Town Center zoning district. All setbacks, height, landscaping and parking requirements will be satisfied. In addition, the application will remove the existing vacant blighted gas station from the property.		

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

This property has shared access with the existing Parker Market Place Shopping Center for both Mainstreet and Parker Road. The property has direct access to Mainstreet through a right-in access at the northwest corner.

VI. APPROVAL CRITERIA

Title 13.04.200.b. Criteria for approval for Uses Permitted by Special Review:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhoods.

Applicant analysis and findings:

The Property is located at the intersection of Mainstreet, a major arterial, and Parker Road, a regional connector and six-lane highway. Most of the patrons of the Chase bank will be motorists traveling on one of those two major roadways. As has been emphasized by the recent pandemic events, to conduct business and to cater to motorists running errands, during the daytime a drive-through is not only convenient but necessary. The single lane drive thru banking ATM facility is in harmony and compatible with immediate surrounding areas and neighborhood commercial uses with drive ups including a Key Bank and First Bank to the south, Wells Fargo Bank to the east, with similar and larger drive ups, and the Kneaders restaurant to the west, and McDonalds restaurant to the south east, and provides a 24-hour active use that is compatible with surrounding retail and business development. The design of the drive up uses authentic aluminum composite panels to match the aluminum composite panels on the adjacent proposed bank which screens the drive up from Mainstreet. To mitigate the visibility of the drive thru and minimize visual impacts the drive up is located in the extreme south west corner of the site at an elevation 5 feet lower than adjacent Parker Road and Mainstreet roadways, and is screened by the new Bank building to the North, perimeter and interior parking lot landscaping, to the East along Parker Road and existing landscaping to the south. The design of site separates pedestrian walkways, active use areas, our proposed landscape plaza feature at Parker Road & Mainstreet and the Sulphur Gulch trail and parking features from drive up Queuing and stacking.

Staff analysis and findings:

The drive-through ATM use will be one of six drive-through facilities located near this intersection. The applicant is proposing to locate the drive-through ATM at the far southwest corner of the property to minimize its visibility and impact on Mainstreet and Parker Road.

Therefore, staff has determined that this criterion can be satisfied.

2. Will be consistent with the Town Master Plan.

Applicant analysis and findings:

The Master Plan “reflects the Parker area residents’ and business owners’ values and dreams for the future of Parker, as well as sound planning principles,” and therefore compatibility with the Master Plan is properly considered as part of the approval of the Use by Special review and site plan. The proposed Site Plan for the Bank and drive up furthers the following select guiding principles and land use goals within the Master Plan:

In conformance with the Parker 2035 Master Plan Guiding Principle: **“Architectural and land use design is fundamental to our identity. As our community grows, special attention will be given to promoting high quality residential and commercial development that reflects aesthetic excellence.”**

We have worked with town Staff to adapt the design of the bank and drive up to provide a unique gateway for the Town, and a design with high quality materials and landscaping that is sensitive and compliant with the Master Plan as outlined below.

Land Use Goal 1.G.: **“Sensitively integrate the built environment with the natural environment in order to protect the native landscape and topographical features naturally occurring throughout our community.”** The Site Plan includes high quality landscaping that screens the visibility of the drive up and fulfills the requirements of Chapter 13.06 of the Code and restores a natural grade to the site and corner eliminating existing retaining walls.

Land Use Goal 1.H.: **“Encourage land uses that create a sense of community among those who work, live and play within appropriate neighborhoods”** Our design includes a landscaped Corner gateway plaza and landscape amenity areas on Mainstreet which create spaces for community events and screen the drive up from Parker Road and Mainstreet.

Community Appearance and Design Goal 1. A bullet 2, The drive up location and landscape screening on the site meets the goal of **“planning for Parker Road that includes elements for ‘beautification’ and safe pedestrian access along and across this State highway”** by our planned enhancement of the Sidewalks, pedestrian oriented gate way plaza at the Parker and Mainstreet, landscape screening along Sulphur Gulch Trail and Parker Road.

Community Appearance and Design Goal 1. A, bullet 3 The drive up location and landscape screening on the site meets the goal of **“Developing a plan for landscaping and street-scape improvements focused on the intersection of Parker Road and Mainstreet to reflect the importance of this crossroads in our community”** by our planned enhancement of the sidewalks, pedestrian oriented gate way plaza at the Parker and Mainstreet, landscaped amenity zone, along Mainstreet at the west of the site, landscape screening along Sulphur Gulch Trail and Parker Road.

Community Appearance and Design Goal 1.D.: **“Enhance and accentuate Town entryways at key entry points to the Town.”** Achieved by Our planned enhancement of the sidewalks, pedestrian oriented gate way plaza at the Parker and Mainstreet, Easement provided for town wayfinding sign, landscape screening along Sulphur Gulch Trail and Parker Road and location of Drive up away from and below grade from the corner.

Community Appearance and Design Goal 3: **“Commercial buildings shall give special attention to building massing, form and design to create a series of unique places that contribute to the overall character of Parker as a distinctive community.”**

Our prominent two story high facade, has an elevated main entry bay with canopy, strong vertical corner feature at Parker Road and Mainstreet, unique amenity zone and corner gateway landscape feature at each side along Mainstreet, and we have located the one story drive up canopy away from the intersection at the SW interior corner of the site with landscape screening.

Community Appearance and Design Goal 5.C.: **“Where appropriate, locate buildings adjacent to the street to either block or break up the view of parking lots.”** Our proposed site plan conforms by locating the long axis of the proposed building along Mainstreet, the short axis along Parker Road, and all parking and the drive up at the southwest quadrant of the site to screen, block and break up the views of parking and drive up.

Jobs and Economic Vitality Goal 1: **“Attract and retain a variety of employment opportunities for Parker residents.”** Our proposed Bank development including the Drive up will result in remediation and removal of an existing shuttered gas station creating a landscaped perimeter, new high quality building and landscape right of way features, public amenities at the north west and north east corners of the site, and new employment opportunities the community with the bank.

Jobs and Economic Vitality Goal 6.: **“Sustain the long-term economic well-being of the Town and its citizens through redevelopment and revitalization efforts.”** and Jobs and Economic Vitality Goal 6.A.: **“Encourage and support the quality renovation and reuse of under-utilized parcels and buildings.”** Our proposed development including the Drive up will result in remediation and removal of an existing shuttered gas station and will restore natural grades and transitions on the site to surrounding Sulphur Gulch trail development by removing unsightly fences and retaining walls and creating a landscaped perimeter, new high quality building and landscape Right of way features, public amenities at the NW and NE corners of the site, and new jobs in the community.

Compliance with Parker Mainstreet Master Plan

Our site meets the following criteria identified in the Parker Mainstreet Master Plan for Site 7 at the SW corner of the intersection (Page 60):

Minimal building setback from Parker and Mainstreet as permitted by Water Main easements and right of way expansion and Amenity zone area proposed by the Town.

-Creating a vertical architecture (building massing) along Mainstreet and Parker Road. Our prominent two story high facade, has an elevated main entry bay with canopy, strong vertical corner feature at Parker Road and Mainstreet, and we have located the one story drive up canopy away from the intersection at the SW interior corner of the site with landscape screening.

Recommendation 4.7: All new buildings in the West End shall have primary, active pedestrian entrances facing Mainstreet. Our proposed Creating Primary Building entry on Mainstreet and secondary entry at the south side of the building facing parking lot.

Locating all parking and the drive up at the SW corner of the parcels being redeveloped, (screened from Mainstreet and Parker Road) the proposed drive up use which requires a special review is located as an accessory use as a separate non abutting structure at the rear of the lot and is not located on the Mainstreet Frontage which per the PMSMP per Recommendation 4.9: **“Drive thrus, gas stations and automobile repair shops of any configuration should not be permitted on Mainstreet-abutting buildings in the West End.”**

The proposed site plan maintains and extends the Sulphur Gulch Trail, connects to the Parker Road bus stop and creates improved connections to Mainstreet via our proposed active use area and landscaped plaza at the corner of Parker Road & Mainstreet. Active retail community events that could utilize the space include farmers market, holiday celebrations, parades, races, and could also include bank sponsored events and food truck events. The proposed Bank design has prominent corner feature and two-story form as described in the Parker Road/ Mainstreet section of Urban form recommendations.

The proposed bank use generates more daytime activity and a higher intensity of jobs within the plan area. The bank use has been designed with so that there are large windows to showcase the interior activities of the bank and the interactive areas of the interior. The bank entries have been designed to connect to Mainstreet, the active event area, and the parking lot.

The proposed active use area and landscape corner plaza create a pedestrian oriented environment and connection to the Mainstreet and Parker Road ROW. Our building on the Mainstreet frontage is 2 stories tall and screens the drive up use from Mainstreet, and we have provided a line of street trees and benches along Mainstreet.

The architecture of the building and ATM canopy use authentic high-quality materials, including aluminum composite panels. The design of the ATM drives up separates pedestrian and parking features from drive up queuing and stacking. The drive-up Canopy is part of the personal service offering of the bank meeting the needs of the community providing 24-hour access to cash and services and creating an active personal use on the site that is convenient for residents and shoppers.

Staff analysis and findings:

The Town’s Master Plan depicts this area as Mainstreet Master Plan and offers the following comment to describe the Mainstreet Master Plan Character Area:

“A pedestrian-friendly environment that supports a vibrant and sustainable downtown area. Building upon this vision, new development and redevelopment strategies for the larger Mainstreet corridor will strive to encourage active pedestrian oriented ground floor uses for buildings and parcels adjacent to Mainstreet, while directing office and residential uses to upper floors. Focus will be placed on filling in physical gaps between existing buildings and increasing development intensity and critical mass.

Although the main use of the proposed property will be an office (financial) use, the proposed Chase Bank is a permitted use within the Greater Downtown Town Center zoning district. The themes described in the Mater Plan envision development to create a pedestrian friendly environment, aesthetics in design and includes a variety of uses. The proposed Chase Bank and drive-through facility include the creation of a pedestrian friendly environment by including a larger sidewalk along Mainstreet to create along with a sidewalk connection to the Sulphur Gulch trail to the south along a large sidewalk along Parker Road. In addition, the bank has proposed active amenities along Mainstreet creating pedestrian plazas. Along the west side of the building, an area proposed as an active amenity zone will have the possibility to be developed at a later date for future active commercial uses. The building will be located close to Mainstreet with a pedestrian amenity zone located between the building and the street. The building will orient towards Mainstreet with customer entrances located on both the north and south sides of the building.

Therefore, staff has determined that this criterion can be satisfied.

3. Will not result in an over-intensive use of land.

Applicant analysis and findings:

The proposed Chase Bank drive up ATM facility is a single lane drive up and as such is the minimum size and length for a drive-up facility. The Town has asked for multiple uses on this small site and to accommodate this we have added an interim active event area, on the small future active retail lot on the west side of the development. We have reached an accommodation on the Mainstreet ROW setback, by adding hardscape, benches and street trees, and we are requesting 26 parking spaces to support the active event area and the bank. Adding the drive up reduces the bank's business case parking requirement for site as the drive-up area can serve more customers with less physical space required in the lot for parking. The drive-up location is depressed and landscaped screened.

Staff analysis and findings:

The proposed use is not anticipated to generate significant traffic volumes or lead to congestion which might result in undue traffic hazards. The proposed drive-through will be located in such a way as to allow adequate stacking of vehicles on site. In addition, the construction of the Chase Bank will remove two (2) vacant buildings with the one Chase Bank facility.

Therefore, staff has determined that this criterion can be satisfied.

4. Will not have a material adverse effect on community capital improvement programs.

Applicant analysis and findings:

The development of the proposed Chase Bank branch and drive up development will not have a material adverse effect the Town capital improvement program, and will in fact provide new ROW improvements, curbs, private drives and sidewalks, and improvements at the cost of Chase. The public improvements constructed by Chase will follow Town of Parker capital improvement program standards & criteria.

Staff analysis and findings:

It is not anticipated that the existing roadway network around the subject property will be unable to handle the additional traffic generated by the office (financial) use at this location, even one which features a drive-through. The applicant will be dedicating additional right-of-way along Mainstreet as part of the Minor Development Plat to create a right -turn lane from Mainstreet onto Parker Road. There are existing drainage improvements in place to handle developed storm water flows.

Therefore, staff has determined that this criterion can be satisfied.

5. Will not require a level of community facilities and services greater than that which is available.

Applicant analysis and findings:

The proposed Chase Bank and drive up development is private facility and entity in itself and will not require any new water, sewer, power, roads, ROW improvements, or other community facilities and services greater than that which is already available in the Town of Parker and adjacent to the site.

Staff analysis and findings:

This proposed use will demolish the existing vacant gas station which consists of two structures and replace it with one building. In addition, the proposed bank is located within the Parker Market Place Shopping Center which was developed to include a variety of uses and users.

Therefore, staff has determined that this criterion can be satisfied.

6. Will not result in undue traffic congestion or traffic hazards.

Applicant analysis and findings:

Based on the traffic study provide by Tuttle Hernandez Transportation Group LLC, the proposed Chase Bank development and drive up will not have little to no impact on the operations of the surrounding intersections and will not create any new traffic hazards. In addition, this development contemplates and compliments the addition of future turn lanes at the Mainstreet the Parker Road intersection and the design of the site eliminates pedestrian and drive up path of travel conflicts.

Staff analysis and findings:

The existing roadway network around the site provides adequate infrastructure to support the redevelopment of this site, along with the drive-through use. The drive-through facility will be located at the southwest corner of the property which will provide adequate access to avoid any stacking of vehicles off of the property. The property includes an existing right-in only access directly to the property which will remain. In addition, the application will be dedicating additional right-of-way along Mainstreet to create a right-turn lane from Mainstreet onto Parker Road.

Therefore, staff has determined that this criterion can be satisfied.

7. Will not cause significant air, water, or noise pollution.

Applicant analysis and findings:

The proposed Chase Bank development will take the place of an existing vacant gas and service/repair station. Prior to redevelopment the site will be remediated to eliminate sources of pollution and the new development will add significant landscape plantings to improve the air quality and attenuate noise.

Staff analysis and findings:

The applicant will be demolishing an existing vacant gas station on the property and remediating any pollution cause with such a use. In addition, this site along with the surrounding shopping center was designed and constructed to provide a variety of commercial uses.

Therefore, staff has determined that this criterion can be satisfied.

8. Will be adequately landscaped, buffered and screened.

Applicant analysis and findings:

The proposed Chase Bank development will be adequately landscape, buffered, and screened per the Town of Parker standards. To minimize visual impacts the drive up ATM is located in the extreme southwest corner of the site at an elevation 5 feet lower than adjacent roadways, and is screened by new interior parking lot landscaping, and existing landscaping and the proposed new bank branch, landscape plaza, and active event area.

Staff analysis and findings:

The applicant is proposing to locate the drive-through facility at the southwest corner of the property. This allows the proposed building to screen the use from Mainstreet. In addition, the applicant is proposing substantial landscaping along Parker Road which will help screen the single-lane drive-up ATM from Parker Road.

Therefore, staff has determined that this criterion can be satisfied.

9. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town.

Applicant analysis and findings:

The proposed Chase Bank development will not be detrimental to the health, safety or welfare of the present or future inhabitants of the Town; it will be designed to the latest zoning, landscape and building standards; and it will take the place of an existing vacant gas and service/repair station.

Prior to redevelopment the site will be remediated to eliminate sources of pollution and the new development will add significant landscape plantings to improve the air quality and attenuate noise. The proposed Chase Bank branch and drive up development will provide enhanced pedestrian use areas by creating a landscaped plaza at the Mainstreet and Parker Road intersection and by development of the active event area, will compliment and coordinate with the proposed ROW expansion at the intersection of Parker Road and Mainstreet.

Staff analysis and findings:

The proposed redevelopment of this property to allow for a bank with a drive-through facility will remove a blighted vacant gas station. In addition, the applicant will be required to meet the Greater Downtown District Town Center zoning and the requirements outlined within the Town Land Development Ordinance. The proposed redevelopment will improve the health and safety of the inhabitants of the Town by removing the vacant structure, cleaning up any environmental site damage from the gas station use and replacing it with a new facility meeting all Town requirements.

Therefore, staff has determined that this criterion can be satisfied.

VII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments – Minor Development Plat	Comments - UbSR
Aztec	Two minor typo's on the first page needed to be corrected. - Typo's reviewed and corrected	
Parker Comprehensive Planning	No Comment	No Comment
Parker Public Works/ Engineering	Approved	No Comment
Parker Building	No comments on MDP	No Comment
Fire Life Safety	Advisory Comments	No Comment
Parker Economic Development	Approved	Approved

Parker Authority for Reinvestment	No Comment	PAR is not supportive of this use as it is not the highest and best use for this prominent corner.
Parker Water and Sanitation District	Approved for the Plat only	Approved for zoning only
IREA	Approved	Approved
PSCO/Xcel	No apparent conflict	No apparent conflict
CenturyLink	No Comment	No Comment
Comcast	No Comment	No Comment
Centennial Airport	Approved	Approved
Cherry Creek Basin Water Quality	No exceptions taken to BMP's	
CDOT	No Comment	No Comment
Douglas County Assessors	No Comment	No Comment
Douglas County Planning/Engineering	No Comment	No Comment

VIII. CONCLUSION

The proposed Chase Bank with drive-through facility will clean up the existing southwest corner of Mainstreet and Parker Road by removing the existing vacant gas station. The proposed development will include many benefits to the Town of Parker including the dedication of additional right-of-way along Mainstreet, the dedication of a sign easement to allow for a Town of Parker downtown sign at this prominent intersection, additional sidewalk connections and landscaping. The impacts created by the proposed single-lane drive-through ATM will be mitigated by locating it at the southwest corner of the property and screening it from view with the building and landscaping. After evaluating the information provided by the applicant for a Use by Special Review staff has determined that the requested use meets the nine approval criteria set forth in the Land Development Ordinance and outlined in Section VII of this staff report.

IX. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission recommend that the Town Council approve the Chase Bank Minor Development Plat and Use by Special Review to allow a drive-through facility, subject to the conditions below:

1. That the Use by Special Review materials submitted to the Community Development Department on September 29, 2020 shall be the approved Use by Special Review materials.

2. The applicant shall submit a Site Plan that includes a minimum of the following:
 - a. The building shall be two-stories in height or at a minimum include two-story massing along Mainstreet.
 - b. The building shall include an area along the Mainstreet frontage for future commercial space or an amenity zone. The amenity zone shall at a minimum provide a continuous hardscape edge along the Mainstreet sidewalk.
3. This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

X. ATTACHMENTS

1. Chase Bank Use by Special Review Narrative
2. Chase Bank Use by Special Review Exhibit
3. Chase Bank Minor Development Plat
4. Referral Comments

Report Approved By: Bryce Matthews, Planning Manager

CHASE BANK SUBDIVISION LOT 1 UBSR 19220 MAINSTREET LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

CHASE BANK SUBDIVISION LOT 1

UBSR

19220 MAINSTREET

LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

LEGEND

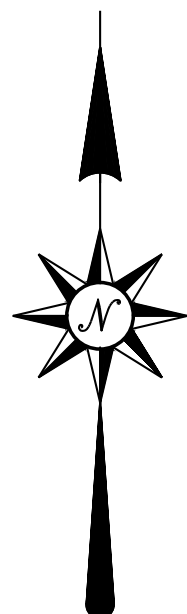
- PROPERTY LINE
- LOT LINE TO BE REMOVED
- PROPOSED EASEMENT/SETBACK
- EXISTING EASEMENT/SETBACK
- EXISTING RIGHT-OF-WAY
- PROPOSED SAWCUT LINE
- PROPOSED CURB
- PROPOSED FLOW LINE
- PROPOSED PAN/LIP
- EXISTING CURB
- EXISTING FLOW LINE
- EXISTING PAN/LIP
- ADA ACCESSIBILITY ROUTE
- EXISTING HAND RAIL TO REMAIN



PROPOSED STRIPING

- PROPOSED ADA PARKING STRIPING SYMBOL *
- EXISTING/PROPOSED SIGN *
- EXISTING/PROPOSED LIGHT POLE *
- PARKING COUNT
- TREE TO REMAIN
- TREE GRATE

* SYMBOLS MAY NOT BE TO SCALE FOR BETTER GRAPHICAL REPRESENTATION.



0 10' 20' 30'
SCALE: 1" = 10'

CHASE

19220 MAINSTREET
PARKER, CO 80134
CHASE BANK
MAINSTREET, PARKER
NEW BANK

ARCHITECT/ ENGINEER OF RECORD

ENGINEERS & SURVEYORS
1635 WEST 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
PHONE: 303-753-6730
WWW.RRENINEERS.COM

SEAL

ISSUE	DATE	DESCRIPTION
	3/18/2019	INITIAL SUBMISSION
	12/13/2019	2ND SUBMISSION
	6/17/2020	3RD SUBMISSION

PROJECT INFORMATION BLOCK		
JOB #	SA18032	
DATE:	2019-03-18	
DRAWN BY:	ESJ	
CHECKED BY:	RSD	

MODEL

SHEET TITLE

UBSR SITE

SHEET NUMBER

1 OF 1

CHASE BANK
A MINOR DEVELOPMENT PLAT

LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

1 LOT, 1 TRACT - 31,241.3 SQUARE FEET OR 0.72 ACRE
SHEET 1 OF 3

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 22;
THENCE SOUTH 00°13'08" EAST A DISTANCE OF 1281.87 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22;
THENCE NORTH 82°44'17" WEST, 150.48 FEET;
THENCE NORTH 82°05'35" WEST, 34.29 FEET;
THENCE SOUTH 10°42'16" WEST, 8.13 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 82°18'37" EAST A DISTANCE OF 34.30 FEET;
THENCE SOUTH 83°00'47" EAST A DISTANCE OF 112.81 FEET;
THENCE SOUTH 50°25'53" EAST A DISTANCE OF 49.28 FEET;
THENCE SOUTH 06°56'11" EAST A DISTANCE OF 63.90 FEET;
THENCE NORTH 78°54'22" WEST A DISTANCE OF 44.87 FEET;
THENCE SOUTH 06°44'34" EAST A DISTANCE OF 92.84 FEET;
THENCE NORTH 79°24'23" WEST A DISTANCE OF 158.19 FEET;
THENCE NORTH 78°07'36" WEST A DISTANCE OF 14.50 FEET;
THENCE NORTH 79°27'12" WEST A DISTANCE OF 19.62 FEET;
THENCE NORTH 10°42'16" EAST A DISTANCE OF 163.89 FEET TO THE POINT OF BEGINNING.

CONTAINING: 31,241 SQUARE FEET OR 0.717 ACRE OF LAND.

DEDICATION CERTIFICATE

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF CHASE BANK. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES ARE RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. THE OWNERS OF THE LANDS DESCRIBED HEREIN ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE EASEMENTS SHOWN HEREON AND RELATED FACILITIES, AS PROVIDED IN THE STORM DRAINAGE AND ENVIRONMENTAL CRITERIA MANUAL, AS AMENDED. THE UNDERSIGNED GRANTS THE TOWN OF PARKER A PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTY TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES COVERED BY CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE, AS AMENDED; AND TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES NOT COVERED BY CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE AS AMENDED, WHEN THE OWNER(S) FAIL TO ADEQUATELY MAINTAIN SUCH DRAINAGE EASEMENTS AND RELATED FACILITIES, WHICH MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S). ALL PUBLIC STREETS AND RIGHTS-OF-WAY SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF PARKER, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES. DRAINAGE AND DETENTION EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO THE TOWN. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO THE ADJACENT PROPERTIES FOR CONSTRUCTION, REPAIR, MAINTENANCE, OPERATION AND REPLACEMENT OF STORM SEWERS AND DRAINAGE FACILITIES. THE UNDERSIGNED GRANTS TO THE TOWN A SIGHT EASEMENT(S) AS SHOWN HEREON WITHIN THE SUBDIVISION TO MAINTAIN ADEQUATE SIGHT DISTANCE AT ALL ROADWAY INTERSECTIONS AS PROVIDED BY THE TOWN OF PARKER ROADWAY DESIGN AND CONSTRUCTION CRITERIA MANUAL, AS AMENDED. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS ACROSS ALL LOTS AND TRACTS WITHIN THE SUBDIVISION TO REMOVE ANY OBSTRUCTION TO THE PROPER SITE DISTANCE, INCLUDING, BUT NOT LIMITED TO, ANY STRUCTURE, FENCE, UTILITY BOX, RAISED MEDIAN AND LANDSCAPING, AT THE SOLE COST AND EXPENSE OF THE OWNER OF THE LOT AND/OR TRACT UPON WHICH SUCH OBSTRUCTION IS SITUATED. THE OWNERS OR ADJACENT PROPERTY OWNERS OF THE LANDS ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SIGHT EASEMENTS SHOWN HEREON. WHEN THE OWNER(S) OR ADJACENT OWNERS FAIL TO ADEQUATELY MAINTAIN SUCH SIGHT EASEMENTS, THE MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S). THE UNDERSIGNED HEREBY DEDICATES SIDEWALK EASEMENTS AS SHOWN FOR PUBLIC SIDEWALK PURPOSES. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL SIDEWALK(S) ADJACENT TO THE PROPERTY IN GOOD CONDITION AND FREE FROM ANY HAZARD. THE UNDERSIGNED GRANTS THE TOWN THE PERPETUAL RIGHTS OF INGRESS AND EGRESS UPON THE PROPERTY FOR THE OPERATION, MAINTENANCE AND RECONSTRUCTION OF THE PUBLIC SIDEWALK WHEN THE OWNERS FAIL TO MAINTAIN SUCH PUBLIC SIDEWALK, WHICH MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S). THE TOWN SHALL ALSO HAVE THE RIGHT TO REMOVE AN OBSTRUCTION THAT WOULD ADVERSELY AFFECT THE OPERATION AND MAINTENANCE OF THE SIDEWALK, AS DETERMINED BY THE TOWN. THE MONUMENT SIGN EASEMENT SHOWN HEREON IS HEREBY DEDICATED TO THE TOWN OF PARKER, COLORADO, FOR PUBLIC USES AND PURPOSES.

ACKNOWLEDGEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBVIATE SAID UNDERSIGNED'S NEED OR RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. §1 531, ET SEQ. , AS AMENDED, OR WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS OR REGULATIONS.

LG MAINSTREET & PARKER, LLC

BY: _____ BY: _____

TITLE: _____ TITLE: _____

ATTEST:

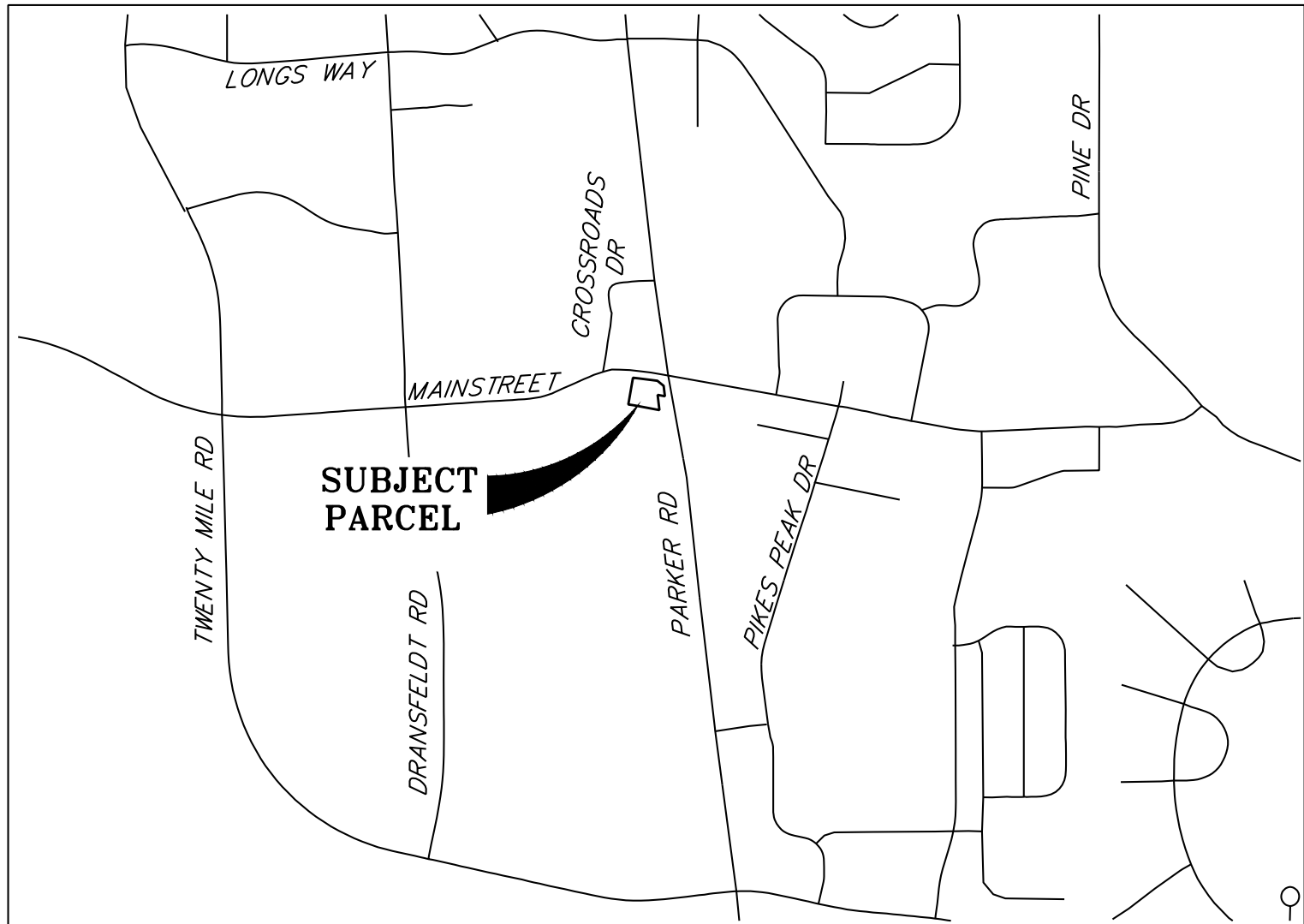
SECRETARY: _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC



VICINITY MAP
SCALE: 1" = 1,000'

TITLE VERIFICATION

WE, FIDELITY NATIONAL TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS: _____

BY: _____ DATE _____

TITLE: _____

STATE OF COLORADO }
COUNTY OF DOUGLAS }SS

ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, BY

_____, AS _____

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

PLANNING COMMISSION CERTIFICATE

THE PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON THIS ____ DAY OF

_____, 20____ A.D.

PLANNING DIRECTOR, ON BEHALF OF THE PLANNING COMMISSION

COUNTY CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF DOUGLAS }SS

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS ____ DAY OF

_____, 20____ A.D., AT _____ O'CLOCK ____M. AND WAS

RECORDED AT RECEPTION NUMBER _____.

COUNTY CLERK AND RECORDER

SURVEY CERTIFICATION

I, STACY LYNN JACOBS, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF CHASE BANK WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 17TH DAY OF APRIL, 2020, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF THAT ALL MONUMENTS EXIST AS SHOWN HEREON; IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000. (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS. THIS SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID MINOR DEVELOPMENT PLAT AND THE SURVEY THEREOF.

I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 20____.

STACY LYNN JACOBS P.L.S.
COLORADO REG. NO. 38495
FOR AND ON BEHALF OF
R&R ENGINEERS-SURVEYORS, INC.

TOWN COUNCIL CERTIFICATE

THIS PLAT WAS APPROVED BY THE TOWN COUNCIL AND/OR, WHERE APPLICABLE, THE PLANNING DIRECTOR OF ENGINEERING OF THE TOWN OF PARKER, COLORADO, ON THE ____ DAY OF _____, 20____, FOR FILING. THE DEDICATIONS ARE HEREBY ACCEPTED.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, CURBS, GUTTER, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE TOWN OF PARKER. THE TOWN SHALL ONLY ACCEPT MAINTENANCE OF THE ROADWAY IMPROVEMENTS AFTER CONSTRUCTION HAS BEEN COMPLETED, AND AFTER THE WARRANTY PERIOD, IN ACCORDANCE WITH TOWN REGULATIONS.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED.

MAYOR, TOWN OF PARKER

ATTEST:

TOWN CLERK

GENERAL NOTES

- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUE 18-4-508, C.R.S.
- BEARINGS ARE BASED ON THE EAST LINE OF THE NW1/4 SECTION 22. SAID LINE IS ASSUMED TO BEAR SOUTH 00°13'08" EAST, AND IS MONUMENTED AS SHOWN HEREON.
- LINEAR DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.
- ACCESS EASEMENT ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE DEVELOPMENT FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THIS PROPERTY FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION. SHOULD THE PROPERTY BE SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND ROADWAYS FOR PUBLIC ACCESS PURPOSES.
- NO CERTIFICATES OF OCCUPANCY, TEMPORARY, OR OTHERWISE, WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS AND NECESSARY ONSITE IMPROVEMENTS ARE COMPLETED AND PROBABATIONALLY ACCEPTED IN WRITING BY THE TOWN.
- NO CERTIFICATES OF OCCUPANCY, TEMPORARY, OR OTHERWISE, WILL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED AND APPROVED IN WRITING BY THE TOWN OR AS OTHERWISE ALLOWED IN THE LAND DEVELOPMENT ORDINANCE.
- WITHIN SIGHT DISTANCE TRIANGLES, AS SHOWN, LIMITED LANDSCAPING SHALL BE ALLOWED, BUT NO SOLID STRUCTURES OR TREES WILL BE PERMITTED. SOLID STRUCTURES SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES, MAILBOXES, AND UTILITY BOXES. LANDSCAPING WITHIN THE SIGHT DISTANCE TRIANGLES WILL BE LIMITED TO SHRUBS AND PLANTINGS THAT AT MATURITY WILL BE NO TALLER THAN TWO FEET. LANDSCAPING WITHIN THE SIGHT DISTANCE TRIANGLE SHALL BE MAINTAINED BY THE PROPERTY OWNER OF APPROPRIATE ASSOCIATION.
- THIS PLAT IS SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS PARKING EASEMENT FOR THE SHARED USE OF ALL PARKING SPACES SITUATED WITH THE PROPERTY SHOWN HEREIN. THE OWNER OF EACH LOT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THEIR RESPECTIVE LOT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR.
- AN EXCLUSIVE SIGN EASEMENT IS HEREBY DEDICATED TO THE TOWN OF PARKER VIA THIS PLAT AS SHOWN ON SHEET 3 OF THIS PLAT.
- PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPATION AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN.
- THE MONUMENT SIGN EASEMENT AS SHOWN HEREON IS HEREBY GRANTED AS A NON-EXCLUSIVE EASEMENT TO THE TOWN OF PARKER, COLORADO FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A MONUMENT SIGN.

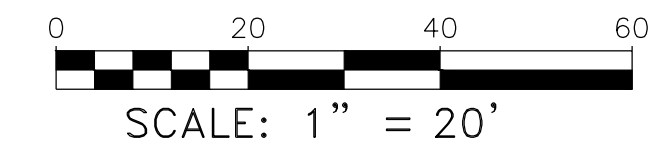
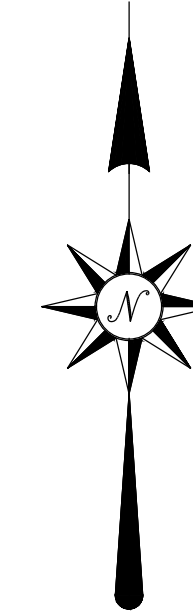
R&R ENGINEERS-SURVEYORS, INC.
1635 WEST 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
(P)303-753-6730 (F)303-753-6568
WWW.RRENINEERS.COM

REVISIONS	
File No.	SA18032-REPLAT
Date	Drawn10/18/18
Drawn By	JDM
Checked By	SLJ
Job No.	SA18032

CHASE BANK

A MINOR DEVELOPMENT PLAT

LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
1 LOT, 1 TRACT - 31,241.3 SQUARE FEET OR 0.72 ACRE
SHEET 2 OF 3

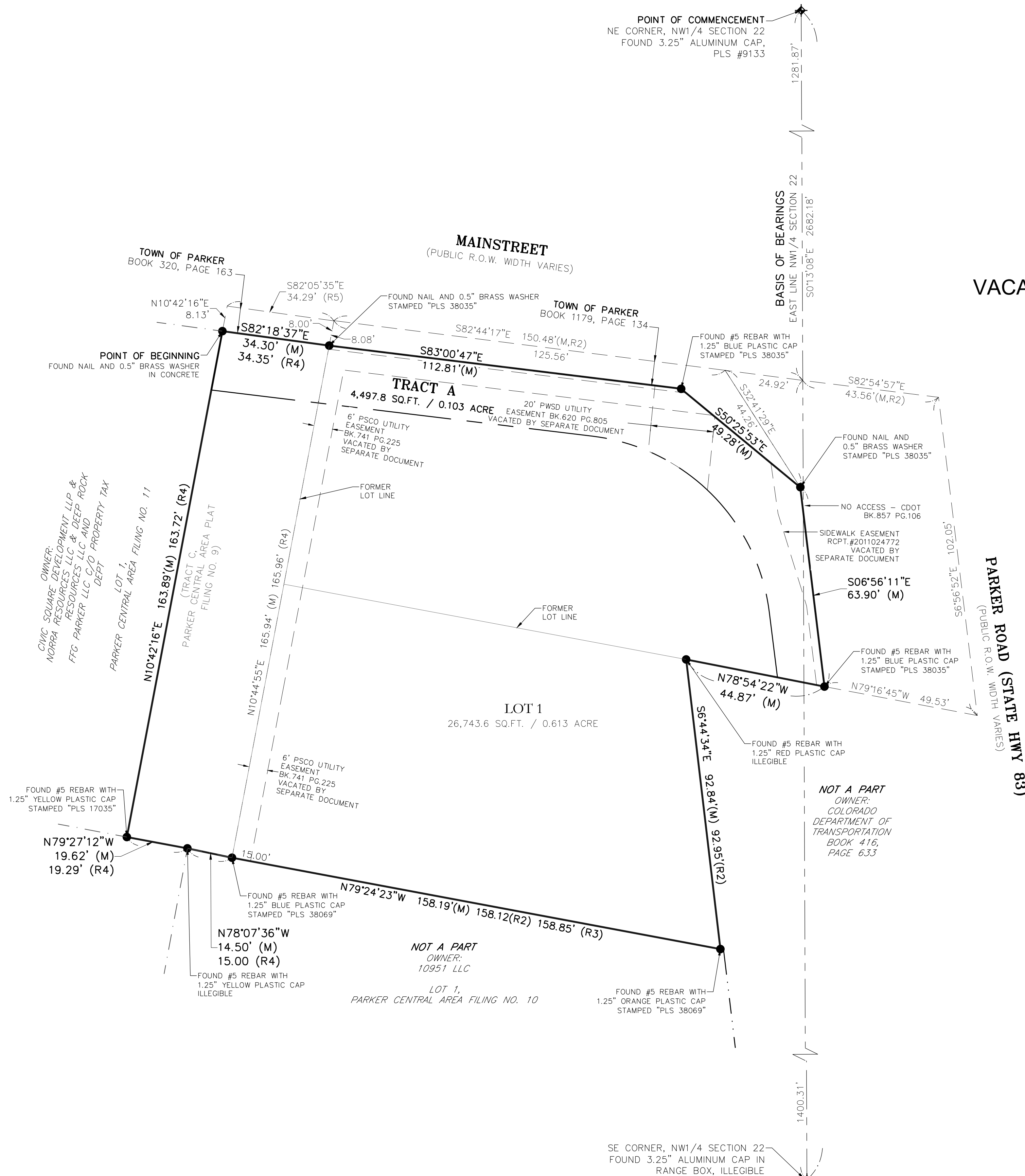


LEGEND

●	FOUND MONUMENT, AS NOTED
✦	SECTION CORNER, AS NOTED
(M)	MEASURED DIMENSION
PWSD	PARKER WATER & SANITATION DISTRICT
PSCO	PUBLIC SERVICE COMPANY OF COLORADO
—	SUBDIVISION BOUNDARY LINE
- - -	SECTION LINE
- . - . -	ADJACENT PROPERTY LINE
- - - - -	EASEMENT OR EXCEPTION LINE, AS NOTED
-	RIGHT-OF-WAY LINE
- - - - -	LOT LINE TO BE REMOVED
- - - - -	PUBLIC RIGHT-OF-WAY GRANTED PER THIS PLAT

REFERENCE MAP INFORMATION

(R1)	LAND SURVEY PLAT	12/18/2017	DOC. NO. 10005097
(R2)	ALTA	3/26/2015	DOC. NO. 10004777
(R3)	PARKER CENTRAL AREA PLAT FILING NO. 9	12/30/1992	DOC. NO. 9251211
(R4)	PARKER CENTRAL AREA PLAT FILING NO. 10	3/7/1994	DOC. NO. 9413194
(R5)	PARKER CENTRAL AREA PLAT FILING NO. 11	7/22/1993	DOC. NO. 9333092



SHEET 2 OF 3

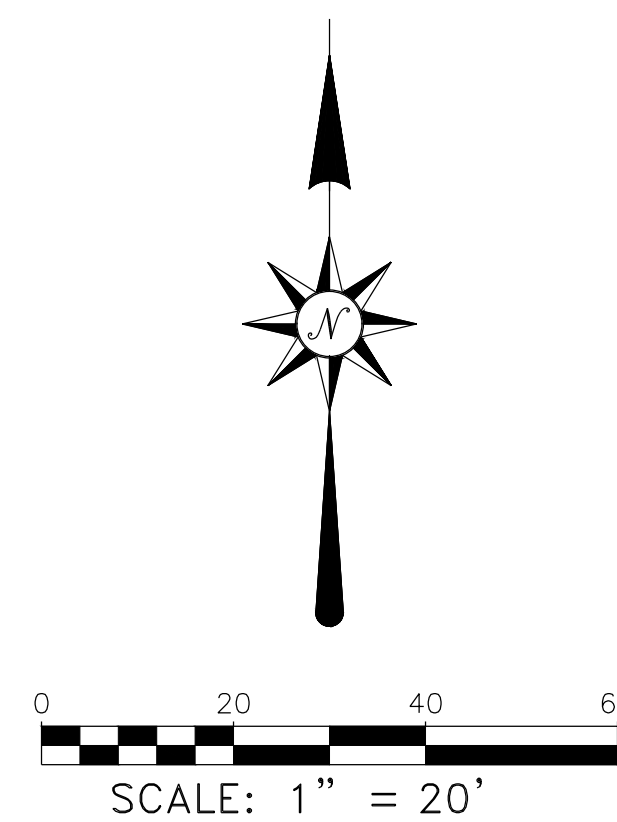
 R&R ENGINEERS-SURVEYORS, INC. 1635 WEST 13TH AVENUE, SUITE 310 DENVER, COLORADO 80204 (P)303-753-6730 (F)303-753-6568 WWW.RRENGINEERS.COM	
REVISIONS	File No. SA18032-REPLAT
	Date Drawn 10/18/18
	Drawn By JDM
	Checked By SLJ
	Job No. SA18032

CHASE BANK

A MINOR DEVELOPMENT PLAT

LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
1 LOT, 1 TRACT - 31,241.3 SQUARE FEET OR 0.72 ACRE
SHEET 3 OF 3

EXISTING AND DEDICATED EASEMENTS



LEGEND

●	FOUND MONUMENT, AS NOTED
◆	SECTION CORNER, AS NOTED
(M)	MEASURED DIMENSION
PWSD	PARKER WATER & SANITATION DISTRICT
PCSO	PUBLIC SERVICE COMPANY OF COLORADO
IREA	INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION
—	SUBDIVISION BOUNDARY LINE
---	SECTION LINE
-.-.-	ADJACENT PROPERTY LINE
-.-.-	EASEMENT OR EXCEPTION LINE, AS NOTED
-.-.-	RIGHT-OF-WAY LINE
-.-.-	LOT LINE TO BE REMOVED
-.-.-	PUBLIC RIGHT-OF-WAY GRANTED PER THIS PLAT
▬	PUBLIC RIGHT-OF-WAY DEDICATED TO TOWN OF PARKER PER THIS PLAT, SEE DETAIL
▨	15' INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION (IREA) EASEMENT DEDICATED PER THIS PLAT
▩	SIGN EASEMENT DEDICATED TO THE TOWN OF PARKER PER THIS PLAT

REFERENCE MAP INFORMATION

(R1)	LAND SURVEY PLAT	12/18/2017	DOC. NO. 10005097
(R2)	ALTA	3/26/2015	DOC. NO. 10004777
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(R5)	PARKER CENTRAL AREA PLAT FILING NO. 11	7/22/1993	DOC. NO. 9333092

DETAIL OF TRACT A RIGHT-OF-WAY DEDICATION SCALE: 1" = 30'

LINE #	DIRECTION	LENGTH
L1	S78°54'22"E	9.29'
L2	N6°32'01"E	12.37'
L3	S82°54'13"E	16.89'
L4	S7°12'16"E	14.22'
L5	N78°54'22"W	20.34'
L6	N12°42'38"E	2.87'
L7	N2°11'45"E	20.00'
L8	S5°50'09"W	16.84'
L9	S12°42'38"W	3.25'
L10	N10°42'16"E	15.00'
L11	S79°27'12"E	19.76'
L12	S78°07'36"E	14.38'
L13	S79°15'05"E	10.00'
L14	S10°44'55"W	10.00'
L15	S79°15'05"E	5.00'

R&R ENGINEERS-SURVEYORS, INC. 1635 WEST 18TH AVENUE, SUITE 310 DENVER, COLORADO 80204 (P)303-753-6730 (F)303-753-6568 WWW.RRENGINEERS.COM	
REVISIONS	File No. SA18032-REPLAT
	Date Drawn 10/18/18
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SHEET 3 OF 3

SUBDIVISION AGREEMENT
Chase Bank

THIS AGREEMENT is made this _____ day of _____, 202__, by and between the Town of Parker, a Colorado home rule municipality (the "Town"), and LG Mainstreet & Parker, LLC, a Texas limited liability company (the "Developer").

RECITALS:

A. The Developer is the owner of certain real property located in the Town of Parker, which is more particularly described in **Exhibit A**, attached hereto and incorporated herein (the "Property").

B. The Town Council and the Planning Commission of the Town of Parker held all necessary public hearings concerning the plat for the Property. The Planning Commission recommended approval of the plat to the Town Council, and the Town Council approved the plat. A copy of the final plat is attached hereto as **Exhibit B** and incorporated herein.

C. The approvals cited above are contingent upon the express condition that all duties created by this Agreement are faithfully performed by the Developer.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which are mutually acknowledged, the parties hereto agree as follows:

1. **Purpose.** The purpose of this Agreement is to set forth the terms, conditions and fees to be paid by the Developer, upon subdivision of the Property. All conditions contained herein are in addition to any and all requirements of the Town of Parker Subdivision Ordinance and Zoning Ordinance, the Town of Parker Charter, any and all state statutes, and any other sections of the Parker Municipal Code, and are not intended to supersede any requirements contained therein.

2. **[Intentionally left blank.]**

3. **Fees.** The following fees shall be paid to the Town by the Developer.

a. The Developer hereby agrees to pay the Town the actual cost to the Town for plan review, engineering review, hydrological and surveying review, prior to and during the development process, and for construction observation, inspection and materials testing during the construction process for public improvements, and for construction observation, inspection and materials testing and electronic deliverable review during the warranty period for public improvements, and for legal services (the "actual costs") rendered in connection with the review of the subdivision of the Property, including related administrative fees not to exceed one hundred fifteen percent (115%) of the actual costs. In addition, the Developer shall reimburse the Town for the costs of making corrections or additions to the master copy of the official Town map and

for the fee for recording the final plat and accompanying documents with the Douglas County Clerk and Recorder.

b. The Developer shall pay the impact fees, as established by Town ordinances, in effect at the time this Agreement is executed. The Developer shall pay the foregoing impact fees in effect at the time specified by such ordinances.

c. The Developer acknowledges and agrees that the Town, pursuant to this Agreement, shall be granted construction easement(s) that are reasonably sufficient to complete the public improvements.

4. Specific Conditions. The Developer hereby agrees that:

a. Any approval obtained from the Town of Parker does not obviate the Developer's need to comply with the requirements of Sections 7 and 9 of the Endangered Species Act of 1973, 16 U.S.C. 1531, *et seq.*, as amended, or with any other applicable federal, state or local laws and regulations.

b. The Developer shall dedicate to the Town, via the final plat, Tract A, which is the real property necessary to construct the planned roadway improvements to Mainstreet and Parker Road adjacent to the Property. The Developer shall also dedicate to the Town all construction easements necessary for these improvements upon thirty (30) days' written notice of the Town to the Developer.

5. Title Commitment. A title commitment for the Property shall be provided to the Town. The title commitment shall show that all property to be dedicated to the Town is or shall be, subsequent to the execution and recording of the final plat, free and clear of all liens and encumbrances (other than real estate taxes which are not yet due and payable), which would make the dedications unacceptable as the Town, in its sole discretion, determines.

6. Breach by the Developer; the Town's Remedies. In the event of a breach of any of the terms and conditions of this Agreement by the Developer, the Town Council shall be notified immediately and the Town may take such action, as permitted and/or authorized by law, this Agreement or the ordinances and Charter of the Town, as the Town deems necessary to protect the public health, safety and welfare; to protect lot buyers and builders; and to protect the citizens of the Town from hardship and undue risk. The remedies include, but are not limited to:

a. The refusal to issue any building permit or certificate of occupancy;

b. The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party;

c. A demand that the security given for the completion of the public improvements be paid or honored; or

d. Any other remedy available at law.

Unless necessary to protect the immediate health, safety and welfare of the Town, or to protect the interest of the Town with regard to security given for the completion of the public improvements, the Town shall provide the Developer thirty (30) days' written notice of its intent to take any action under this Paragraph, during which thirty-day period the Developer may cure the breach described in the notice and prevent further action by the Town.

7. Public Improvements and Warranty. All drainage structures, paved streets, including sidewalk, curb, gutter and slope easements, and necessary appurtenances, as shown on the final plat, landscape plans and the associated construction documents (the "Public Improvements"), as approved by the Director of Engineering/Public Works of the Town, shall be installed and completed at the expense of the Developer and dedicated and/or conveyed to the Town. The Public Improvements required by this Agreement and shown on the final plat, as well as associated construction documents approved by the Director of Engineering/Public Works of the Town and the costs of these Public Improvements, are set forth on **Exhibit C**, attached hereto and incorporated herein. All Public Improvements covered by this Agreement shall be made in accordance with the final plat and associated construction documents drawn according to regulations and construction standards for such improvements and approved by the Director of Engineering/Public Works of the Town.

The Developer shall warrant any and all Public Improvements, which are conveyed to the Town, pursuant to this Agreement, for a period of two (2) years from the date the Town's Director of Engineering/Public Works grants probationary acceptance of the Public Improvements, as approved by the Town. The warranty period shall extend to the date final acceptance is granted in writing by the Town's Director of Engineering/Public Works. The Developer shall be responsible for scheduling the necessary inspections for probationary and final acceptance. Specifically, but not by way of limitation, the Developer shall warrant the following:

- a. That the title conveyed shall be marketable and its transfer rightful;
- b. Any and all facilities conveyed shall be free from any security interest or other lien or encumbrance; and
- c. Any and all facilities so conveyed shall be in conformity with the Town's specifications and shall be free of defects in materials or workmanship for a period of two (2) years, as stated above, including, but not limited to, cracks, breakage, settling, or other deterioration of the Public Improvements, no matter the cause, for a period of two (2) years, as stated above.

The Town will accept for maintenance all Public Improvements after the warranty period has expired, provided all warranty work has been completed. The Town shall accept for snow removal purposes only all dedicated public streets after probationary acceptance has been granted in writing by the Director of Engineering/Public Works. The Developer shall make all corrections necessary to bring the Public Improvements into conformity with the Town's specifications, prior to final acceptance.

Notwithstanding anything to the contrary contained in this Agreement, the Town will not accept for ownership, maintenance or operation any private improvements that are described as

Public Improvements in this Agreement, that include, but are not limited to, private streets, private parks, private open space, drainage facilities, landscaping and medians that will be privately maintained, as described on the final plat and/or subject to a license agreement as provided by Paragraph 14 of this Agreement.

8. Observation. The Town shall have the right to make reasonable engineering observations at the Developer's expense, as the Town may request. Observation, acquiescence in, or approval by any engineering inspector of the construction of physical facilities at any particular time shall not constitute the approval by the Town of any portion of the construction of such Public Improvements. Such approval shall be made by the Town only after completion of construction and in the manner hereinafter set forth.

9. Completion of Public Improvements. The obligations of the Developer provided for in Paragraph 7 of this Agreement, including the inspections hereof, shall be performed on or before December 31, 2022, and proper application for acceptance of the Public Improvements shall be made on or before such date. Upon completion of construction by the Developer of such Public Improvements, the Town's Director of Engineering/Public Works or his designee shall inspect the improvements and certify with specificity their conformity or lack thereof to the Town's specifications. The Developer shall make all corrections necessary to bring the improvements into conformity with the Town's specifications. Once approved by the Town's Director of Engineering/Public Works, the Town shall accept said improvements upon conveyance, pursuant to Paragraph 11; provided, however, the Town shall not be obligated to accept the Public Improvements until the actual costs described in Paragraphs 3.a. and b. of this Agreement are paid in full by the Developer.

10. Related Costs – Public Improvements. The Developer shall provide all necessary engineering designs, surveys, field surveys and incidental services related to the construction of the Public Improvements, at its sole cost and expense, including reproducible "as built" drawings certified accurate by a professional engineer registered in the State of Colorado.

11. Improvements to be the Property of the Town. All Public Improvements for roads, concrete curbs and gutters, storm sewers, and drainage improvements accepted by the Town shall be dedicated to the Town and warranted for a period of two (2) years following probationary acceptance by the Town, as provided above.

12. Performance Guarantee. In order to secure the construction and installation of the Public Improvements, the Developer shall, prior to recording the final plat in the real estate records of Douglas County, which recording shall occur no later than ninety (90) days after the execution of this Agreement, furnish the Town, at the Developer's expense, with the performance guarantee described herein. The performance guarantee provided by the Developer shall be an irrevocable letter of credit in which the Town is designated as beneficiary in an amount equal to one hundred ten percent (110%) of the estimated costs of the Public Improvements to be constructed and installed, as set forth in Exhibit C, to secure the performance and completion of the Public Improvements. The Developer agrees that approval of the final plat by the Town is contingent upon the Developer's provision of an irrevocable letter of credit to the Town within ninety (90) days of the execution of this Agreement, in the amount and form provided herein. Failure of the Developer to provide an irrevocable letter of credit to the Town, in the manner provided herein,

shall negate the Town's approval of the final plat. Letters of credit shall be substantially in the form and content set forth in **Exhibit D**, attached hereto and incorporated herein, and shall be subject to the review and approval of the Town Attorney. The Developer shall not start the construction of any public or private improvement on the Property, including, but not limited to, staking, earth work, overlot grading or the erection of any structure, temporary or otherwise, until the Town has received and approved the irrevocable letter of credit.

The estimated costs of the Public Improvements shall be a figure mutually agreed upon by the Developer and the Town's Director of Engineering/Public Works, as set forth in Exhibit C. If, however, they are unable to agree, the Director of Engineering/Public Works' estimate shall govern after giving consideration to information provided by the Developer, including, but not limited to, construction contracts and engineering estimates. The purpose of the cost estimate is solely to determine the amount of security. No representations are made as to the accuracy of these estimates and the Developer agrees to pay the actual costs of all such Public Improvements.

The estimated costs of the Public Improvements may increase in the future. Accordingly, the Town reserves the right to review and adjust the cost estimates on an annual basis. Adjusted cost estimates will be made according to changes in the Construction Costs Index, as published by the Engineering News Record. If the Town adjusts the cost estimate for the Public Improvements, the Town shall give written notice to the Developer. The Developer shall, within thirty (30) days after receipt of said written notice, provide the Town with a new or amended letter of credit in the amount of the adjusted cost estimates. If the Developer refuses or fails to so provide the Town with a new or amended letter of credit, the Town may exercise the remedies provided for in Paragraph 6 of this Agreement; provided, however, that prior to increasing the amount of additional security required, the Town shall give credit to the Developer for all required Public Improvements which have actually been completed so that the amount of security required at any time shall relate to the cost of required Public Improvements not yet constructed.

In the event the Public Improvements are not constructed or completed within the period of time specified by Paragraph 9 of this Agreement or a written extension of time mutually agreed upon by the parties to this Agreement, the Town may draw on the letter of credit to complete the Public Improvements called for in this Agreement. In the event the letter of credit is to expire within fourteen (14) calendar days and the Developer has not yet provided a satisfactory replacement, the Town may draw on the letter of credit and either hold such funds as security for performance of this Agreement or spend such funds to finish the Public Improvements or correct problems with the Public Improvements, as the Town deems appropriate.

Upon completion of performance of such improvements, conditions and requirements within the required time and the approval of the Town's Director of Engineering/Public Works, the Developer shall issue an irrevocable letter of credit to the Town in the amount of twenty percent (20%) of the total cost of construction and installation of the Public Improvements, to be held by the Town during the two-year warranty period. If the Public Improvements are not completed within the required time, the monies may be used to complete the improvements.

13. Nuisance Conditions. The Developer agrees to prevent the existence of any nuisances by way of its construction activities, as nuisances are defined by Title 6 of the Parker Municipal Code, and as referenced in Title 11 of the Parker Municipal Code. In the event the

authorized inspector/designated Town authority determines that a nuisance exists, the Developer shall be subject to the provisions set forth in Parker Municipal Code Sections 11.12.040 and 11.12.050, regarding the abatement of nuisances and the cost assessed for the abatement thereof.

In addition to the provisions above, if the nuisance is not abated or an abatement plan is not submitted to the satisfaction of the Town, the Town may, upon thirty (30) days' notice under this Agreement, exercise the right to draw upon the performance guarantee specified in Paragraph 12 of this Agreement. The Town may draw on the performance guarantee in order to pay the cost of abating the nuisance, including any expenses and penalties incurred under the Parker Municipal Code. The Town may exercise this right in addition to, or in lieu of, the withholding of permits and/or the withholding of certificates of occupancy. The right to draw on the performance guarantee shall be subject to the sole discretion of the Town, provided the Developer has received thirty (30) days' notice, as provided herein.

The Town Planning Department and the Department of Engineering/Public Works shall be authorized to cease processing any land use or permit applications submitted by the same developer for the property that is contained within the same Planned Unit Development, until the nuisance is abated. This shall include, but not be limited to, acceptance of applications, sending referrals, scheduling meetings or hearings, or conducting reviews of projects.

14. Property Owner Maintenance Obligation. The Developer shall maintain the private improvements, including, but not limited to, private streets, private parks, private open space, drainage facilities, landscaping and medians, common areas and facilities, recreation areas and facilities, stormwater management areas and facilities, walkways and other facilities, as identified on the final plat and/or subject to a license agreement(s) entered into between the Developer and the Town, contemporaneously with this Agreement or prior to final acceptance of the Public Improvements, and to assume all responsibilities therefor as shown on the final plat and/or described in the license agreement(s), including sufficient funding to meet these responsibilities.

15. Indemnification. The Developer shall indemnify and hold harmless the Town, its officers, employees, agents or servants from any and all suits, actions and claims of every nature and description caused by, arising from or on account of any act or omission of the Developer, or of any other person or entity for whose act or omission the Developer is liable, with respect to construction of the Public Improvements; and the Developer shall pay any and all judgments rendered against the Town as the result of any suit, action or claim, together with all reasonable expenses and attorney fees incurred by the Town in defending any such suit, action or claim.

The Developer shall pay all property taxes on the Property dedicated to the Town, and shall indemnify and hold harmless the Town for any property tax liability.

The Developer shall require that all contractors and other employees engaged in construction of Public Improvements shall maintain adequate workers' compensation insurance and public liability coverage and shall faithfully comply with the provisions of the Federal Occupational Safety and Health Act.

16. Waiver of Defects. In executing this Agreement, the Developer waives all objections it may have concerning defects, if any, in the formalities whereby it is executed, or

concerning the power of the Town to impose conditions on the Developer, as set forth herein, and concerning the procedure, substance and form of the ordinances or resolutions adopting this Agreement.

17. Modifications. This Agreement shall not be amended, except by subsequent written agreement of the parties.

18. Release of Liability. It is expressly understood that the Town cannot be legally bound by the representations of any of its officers or agents or their designees, except in accordance with the Parker Municipal Code and the laws of the State of Colorado.

19. Captions. The captions to this Agreement are inserted only for the purpose of convenient reference and in no way define, limit or prescribe the scope or intent of this Agreement or any part thereof.

20. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns, as the case may be.

21. Invalid Provision. If any provision of this Agreement shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision hereof, and all of the other provisions shall remain in full force and effect. It is the intention of the parties hereto that if any provision of this Agreement is capable of two constructions, one of which would render the provision void and the other which would render the provision valid, then the provision shall have the meaning which renders it valid.

22. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that venue of such suit or action shall be in Douglas County, Colorado.

23. Attorney Fees. Should this Agreement become the subject of litigation to resolve a claim of default of performance by the Developer and a court of competent jurisdiction determines that the Developer was in default in the performance of the Agreement, the Developer shall pay the attorney fees, expenses and court costs of the Town.

24. Notice. All notice required under this Agreement shall be in writing and shall be hand delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective seventy-two (72) hours after deposit in the United States mail with the proper address, as set forth below. Either party, by notice so given, may change the address to which future notices shall be sent.

Notice to the Town:

Town of Parker
Attn: Director of Engineering/Public Works
20120 E. Mainstreet
Parker, Colorado 80138

With copy to: Town of Parker
Attn: Town Attorney
20120 E. Mainstreet
Parker, Colorado 80138

Notice to Developer: LG Mainstreet & Parker, LLC
Attn: Adam Smith
3500 Maple Ave. STE 1600
Dallas, Texas 75219

25. Force Majeure. Whenever the Developer is required to complete the construction, repair or replacement of Public Improvements by an agreed deadline, the Developer shall be entitled to an extension of time equal to a delay in completing the foregoing, due to unforeseeable causes beyond the control and without the fault or negligence of the Developer, including, but not limited to, acts of God, weather, fires and strikes.

26. Approvals. Whenever approval or acceptance of the Town is necessary, pursuant to any provision of this Agreement, the Town shall act reasonably and in a timely manner in responding to such request for approval or acceptance.

27. Assignment or Assignments. There shall be no partial transfer or assignment of any of the rights or obligations of the Developer under this Agreement. There shall be no assignment of this Agreement without the prior written approval of the Town, which the Town may grant or withhold in its sole discretion. The Developer agrees to provide the Town with at least fourteen (14) days' advance written notice of the proposed transfer or assignment of this Agreement. Notwithstanding the foregoing, the Town consents to the assignment of this Agreement to JPMorgan Chase Bank (the "Assignee"), on the conditions that (a) the Assignee provides the Town with replacement letter of credit in a form and in an amount that is acceptable to the Town, on or before December 31, 2022; (b) the Assignee is the owner of all of the Property contained within the Chase Bank Plat, on or before December 31, 2022; and (c) on or before December 31, 2022, the Developer and Assignee execute and deliver to the Town the "Assignment and Assumption Agreement for Chase Bank Subdivision Agreement," which is attached hereto as **Exhibit E** and incorporated by this reference.

28. Recording of Agreement. This Agreement shall be recorded in the real estate records of Douglas County and shall be a covenant running with the Property, in order to put prospective purchasers or other interested parties on notice as to the terms and provisions hereof.

29. Title and Authority. The Developer expressly warrants and represents to the Town that it is the record owner of the property constituting the Property and further represents and warrants, together with the undersigned individuals, that the undersigned individuals have full power and authority to enter into this Subdivision Agreement. The Developer and the undersigned individuals understand that the Town is relying on such representations and warranties in entering into this Agreement.

WHEREFORE, the parties hereto have executed this Agreement on the day and year first above written.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office

DEVELOPER: LG MAINSTREET & PARKER, LLC

By: _____
Josh Canafax, CIO

STATE OF Colorado)
COUNTY OF El Paso)ss.

The foregoing instrument was acknowledged before me this 25th day of November, 2020, by Josh Canafax, as CIO of LG Mainstreet & Parker, LLC.

My commission expires: 01/18/2024

(SEAL)

Notary Public

TRACY LEE JESSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084002136
My Commission Expires January 18, 2024

EXHIBIT LIST

Exhibit A	Legal Description of the Property
Exhibit B	Copy of the Final Plat
Exhibit C	Estimated Cost of Public Improvements
Exhibit D	Form of Letter of Credit
Exhibit E	Assignment and Assumption Agreement for JPMorgan Chase Bank Subdivision Agreement

EXHIBIT A

LEGAL DESCRIPTION PER TITLE COMMITMENT

FIVE PARCELS LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL ONE:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 22;
THENCE SOUTH 00 DEGREES 13 MINUTES 03 SECONDS EAST, ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 1281.87 FEET TO THE PROPOSED SOUTHERLY DEED LINE OF MAIN STREET, BEING THE POINT OF BEGINNING;
THENCE SOUTH 82 DEGREES 47 MINUTES 19 SECONDS EAST, ALONG SAID PROPOSED SOUTHERLY LINE, A DISTANCE OF 43.56 FEET, TO THE WESTERLY LINE OF COLORADO STATE HIGHWAY NO. 83;
THENCE THE FOLLOWING TWO COURSES ALONG SAID WESTERLY LINE:
1. SOUTH 06 DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 102.00 FEET;
2. THENCE NORTH 79 DEGREES 16 MINUTES 30 SECONDS WEST, A DISTANCE OF 94.40 FEET;
THENCE CONTINUING NORTH 79 DEGREES 16 MINUTES 30 SECONDS WEST, A DISTANCE OF 130.06 FEET;
THENCE NORTH 10 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 85.35 FEET TO SAID PROPOSED SOUTHERLY DEED LINE;
THENCE SOUTH 82 DEGREES 47 MINUTES 19 SECONDS EAST, ALONG SAID PROPOSED SOUTHERLY DEED LINE, A DISTANCE OF 150.48 FEET, TO THE POINT OF BEGINNING;
EXCEPT THAT PART CONVEYED TO STATE DEPARTMENT OF HIGHWAYS JUNE 2, 1989, IN BOOK 857 AT PAGE 103, AND
EXCEPT THAT PART CONVEYED TO THE TOWN OF PARKER FEBRUARY 4, 1994, IN BOOK 1179 AT PAGE 134, RECEPTION NO. 9407418.

PARCEL TWO:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 22;
THENCE SOUTH 00 DEGREES 13 MINUTES 03 SECONDS EAST, ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 1281.87 FEET TO THE PROPOSED SOUTHERLY DEED LINE OF MAIN STREET;
THENCE SOUTH 82 DEGREES 47 MINUTES 19 SECONDS EAST, ALONG SAID PROPOSED SOUTHERLY DEED LINE, A DISTANCE OF 43.56 FEET, TO THE WESTERLY DEED LINE OF COLORADO STATE HIGHWAY NO. 83;
THENCE THE FOLLOWING THREE COURSES ALONG SAID WESTERLY DEED LINE;
1. SOUTH 06 DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 102.00 FEET;
2. THENCE NORTH 79 DEGREES 16 MINUTES 30 SECONDS WEST, A DISTANCE OF 94.40 FEET TO THE POINT OF BEGINNING;
3. THENCE SOUTH 06 DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 92.95 FEET;
THENCE NORTH 79 DEGREES 16 MINUTES 30 SECONDS WEST, A DISTANCE OF 158.12 FEET;
THENCE NORTH 10 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 88.61 FEET;
THENCE SOUTH 79 DEGREES 16 MINUTES 30 SECONDS EAST, A DISTANCE OF 130.06 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

TRACT C,
PARKER CENTRAL AREA FILING NO. 10,
COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL FOUR:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN ACCESS EASEMENT, RECORDED JANUARY 27, 1995, AT BOOK 1244, PAGE 812 IN THE RECORDS OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, COLORADO, AS AMENDED BY AMENDMENT TO ACCESS EASEMENT RECORDED JANUARY 26, 2004 AT RECEPTION NO. 2004009811.

PARCEL FIVE:

NON-EXCLUSIVE APPURTENANT EASEMENTS SET FORTH IN SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS GRANT OF EASEMENTS, DATED OCTOBER 25, 2019, RECORDED OCTOBER 25, 2019 AT RECEPTION NO. 2019071963.

CHASE BANK

LOCATED IN THE NORTH HALF OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

CONTAINING: 31,241 SQUARE FEET OR 0.717 ACRE OF LAND.

[illegible]

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE ABOVE DESCRIBED REAL ESTATE, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBLIGATE SAID UNDERSIGNED'S NEED OR RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. § 1531, ET SEQ., AS AMENDED, OR WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS OR REGULATIONS.

BY: _____ BY: _____

ATTEST:

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 20__ BY _____

WITNESS MY HAND AND OFFICIAL SEAL:

	70	80	90	100
70				
80				
90				
100				

STACY LYNN KACER, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE SURVEY OF CASE BANK WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 17TH DAY OF APRIL, 2020, AND THAT THE SURVEY WAS PREPARED IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF PRACTICE, THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:30,000 (SECOND ORDER); THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA, AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS OF PRACTICE OF LAND SURVEYORS, SURVEYORS OF LAND AND PROFESSIONAL SURVEYING ENGINEERS, AS SET FORTH IN THE CALIFORNIA PROFESSIONAL LAND SURVEYING ACT AND THE CALIFORNIA PROFESSIONAL SURVEYING REGULATIONS. THIS SURVEY IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND DOES NOT CONSTITUTE A PROFESSIONAL OPINION. THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID MINOR DEVELOPMENT PLAT AND E SURVEY THEREOF.

ATTEST THE ABOVE ON THIS _____ DAY OF _____, 20____

TOWN COUNCIL CERTIFICATE

THIS PLAT WAS APPROVED BY THE TOWN COUNCIL AND/OR, WHERE APPLICABLE, THE PLANNING DIRECTOR OF _____, FOR
ENGINEERING OF THE TOWN OF PARKER, COLORADO, ON THE _____ DAY OF _____, 20____, FOR
FILING. THE DEDICATIONS ARE HEREBY ACCEPTED.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL ISSUED.

MAYOR. TOWN OF PARKER

STREET

GENERAL NOTES

1. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND SURVEY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-A-508 C.R.S.

2. BEARINGS ARE BASED ON THE EAST LINE OF THE NW1/4 SECTION 22. SAID LINE IS ASSUMED TO BEAR SOUTH 00°13'08" EAST, AND IS MONUMENTED AS SHOWN HEREON.

3. LINEAR DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.

4. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREIN.

5. ACCESS EASEMENT ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE DEVELOPMENT FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THIS PROPERTY FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION, SHOULD THE PROPERTY BE SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND ROADWAYS FOR PUBLIC ACCESS PURPOSES.

6. NO CERTIFICATES OF OCCUPANCY, TEMPORARY, OR OTHERWISE, WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS AND NECESSARY ONSITE IMPROVEMENTS ARE COMPLETED AND PROBABATIONALLY ACCEPTED IN WRITING BY THE TOWN.

7. NO CERTIFICATES OF OCCUPANCY, TEMPORARY, OR OTHERWISE, WILL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED

WITHIN SIGHT DISTANCE TRIANGLES AS SHOWN, LIMITED LANDSCAPING SHALL BE ALLOWED, BUT NO SOLID STRUCTURES OR TREES WILL BE PERMITTED. SOLID STRUCTURES SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES, MAILBOXES, AND UTILITY BOXES. LANDSCAPING WITHIN THE SIGHT DISTANCE TRIANGLES WILL BE LIMITED TO SHRUBS AND PLANTINGS THAT AT MATURITY WILL BE NO TALLER THAN TWO FEET. LANDSCAPING WITHIN THE SIGHT DISTANCE TRIANGLE SHALL BE MAINTAINED BY THE PROPERTY OWNER OF APPROPRIATE ASSOCIATION.

9. THIS PLAT IS SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS PARKING EASEMENT FOR THE SHARED USE OF ALL PARKING SPACES SITUATED WITH THE PROPERTY SHOWN HEREIN. THE OWNER OF EACH LOT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THEIR RESPECTIVE LOT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR.

10. AN EXCLUSIVE SIGN EASEMENT IS HEREBY DEDICATED TO THE TOWN OF PARKER VIA THIS PLAT AS SHOWN ON SHEET 3 OF THIS PLAT.

11. PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPATION AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN.

12. THE MONUMENT SIGN EASEMENT AS SHOWN HEREON IS HEREBY GRANTED AS A NON-EXCLUSIVE EASEMENT TO THE TOWN OF PARKER, COLORADO FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A MONUMENT SIGN.

R & R ENGINEERS-SURVEYORS, INC.
1305 WEST 5TH AVENUE, SUITE 110
DENVER, COLORADO 80204
PH-303-753-4750 PH-303-753-4998
WWW.RRENGINEERS.COM

SHEET 1 OF 3

A MINOR DEVELOPMENT PLAT

SHEET 2 OF 3

241.3 SQUARE
SHEET 2 OF 3

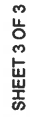


VACATED EASEMENTS

● FOUND MONUMENT, AS NOTED
 ◆ SECTION CORNER, AS NOTED
 (W) MEASURED DIMENSION
 PWSD PARKER WATER & SANITATION DISTRICT
 PSCD PUBLIC SERVICE COMPANY OF COLORADO
 SUBDIVISION BOUNDARY LINE
 SECTION LINE
 ADJACENT PROPERTY LINE
 EASEMENT ON EXCEPTION LINE, AS NOTED
 RIGHT-OF-WAY LINE
 LOT LINE TO BE REMOVED
 PUBLIC RIGHT-OF-WAY GRANTED BY THE

REFERENCE MAP INFORMATION			
(R1)	LAND SURVEY PLAT	12/18/2017	DOC. NO. 100050997
(R2)	ALTA	3/26/2015	DOC. NO. 100047777
(R3)	PARKER CENTRAL AREA PLAT FLNO NO. 9	1/28/1982	DOC. NO. 9251211
(R4)	PARKER CENTRAL AREA PLAT FLNO NO. 10	3/7/1984	DOC. NO. 9413184
(R5)	PARKER CENTRAL AREA	7/22/1993	DOC. NO. 9333082

241.3 SQUARE
SHEET 3 OF 3



LINE DATA TABLE			
LINE #	DIRECTION	LENGTH	
L1	S79°54'22"E	9.28'	
L2	N6°32'01"E	12.37'	
L3	S62°54'13"E	16.66'	
L4	S7°12'16"E	14.22'	
L5	N75°54'22"W	20.34'	
L6	N12°42'38"E	2.87'	
L7	N12°11'45"E	20.00'	
L8	S5°50'06"W	16.84'	
L9	S17°42'38"W	3.25'	
L10	N10°42'16"E	15.00'	
L11	S72°07'12"E	19.76'	
L12	S77°07'36"E	14.36'	
L13	S79°13'05"E	10.00'	
L14	S10°44'15"W	10.00'	
L15	S79°11'50"W	00'	

REFERENCE MAP INFORMATION			
(R1)	LAND SURVEY PLAT	12/18/2017	DOC. NO. 10005097
(R2)	ALTA	3/28/2015	DOC. NO. 10004777
(R3)	PARKER CENTRAL AREA PLAT FILING NO. 9	12/30/1992	DOC. NO. 9251211
(R4)	PARKER CENTRAL AREA PLAT FILING NO. 10	3/7/1994	DOC. NO. 9413194
(R5)	PARKER CENTRAL AREA PLAT FILING NO. 11	7/22/1993	DOC. NO. 9333092

EXHIBIT C

Date:
9/17/2020



1635 W. 13th Ave, Suite 310
Denver, Colorado 80204
PHONE: 303-753-6730 FAX: 303-753-6568
Engineer's Opinion of Probable Cost for Public Improvements
For: Town of Parker

Item	Description	Approx. Work Units		Estimated Unit Price (\$)	RS Means Based Total Cost (\$)
R.O.W. IMPROVEMENTS					
REMOVAL					
REMOVAL OF SIDEWALK	4" THICK	120	SY	7	840
REMOVAL OF CURB AND GUTTER		54	LF	7	378
SAWCUT		80	LF	2	160
INSTALL					
CONCRETE	6" CONCRETE BUMPOUT	10	SY	110	1,100
CROSS WALK STRIPING		11	SY	108	1,188
SUBGRADE PREP	SUBGRADE BENEATH CONCRETE	318	SY	2	636
SIDEWALK 4"		210	SY	90	18,900
HANDICAP RAMPS		1	EA	2,500	2,500
CONCRETE TRAIL	4" THICK TRAIL	95	SY	90	8,550
				R.O.W. IMPROVEMENTS	\$ 34,252
				Construction Contingency (10%)	\$ 3,425
				Mobilization (5%)	\$ 1,713
				Surveying (3%)	\$ 1,028
				Construction Management and Testing (12%)	\$ 4,110
				TOTAL	\$ 44,528
				Security at 110%	\$ 48,980

EXHIBIT D

FORM – IRREVOCABLE LETTER OF CREDIT

Issuing Bank's Letterhead

Irrevocable Letter of Credit

Issuing Bank: [Type in bank name.]
Letter of Credit No.: [Type LOC number.]
Amount: [Type in aggregate amount.]

Issuance Date: [Type LOC issuance date.]
Expiry Date: [Type LOC expiration date.]
Name of Developer: [Type in name of developer.]

Town of Parker
20120 East Mainstreet
Parker, Colorado 80138

Attention: Mayor and Town Attorney

Ladies and Gentlemen:

We hereby establish this Irrevocable Letter of Credit in your favor for an amount up to the aggregate sum of \$ _____ U.S. Dollars.

Funds under this credit are available to you by your draft or drafts drawn at sight on us containing the number of this Letter of Credit, as set forth above, in the Form of Sight Draft attached hereto as **Exhibit 1** and incorporated by this reference. Partial drawings are permitted. The amount of the funds available under this Letter of Credit may not be reduced, except by payment of drafts drawn hereunder, or pursuant to written authorization given to us by the Town. The sole condition for payment of any draft under this Letter of Credit is that the draft be accompanied by a letter, on the Town's letterhead, signed by the Mayor or designee, stating that one or more of the following conditions exist:

a. The Town has determined that the Developer is in default of its obligations under that certain [type in "agreement" or "permit"], to secure the performance of the [type in the name of the agreement, such as "Subdivision Agreement between the Town and Developer" and the name of the project, or "Development Agreement between the Town and Developer" and the name of the project] or [for permit, type in the name of the project];

or

b. That the expiry date of this Irrevocable Letter of Credit is less than fourteen (14) days from the date of the Mayor or designee's letter and the Developer has not provided the Town with a replacement letter of credit in an amount and form acceptable to the Town to secure the performance of the [type in name of the agreement] or [for permit, type in the name of the project] described herein.

Drafts for payment by the Town, pursuant to this Letter of Credit, shall be deemed timely presented if, prior to the date of expiration of the Letter of Credit, the draft is deposited in the U.S. mail or otherwise delivered for transmission by any other usual means of communication

11/1/2019
G:\LEGAL\FORMS\LTR OF CREDIT-IRREV EX D 20180605.DOC

EXHIBIT 1

FORM OF SIGHT DRAFT

[*Name of Issuing Bank*]
[*Address of Issuing Bank*]

Date: _____

At sight, pay to the order of Town of Parker _____ Dollars
(\$ _____), for value received and charge to the account of [*name of Developer*].

Drawn under Letter of Credit No. _____, dated _____ [*type in
letter of credit issuance date*].

By: _____
_____, Mayor
Town of Parker

EXHIBIT E

ASSIGNMENT AND ASSUMPTION AGREEMENT FOR CHASE BANK SUBDIVISION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT FOR CHASE BANK SUBDIVISION AGREEMENT (the "Agreement") is dated as of _____, 202__ (the "Effective Date"), and is made by and between LG Mainstreet & Parker, LLC (the "Developer"), and JPMorgan Chase Bank, N.A., a national banking association ("Assignee").

RECITALS

A. The Developer entered into a subdivision agreement with the Town of Parker concerning Chase Bank, located in the Town of Parker, County of Douglas, State of Colorado, and described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Subdivision Agreement").

B. The Developer desires to assign the Subdivision Agreement to Assignee and Assignee desires to assume all of the Developer's obligations under the Subdivision Agreement, subject to the prior written approval of the Town of Parker.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Developer hereby assigns all of its obligations, rights, title and interest under the Subdivision Agreement to Assignee.

2. Assignee hereby assumes all of the Developer's obligations, rights, title and interest under the Subdivision Agreement.

3. The Developer represents and warrants that it has satisfied all conditions precedent, as required by the Subdivision Agreement for this assignment by the Developer and assumption by Assignee.

4. This Agreement shall not be modified, amended or terminated without the express written consent of the Developer, Assignee and the Town of Parker. Notwithstanding anything to the contrary in this Agreement or the Subdivision Agreement, Assignee agrees and covenants to the Town of Parker that it will not further assign its rights or obligations under the Subdivision Agreement without first complying with Paragraph 27 of the Subdivision Agreement entitled "Assignment or Assignments."

5. The parties hereto warrant and represent that they have the express authority to so execute and bind themselves and the parties for whom they are acting to the terms and provisions of this Agreement.

6. The parties hereto warrant and represent that they have executed this Agreement, based upon their own knowledge and free will.

7. The Developer, on the one hand, and Assignee, on the other hand, agree that if any party hereto brings an action to enforce this Agreement or any of its terms and conditions, the prevailing party in such action shall be entitled to an award of reasonable attorneys' fees and actual costs from the losing party. The parties acknowledge and agree that the Town of Parker shall not be liable for any party's attorneys' fees under this Paragraph 7.

8. Should any provision of this Agreement be declared or determined to be null and void, inoperative, illegal or invalid for any reason, the validity of the remaining parts, terms or provisions shall not be affected thereby and they shall retain their full force and effect and said null, void, inoperative, illegal or invalid part, term or provision, shall be deemed not to be part of this Agreement.

9. This Agreement shall, in all respects, be interpreted, enforced and governed under the laws of the State of Colorado.

10. The Recitals of this Agreement are incorporated herein by this reference.

11. This Agreement merges and supercedes all prior negotiations, representations and agreements of the parties hereto, as of the date first above written.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth above.

**DEVELOPER: LG MAINSTREET &
PARKER LLC**

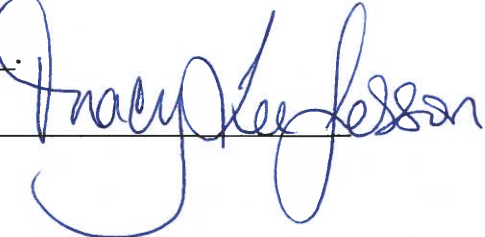


Josh Canafax, CIO

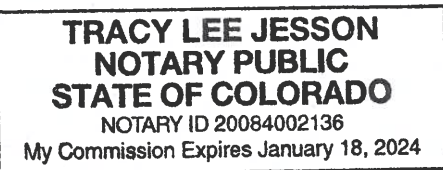
STATE OF Colorado)
COUNTY OF El Paso)ss.

The foregoing instrument was acknowledged before me this 25th day of November, 2020, by Josh Canafax, as CIO of LG Mainstreet & Parker LLC.

My commission expires: 01/18/2024
SEAL



Notary Public



**ASSIGNEE: JPMORGAN CHASE BANK, N.A.,
a national banking association**

John C. McGinley, Managing Director

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
202__, by John C. McGinley, as Managing Director, of JPMorgan Chase Bank, N.A.

My commission expires: _____.

SEAL

Notary Public

CONSENT OF TOWN OF PARKER

The Town of Parker hereby consents to the Assignment and Assumption Agreement for
Chase Bank Subdivision Agreement, as described herein.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

Subdivision Agreement Chase Bank, dated _____, 202__, by and between the Town of Parker, Colorado, and LG Mainstreet & Parker LLC, recorded in the Douglas County Clerk and Recorder's Office on _____, 202__, at Reception No. 202_____.



Request for Town Council Action

Date: December 7, 2020

Submitted By: Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.548 - Second Reading**
A Bill for an Ordinance to Levy General Property Taxes for the Year 2020 to Help Defray the Costs of Government for the Town of Parker, Colorado, for the 2021 Budget Year

Department: Finance, Mary Lou Brown

EXECUTIVE SUMMARY

The Town of Parker must certify a mill levy to Douglas County prior to December 15, 2020, in order to collect property taxes for the 2021 budget year.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The following is a comparison of the mill levy, assessed valuation and property tax revenue for this year (2020) and next year (2021).

2020 Budget Year

Assessed Valuation	\$906,911,607
Mill Levy	2.602
Property Tax Revenue	\$2,359,784

2021 Budget Year

Assessed Valuation	\$936,222,119
Mill Levy	2.602
Property Tax Revenue	\$2,436,050

The mill levy of 2.602 mills is the same as the prior year. The voters approved exemption of Town revenues from the TABOR amendment, so the restriction to an increase of the local growth factor plus inflation does not apply. The Town cannot increase the mill levy without a vote of the citizens; therefore, the mill levy will continue to remain 2.602 mills.

The amount of property tax an owner of a home with an actual value of \$300,000 would have to pay the Town of Parker is approximately \$780 per year.

FINANCIAL IMPACT

The General Fund includes the impact of property tax revenue.

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 1.548

RECOMMENDED MOTION

I move to approve Ordinance No. 1.548 on second reading.

ORDINANCE NO. 1.548, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO LEVY GENERAL PROPERTY TAXES FOR THE YEAR 2020 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF PARKER, COLORADO, FOR THE 2021 BUDGET YEAR

WHEREAS, the Town Council of the Town of Parker has adopted the annual budget in accordance with the Local Government Budget Law, on November 16, 2020;

WHEREAS, the amount of money necessary to balance the budget for general operating purposes is \$2,436,050;

WHEREAS, the 2020 valuation for assessment for the Town of Parker, as certified by the County Assessor, is \$936,222,119;

WHEREAS, pursuant to the provisions of Section 39-3-119.5, C.R.S., nonexempt personal property parcels shall be exempt from the levy and collection of property tax if the personal property would otherwise be listed on a single personal property schedule and the actual value of such personal property is seven thousand dollars (\$7,000.00) or less;

WHEREAS, pursuant to Paragraph 8(b) of Section 20 of Article X of the Colorado Constitution, each taxing district in Colorado may enact cumulative uniform exemptions and credits to reduce or end business personal property taxes;

WHEREAS, the personal property tax is a tax which is levied annually and is in addition to all applicable sales and use taxes collected when any personal property is first utilized in a business;

WHEREAS, the Town Council believes that increasing the exemption amount for personal property taxes on a temporary basis for the year 2020 would benefit the businesses in the Town of Parker, would not significantly impact the Town's budgets, and would not cause a reduction in services to taxpayers and residents of the Town of Parker; and

WHEREAS, the Town Council desires to establish a tax policy, which will remain in effect on a temporary basis for the year 2020, it being the explicit purpose and understanding of the Town Council that a return to the prior exemption limits under Section 39-3-119.5, C.R.S. is not a tax policy change or a new tax as contemplated by TABOR.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. For the purpose of meeting all general operating expenses of the Town of Parker during the 2020 budget year, there is hereby levied a tax of 2.602 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for the year 2020.

Section 2. The Finance Director is hereby authorized and directed to immediately certify to the County Commissioners of Douglas County, Colorado, the mill levies for the Town of Parker as hereinabove determined and set.

Section 3. The Town Council hereby establishes a temporary tax policy to increase the uniform exemption from taxation upon business personal property to cause the first hundred thousand dollars of actual value in business personal property listed on a single personal property schedule to be exempt from the levy and collection of personal property tax for the year 2020. This increased exemption amount shall apply to all parcels located in the Town of Parker and shall apply to those taxes levied by the Town of Parker. Town Council further directs that the Town Finance Department take whatever actions are necessary to implement this temporary policy, including any changes to the certification of mill levy filed annually with Douglas County.

Section 4. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 5. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 6. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office



Request for Town Council Action

Date: December 7, 2020

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-061**
A Resolution Calling a Special Election for the Town of Parker to be Held on April 20, 2021, to Fill a Vacancy on the Town Council of the Town of Parker, Pursuant to Section 2.9c. of the Town of Parker Home Rule Charter

Department: Town Attorney, Jim Maloney

EXECUTIVE SUMMARY

The Resolution calls for a special election to be held on April 20, 2021, to fill the current vacancy on the Town Council.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Section 2.9 of the Town of Parker Home Rule Charter controls the filling of vacancies on Town Council. The Town Council currently has one vacancy. The Town Council did not fill that vacancy by appointment and the period of time to appoint has passed. The Town Council is required by the Town Charter to call the special election to fill this vacancy. The Resolution calls for a special election to be held on April 20, 2021, to fill the current vacancy on the Town Council. The date of April 20, 2021, was selected to address the second vacancy on Town Council that will occur at the December 14, 2020, Town Council meeting, and the desire of Town Council to hold one election to fill both vacancies, if the second vacancy cannot be filled by appointment.

Councilmember Jeff Toborg was elected to the office of Mayor on November 3, 2020. On December 14, 2020, Councilmember Toborg will resign as a Councilmember. When Councilmember Toborg resigns there will be a second vacancy on Town Council. Under the Town Charter, the Town Council is required to appoint no sooner than 10 days nor later than 30 days from the date of the vacancy or schedule a special election within 90 days of the date of the vacancy.

On December 14, 2020, the newly seated Town Council will declare the second vacancy, which will trigger a 10-day waiting period. During this waiting period, Town Council cannot fill the vacancy by appointment or call a special election. On January 4, 2021, the newly seated Town

Council, at its first regular meeting, may either appoint or call the special election for the second vacancy, since the 10 day-waiting period will have expired.

Due to the cost of holding a special election, Town Council desires to select one election date that will allow the registered electors of the Town to fill both vacancies, in the event that the second vacancy is not filled by appointment. The election date of April 20, 2021, will accommodate one election date to fill both vacancies, provided the newly elected Town Council calls for a special election to fill the second vacancy during January 4, 2021, Town Council meeting.

FINANCIAL IMPACT

The financial impact will be the cost to hold a special election, which is estimated to be in excess of \$50,000.

STRATEGIC GOAL(S)



FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT

ATTACHMENTS

1. Resolution No. 20-061

RECOMMENDED MOTION

I move to approve Resolution No. 20-061.

RESOLUTION NO. 20-061, Series of 2020

TITLE: A RESOLUTION CALLING A SPECIAL ELECTION FOR THE TOWN OF PARKER TO BE HELD ON APRIL 20, 2021, TO FILL A VACANCY ON THE TOWN COUNCIL OF THE TOWN OF PARKER, PURSUANT TO SECTION 2.9c. OF THE TOWN OF PARKER HOME RULE CHARTER

WHEREAS, pursuant to the Town of Parker Home Rule Charter and Article II of the Colorado Constitution, the Town of Parker is a home rule municipality with final authority over all matters of local concern;

WHEREAS, pursuant to the express language of Article XX, Section 6(d) of the Colorado Constitution, municipal elections are matters of purely local concern;

WHEREAS, the Town Council of the Town of Parker finds and determines that mail ballot elections increase voter participation;

WHEREAS, Councilmember Renee Williams resigned from her office as a councilmember on September 21, 2020;

WHEREAS, the remaining councilmembers of the Town Council of the Town of Parker are required to call a special election to elect a person to serve the remaining portion of the original four-year term of office in which the vacancy occurred, pursuant to Section 2.9c. 2. of the Town of Parker Home Rule Charter;

WHEREAS, the Town Council desires to hold the mail ballot election on April 20, 2021, for the purpose of electing a person to serve the remaining portion of the original four-year term of office, which was held by Councilmember Renee Williams;

WHEREAS, Section 2.10 of the Town of Parker Home Rule Charter requires that the Town Council call any special election by resolution at least thirty (30) days prior to the election; and

WHEREAS, the Town Council has determined that the date of such special election shall be April 20, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council hereby calls a special election to be held on Tuesday, April 20, 2021, to elect a person to serve the remaining portion of the original four-year term of office held by former Town Councilmember Renee Williams.

Section 2. The special election to be held on April 20, 2021, shall be conducted as a mail ballot election pursuant to the Colorado Municipal Election Code or the Uniform Election Code as determined by the Designated Election Official.

Section 3. The Town Council of the Town of Parker hereby appoints the Town Clerk as the Designated Election Official.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



Request for Town Council Action

Date: December 7, 2020

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-063**
A Resolution Opposing the Colorado Department of Public Health & Environment's Move of Douglas County to Level Red on the State's COVID-19 Dial and the Closure of Indoor Dining at Local Restaurants

Department: Town Council

EXECUTIVE SUMMARY

The Town Council desires to consider a resolution to formally oppose the state's decision to move Douglas County from the state's COVID-19 Dial (the "Dial") Level Orange to Level Red.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On November 17, 2020, Douglas County received notice from the Colorado Department of Public Health & Environment that the state was changing restrictions for Douglas County from Level Orange to Level Red, effective at 5:00 p.m. on November 20, 2020. Level Red restrictions completely shut down indoor dining at restaurants, significantly impacting the survival of the Town's restaurants and their ability to provide needed jobs with the Town of Parker, particularly during this critical holiday season. The attached resolution, if passed, would formally declare the Town's opposition to the state's decision, and demand that the state reverse this unsustainable decision and reopen indoor dining in Douglas County to Level Orange or less restrictive level on the COVID-19 Dial.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Resolution No. 20-063

RECOMMENDED MOTION

I move to approve Resolution No. 20-063

RESOLUTION NO. 20-063, Series of 2020

TITLE: A RESOLUTION OPPOSING THE COLORADO DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT'S MOVE OF DOUGLAS COUNTY TO LEVEL RED ON THE STATE'S COVID-19 DIAL AND THE CLOSURE OF INDOOR DINING AT LOCAL RESTAURANTS

WHEREAS, the State's expressed intent in maintaining its COVID-19 Dial framework is to move communities on the Dial's levels based on metrics;

WHEREAS, the State further states on the COVID-19 Dial webpage that the Dial framework "gives communities a tool to make life in the pandemic more sustainable;"

WHEREAS, Douglas County, on November 17, 2020, received notice from the Colorado Department of Public Health & Environment that the State was changing restrictions for Douglas County from the Dial's Level Orange to Level Red, effective at 5:00 p.m. on Friday, November 20, 2020;

WHEREAS, other neighboring counties whose COVID-19 incidence rates are comparable to, or in excess of, those in Douglas County, have not been moved by the State to Level Red, indicating unequal treatment of our area's counties;

WHEREAS, Level Red restrictions completely shut down indoor dining at restaurants, absent the provision of data-based evidence of this being necessary, while allowing other indoor industries to continue to operate at capacities of up to 50%;

WHEREAS, the Town of Parker's restaurants have adhered to capacity restrictions, and to 6-foot distancing, face-covering, cleaning, party size and other requirements set forth by the State during the COVID-19 pandemic;

WHEREAS, our local restaurants, which have already seen a substantial revenue decline from last year, cannot sustain under such severe measures, particularly during this critical holiday season;

WHEREAS, restaurants provide needed jobs within our community, and add to its charm, interest and vitality that would irreversibly alter our community's character if lost; and

WHEREAS, outdoor-only restaurant service is simply impractical during the months November and December and the upcoming winter season.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. Statement of Opposition. The Town Council formally declares its opposition of Douglas County's and the Town of Parker's unequal treatment by the State in being moved to Level Red on the COVID-19 Dial, and the resulting closure of indoor dining at our local restaurants. Town Council demands the State reverse this unsustainable move and reopen indoor dining in Douglas County to Level Orange or less restrictive level on the COVID-19 Dial.

Section 2. Statement of Support. The Town Council formally declares its support of the Executive Order issued November 25, 2020, to provide up to \$2,000 in temporary relief to Colorado bars and restaurants for sales made in November and encourages the relief to be extended by the Colorado General Assembly when it convenes for a special legislative session.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk