

TOWN OF PARKER COUNCIL AGENDA
April 2, 2018

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.

1. **TOWN COUNCIL MEETING SCHEDULE**

- A. **5:30 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. **Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. **Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. **SPECIAL PRESENTATIONS**

- **Eagle Scout Jett Hicken Recognition**
- **Storm Ready-National Weather Service**

3. **PARKER CHAMBER OF COMMERCE UPDATES**

4. **DOWNTOWN BUSINESS ALLIANCE UPDATES**

5. **PUBLIC COMMENTS**

6. **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**

7. **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 - March 19, 2018***

B. GRASSLANDS/PRAIRIE TRAIL ANNEXATION AND ZONING

*Applicant: ABMAR Grasslands, LLC
Charter Communications Holding Company, LLC
M&P Enterprises, LLC
Woodspear Prairie Trail, LLC
Town of Parker Community Development Department (as to zoning)*

*Location: Generally bound by the county line between Douglas County and
Arapahoe County, Upland Drive, Prairie Trail Drive and Compark
Boulevard*

*Department: Community Development, Paul Workman
Community Development, Stacey Nerger*

TRAKiT No.: ANX18-001

Second Reading: April 16, 2018

- (1) ORDINANCE NO. 2.259 - First Reading
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous
Unincorporated Territory Known as the Grasslands/Prairie Trail Property in Douglas
County*
- (2) ORDINANCE NO. 3.333 - First Reading
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado,
Known as the Grasslands/Prairie Trail Property to PD-Planned Development District
Pursuant to the Town of Parker Land Development Code and Amending the Zoning
Ordinance and Map to Conform Therewith*

*C. ORDINANCE NO. 9.273 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker
and Parker Water and Sanitation District Regarding Public Improvements Security*

Department: Engineering/Public Works, Chris Hudson

Second Reading: May 7, 2018

*D. ORDINANCE NO. 9.274 - First Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker
and Cottonwood Water and Sanitation District Regarding Public Improvements Security*

Department: Engineering and Public Works, Chris Hudson

Second Reading: May 7, 2018

*E. ORDINANCE NO. 1.511 - First Reading
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and
Sanitation District for Lot 2A, Twenty Mile Industrial Park Subdivision Filing No. 2, 1st
Amendment*

Department: Engineering/Public Works, Alex Mestdagh

Second Reading: May 7, 2018

F. RESOLUTION NO. 18-033

A Resolution Setting the Date for Consideration of the Annexation Ordinance for the Town Harvie Open Space Property for Second Reading on May 7, 2018

*Department: Community Development, Mary Munekata
Parks, Recreation and Open Space, Dennis Trapp*

Trakit No.: ANX17-003

G. RESOLUTION NO. 18-029

A Resolution to Appoint Members to the Investment Advisory Committee

Department: Finance, Mary Lou Brown

H. RESOLUTION NO. 18-036

A Resolution to Modify the Planning Commission Public Hearing Protocol and Town Council Public Hearing Procedure for the Town of Parker Zoning Case Number Z18-009 and Town of Parker Annexation Case Number ANX18-001

Department: Town Attorney, Jim Maloney

8. PUBLIC HEARINGS

A. MEADOWLARK - Annexation and Zoning

Applicant: Henry Design Group for Meritage Homes

Location: The northeast corner of Crowfoot Valley Road and Richlawn Parkway

Department: Community Development, Ryan McGee

TRAKiT No.: ANX16-004 & Z16-020

(1) ORDINANCE NO. 2.258 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Meadowlark Property in Douglas County

(2) ORDINANCE NO. 3.325 - Second Reading

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

(3) ANNEXATION AGREEMENT

(4) SKETCH AND PRELIMINARY PLAN

- B. ORDINANCE NO. 3.332 - Second Reading**
A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known As Country Meadows Square Property from PD-Planned Development to Modified Commercial District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

Applicant: Gene Gregory, Country Meadows Development LLC
Location: Northwest corner of Hess Road and Parker Road
Department: Community Development, Stacey Nerger
Trakit No.: Z18-002

9. ORDINANCES

- A. ORDINANCE NO. 5.79 - Second Reading**
A Bill for an Ordinance to Amend Section 5.02.660 of the Parker Municipal Code Concerning Public Notice of Liquor License Applications

Department: Town Attorney, Jim Maloney

- B. ORDINANCE NO. 5.80 - Second Reading**
A Bill for an Ordinance to Amend Chapter 7.01 of the Parker Municipal Code to Allow Traffic Direction, Regulation and Control by Appointed Special Police Officers

Department: Police Department, Doreen Jokerst

10. ADJOURNMENT

Parker Town Council

Executive Session Agenda

April 2, 2018

"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)."

1. Proposed amendments to the Cottonwood Highlands Annexation Agreement concerning road improvements.
2. Proposed Kime Annexation and related access.

"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)."

3. Sections 13.02.010, 13.04.240(b), 13.04.250 of the Parker Municipal Code and Resolution No. 18.036, Series of 2018 concerning applicants.

**TOWN OF PARKER COUNCIL
MINUTES
MARCH 19, 2018**

Mayor Mike Waid called the meeting to order at 5:37 p.m. All Councilmembers were present.

Jim Maloney announced the topics for the Executive Session were four (4) items. Under C.R.S. § 24-6-402(4)(e) there was one (1) item which was the proposed annexation of the commercial enclave property adjacent to Parker Road and Pine Lane. Under C.R.S. § 24-6-402(4)(b) there were three (3) items; the first was the Town of Parker v. Douglas County, Douglas County District Court concerning the Intergovernmental Agreement and related comprehensive development plan between the Town and Douglas County; and Section 19A of the Douglas County Zoning Resolution; the second was the Parker Senior Center (deed restrictions); and the third was the Town of Parker v. Oltmann, et al, Douglas County District Court.

EXECUTIVE SESSION

Amy Holland moved and Josh Martin seconded to go into Executive Session at 5:37 p.m., 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 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.

Amy Holland moved and Josh Martin seconded to adjourn the Executive Session at 6:50 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:00 p.m.

Boy Scout Troops 88 and 16 led the Pledge of Allegiance.

SPECIAL PRESENTATIONS – None.

PARKER CHAMBER OF COMMERCE UPDATES – None.

PUBLIC COMMENTS

7:03 PM

Jim McGanon stated he is not a resident of Parker, but a neighbor. He suggested the use of more roundabouts to ease the flow of traffic and to provide for more efficiency. Traffic is terrible. Traffic on Mainstreet should be rerouted and Mainstreet should become a walkable area.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL – None.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - March 5, 2018*
- B. *ORDINANCE NO. 5.79 - First Reading*
A Bill for an Ordinance to Amend Section 5.02.660 of the Parker Municipal Code Concerning Public Notice of Liquor License Applications
Department: Town Attorney, Jim Maloney
Second Reading: April 2, 2018
- C. *MEADOWLARK - Annexation and Zoning*
Applicant: Henry Design Group for Meritage Homes
Location: The northeast corner of Crowfoot Valley Road and Richlawn Parkway
Department: Community Development, Ryan McGee
TRAKiT No.: ANX16-004 & Z16-020
Second Reading: April 2, 2018
- (1) *ORDINANCE NO. 2.258 - First Reading*
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Meadowlark Property in Douglas County
- (2) *ORDINANCE NO. 3.325 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Meadowlark Property to PD-Planned Development District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
- D. *ORDINANCE NO. 3.332 - First Reading*
A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known As Country Meadows Square Property from PD-Planned Development to Modified Commercial District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
Applicant: Gene Gregory, Country Meadows Development LLC
Location: Northwest corner of Hess Road and Parker Road
Department: Community Development, Stacey Nerger
Trakit No.: Z18-002
Second Reading: April 2, 2018

- E. *ORDINANCE NO. 5.80 First Reading*
A Bill for an Ordinance to Amend Chapter 7.01 of the Parker Municipal Code to Allow Traffic Direction, Regulation and Control by Appointed Special Police Officers
Department: Police Department, Doreen Jokerst
Second Reading: April 2, 2018

F. *CONTRACTS OVER \$100,000*

1. *2018 Townwide Slurry/Chip Seal Program (CIP 18-004)*
Amount: \$1,780,327.91
Contractor: A-1 Chipseal
Department: Public Works, John Mounier
2. *2018 Townwide Pavement Markings - Long Line Project (CIP18-007)*
Amount: \$105,702.78
Contractor: American Striping Company
Department: Engineering, Dave Aden

Joshua Rivero moved to approve Consent Agenda Items 6A through 6F.

Renee Williams seconded the motion.

The motion was approved unanimously.

PUBLIC HEARINGS

A. TWENTY MILE INDUSTRIAL PARK FILING NO. 2, FIRST AMENDMENT SUBDIVISION EXCEPTION LOT 2A - Parker Racquet Club Site Plan

Applicant: Christa Plaza, Essenza Architecture for Parker Tennis
Location: South of Plaza Drive between Twenty Mile Road and
 Championship Drive
Department: Community Development, Paul Workman
TRAKit No.: SP17-044

(1) Site Plan

(2) Development Agreement

7:08 PM

The Town of Parker, as property owner, and Parker Tennis, as operator, are proposing a public-private partnership for a new indoor/outdoor racquet and activities facility. The subject property has a total area of 4.9 acres and is located directly west of the Parker Fieldhouse at the southeastern corner of Twenty Mile Road and Plaza Drive.

The proposed facility will include six indoor tennis courts, a welcome center with social area, locker rooms and offices in the first phase. A future phase will create outdoor tennis courts with the potential for an expanded building if the need arises.

The subject property is owned by the Town of Parker and per the Land Development Ordinance, all site plan applications for Town-owned property are required to obtain Town Council approval upon a recommendation from Planning Commission. This project has public improvements on Championship Drive. Since there is no plat associated with this project, these improvements are being secured via a Development Agreement.

The Planning Commission recommended approval on March 8, 2018, with the two conditions noted in the staff report.

The applicants were present and spoke. Steve Prosowski, 4808 S. Granby, stated the project is the first public/private partnership project for the Town. Once built, it will provide programming for all ages.

Craig Marshall, 1164 Cambridge Court, stated the facility will be public but with many private perks. He added the location is great and will bring additional commerce in Parker.

Christa Plaza, 501 E. Cannon St., Layfette, Colorado, Essenza Architecture, stated it will enhance the site but will also compliment the buildings in the area.

Public Comment: None.

John Diak moved to approve the site plan based on staff findings with the two conditions noted in the staff report:

1. The applicant shall be required to work with the Town's Parks and Recreation and/or Cultural Department staff to incorporate public art at the northwest corner of the site prior to issuance of a certificate of occupancy.
2. Any substantial changes to the approved site plan, as determined by Town staff, shall require approval by Town Council after recommendation from Planning Commission.

Amy Holland seconded the motion.

The motion was approved unanimously.

Joshua Rivero moved to approve the Development Agreement attached in the staff report.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. PINE BLUFFS FILING NO. 4, Stand-Alone Emergency Room - Use by Special Review

Applicant: Wendi Birchler, Norris Design for Mustang Development Company

Location: Southeast corner of Parker Road and Shady Ridge Parkway

Department: Community Development, Paul Workman

TRAKiT No.: Z17-016

7:27 PM

The applicant, on behalf of Mustang Development Company, is requesting a Use by Special Review (UbsR) to allow a free-standing emergency room facility located in Pine Bluffs. The subject property is located in the commercially zoned section of the Pine Bluffs Planned Development (PD) at the southeast corner of Parker Road and Hess Road adjacent to the Shady Ridge Parkway entrance. The property has a total area of 1.7 acres and is currently undeveloped.

The PD zoning requires that hospitals and emergency care facilities obtain approval for a Use by Special Review. The applicant has deferred the required site plan application pending a Town Council decision on the Use by Special Review application.

Staff stated for Council to approve the Use by Special Review application, 9 criteria must be met. He added that the facilities hours of operation will be 24/7. They expect 15 patients per day with 40 employees. Staff reported the Town, the HOA, and the developer have worked together to come up with a traffic plan that is acceptable and addresses concerns of the neighborhood. Staff stated this project is consistent with the Town's Master Plan. The Planning Commission heard the case on March 8, 2018, and recommended that Town Council approve the application.

The applicant, Wendy Birchler, Norris Design for Mustang Development Company, 1101Bannock St., Denver, Colorado, read a letter of support from Dennis Houston of the Parker Chamber. The letter was also provided for Council's review.

Paul McCartney, CEO and a nurse, 41875 Deerfield Loop, Elizabeth Colorado, stated patients are transported from this location to the closest facility based on the needs of the patient. He also noted for Council that a letter was sent from the HOA regarding the support of the entryway plan.

Public Comment:

Rox Shain 12098 S. Majestic Way, Pine Bluff, stated he was not happy with access even as proposed. It will increase traffic into the neighborhood. He also stated it could impact home resale values.

Debbie Lewis moved to approve, based on staff findings, with the four (4) conditions contained in the staff report:

1. The facility shall be required to comply with all South Metro Fire Rescue protocols for ambulances that may service this facility.
2. The applicant shall be required to work with staff during the site plan process to ensure that the facility reflects high-quality architecture that exceeds the Town's requirements.
3. The future site plan shall comply with all of the Town's development standards prior to the approval of any building permit.
4. The property owner is required to continue to work with Town staff in order to develop and construct a revised intersection for Shady Ridge Parkway and Shady Ridge Road/Crooked Pine Circle that is substantially similar to the configuration discussed in Section VI of the Planning Commission Staff Report.

Josh Martin seconded the motion.

The motion was approved unanimously.

C. SERVICE PLANS FOR BELFORD SOUTH AND BELFORD NORTH METROPOLITAN DISTRICTS (continued from March 5, 2018)

Department:

Town Attorney, Jim Maloney

(1) RESOLUTION NO. 18-030

A Resolution to Approve the First Amended and Restated Service Plan for Belford South Metropolitan District

(2) RESOLUTION NO. 18-031

A Resolution to Approve the Formation of a Title 32 Special District for Belford North Metropolitan District

7:48 PM

The purpose of Resolution No. 18-030 is to approve the request by the Belford South Metropolitan District ("BSMD") to amend and restate its service plan. The purpose of Resolution No. 18-031 is to approve the proposed service plan for the Belford North Metropolitan District ("BNMD"). Both resolutions are being considered as a part of one public hearing for the reason that the service plans for these districts (the "Service Plans") are essentially the same, except that BSMD serves as the residential district and BNMD serves as the commercial district.

On March 21, 2016, the Town Council, by Resolution No. 16-022, approved the original service plan for BSMD, which was subsequently organized and is an existing special district. BSMD contains the residential portions of the Belford project south of Belford Avenue as depicted on the attached vicinity map. The proposed BNMD contains the commercial portions of the project north of Belford Avenue as depicted on the attached vicinity map. The Service

Plans propose that BSMD and BNMD (collectively, “the Districts”) will cooperatively complete public improvements for the Project.

With this application, BSMD proposes to amend and restate its service plan so that the Service Plans for the Districts are essentially the same, but with BSMD serving as the residential district and BNMD serving as the commercial district. The Service Plans contain a singular Capital Plan and Financial Plan, showing shared costs and financing by the Districts. The report attached to the staff memorandum summarizes key information regarding the Service Plans, which report is applicable to both Districts, except where indicated otherwise in the report.

The Applicant, Emily Murphy, with McGeady Becher Special District Law, 450 E. 17th Ave., Suite 400, Denver, Colorado 80203-1254, was available for questions.

Public Comments: None.

Josh Martin moved to approve Resolution Nos. 18-030 and 18-031.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

D. SALISBURY EQUESTRIAN PARK LOT 1, Parker Water and Sanitation - Bulk Water Distribution Station - Site Plan Amendment

Applicant: Black and Veatch for Parker Water and Sanitation District
Location: 12010 Motsenbocker Road
Department: Community Development, Carolyn Parkinson
TRAKit No.: SP17-107

(1) Site Plan

(2) ORDINANCE NO. 1.509 - Second Reading

A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Salisbury Equestrian Park Minor Development

7:58 PM

A land use proposal located on Town-owned property requires a public hearing before the Planning Commission and Town Council per Land Development Ordinance Section 13.06.040.

The Parker Water and Sanitation District (PWSD) is proposing to construct a bulk potable water station on Town property to provide an option for their bulk water customers and reduce the number of customers using hydrants for their bulk water needs. Hydrant use is wasteful

and can stir up naturally occurring mineral sediment in the distribution system resulting in “brown-water” events.

The proposed facility will be located east of the Operations Maintenance Facility in Salisbury Equestrian Park in an open staging area that is currently used by large maintenance vehicles and equipment. The total disturbed area will be less than .1 acres. The structure itself will be located approximately 115 feet from the nearest property line and be screened from adjacent residential properties by a berm. The building will have a footprint of approximately 40 square feet and be 7 feet in height when completed.

PWSD envisions that this facility will be utilized by customers with small water trucks (<1,500 gallons) that use 30,000 gallons of water or less per month. Currently, PWSD has 118 existing customers that are bulk-fill users. The fill-station will also be used by the Town including the Engineering/Public Works Department and the Parks and Recreation Department. The facility will be monitored by PWSD staff and equipped with security cameras to ensure proper use. The hours of operation will be 5 a.m. to 7 p.m. daily.

Staff has determined that no landscaping, lighting or parking improvements are required due to the isolated location and small size of the proposal.

To accommodate the project, PWSD has requested that a nonexclusive waterline easement be granted over the project area within Salisbury Park. The Engineering/Public Works Department has reviewed and approved the proposed easement in conjunction with the Parks and Recreation Department. The nonexclusive nature of this easement will allow the easement area to be utilized for most purposes if future improvements are ever contemplated in the park. This easement is proposed to be granted as part of an easement swap between the Town and PWSD; in return, the District has agreed to dedicate right-of-way and easements on a PWSD-owned property necessary for the Town to construct a future expansion of Stroh Road and a segment of the Lemon Gulch Trail.

The application was heard before the Planning Commission on March 8, 2018. After conducting the public hearing, Planning Commission approved a motion to recommend the addition of a ninth condition limiting the hours of operation.

The Applicant, Rebecca Tejada, with PWSD, 18100 E. Woodman Dr., was present to answer questions. She was asked how many trips per day were made to the site which she responded there were 10 to 20 trucks. Councilmember Rivero suggested that a sign be placed stating, "No Idling While Filling."

Public Comment: None.

Joshua Rivero moved to approve, based on staff findings and Planning Commission's recommendation, with the following nine (9) conditions and one (1) additional condition added:

- A. The Site Plan Amendment exhibit dated July 10, 2017, and submitted to the Community Development Department (via Trakit) on December 20, 2017, together with the prefabricated building specifications submitted (via Trakit) on February 23, 2018, shall be the approved plans. ANY ALTERATION, MODIFICATION, SUBSTITUTION, OR REVISION, INCLUDING (BUT NOT LIMITED TO), COLORS, MATERIALS, OR PLACEMENT SHALL BE AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, WHO RESERVES THE RIGHT TO REQUIRE SAID PROPOSED CHANGES TO BE REVIEWED AND APPROVED BY THE PLANNING COMMISSION.
- B. This approval has been based upon the review of information submitted to our office as part of your request for site plan approval and SHALL REMAIN IN EFFECT FOR TWELVE (12) MONTHS FROM THE DATE OF TOWN COUNCIL APPROVAL. If a grading permit or building permit is not issued within the twelve months, this approval becomes null and void. The Community Development Director, upon written request, may grant a 90-day extension.
- C. Approval of this site plan DOES NOT INCLUDE SIGNAGE. All signage for this site and building will be required to meet the Town of Parker Sign Code Chapter 13.09 and may require a separate sign permit application submittal.
- D. The applicant will be required to comply with eTRAKiT comments from Engineering dated January 22, 2018, prior to the issuance of a building permit. These comments pertain to the addition of protection for the portable toilet and a concrete washout.
- E. A building permit is required prior to the start of any work on site.
- F. An electrical permit is required prior to the start of any work on site.
- G. All conditions of the original site plan approval shall remain in effect.
- H. All public notice signs posted on the property must be removed within ten business days from the date of receipt of the site plan approval letter.
- I. Hours of operation will be limited to 6 a.m. to 7 p.m. daily.
- M. A sign be placed at the station stating, "No Idling While Filling."

Amy Holland seconded the motion.

The motion was approved unanimously.

Joshua Rivero moved to approve Ordinance No. 1.509 on second reading.

Josh Martin seconded the motion.

The motion was approved unanimously.

E. VILLAGE CENTER DRIVE RIGHT-OF-WAY PROPERTY - Annexation

Applicant: Town of Parker
Location: Generally located south of Lincoln Avenue and east of Jordan Road
Department: Community Development, Carolyn Parkinson
Engineering, Chris Hudson
TRAKit No.: ANX17-006

(1) RESOLUTION NO. 18-024

A Resolution to Set Forth the Town Council's Finding of Fact and Conclusions as the Eligibility of Village Center Drive Right-of-Way Property in Douglas County

(2) ORDINANCE NO. 2.257 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as Village Center Drive Right-of-Way Property of Douglas County

8:12 PM

Village Center Drive was constructed in the mid-1990s as part of the Stonegate mixed-use development in unincorporated Douglas County. During the early 2000s, the Town annexed three (3) of the four (4) commercial parcels that utilize Village Center Drive for access. The Town did not annex the roadway at that time.

Douglas County has had a long-standing request that Parker accept ownership and assume maintenance responsibility for Village Center Drive because most parcels that access the roadway are located within the Town's incorporated boundary. Staff requested repairs to the roadway as a condition of the Town accepting ownership and maintenance responsibility. In 2016, the County repaved Village Center Drive and completed the requested repairs. The Town subsequently accepted ownership of the roadway from the county in December 2017.

This proposal meets the statutory requirements for annexation into Parker and is consistent with the Parker 2035 Master Plan because it is located within the Town's Urban Growth Boundary.

Public Comment: None.

Debbie Lewis moved to approve Resolution No. 18-024.

Renee Williams seconded the motion.

The motion was approved unanimously.

Debbie Lewis moved to approve Ordinance No. 2.257 on seconded reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

**F. HEIRLOOM PARKWAY SERIAL I AND SERIAL II RIGHT-OF-WAY
PROPERTY - Annexation**

Applicant: Town of Parker
Location: Generally located north of Hess Road and west of Chambers Road
Department: Community Development, Carolyn Parkinson
Engineering, Chris Hudson
TRAKiT No.: ANX17-004 and ANX17-005

(1) RESOLUTION NO. 18-022

A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Heirloom Parkway Serial I Right-of-Way Property for Annexation into the Town of Parker

(2) ORDINANCE NO. 2.255 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Heirloom Parkway Property Serial I Located in Douglas County

(3) RESOLUTION NO. 18-023

A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of Heirloom Parkway Serial II Right-of-Way Property for Annexation into the Town of Parker

(4) ORDINANCE NO. 2.256 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Heirloom Parkway Property Serial II Located in Douglas County

8:14 PM

The Town proposes to annex Heirloom Parkway right-of-way (ROW) between Hess Road and Chambers Road. The Town has owned and maintained this roadway since it was accepted from the developer in 2016. To meet statutory requirements for contiguity a serial annexation that is done in two sections is required. Serial I is located between the Town boundary and a point approximately 109 feet north of the intersection of Heirloom Parkway

and Hess Road. Serial II is the remaining 109-foot section of Heirloom Parkway. Approval of Serial I and Serial II will allow for annexation of the full length of Heirloom Parkway into the Town.

Public Comment: None.

John Diak moved to approve Resolution No. 18-022.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

John Diak moved to approve Ordinance No. 2.255 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

John Dial moved to approve Resolution No. 18-023.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

Amy Holland moved to approve Ordinance No. 2.256 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

G. ORDINANCE NO. 1.507.1 - Second Reading

A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

**Department: Finance, Mary Lou Brown
Finance, Rhonda Willey**

8:20 PM

The purpose of this budget revision is to appropriate funds to carryover unspent 2017 appropriations and to appropriate additional funds for 2018. The total carry-over from 2017 is \$17,009,720 which includes \$3,256,629 in the General Fund, \$1,947,860 in the Parks and Recreation Fund, \$505,460 in the Cultural Fund, \$257,390 in the Recreation Fund, \$10,530,206 in the Capital Improvement Fund, \$203,675 in the Stormwater Fund, and \$308,500 in the Information Technology Fund.

The total supplemental appropriation for 2018 is \$1,657,361 offset by \$1,810,900 revenue for a net \$153,539 increase in revenue. The expenditures include \$208,410 in the General Fund, \$719 in the Parks and Recreation Fund, \$4,300 in the Cultural Fund, \$1,500 in the Recreation Fund, \$157,432 in the Capital Improvement Fund, \$35,000 in the Stormwater Fund, and \$1,250,000 in the Information Technology Fund. The revenue includes

\$1,534,100 in the General Fund, \$48,800 in the Cultural Fund, \$195,000 in the Recreation Fund, \$18,000 in the Stormwater Fund, and \$15,000 in the Fleet Services Fund. The detail list of items can be found in Exhibit A attached to the budget Ordinance.

Public Comment: None.

Josh Martin moved to approve Ordinance No. 1.507.1 on second reading.

Josh Rivero seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 1.510 - Second Reading

A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Tract T, Reata North Filing No. 1

Department: Engineering/Public Works, Alex Mestdagh

8:24 PM

This ordinance proposes to convey a waterline easement to Parker Water and Sanitation District (PWSD) to allow for the installation of an underground waterline across Tract T, Reata North Filing No. 1. The waterline is proposed as a part of PWSD's Water Resource Centralization Project.

Public Comment: None.

Debbie Lewis moved to approve Ordinance No. 1.510 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 9.262.1 - Second Reading

A Bill for an Ordinance Approving the Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Newlin Gulch Downstream of Heirloom Parkway By and Between Urban Drainage and Flood Control District and the Town of Parker (Agreement No. 16-11.23A Project No. 106484)

Department: Engineering/Public Works, Jacob James

8:28 PM

Ordinance No. 9.262 and Agreement No. 16-11.23 were approved by Town Council on February 6, 2017, to provide funding for the design of improvements to Newlin Gulch at Heirloom Parkway (extended). The engineering design has been completed and the purpose of this Ordinance is to approve the IGA to add funding for construction of the improvements.

The approved Stormwater budget for 2018 included a capital improvement project line item for \$200,000 for Newlin Gulch. The Urban Drainage and Flood Control District will provide a funding match of \$200,000. This amendment to the IGA will also allow Urban Drainage and Flood Control District to re-appropriate remaining funds from the Crown Point Detention Pond Project which was funded in 2015 through Agreement No. 15-02.04. The financial breakdown is as follows:

Town of Parker: \$40,000 (Original) + \$200,000 (This Amendment)

Urban Drainage: \$40,000 (Original) + \$200,000 (This Amendment)

Urban Drainage Fund Transfer: \$279,117.66 (This Amendment)

Public Comment: None.

Joshua Rivero moved to approve Ordinance No. 9.262.1 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 8:31 p.m.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor

Prepared by: Chris Vanderpool, Deputy Town Clerk



Request for Town Council Action

Date: April 2, 2018

Submitted By: Paul Workman, Senior Planner
Stacey Nerger, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **GRASSLANDS/PRAIRIE TRAIL ANNEXATION AND ZONING**

Applicant: ABMAR Grasslands, LLC
Charter Communications Holding Company, LLC
M&P Enterprises, LLC
Woodspear Prairie Trail, LLC
Town of Parker Community Development Department (as to zoning)

Location: Generally bound by the county line between Douglas County and Arapahoe County, Upland Drive, Prairie Trail Drive and Compark Boulevard

Department: Community Development, Paul Workman
Community Development, Stacey Nerger

TRAKiT No.: ANX18-001

Second Reading: April 16, 2018

- (1) **ORDINANCE NO. 2.259 - First Reading**
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Grasslands/Prairie Trail Property in Douglas County

**(2) ORDINANCE NO. 3.333 - First Reading
A Bill for an Ordinance Zoning Certain Property
Within the Town of Parker, Colorado, Known as the
Grasslands/Prairie Trail Property to PD-Planned
Development District Pursuant to the Town of Parker
Land Development Code and Amending the Zoning
Ordinance and Map to Conform Therewith**

EXECUTIVE SUMMARY

ABMAR Grasslands, LLC; Charter Communications Holding Company, LLC; M&P Enterprises, LLC; and Woodspear Prairie Trail, LLC (collectively the “Landowners”), own property located in unincorporated Douglas County that is contiguous with the boundaries of the Town of Parker. The Landowners submitted an Annexation Petition on February 22, 2018, to annex their property into the Town along with certain other adjacent properties identified in the Annexation Petition and Annexation Map.

The Town Council approved Resolution No. 18-021 on March 5, 2018, determining that the Annexation Petition substantially complies with the requirements of C.R.S. § 31-12-107(1)(a) and set a public hearing for April 16, 2018, on the eligibility of the subject property to be annexed into the Town as provided by State law. Under C.R.S. § 31-12-115, the Town with the adoption of Resolution No. 18-021 may institute the procedure for zoning the subject property. The Landowners, together with the Community Development Department, submitted an application to zone the subject property to PD-Planned Development as provided by Section 13.04.150 of the Parker Municipal Code in the manner described in the Development Plan and Guide as prepared in accordance with the Parker Municipal Code.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property is described and depicted in the attached Annexation Map. The applicants collectively own more than fifty percent (50%) of the subject property which is located entirely within the Town of Parker Urban Growth Area. The Town Urban Growth Area includes certain property within unincorporated portions of Douglas County and is defined in the Mutually Binding and Enforceable Comprehensive Development Plan, approved by the Town and County, pursuant to C.R.S. § 29-20-105 and through a related Intergovernmental Agreement (as amended, the “Comprehensive Development Plan”). Specifically, the Comprehensive Development Plan states that the Town Urban Growth Area is the boundary of Parker’s potential future annexation area to the year 2022. Stated another way, the Town Urban Growth Area includes the area that the Town desires to annex and zone over a term of years. See the November 20, 2000 Memorandum of Understanding between the Town of Parker and Douglas

County “regarding Joint Planning and Growth Management.”

The Comprehensive Development Plan provides that “all unincorporated areas located within the Town’s Urban Growth Area,” including the subject property, “are encouraged to annex into the Town” and “the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.” In those circumstances where a landowner application is submitted to the County, instead of the Town, for an unincorporated area that is contiguous to the Town and within the Town Urban Growth Area, the Comprehensive Development Plan provides that “if there is contiguity, the Town shall process a petition for annexation,” “the Town Council shall apply the Standards for Review, as outlined above in Paragraph 2.3 of the (Comprehensive Development) Plan, when considering a petition for annexation,” and “final decision authority for said petitions shall be the Town Council following a public hearing, in the manner provided by the (Comprehensive Development) Plan.” In addition to being located entirely within the Town Urban Growth Area, the subject property also satisfies the contiguity requirement of C.R.S. § 31-12-104(1) (a), as reflected in the attached Annexation Map. Accordingly, the Town is processing the Annexation Petition subject to the standards of review contained in the Comprehensive Development Plan, other Colorado law and the final decision-making authority of the Town Council.

The current zoning for the subject property is Compark Planned Development, which was originally approved on September 21, 1998 (as amended, the “Compark PD”), which was superseded to an extent provided by the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District) and other applicable law. The subject property is contained entirely within Planning Area 4 of the Compark PD. The current uses within the subject property and surrounding areas located within the Town and the Town Urban Growth Area include research and development, light industrial, commercial, businesses, higher educational campus, school, personal services and residential uses that have a character that complements and is compatible with existing uses. However, the character of the subject property and surrounding areas is incompatible with other uses that are listed in the Compark PD, specifically, general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility and other incompatible industrial uses.

The existing uses within Planning Area 4 and the surrounding area including portions of the Compark PD that were annexed into the Town, include a research and development center for a multinational Fortune 100 telecommunications company; a medical device manufacturer; an assembly use (volleyball training facility with year-round teams, clinics and camps); a medical university; a performing arts charter school for grades K-8; and single-family detached homes. The uses that are proposed in the Grasslands/Prairie Trail Development Guide and Plan are, by contrast to the Compark PD, in compliance with the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District) and other applicable law, are consistent with the Douglas County 2035 Comprehensive Master Plan and the Parker 2035 General Land Use Plan, and are consistent and compatible with other existing uses of the real property and the surrounding area located within the Town and the Town Urban

Growth Area.

The Planning Commission will hold a public hearing and make a recommendation to Town Council for the zoning request on April 12, 2018.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY



FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Annexation Petition
2. Annexation Map
3. Zoning Narrative
4. Grasslands/Prairie Trail PD - Planned Development
5. Vicinity Map
6. Ordinance No. 2.259
7. Ordinance No. 3.333

RECOMMENDED MOTION

(1) I move to approve Ordinance No. 2.259 on first reading and to schedule second reading for April 16, 2018, as part of the consent agenda.

(2) I move to approve Ordinance No. 3.333 on first reading and to schedule second reading for April 16, 2018, as part of the consent agenda.

February 16, 2018

Ms. Carol Baumgartner, CMC
Town Clerk
20120 E. Mainstreet
Parker, CO 80138-7335

Re: Grasslands Annexation

Dear Ms. Baumgartner:

Pursuant to the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.* (the "Annexation Act"); section 30(1)(b), article II, of the Colorado constitution; and the petition and maps enclosed herewith, annexation by the Town of certain defined property is being requested.

As required by C.R.S. § 31-12-107(1)(f), please refer the petition and maps to the Town Council as a communication so that the Town Council may, without undue delay, take appropriate steps to process the annexation.

Thank you for your time in reviewing this matter. Please feel free to contact me with any questions or if you require additional information.

Sincerely,

**PROPERTY OWNER: ABMAR
GRASSLANDS, LLC**

By:

Gregory Everhard

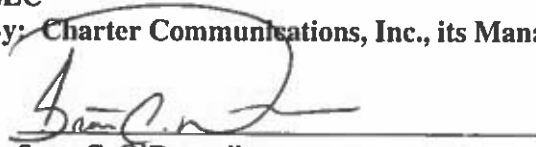
Gregory EVERHARD [Name, title]

MANAGING MEMBER

**PROPERTY OWNER: CHARTER
COMMUNICATIONS HOLDING COMPANY,
LLC**

By: Charter Communications, Inc., its Manager

By:

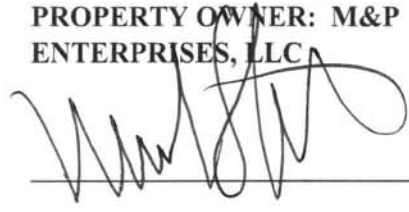
A handwritten signature in dark ink, appearing to read "Scott C. O'Donnell", is written over a horizontal line.

Scott C. O'Donnell

Group Vice President - - Legal, Real Estate

PROPERTY OWNER: M&P
ENTERPRISES, LLC

By:



MONK S. LEFIKOW, MANAGER [Name, title]

PROPERTY OWNER: WOODSPEAR
PRAIRIE TRAIL, LLC

By:




_____ [Name, title]



Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

*20120 East Mainstreet
Parker, CO 80138*

**RE: PROPERTY KNOWN AS:
Grasslands/Prairie Trail Property**

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

*(See **Exhibit A** attached hereto and incorporated herein by this reference.)*

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

Respectfully submitted this 22nd day of February, 2018.

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: ABMAR GRASSLANDS, LLC

By: Gregory Everhard
Gregory EVERHARD [Name, title]
MANAGING MEMBER
Date of Signature: 2/17/18

Mailing Address: 309 17th Street
Manhattan Beach, CA 90266

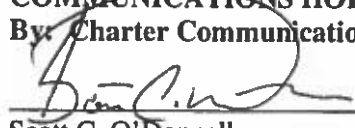
Legal Description of Land Owned by Abmar Grasslands, LLC:

LOT 5A, COMPARK FLG 2, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: CHARTER
COMMUNICATIONS HOLDING COMPANY, LLC
By: Charter Communications, Inc., its Manager

By:


Scott C. O'Donnell
Group Vice President - - Legal, Real Estate

Date of Signature: February 21, 2018

Mailing Address: 6399 S. Fiddlers Green Circle
6th Floor
Greenwood Village, CO 80111
Attn: Scott C. O'Donnell and
Kathy Carrington, Sr. Vice President,
Corporate Services

Legal Description of Land Owned by Charter Communications Holding Company, LLC:

LOT 4B-1B, COMPARK FLG NO. 2, 6TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF
COLORADO

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

By:  PROPERTY OWNER, M&P ENTERPRISES, LLC
MARK S. LESTIK, Manager [Name, title]

Date of Signature: 2/20/18

Mailing Address: 8480 Upland Drive
Ste. 200
Englewood, CO 80112

Legal Description of Land Owned by M&P Enterprises, LLC:

LOT 3A, COMPARK FLG 2, 7TH AMENDMENT, ACCORDING TO THE PLAT THEREOF RECORDED
MAY 12, 2005 AT RECEPTION NO. 2005042299, COUNTY OF DOUGLAS, STATE OF COLORADO

Petition for Annexation

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: WOODSPEAR PRAIRIE
TRAIL, LLC

By:


John A. Woodhead ^{Mgr}
[Name, title]

Date of Signature: 2/21/18

Mailing Address: 5619 DTC Parkway
Ste. 525
Greenwood Village, CO 80111

Legal Description of Land Owned by Woodspear Prairie Trail, LLC:

LOT 1, COMPARK FLG NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO

EXHIBIT A
TO PETITION FOR ANNEXATION

Legal Description of the Property

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A-2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A-2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) COURSES:

1. NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

1. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
2. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;
4. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;
5. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;

7. TANGENT TO SAID CURVE SOUTH $71^{\circ}59'30''$ WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH $00^{\circ}12'05''$ WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH $89^{\circ}56'20''$ WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

1. SOUTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 529.36 FEET;
2. SOUTH $89^{\circ}47'55''$ WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH $00^{\circ}12'05''$ EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

1. NORTH $89^{\circ}47'55''$ EAST, A DISTANCE OF 694.73 FEET;
2. SOUTH $59^{\circ}57'50''$ EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH $59^{\circ}53'26''$ EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ}12'19''$, AN ARC LENGTH OF 189.79 FEET;
2. TANGENT TO SAID CURVE SOUTH $00^{\circ}05'45''$ EAST, A DISTANCE OF 72.42 FEET;
3. SOUTH $05^{\circ}36'53''$ WEST, A DISTANCE OF 50.25 FEET;
4. SOUTH $00^{\circ}05'45''$ EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ}28'32''$, AN ARC LENGTH OF 194.14 FEET;
6. TANGENT TO SAID CURVE SOUTH $30^{\circ}22'46''$ WEST, A DISTANCE OF 16.46 FEET;
7. SOUTH $75^{\circ}22'46''$ WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

1. NORTH $59^{\circ}37'14''$ WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;

2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $31^{\circ}06'53''$, AN ARC LENGTH OF 350.27 FEET;
3. TANGENT TO SAID CURVE SOUTH $89^{\circ}15'54''$ WEST, A DISTANCE OF 145.80 FEET;
4. NORTH $45^{\circ}28'06''$ WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH $89^{\circ}54'45''$ WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH $00^{\circ}12'05''$ WEST, A DISTANCE OF 280.00 FEET;
2. NORTH $05^{\circ}30'33''$ EAST, A DISTANCE OF 50.25 FEET;
3. NORTH $00^{\circ}12'05''$ WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH $00^{\circ}19'52''$ WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH $00^{\circ}04'29''$ EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}59'41''$, AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $138^{\circ}27'54''$, AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH $00^{\circ}03'40''$ WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

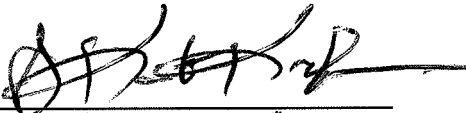
1. NORTH $89^{\circ}40'35''$ EAST, A DISTANCE OF 57.41 FEET;
2. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 250.59 FEET;
3. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

AFFIDAVIT OF CIRCULATOR FOR ABMAR GRASSLANDS, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 5A, COMPARK FLG 2, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator Kent Karber

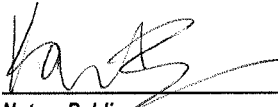
STATE OF COLORADO)
COUNTY OF Denver) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 22nd day of February, 2018, by Kent Karber.

My commission expires: 06/17/2020.

(SEAL)

**KARA A SHILLINGBURG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19954016197
MY COMMISSION EXPIRES 06/17/2020**


Notary Public

AFFIDAVIT OF CIRCULATOR CHARTER COMMUNICATIONS HOLDING COMPANY, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

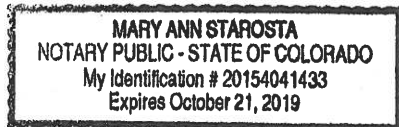
That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 4B-1B, COMPARK FLG NO. 2, 6TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Carol Marx
Carol Marx
Circulator

STATE OF COLORADO)
COUNTY OF Adams) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 21st day of February, 2018, by CAROL MARX.
My commission expires: Oct 21, 2019.

(SEAL)

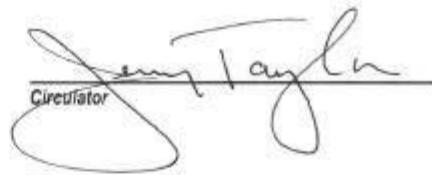


Mary Ann Starosta
Notary Public

AFFIDAVIT OF CIRCULATOR M&P ENTERPRISES, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 3A, COMPARK FLG 2, 7TH AMENDMENT, ACCORDING TO THE PLAT THEREOF RECORDED MAY 12, 2005 AT RECEPTION NO. 2005042299, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS

The foregoing Affidavit of Circulator was acknowledged before me this 22ND day of 02, 2018, by LISA MARIE KIEFFER

My commission expires: 08/30/2021

(SEAL)


Notary Public

LISA MARIE KIEFFER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094026870
My commission expires 08/30/2021

AFFIDAVIT OF CIRCULATOR FOR WOODSPEAR PRAIRIE TRAIL, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 1, COMPARK FLG NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator

STATE OF COLORADO)
COUNTY OF Arapahoe) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 21st day of February, 2018, by Zachary Kessler.

My commission expires: October 19, 2018.

(SEAL)

MICHELLE L. HARRINGTON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064043040
MY COMMISSION EXPIRES OCTOBER 19, 2018


Notary Public

GRASSLANDS/PRAIRIE TRAIL PROPERTY

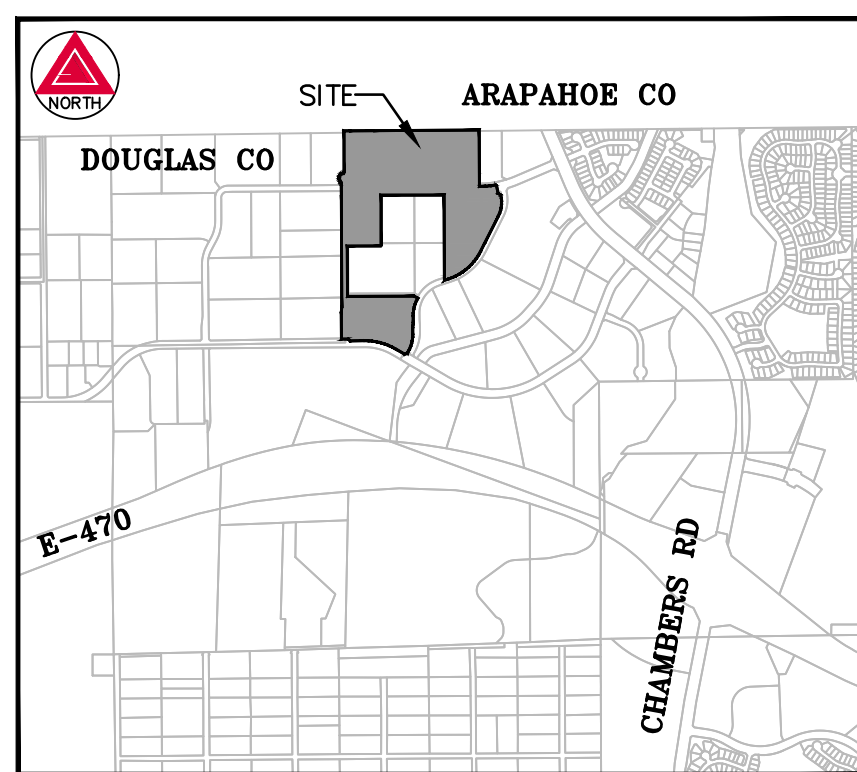
ANNEXATION MAP TO THE TOWN OF PARKER

LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE
SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°56'20"E	2.54'
L2	S10°36'04"E	90.00'
L3	S57°03'06"E	33.22'
L4	S13°30'08"E	2.50'
L5	S26°52'01"W	314.11'
L6	S26°52'01"W	98.69'
L7	S71°59'45"W	44.75'
L8	S89°47'55"W	352.06'
L9	S59°57'50"E	44.04'
L10	S00°05'45"E	72.42'
L11	S05°36'53"W	50.25'
L12	S00°05'45"E	73.21'
L13	S30°22'46"W	16.46'
L14	S75°22'46"W	26.87'
L15	N59°37'14"W	103.25'
L16	S89°15'54"W	145.80'
L17	N45°28'06"W	27.03'
L18	S89°54'45"W	70.00'
L19	N00°12'05"W	280.00'
L20	N05°30'33"E	50.25'

LINE TABLE		
LINE	BEARING	LENGTH
L21	N00°19'52"W	104.07'
L22	N89°40'35"E	57.41'
L23	N89°40'04"E	250.59'

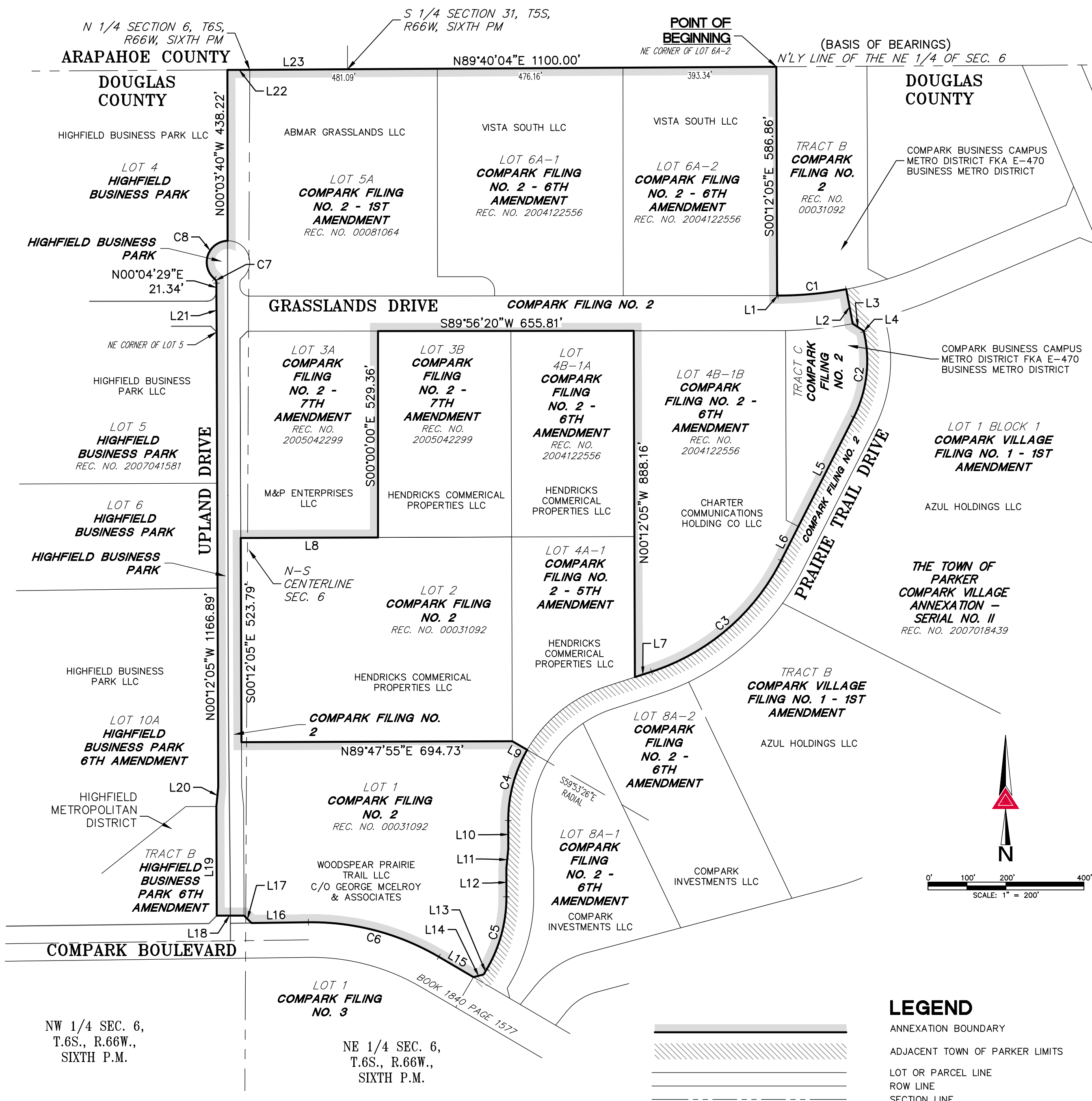
CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	10°32'24"	955.00'	175.68'
C2	40°22'08"	320.00'	225.46'
C3	45°07'29"	570.00'	448.92'
C4	30°12'19"	360.00'	189.79'
C5	30°28'32"	365.00'	194.14'
C6	31°06'53"	645.00'	350.27'
C7	49°59'41"	15.00'	13.09'
C8	138°27'54"	55.00'	132.92'



VICINITY MAP
SCALE 1" = 2000'

CONTIGUITY

TOTAL PERIMETER = 10,644.95'
CONTIGUOUS PERIMETER = 1,880.79'
1/6 TOTAL PERIMETER = 1,774.16'
TOTAL AREA = 45.376 ACRES±



LEGAL DESCRIPTION CONTINUED

2. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;

3. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41", AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 138°27'54", AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH 00°03'40" WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A:

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

1. NORTH 89°40'35" EAST, A DISTANCE OF 57.41 FEET;
2. NORTH 89°40'04" EAST, A DISTANCE OF 250.59 FEET;
3. NORTH 89°40'04" EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING;

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

GENERAL NOTES

1. BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS BEARING NORTH 89°40'04" EAST, AS SHOWN ON THE RECORDED PLAT OF COMPAK FILING NO. 2 RECORDED AT RECEPTION NO. 00031092 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE.
2. DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.
3. PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
4. THIS ANNEXATION MAP WAS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE IN DOUGLAS COUNTY, COLORADO, TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.
5. THIS ANNEXATION MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

TOWN COUNCIL ACCEPTANCE

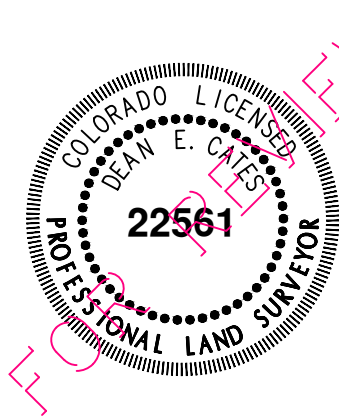
ACCEPTED BY THE PARKER TOWN COUNCIL THIS _____ DAY OF _____, 2018.

MAYOR, TOWN OF PARKER

ATTEST: TOWN CLERK

SURVEYOR'S CERTIFICATE

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

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 CERTIFICATION SHOWN HEREON.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____ 2018 A.D., AT _____

A.M./P.M. AND WAS RECORDED AT

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

[illegible]

**300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com**



AZTEC
CONSULTANTS, INC.

GRASSLANDS/PRAIRIE TRAIL PROPERTY ANNEXATION
S6, T6S, R66W, SIXTH PM
DOUGLAS COUNTY, COLORADO

PREPARED FOR
THE TOWN OF PARKER
20120 E. MAINSTREET, PARKER, CO 80138

SHEET
1
OF 1 SHEETS

24918-04
JOB NO.

GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT GUIDE AND PLAN APPLICATION NARRATIVE

ABMAR Grasslands, LLC (“**ABMAR**”), Charter Communications Holding Company, LLC (“**Charter**”), M&P Enterprises, LLC (“**M&P**”), and Woodspear Prairie Trail, LLC (“**Woodspear**”) (collectively, the “**Landowners**”), own certain real property located in unincorporated Douglas County, Colorado (the “**County**”), which is contiguous with the corporate boundaries of the Town of Parker, Colorado (the “**Town**”). The Landowners submitted an annexation petition to the Town on February 22, 2018 (the “**Annexation Petition**”), pursuant to which the Landowners seek annexation into the Town of their real property and certain other associated real property identified in the Annexation Petition (all such real property identified in the Annexation Petition being collectively referred to herein as the “**Real Property**”).

The Real Property generally is described and depicted in the attached annexation map (the “**Annexation Map**”) and the Landowners collectively own more than fifty percent (50%) of the Real Property: ABMAR owns Lot 5A, Compark Filing No. 2, 1st Amendment; Charter owns Lot 4B-1B, Compark Filing No. 2, 6th Amendment; M&P owns Lot 3A, Compark Filing No. 2, 7th Amendment; and Woodspear owns Lot 1, Compark Filing No. 2. Vista South, LLC (“**Vista South**”) and Compark Business Campus Metropolitan District (“**CBCMD**”) are the two landowners collectively owning less than fifty percent (50%) of the Real Property. Vista South owns Lot 6A-1 and Lot 6A-2, Compark Filing No. 2, 6th Amendment; and CBCMD owns Tract C, Compark Filing No. 2.

The Real Property is ripe for annexation into the Town. The Real Property is located entirely within the “Town Urban Growth Area.” The “Town Urban Growth Area” includes certain real property within unincorporated portions of the County and is defined in the “Mutually Binding and Enforceable Comprehensive Development Plan,” approved by the Town and County, pursuant to C.R.S. § 29-20-105 and through a related Intergovernmental Agreement (as amended, the “**Comprehensive Development Plan**”). The Town Urban Growth Area is “the boundary of the Town’s potential future annexation area to the year 2022.” See Section 1.1 of the Comprehensive Development Plan. Section 1.1 of the Comprehensive Development Plan further states that the “level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans,” and “[t]his boundary represents the Town’s potential annexation perimeter and will include areas dedicated for open space as well as urban level development.” See *id.*

The Comprehensive Development Plan also provides that “all unincorporated areas located within the Town’s Urban Growth Area,” including the Real Property, “are encouraged to annex into the Town” and “the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.” See Section 2.2 of the Comprehensive Development Plan. Even in those circumstances (not present here) where a landowner application is submitted to the County, instead of the Town, for an unincorporated area that is contiguous to the Town and within the Town Urban Growth Area, the Comprehensive Development Plan provides that “[i]f there is contiguity, the Town shall process a petition for annexation,” “[t]he Town Council shall apply the Standards for Review, as outlined above in

Paragraph 2.3 of the [Comprehensive Development] Plan, when considering a petition for annexation,” and “[f]inal decision authority for said petitions shall be the Town Council following a public hearing, in the manner provided by the [Comprehensive Development] Plan.”

In addition to being located entirely within the Town Urban Growth Area, the Real Property also satisfies the contiguity requirement of C.R.S. § 31-12-104(1)(a), as reflected in the attached Annexation Map. Accordingly, the Town is required to process the Annexation Petition, subject to the standards of review contained in the Comprehensive Development Plan, other Colorado law, and the final decision-making authority of the Town Council.

On March 5, 2018, the Town Council approved Resolution No. 18-021, Series of 2018, determining that the Annexation Petition substantially complies with the requirements of C.R.S. § 31-12-107(1)(a) and set a public hearing for April 16, 2018, on the eligibility of the Real Property to be annexed into the Town as provided by state law. Under C.R.S. § 31-12-115, the Town, with the adoption of Resolution No. 18-021, Series of 2018, may institute the procedure for zoning the Real Property. As a result, the Landowners hereby submit an application to zone the Real Property to “PD-Planned Development,” as provided by Section 13.04.150 of the Parker Municipal Code, in the manner described in the development plan and guide as prepared in accordance with the Parker Municipal Code (the “**Grasslands/Prairie Trail Development Guide and Plan**”).

The current zoning for the Real Property is “Compark Planned Development,” which was originally approved on September 21, 1998 (as amended, the “Compark PD”), as superseded by the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District), and other applicable law. The Real Property is contained entirely within Planning Area 4 of the Compark PD.

The development standards for Planning Area 4 of Compark PD are described as “(BE) Business Employment,” which are “intended to allow for land use flexibility and versatility” and “are expected to attract regional distribution warehouses, research and development centers, referral community and business services and supporting facilities,” which range from commercial to light industrial uses. Although the Landowners contend that certain aspects of the Compark PD were superseded by the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District), and other applicable law, the development standards for Planning Area 4 allegedly provide for some general industrial uses, including a “recycle/trash transfer facility station” and “jail/correctional facility” as “principal” uses. These uses, however, are in direct conflict with and in violation of the Comprehensive Development Plan; Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District); the Douglas County Comprehensive Master Plan 2035 (specifically that part of the County’s plan that includes the “Parker Municipal Planning Area”); and the Parker 2035 General Land Use Plan. Nevertheless, the Douglas County Planning Department, in direct violation of these provisions and other applicable law and despite the Town’s, Landowners’, and other local property owners’ repeated objections, is currently processing a Site Improvement Plan (the “**SIP**”) for a “recycle/trash transfer station” within that portion of Planning Area 4 owned by Vista South. Thus, the Landowners submit this zoning application for a planned development that will result in annexation of the Real Property into the Town and, while retaining most current development standards and uses of Compark PD, will exclude those uses that violate the

Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), and other applicable law, and are inconsistent with the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 General Land Use Plan, such as a recycle/trash transfer facility, jail/correctional facility, and other incompatible industrial uses, including auto/truck services, car wash, cemetery/mausoleum, construction yards, large equipment rental, mini-warehouse/self storage, outdoor storage area, recreational vehicle and boat storage, and satellite receiving dish farm, as provided in the attached Grasslands/Prairie Trail Development Guide and Plan.

The current uses within Planning Area 4 include a vibrant business, educational and residential hub with a character that compliments and is compatible with existing uses, but is incompatible with others that are listed in the Compark PD, specifically, general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility, and the other incompatible industrial uses described above. Existing uses within Planning Area 4 and the surrounding area, including portions of the Compark PD that were annexed into the Town, include a research and development center for Charter, a multinational Fortune 100 telecommunications company; a medical device manufacturer; a nationally ranked junior-Olympic-level volleyball training facility with year-round teams, clinics and camps; a medical university; a performing arts charter school for grades K-8; single-family detached homes; a beautiful regional park with plans for a multimillion dollar expansion in 2019; and one of the largest regional airports in the country.

The Landowners believe that the Douglas County Planning Department's potential approval (contrary to existing law) of the pending SIP not only is incompatible with the above-referenced existing uses, but will also devastate the character and land values of Planning Area 4 and the surrounding areas that have successfully developed over the past 20 years. The Landowners also believe that any approval by the County of the recycle/trash transfer facility would constitute a significant public safety impact to these existing uses due to smell, noise, and excessive truck traffic created by this general industrial use, as well as a bird attractant, which could impact the adjacent regional airport. The uses that are proposed in the Grasslands/Prairie Trail Development Guide and Plan are, by contrast, in compliance with the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), and other applicable law, are consistent with the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 General Land Use Plan, and are consistent and compatible with other existing uses of the Real Property and the surrounding area.

GRASSLANDS/PRAIRIE TRAIL DEVELOPMENT GUIDE AND PLAN

TOWN OF PARKER, COLORADO

I. INTRODUCTION

A. Statement of Purpose

The purpose of this Development Guide and Plan is to establish standards for the development and improvement of the real property described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Property"), according to the Development Plan, which is attached hereto as **Exhibit B** and incorporated by this reference. The standards contained in this Development Guide and Plan are intended to control the development of the Property and carry out the goals of this planned community.

B. Definitions

Unless otherwise stated herein, all provisions of and definitions found in the Parker Land Development Ordinance shall apply.

II. AUTHORITY

A. Authority

The authority for this Development Guide and Plan is contained in Section 13.04.150 PD-Planned Development of the Parker Municipal Code, as amended.

B. Relationship of Town Regulations

The provisions of this Development Guide and Plan shall apply to the Property, except as otherwise provided herein. The standards outlined in the Development Guide and 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 Guide and Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control.

C. Enforcement

The provisions of the Development Guide and Plan 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.

III. CONTROL PROVISIONS

A. Any buildings or other structures located on the Property shall only be used as provided for in this Development Guide and Plan.

B. The location and bulk of all buildings and other structures built after the effective date of this Development Guide and Plan shall be in conformance with:

1. All applicable standards contained within the Development Guide and Plan; and
2. Any other applicable Town of Parker standards.

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

A. Intent

Areas contained within the Development Plan are intended to allow for land use flexibility and versatility and are expected to attract regional distribution warehouses, research and development carriers, regional, community and business services and supporting facilities.

The intent of site plan development within the areas contained in the Development Plan is to orient primary architectural façades toward Chambers Road and the North Frontage Road. Direct view of outside storage areas, loading docks and service activities are intended to be screened from these roadways.

B. Design Review

An architectural review committee, utilizing covenants, conditions and restrictions as well as design guidelines will be established as per the commitments section of this Planned Development. The design standards and architectural guidelines will define specific requirements for building heights, colors, materials, landscaping and overall goals of the land use designation and planning areas. They are intended to provide the tools to help achieve a consistent image for the areas contained within the Planned Development.

C. Principal Uses

The following uses are allowed in compliance with an approved Site Plan.

- Agriculture – Commercial – such as the following: provided loading areas are adequately screened from Chambers Road, the N Frontage Road ROW and the Happy Canyon Creek open space. Livestock yards and feed lots are not allowed
General agricultural uses such as farming and the grazing of livestock is permitted until a site improvement plan for development is approved and construction begins
 - Nurseries
 - Greenhouses
 - Produce sales
 - Sod and Tree Farm
- Animal Hospital and Veterinary Clinic
- Assembly or Light Manufacturing Plant
- Athletic Club – Private/Public
- Congregate care, Convalescent Home, Nursing Home or Retirement Home
- Construction Industries with outdoor storage
- Custom shops and special trade contractors including but not limited to plumbing, electrical heating, air conditioning, cabinet making and printing shops and/or repair shops
- Fire Station
- Golf Course
- Hardware Store/Home Repairs
- Industrial Manufacturing
- Industrial Services

- Medical and Dental Office/Clinic
- Motor Vehicle equipment sales/service/repair, provided
 - a landscaped buffer is provided along the Happy Canyon Creek Open Space
- Office (Professional)
- Office Warehouse or Showroom Warehouse
- Open Space
- Park Playground
- Parking lot – Commercial – for off-site uses such as an RTD Park-N-Ride
- Recreation Facility – Indoor/Outdoor – Public/Private, no motorized vehicles for outdoor use
- Research and Development; Basic and Applied, Experimental and Testing
- Retail Sales/Service
- Sales Office/temporary
- Schools – Private or Public, including colleges or universities and related facilities
 - K-12 are not allowed
- Sheriff's Station
- Telecommunications Facility
- Temporary Structures
- Utility Major Facility
- Utility Service Facility
- Warehouse Distribution Center
- Wells & Pumping Station
- Wholesale Business/General Merchandising

D. Accessory Uses

The following shall be allowed only when a principal use has been established on the lot:

- Employee/Tenant Cafeteria
- Outdoor storage, which shall be screened from the Happy Canyon Creek Open Space. Placement of structures or the use of architectural walls shall be used to screen outdoor storage from the adjacent open space and residential planning area.
- Satellite receiving dishes
- Special Community Events
- Temporary Construction Yards in accordance with the Parker Land Development Ordinance, as amended
- Temporary Structures as an accessory use in accordance with the Parker Land Development Ordinance, as amended

E. Uses permitted by Special Review

The following uses are permitted in accordance with the Use by Special Review and Site Plan sections of the Parker Land Development Ordinance, as amended:

- Water/Wastewater treatment or storage in excess of 5,000 gallons-public or private facility

F. Development Standards for Principal and Accessory Uses

Typical Standards for all Land Use Designations apply unless stipulated below.

Building Height

- Maximum Building Height: 60 feet

Minimum Lot Area

- none

Minimum Structural Setbacks

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line or right-of-way

Abutting a dedicated roadway right-of-way:

- Chambers Road ROW 50 feet
- North Frontage Road ROW 40 feet
- Collector/local/interior dedicated ROW 20 feet

Adjoining:

- Land uses: no setback
- Green Acres Tributary boundary 20 feet
- Happy Canyon Creek boundary 40 feet

Building setbacks from Happy Canyon Creek may be reduced to 20 feet if the architectural character and site design provide a compatible pedestrian environment and/or landscaped buffer along the open space.

- Undeveloped A-1 Districts 40 feet
- Arapahoe County / Dove Valley MU PUD 40 feet

Parking Structures

Parking shall be provided in accordance with the Typical Standards for all Land Use Designations established by this document and the Parker Land Development Ordinance, as amended, except as follows:

- Minimum Setbacks for off-street parking:
 - Chambers Road ROW 20 Feet
 - North Frontage Road ROW 20 Feet
 - Internal Streets 15 Feet
 - Green Acres Tributary 10 Feet
 - Happy Canyon Creek Open Space 20 Feet

EXHIBIT A
LEGAL DESCRIPTION

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A-2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A-2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) COURSES:

1. NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

1. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
2. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;

4. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;
5. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;
7. TANGENT TO SAID CURVE SOUTH 71°59'30" WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH 00°12'05" WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH 89°56'20" WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

1. SOUTH 00°00'00" EAST, A DISTANCE OF 529.36 FEET;
2. SOUTH 89°47'55" WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°12'05" EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

1. NORTH 89°47'55" EAST, A DISTANCE OF 694.73 FEET;
2. SOUTH 59°57'50" EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 59°53'26" EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°12'19", AN ARC LENGTH OF 189.79 FEET;
2. TANGENT TO SAID CURVE SOUTH 00°05'45" EAST, A DISTANCE OF 72.42 FEET;

3. SOUTH 05°36'53" WEST, A DISTANCE OF 50.25 FEET;
4. SOUTH 00°05'45" EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'32", AN ARC LENGTH OF 194.14 FEET;
6. TANGENT TO SAID CURVE SOUTH 30°22'46" WEST, A DISTANCE OF 16.46 FEET;
7. SOUTH 75°22'46" WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

1. NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
3. TANGENT TO SAID CURVE SOUTH 89°15'54" WEST, A DISTANCE OF 145.80 FEET;
4. NORTH 45°28'06" WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH 89°54'45" WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°12'05" WEST, A DISTANCE OF 280.00 FEET;
2. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;
3. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;

2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}59'41''$, AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $138^{\circ}27'54''$, AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH $00^{\circ}03'40''$ WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

1. NORTH $89^{\circ}40'35''$ EAST, A DISTANCE OF 57.41 FEET;
2. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 250.59 FEET;
3. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT

DEVELOPMENT PLAN

LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 1 OF 2

LEGAL DESCRIPTION

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 –1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B–1B, 6A–1, AND 6A–2, COMPARK FILING NO. 2 –6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 –7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A–2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A–2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT–OF–WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT–OF–WAY LINE THE FOLLOWING (2) COURSES:

- NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
- EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION –SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT–OF–WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT–OF–WAY LINE THE FOLLOWING (7) COURSES:

- SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
- SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
- SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;
- TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;
- CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
- SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;
- TANGENT TO SAID CURVE SOUTH 71°59'30" WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B–1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B–1B NORTH 00°12'05" WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B–1B;

THENCE ALONG THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID GRASSLANDS DRIVE SOUTH 89°56'20" WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

- SOUTH 00°00'00" EAST, A DISTANCE OF 529.36 FEET;
- SOUTH 89°47'55" WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT–OF–WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT–OF–WAY LINE SOUTH 00°12'05" EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

- NORTH 89°47'55" EAST, A DISTANCE OF 694.73 FEET;
- SOUTH 59°57'50" EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT–OF–WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON–TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 59°53'26" EAST;

THENCE ALONG THE WESTERLY RIGHT–OF–WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

- SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°12'19", AN ARC LENGTH OF 189.79 FEET;
- TANGENT TO SAID CURVE SOUTH 00°05'45" EAST, A DISTANCE OF 72.42 FEET;
- SOUTH 05°36'53" WEST, A DISTANCE OF 50.25 FEET;
- SOUTH 00°05'45" EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
- SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'32", AN ARC LENGTH OF 194.14 FEET;
- TANGENT TO SAID CURVE SOUTH 30°22'46" WEST, A DISTANCE OF 16.46 FEET;
- SOUTH 75°22'46" WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

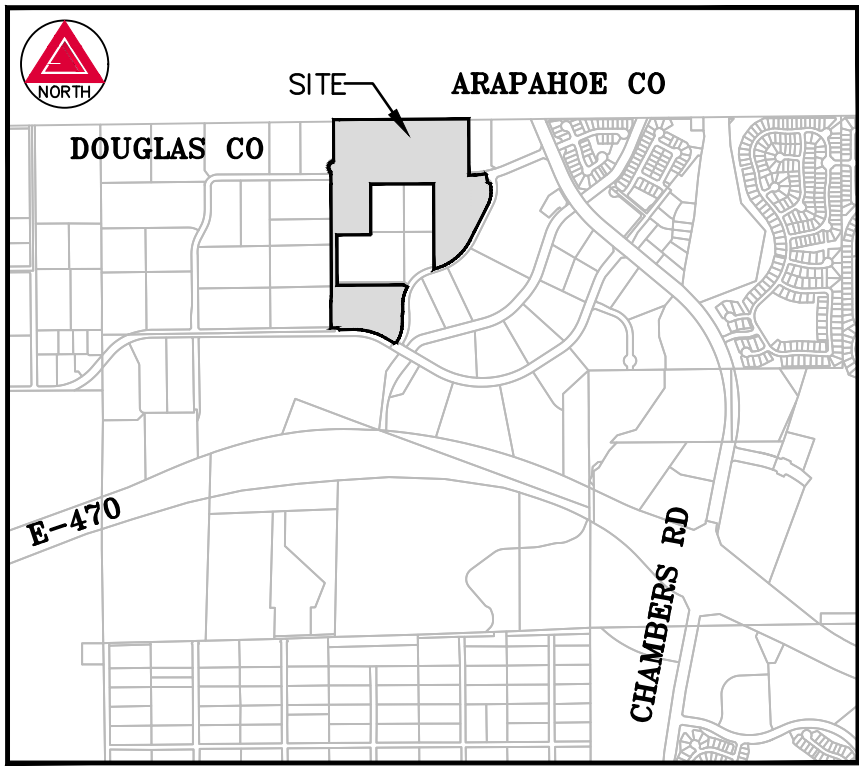
THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

- NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
- WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
- TANGENT TO SAID CURVE SOUTH 89°15'54" WEST, A DISTANCE OF 145.80 FEET;
- NORTH 45°28'06" WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH 89°54'45" WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT–OF–WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT–OF–WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

- NORTH 00°12'05" WEST, A DISTANCE OF 280.00 FEET;



VICINITY MAP
SCALE 1" = 2000'

LEGAL DESCRIPTION CONTINUED

- NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;

- NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT–OF–WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT–OF–WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

- NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
- NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41", AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
- NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 138°27'54", AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH 00°03'40" WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A–1, AND 6A–2 THE FOLLOWING (3) COURSES:

- NORTH 89°40'35" EAST, A DISTANCE OF 57.41 FEET;
- NORTH 89°40'04" EAST, A DISTANCE OF 250.59 FEET;
- NORTH 89°40'04" EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

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

_____, 2018.

COMMUNITY DEVELOPMENT DIRECTOR ON BEHALF
OF THE TOWN OF PARKER PLANNING COMMISSION

SURVEYOR'S CERTIFICATE

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ZONED IN THE TOWN OF PARKER, COLORADO.



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

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 CERTIFICATION SHOWN HEREON.

TOWN COUNCIL ACCEPTANCE

ACCEPTED BY THE PARKER TOWN COUNCIL THIS _____ DAY OF

_____, 2018.

MAYOR, TOWN OF PARKER

ATTEST: TOWN CLERK

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF

_____ 2018 A.D., AT _____

A.M./P.M. AND WAS RECORDED AT

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

SCALE 1"=200'		TOWN DEC		DATE 2/28/18	
REVISION DESCRIPTION					
BY					
DATE					
GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT S6, T6S, R66W, SIXTH PM DOUGLAS COUNTY, COLORADO PREPARED FOR THE TOWN OF PARKER 20120 E. MAIN STREET, PARKER, CO 80138					
AZTEC CONSULTANTS, INC. 300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com					
SHEET 1		OF 2 SHEETS			
24918-04 JOB NO.					

DEVELOPMENT PLAN
LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE
SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 2 OF 2

24918-04

Vicinity Map



ORDINANCE NO. 2.259, Series of 2018

**TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING
THE ANNEXATION OF CONTIGUOUS UNINCORPORATED
TERRITORY KNOWN AS THE GRASSLANDS/PRAIRIE TRAIL
PROPERTY IN DOUGLAS COUNTY**

WHEREAS, ABMAR Grasslands, LLC (“ABMAR”), Charter Communications Holding Company, LLC (“Charter”), M&P Enterprises, LLC (“M&P”), and Woodspear Prairie Trail, LLC (“Woodspear”) (collectively, the “Landowners”), own certain real property located in unincorporated Douglas County, Colorado (the “County”), which is contiguous with the corporate boundaries of the Town of Parker, Colorado (the “Town”);

WHEREAS, the Landowners submitted an annexation petition to the Town (the “Annexation Petition”), pursuant to which the Landowners seek annexation into the Town of their real property and certain other associated real property identified in the Annexation Petition and described in **Exhibit 1**, which is attached hereto and incorporated by this reference (the “Real Property”);

WHEREAS, the Landowners collectively own more than fifty percent (50%) of the Real Property, of which ABMAR owns Lot 5A, Compark Filing No. 2, 1st Amendment; Charter owns Lot 4B-1B, Compark Filing No. 2, 6th Amendment; M&P owns Lot 3A, Compark Filing No. 2, 7th Amendment; and Woodspear owns Lot 1, Compark Filing No. 2;

WHEREAS, Vista South, LLC (“Vista South”) and Compark Business Campus Metropolitan District (“CBCMD”) are the two landowners collectively owning less than fifty percent (50%) of the Real Property, of which Vista South owns Lot 6A-1 and Lot 6A-2, Compark Filing No. 2, 6th Amendment and CBCMD owns Tract C, Compark Filing No. 2;

WHEREAS, the Real Property is located entirely within the “Town Urban Growth Area,” which includes certain real property within unincorporated portions of the County and is defined in the “Mutually Binding and Enforceable Comprehensive Development Plan,” approved by the Town and County, pursuant to C.R.S. § 29-20-105 and through a related Intergovernmental Agreement (as amended, the “Comprehensive Development Plan”);

WHEREAS, the Comprehensive Development Plan provides that the Town Urban Growth Area is “the boundary of the Town’s potential future annexation area to the year 2022,” that the “level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans,” and that “[t]his boundary represents the Town’s potential annexation perimeter and will include areas dedicated for open space as well as urban level development” (See Section 1.1 of the Comprehensive Development Plan);

WHEREAS, the Comprehensive Development Plan also provides that “all unincorporated areas located within the Town’s Urban Growth Area,” including the Real Property, “are encouraged to annex into the Town” and “the County shall waive annexation impact reports for

all unincorporated areas within the Town's Urban Growth Area" (See Section 2.2 of the Comprehensive Development Plan):

WHEREAS, the Real Property is located entirely within the Town Urban Growth Area, and satisfies the contiguity requirement of C.R.S. § 31-12-104(1)(a) for annexation into the Town of Parker;

WHEREAS, the Comprehensive Development Plan provides that "[i]f there is contiguity, the Town shall process a petition for annexation," "[t]he Town Council shall apply the Standards for Review, as outlined above in Paragraph 2.3 of the [Comprehensive Development] Plan, when considering a petition for annexation," and "[f]inal decision authority for said petitions shall be the Town Council following a public hearing, in the manner provided by the [Comprehensive Development] Plan" (See Section 3.1.1 of the Comprehensive Development Plan);

WHEREAS, the Town processed the Annexation Petition, subject to the standards of review contained in the Comprehensive Development Plan, other Colorado law, and the final decision-making authority of the Town Council;

WHEREAS, on March 5, 2018, the Town Council approved Resolution No. 18-021, Series of 2018, determining that the Annexation Petition substantially complies with the requirements of C.R.S. § 31-12-107(1)(a) and set a public hearing for April 16, 2018, on the eligibility of the Real Property to be annexed into the Town as provided by state law;

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing, as required by law, to determine the eligibility for annexation of the Real Property; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of the Real Property, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. The Town Council applied the Standards of Review contained in Section 2.3 of the Comprehensive Development Plan.

Section 2. The annexation by and to the Town of Parker, State of Colorado, of the real Property, situated, lying, and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker, and therefore, the Town Council, as the final decision-making authority, determines that said annexation is hereby approved.

Section 3. More than fifty percent (50%) of the owner(s) of more than fifty percent (50%) of the Real Property have petitioned for annexation.

Section 4. Zoning of the Real Property shall be completed simultaneously with the annexation of the Property, pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker (the "Charter").

Section 5. Upon the effective date of this Annexation Ordinance, the Real Property shall become subject to the Municipal Laws of the State of Colorado pertaining to cities and to the Charter, ordinances, resolutions, rules and regulations of the Town of Parker, except general taxation, which shall be effective on and after January 1 of the next succeeding year following the passage of this Annexation Ordinance.

Section 6. The Town Council hereby approves the Annexation Agreement that is attached hereto as **Exhibit 2**, and incorporated by this reference, and authorizes the execution of the Annexation Agreement by the Mayor and Town Clerk.

Section 7. Considering all of the foregoing, and based on the conviction that annexation of the Real Property to the Town of Parker will serve the best interests of the Town of Parker and the owner(s) of the Real Property, the Real Property is hereby annexed to the Town of Parker, Colorado.

Section 8. The Town Clerk shall file for recording three (3) certified copies of the Annexation Ordinance and three (3) certified copies of the Annexation Map for the Real Property with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 9. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 10. 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 immediate health, safety and welfare of the public, and that this Ordinance is necessary for the immediate 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 objectives 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 11. 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 12. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A-2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A-2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) COURSES:

1. NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

1. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
2. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;
4. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;

5. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;
7. TANGENT TO SAID CURVE SOUTH 71°59'30" WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH 00°12'05" WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH 89°56'20" WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

1. SOUTH 00°00'00" EAST, A DISTANCE OF 529.36 FEET;
2. SOUTH 89°47'55" WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°12'05" EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

1. NORTH 89°47'55" EAST, A DISTANCE OF 694.73 FEET;
2. SOUTH 59°57'50" EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 59°53'26" EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°12'19", AN ARC LENGTH OF 189.79 FEET;
2. TANGENT TO SAID CURVE SOUTH 00°05'45" EAST, A DISTANCE OF 72.42 FEET;
3. SOUTH 05°36'53" WEST, A DISTANCE OF 50.25 FEET;

4. SOUTH 00°05'45" EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'32", AN ARC LENGTH OF 194.14 FEET;
6. TANGENT TO SAID CURVE SOUTH 30°22'46" WEST, A DISTANCE OF 16.46 FEET;
7. SOUTH 75°22'46" WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

1. NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
3. TANGENT TO SAID CURVE SOUTH 89°15'54" WEST, A DISTANCE OF 145.80 FEET;
4. NORTH 45°28'06" WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH 89°54'45" WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°12'05" WEST, A DISTANCE OF 280.00 FEET;
2. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;
3. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;

2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41", AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 138°27'54", AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH 00°03'40" WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

1. NORTH 89°40'35" EAST, A DISTANCE OF 57.41 FEET;
2. NORTH 89°40'04" EAST, A DISTANCE OF 250.59 FEET;
3. NORTH 89°40'04" EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

EXHIBIT 2

Annexation Agreement

GRASSLANDS/PRAIRIE TRAIL ANNEXATION AGREEMENT

THIS AGREEMENT is voluntarily made and entered into this _____ day of _____, 2018, by and between the Town of Parker, a Colorado home rule municipality (hereinafter referred to as the "Town"), and Abmar Grasslands, LLC, M&P Enterprises, LLC, Charter Communications Holding Company, LLC, and Woodspear Prairie Trail, LLC (hereinafter referred to as the "Property Owners").

RECITALS:

A. The Property Owners are the owners of certain real property (the "Property") situated in the County of Douglas, State of Colorado, which Property is described in **Exhibit A** attached hereto and made a part hereof.

B. The Property Owners desire to have the Property annexed to the Town.

C. The Town wishes to annex the Property into the Town and shall consider the zoning application for the Property upon the condition that this Agreement is approved by the Town and is executed by the Town and the Property Owners.

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants, and promises set forth below, the receipt and sufficiency of which are mutually acknowledged, the Town and the Property Owners hereby agree as follows:

1. Annexation. The annexation of the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, as amended.

2. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by the Property Owner upon annexation and initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Town of Parker Zoning Ordinance and Subdivision Regulations, as amended, any and all state statutes, and other sections of the ordinances of the Town of Parker.

3. Water and Sewer Services. The Town has no obligation under this Agreement to provide water and sewer service to the Property. The Stonegate Metropolitan District will provide water and sewer services to the Property, if the Property Owner satisfies all requirements of the District, including, but not limited to, the dedication of water resources and/or the payment of fees in lieu thereof, and the construction of water, sewer and wastewater treatment lines and facilities necessary to service the land use proposed for the Property.

4. Zoning and Development.

a. The Property Owners hereby consent to zoning the Property PD-Planned Development District, pursuant to the Town of Parker Land Development Ordinance, as amended.

b. Town Fees. The Town hereby agrees to pay the costs associated with the annexation and zoning of the Property.

5. Permitted Development. The Property Owners shall develop the Property in accordance with this Agreement, Town ordinances and regulations, and applicable state and federal law and regulations. The Town shall allow and permit the development of the Property upon submission of proper application and payment of fees imposed by Town ordinances and regulations.

6. Authority of the Town. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its inhabitants; nor shall this Agreement prohibit the enactment by the Town of any fee that is of uniform or general application.

7. Termination. If the zoning, as set forth above, is not approved by ordinance, or if the annexation of the Property is for any reason not completed, or this Agreement is not approved by the Town Council, then this Agreement shall be null and void and of no force and effect whatsoever, and any monies paid will be reimbursed to the Property Owners.

8. Binding Effect. This Agreement, when executed, shall inure to the benefit of and be binding upon the successors or assigns in interest or the legal representatives of the parties hereto, including all the purchasers and subsequent owners of any lots or parcels within the Property. This Agreement constitutes the entire agreement of the parties and may be amended only in writing, approved in substantially the same manner as the Agreement itself. This Agreement is binding upon and shall run with the land.

9. Recordation of Agreement. This Agreement shall be recorded with the Clerk and Recorder of Douglas County, Colorado, shall run with the land, and shall be binding upon and shall inure to the benefit of the heirs, successors, and permitted assigns of the parties hereto.

10. Effective Date. This Agreement shall be effective and binding upon the parties immediately upon the effective date of an ordinance annexing and zoning the Property, regardless of whether the Agreement is executed prior to the effective date of said ordinance annexing and zoning the Property.

11. Severability. It is understood and agreed by the parties hereto that if any part, term, or provision of this Agreement is held by the courts to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

12. 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.

13. 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 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

To the Property Owner: Abmar Grasslands, LLC
Attn: Gregory E. Everhard, Managing Member
309 17th Street
Manhattan Beach, CA 90266

Charter Communications Holding Company, LLC
By Charter Communications, Inc., its Manager
Attn: Scott C. O'Donnell, Group Vice President,
Legal, Real Estate
6399 S. Fiddlers Green Circle, 6th Floor
Greenwood Village, CO 80111

M&P Enterprises, LLC
Attn: Mark S. Lestikow, Manager
8480 Upland Drive, Ste. 200
Englewood, CO 80112

Woodspear Prairie Trail, LLC
Attn: John A. Woodward, Manager
5619 DTC Parkway, Ste. 525
Greenwood Village, CO 80111

14. Entire Agreement - Amendments. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Agreement shall supersede all previous communications, representations or agreements, either verbal or written, between the parties hereto. This Agreement may be amended by written agreement between the Property Owner and the Town acting pursuant to Town Council authorization.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date set forth above.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

[Remainder of page intentionally left blank. Signatures continue on following page.]

**PROPERTY OWNER: ABMAR
GRASSLANDS, LLC**

By: _____
Gregory E. Everhard, Managing Member

[Remainder of page intentionally left blank. Signatures continue on following page.]

**PROPERTY OWNER: CHARTER
COMMUNICATIONS HOLDING
COMPANY, LLC**

By: Charter Communications, Inc., its
Manager

By: _____
Scott C. O'Donnell, Group Vice President,
Legal, Real Estate

[Remainder of page intentionally left blank. Signatures continue on following page.]

**PROPERTY OWNER: M&P
ENTERPRISES, LLC**

By: _____
Mark S. Lestikow, Manager

[Remainder of page intentionally left blank. Signatures continue on following page.]

**PROPERTY OWNER: WOODSPEAR
PRAIRIE TRAIL, LLC**

By: _____
John A. Woodward, Manager

[Remainder of page intentionally left blank. Signatures continue on following page.]

EXHIBIT A

LOT 5A, COMPARK FLG 2, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO

LOT 3A, COMPARK FLG 2, 7TH AMENDMENT, ACCORDING TO THE PLAT THEREOF RECORDED MAY 12, 2005 AT RECEPTION NO. 2005042299, COUNTY OF DOUGLAS, STATE OF COLORADO

LOT 4B-1B, COMPARK FLG NO. 2, 6TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO

LOT 1, COMPARK FLG NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO

ORDINANCE NO. 3.333, Series of 2018

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE GRASSLANDS/PRAIRIE TRAIL PROPERTY TO PD-PLANNED DEVELOPMENT DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT CODE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Findings of Fact.

a. On March 5, 2018, the Town Council approved Resolution No. 18-021, Series of 2018, determining that the annexation petition for the real property described in **Exhibit 1** (the “Real Property”), which is attached hereto and incorporated by this reference, substantially complies with the requirements of C.R.S. § 31-12-107(1)(a) and set a public hearing for April 16, 2018, on the eligibility of the of the Real Property to be annexed into the Town as provided by state law.

b. The Town, following adoption of Resolution No. 18-021, Series of 2018, instituted the procedure for zoning the Real Property.

c. An application was submitted for zoning the Real Property as a PD-Planned Development District, pursuant to the Town of Parker Land Development Code.

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

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

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

g. The requirements contained in Section 13.04.240 of the Parker Land Development Code are satisfied for zoning the Real Property as a PD-Planned Development District, as described in the Parker Land Development Code.

Section 2. The Real Property is hereby zoned as a PD-Planned Development District as provided in the Grasslands/Prairie Trail Development Plan and Guide, which is attached hereto as **Exhibit 2** and incorporated by this reference. The uses permitted for the Real Property are specifically described in the attached Development Guide and Plan.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning for the Real 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 immediate health, safety and welfare of the public, and that this Ordinance is necessary for the immediate 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 relationship to the proper legislative objectives 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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A-2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A-2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) COURSES:

1. NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

1. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
2. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;
4. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;

5. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;
7. TANGENT TO SAID CURVE SOUTH 71°59'30" WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH 00°12'05" WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH 89°56'20" WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

1. SOUTH 00°00'00" EAST, A DISTANCE OF 529.36 FEET;
2. SOUTH 89°47'55" WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°12'05" EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

1. NORTH 89°47'55" EAST, A DISTANCE OF 694.73 FEET;
2. SOUTH 59°57'50" EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 59°53'26" EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°12'19", AN ARC LENGTH OF 189.79 FEET;
2. TANGENT TO SAID CURVE SOUTH 00°05'45" EAST, A DISTANCE OF 72.42 FEET;
3. SOUTH 05°36'53" WEST, A DISTANCE OF 50.25 FEET;

4. SOUTH 00°05'45" EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'32", AN ARC LENGTH OF 194.14 FEET;
6. TANGENT TO SAID CURVE SOUTH 30°22'46" WEST, A DISTANCE OF 16.46 FEET;
7. SOUTH 75°22'46" WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

1. NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
3. TANGENT TO SAID CURVE SOUTH 89°15'54" WEST, A DISTANCE OF 145.80 FEET;
4. NORTH 45°28'06" WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH 89°54'45" WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°12'05" WEST, A DISTANCE OF 280.00 FEET;
2. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;
3. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;

2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}59'41''$, AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $138^{\circ}27'54''$, AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH $00^{\circ}03'40''$ WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

1. NORTH $89^{\circ}40'35''$ EAST, A DISTANCE OF 57.41 FEET;
2. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 250.59 FEET;
3. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

EXHIBIT 2

Grasslands/Prairie Trail Development Guide and Plan

GRASSLANDS/PRAIRIE TRAIL DEVELOPMENT GUIDE AND PLAN

TOWN OF PARKER, COLORADO

I. INTRODUCTION

A. Statement of Purpose

The purpose of this Development Guide and Plan is to establish standards for the development and improvement of the real property described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Property"), according to the Development Plan, which is attached hereto as **Exhibit B** and incorporated by this reference. The standards contained in this Development Guide and Plan are intended to control the development of the Property and carry out the goals of this planned community.

B. Definitions

Unless otherwise stated herein, all provisions of and definitions found in the Parker Land Development Ordinance shall apply.

II. AUTHORITY

A. Authority

The authority for this Development Guide and Plan is contained in Section 13.04.150 PD-Planned Development of the Parker Municipal Code, as amended.

B. Relationship of Town Regulations

The provisions of this Development Guide and Plan shall apply to the Property, except as otherwise provided herein. The standards outlined in the Development Guide and 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 Guide and Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control.

C. Enforcement

The provisions of the Development Guide and Plan 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.

III. CONTROL PROVISIONS

A. Any buildings or other structures located on the Property shall only be used as provided for in this Development Guide and Plan.

B. The location and bulk of all buildings and other structures built after the effective date of this Development Guide and Plan shall be in conformance with:

1. All applicable standards contained within the Development Guide and Plan; and
2. Any other applicable Town of Parker standards.

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

A. Intent

Areas contained within the Development Plan are intended to allow for land use flexibility and versatility and are expected to attract regional distribution warehouses, research and development carriers, regional, community and business services and supporting facilities.

The intent of site plan development within the areas contained in the Development Plan is to orient primary architectural façades toward Chambers Road and the North Frontage Road. Direct view of outside storage areas, loading docks and service activities are intended to be screened from these roadways.

B. Design Review

An architectural review committee, utilizing covenants, conditions and restrictions as well as design guidelines will be established as per the commitments section of this Planned Development. The design standards and architectural guidelines will define specific requirements for building heights, colors, materials, landscaping and overall goals of the land use designation and planning areas. They are intended to provide the tools to help achieve a consistent image for the areas contained within the Planned Development.

C. Principal Uses

The following uses are allowed in compliance with an approved Site Plan.

- Agriculture – Commercial – such as the following: provided loading areas are adequately screened from Chambers Road, the N Frontage Road ROW and the Happy Canyon Creek open space. Livestock yards and feed lots are not allowed

General agricultural uses such as farming and the grazing of livestock is permitted until a site improvement plan for development is approved and construction begins

- Nurseries
- Greenhouses
- Produce sales
- Sod and Tree Farm
- Animal Hospital and Veterinary Clinic
- Assembly or Light Manufacturing Plant
- Athletic Club – Private/Public
- Congregate care, Convalescent Home, Nursing Home or Retirement Home
- Construction Industries with outdoor storage
- Custom shops and special trade contractors including but not limited to plumbing, electrical heating, air conditioning, cabinet making and printing shops and/or repair shops
- Fire Station
- Golf Course

- Hardware Store/Home Repairs
- Industrial Manufacturing
- Industrial Services
- Medical and Dental Office/Clinic
- Motor Vehicle equipment sales/service/repair, provided
 - a landscaped buffer is provided along the Happy Canyon Creek Open Space
- Office (Professional)
- Office Warehouse or Showroom Warehouse
- Open Space
- Park Playground
- Parking lot – Commercial – for off-site uses such as an RTD Park-N-Ride
- Recreation Facility – Indoor/Outdoor – Public/Private, no motorized vehicles for outdoor use
- Research and Development; Basic and Applied, Experimental and Testing
- Retail Sales/Service
- Sales Office/temporary
- Schools – Private or Public, including colleges or universities and related facilities
 - K-12 are not allowed
- Sheriff's Station
- Telecommunications Facility
- Temporary Structures
- Utility Major Facility
- Utility Service Facility
- Warehouse Distribution Center
- Wells & Pumping Station
- Wholesale Business/General Merchandising

D. Accessory Uses

The following shall be allowed only when a principal use has been established on the lot:

- Employee/Tenant Cafeteria
- Outdoor storage, which shall be screened from the Happy Canyon Creek Open Space. Placement of structures or the use of architectural walls shall be used to screen outdoor storage from the adjacent open space and residential planning area.
- Satellite receiving dishes
- Special Community Events

- Temporary Construction Yards in accordance with the Parker Land Development Ordinance, as amended
- Temporary Structures as an accessory use in accordance with the Parker Land Development Ordinance, as amended

E. Uses permitted by Special Review

The following uses are permitted in accordance with the Use by Special Review and Site Plan sections of the Parker Land Development Ordinance, as amended:

- Water/Wastewater treatment or storage in excess of 5,000 gallons-public or private facility

F. Development Standards for Principal and Accessory Uses

Typical Standards for all Land Use Designations apply unless stipulated below.

Building Height

- Maximum Building Height: 60 feet

Minimum Lot Area

- none

Minimum Structural Setbacks

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line or right-of-way

Abutting a dedicated roadway right-of-way:

- Chambers Road ROW 50 feet
- North Frontage Road ROW 40 feet
- Collector/local/interior dedicated ROW 20 feet

Adjoining:

- Land uses: no setback
- Green Acres Tributary boundary 20 feet
- Happy Canyon Creek boundary 40 feet

Building setbacks from Happy Canyon Creek may be reduced to 20 feet if the architectural character and site design provide a compatible pedestrian environment and/or landscaped buffer along the open space.

- Undeveloped A-1 Districts 40 feet
- Arapahoe County / Dove Valley MU PUD 40 feet

Parking Structures

Parking shall be provided in accordance with the Typical Standards for all Land Use Designations established by this document and the Parker Land Development Ordinance, as amended, except as follows:

- Minimum Setbacks for off-street parking:

Chambers Road ROW	20 Feet
North Frontage Road ROW	20 Feet
Internal Streets	15 Feet
Green Acres Tributary	10 Feet
Happy Canyon Creek Open Space	20 Feet

EXHIBIT A
LEGAL DESCRIPTION

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A-2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A-2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) COURSES:

3. NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
4. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

8. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
9. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
10. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;
11. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;

12. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;

13. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;

14. TANGENT TO SAID CURVE SOUTH 71°59'30" WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH 00°12'05" WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH 89°56'20" WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

3. SOUTH 00°00'00" EAST, A DISTANCE OF 529.36 FEET;

4. SOUTH 89°47'55" WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°12'05" EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

3. NORTH 89°47'55" EAST, A DISTANCE OF 694.73 FEET;

4. SOUTH 59°57'50" EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 59°53'26" EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

8. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°12'19", AN ARC LENGTH OF 189.79 FEET;

9. TANGENT TO SAID CURVE SOUTH 00°05'45" EAST, A DISTANCE OF 72.42 FEET;

10. SOUTH 05°36'53" WEST, A DISTANCE OF 50.25 FEET;

11. SOUTH 00°05'45" EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
12. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'32", AN ARC LENGTH OF 194.14 FEET;
13. TANGENT TO SAID CURVE SOUTH 30°22'46" WEST, A DISTANCE OF 16.46 FEET;
14. SOUTH 75°22'46" WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

5. NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
6. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
7. TANGENT TO SAID CURVE SOUTH 89°15'54" WEST, A DISTANCE OF 145.80 FEET;
8. NORTH 45°28'06" WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH 89°54'45" WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

4. NORTH 00°12'05" WEST, A DISTANCE OF 280.00 FEET;
5. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;
6. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

4. NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;

5. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}59'41''$, AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
6. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $138^{\circ}27'54''$, AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH $00^{\circ}03'40''$ WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

4. NORTH $89^{\circ}40'35''$ EAST, A DISTANCE OF 57.41 FEET;
5. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 250.59 FEET;
6. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.



Request for Town Council Action

Date: April 2, 2018

Submitted By: Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.273 - First Reading**
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and Parker Water and Sanitation District Regarding Public Improvements Security

Department: Engineering/Public Works, Chris Hudson

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

Approval of an Intergovernmental Agreement between the Town of Parker and the Parker Water and Sanitation District regarding the elimination of the public improvements security requirements. This proposed change is in the best interest of both the Town of Parker and Parker Water and Sanitation District by reducing costs of projects.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Both the Town of Parker and Parker Water and Sanitation District (PWSD) have requirements for public improvements to be secured by a security deposit in the form of cash or letter of credit to ensure the installation of improvements. This is done as most development work could be considered speculative in nature and the security requirement ensures that improvements will be completed. Unlike private development, all governmental entities in Colorado are required to budget and appropriate for their improvements. Through this budget and appropriation process, governmental entities secure the public improvements. By requiring PWSD to secure Town improvements or vice-versa, this creates a double security requirement which in turn creates additional cost. In addition, unlike private development, governmental entities like PWSD are here for the "long haul" and have a vested interest in the community. By the elimination of this security requirement for projects involving just the Town and PWSD, this

will reduce the cost of projects for the taxpayers.

FINANCIAL IMPACT

By the elimination of the provision of security as it pertains to the installation of Town improvements on PWSD property and PWSD improvements on Town property, both entities will eliminate the costs associated with providing a letter of credit or additional cash to secure that the improvements are completed. While this security cost is not a major factor in the overall project cost, it is a cost that can be eliminated.

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 9.273

RECOMMENDED MOTION

I move to approve Ordinance No. 9.273 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

ORDINANCE NO. 9.273, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER AND PARKER WATER AND SANITATION DISTRICT REGARDING PUBLIC IMPROVEMENTS SECURITY

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

Section 1. The Town Council of the Town of Parker hereby approves the Intergovernmental Agreement between the Town of Parker and Parker Water and Sanitation District Regarding Public Improvements Security, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

Section 2. 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 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER AND PARKER WATER AND SANITATION DISTRICT REGARDING PUBLIC IMPROVEMENTS SECURITY

THIS INTERGOVERNMENTAL AGREEMENT ("the Agreement") is made and entered into this ____ day of _____, 2018, by and between the Town of Parker, Colorado, a Colorado home rule municipality (the "Town"), and the Parker Water and Sanitation District, a quasi-municipal special district organized and existing pursuant to the provisions of Title 32 of the Colorado Revised Statutes (the "District").

WITNESSETH

Whereas, C.R.S. § 29-1-203 authorizes the Town and the District, as political subdivisions, to cooperate and contract with one another regarding functions, services and facilities each is authorized to provide;

Whereas, the Town and the District desire to cooperate in coordinating their respective improvement projects to minimize their impact and cost on the community;

Whereas, the Town regulates the installation of improvements that are constructed on real property owned by the Town ("Town Regulations"), including streets, parks, open space, and public facilities (the "Town Property");

Whereas, the Town Regulations provide that, prior to the installation of improvements on Town Property, the owner of such improvements shall deposit security in the form of cash or letter of credit to secure the installation of improvements on Town Property;

Whereas, the District regulates the installation of improvements on that are constructed on real property owned by the District ("District Regulations"), including water and sewer facilities ("District Property");

Whereas, the District Regulations provide that, prior to the installation of improvements on District Property, the owner of such improvements shall deposit security in the form of cash or letter of credit to secure the installation of improvements on District Property;

Whereas, the Town and the District respectively own and maintain Town Property and the District Property for the benefit of the community;

Whereas, the cost to the Town to provide security to the District for the installation of Town improvements on District Property and the cost to the District to provide security to the Town for District improvements on Town Property increases the cost to the community of public projects; and

Whereas, the Town and the District agree that it is in the best interest of the community to cooperate to reduce the cost of public projects by eliminating the provision of security as it pertains to the installation of Town improvements on District property and District improvements on Town Property.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises set forth below, the receipt and sufficiency of which are hereby acknowledged, the Town and the District agree as follows:

1. District Facilities. The Town will not require the District, prior to the installation of District improvements on Town Property, to deposit security with the Town to secure the installation of District improvements on Town Property.

2. Town Facilities. The District will not require the Town, prior to the installation of Town improvements on District Property, to deposit security with the District to secure the installation of Town improvements on District Property.

3. Town Permitting/Approval of District Facilities. Nothing in this Agreement limits the permitting or approval requirements of the Town to regulate the installation of District improvements on Town Property.

4. District Permitting/Approval of Town Facilities. Nothing in this Agreement limits the permitting or approval requirements of the District to regulate the installation of Town improvements on District Property.

5. Termination of Agreement. Either party may terminate this Agreement without liability to the other party upon providing at least six (6) months' advanced written notice to the other party. Until termination, each party shall continue to perform all duties and obligations set forth herein, pursuant to the terms of this Agreement.

6. Notice. Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or registered mail, postage and fees prepaid, addressed to the party to whom such notice is to be given, at the address set forth below, or at such other address as has been previously furnished in writing, to the other party. Such notice shall be deemed to have been given when deposited in the United States mail.

Town of Parker: Director of Engineering/Public Works
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138

District: District Manager
Parker Water and Sanitation District
18100 E. Woodman Drive
Parker, Colorado 80134

7. Additional Documents. The parties agree to execute any additional documents or take any additional action that is necessary to carry out the intent of this Agreement.

8. Colorado Law. This Agreement shall be governed by the laws of the State of Colorado. Venue for any action hereunder shall be in the District Court, County of Douglas, State

of Colorado and the parties waive any right to remove any action to any other court, whether state or federal.

9. Separate Entities. The parties enter into this Agreement as separate, independent governmental entities and shall maintain such status throughout.

10. No Third-Party Beneficiaries. The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement, shall be strictly reserved to the parties, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person under such Agreement. Any beneficiary of the terms and conditions of this Agreement are not intended beneficiaries but are incidental beneficiaries only.

11. Recitals. The Recitals to this Agreement are incorporated herein by this reference.

12. Entirety. This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the subject matter hereof and constitutes the entire agreement between the parties.

IN WITNESS WHEREOF, this Agreement is executed by the parties hereto as of the date first written above.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

**PARKER WATER AND SANITATION
DISTRICT**

Ron Redd, P.E., District Manager

ATTEST:

Maleia Good, Engineering Secretary



Request for Town Council Action

Date: April 2, 2018

Submitted By: Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.274 - First Reading**
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and Cottonwood Water and Sanitation District Regarding Public Improvements Security

Department: Engineering and Public Works, Chris Hudson

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

Approval of an Intergovernmental Agreement between the Town of Parker and the Cottonwood Water and Sanitation District regarding the elimination of the public improvements security requirements. This proposed change is in the best interest of both the Town of Parker and Cottonwood Water and Sanitation District by reducing costs of projects.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Both the Town of Parker and Cottonwood Water and Sanitation District (CWSD) have requirements for public improvements to be secured by a security deposit in the form of cash or letter of credit to ensure the installation of improvements. This is done as most development work could be considered speculative in nature and the security requirement ensures that improvements will be completed. Unlike private development, all governmental entities in Colorado are required to budget and appropriate for their improvements. Through this budget and appropriation process, governmental entities secure the public improvements. By requiring CWSD to secure Town improvements or vice-versa, this creates a double security requirement which in turn creates additional cost. In addition, unlike private development, governmental entities like CWSD are here for the "long haul" and have a vested interest in the community. By the elimination of this security requirement for projects involving just the Town and CWSD, this

will reduce the cost of projects for the taxpayers.

FINANCIAL IMPACT

By the elimination of the provision of security as it pertains to the installation of Town improvements on CWSD property and CWSD improvements on Town property, both entities will eliminate the costs associated with providing a letter of credit or additional cash to secure that the improvements are completed. While this security cost is not a major factor in the overall project cost, it is a cost that can be eliminated.

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 9.273

RECOMMENDED MOTION

I move to approve Ordinance No. 9.274 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

ORDINANCE NO. 9.274, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER AND COTTONWOOD WATER AND SANITATION DISTRICT REGARDING PUBLIC IMPROVEMENTS SECURITY

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

Section 1. The Town Council of the Town of Parker hereby approves the Intergovernmental Agreement between the Town of Parker and Cottonwood Water and Sanitation District Regarding Public Improvements Security, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

Section 2. 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 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER AND COTTONWOOD WATER AND SANITATION DISTRICT REGARDING PUBLIC IMPROVEMENTS SECURITY

THIS INTERGOVERNMENTAL AGREEMENT ("the Agreement") is made and entered into this ____ day of _____, 2018, by and between the Town of Parker, Colorado, a Colorado home rule municipality (the "Town"), and the Cottonwood Water and Sanitation District, a quasi-municipal special district organized and existing pursuant to the provisions of Title 32 of the Colorado Revised Statutes (the "District").

WITNESSETH

Whereas, C.R.S. § 29-1-203 authorizes the Town and the District, as political subdivisions, to cooperate and contract with one another regarding functions, services and facilities each is authorized to provide;

Whereas, the Town and the District desire to cooperate in coordinating their respective improvement projects to minimize their impact and cost on the community;

Whereas, the Town regulates the installation of improvements that are constructed on real property owned by the Town ("Town Regulations"), including streets, parks, open space, and public facilities (the "Town Property");

Whereas, the Town Regulations provide that, prior to the installation of improvements on Town Property, the owner of such improvements shall deposit security in the form of cash or letter of credit to secure the installation of improvements on Town Property;

Whereas, the District regulates the installation of improvements on that are constructed on real property owned by the District ("District Regulations"), including water and sewer facilities ("District Property");

Whereas, the District Regulations provide that, prior to the installation of improvements on District Property, the owner of such improvements shall deposit security in the form of cash or letter of credit to secure the installation of improvements on District Property;

Whereas, the Town and the District respectively own and maintain Town Property and the District Property for the benefit of the community;

Whereas, the cost to the Town to provide security to the District for the installation of Town improvements on District Property and the cost to the District to provide security to the Town for District improvements on Town Property increases the cost to the community of public projects; and

Whereas, the Town and the District agree that it is in the best interest of the community to cooperate to reduce the cost of public projects by eliminating the provision of security as it pertains to the installation of Town improvements on District property and District improvements on Town Property.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises set forth below, the receipt and sufficiency of which are hereby acknowledged, the Town and the District agree as follows:

1. District Facilities. The Town will not require the District, prior to the installation of District improvements on Town Property, to deposit security with the Town to secure the installation of District improvements on Town Property.

2. Town Facilities. The District will not require the Town, prior to the installation of Town improvements on District Property, to deposit security with the District to secure the installation of Town improvements on District Property.

3. Town Permitting/Approval of District Facilities. Nothing in this Agreement limits the permitting or approval requirements of the Town to regulate the installation of District improvements on Town Property.

4. District Permitting/Approval of Town Facilities. Nothing in this Agreement limits the permitting or approval requirements of the District to regulate the installation of Town improvements on District Property.

5. Termination of Agreement. Either party may terminate this Agreement without liability to the other party upon providing at least six (6) months' advanced written notice to the other party. Until termination, each party shall continue to perform all duties and obligations set forth herein, pursuant to the terms of this Agreement.

6. Notice. Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or registered mail, postage and fees prepaid, addressed to the party to whom such notice is to be given, at the address set forth below, or at such other address as has been previously furnished in writing, to the other party. Such notice shall be deemed to have been given when deposited in the United States mail.

Town of Parker: Director of Engineering/Public Works
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138

District: District Manager
Cottonwood Water and Sanitation District
188 Inverness Drive West, Suite 150
Centennial, Colorado 80112

7. Additional Documents. The parties agree to execute any additional documents or take any additional action that is necessary to carry out the intent of this Agreement.

8. Colorado Law. This Agreement shall be governed by the laws of the State of Colorado. Venue for any action hereunder shall be in the District Court, County of Douglas, State

of Colorado and the parties waive any right to remove any action to any other court, whether state or federal.

9. Separate Entities. The parties enter into this Agreement as separate, independent governmental entities and shall maintain such status throughout.

10. No Third-Party Beneficiaries. The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement, shall be strictly reserved to the parties, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person under such Agreement. Any beneficiary of the terms and conditions of this Agreement are not intended beneficiaries but are incidental beneficiaries only.

11. Recitals. The Recitals to this Agreement are incorporated herein by this reference.

12. Entirety. This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the subject matter hereof and constitutes the entire agreement between the parties.

IN WITNESS WHEREOF, this Agreement is executed by the parties hereto as of the date first written above.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

**COTTONWOOD WATER AND SANITATION
DISTRICT**

_____, District Manager

ATTEST:

[Please print name/title]



Request for Town Council Action

Date: April 2, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.511 - First Reading**
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Lot 2A, Twenty Mile Industrial Park Subdivision Filing No. 2, 1st Amendment

Department: Engineering/Public Works, Alex Mestdagh

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

This item accompanies an ordinance proposing to convey an easement to Parker Water and Sanitation District (PWSD) on a Town-owned property, Lot 2A, Twenty Mile Industrial Park Filing No. 2, 1st Amendment. This easement is necessary to allow for the installation of a waterline and fire hydrant needed to serve the Parker Tennis development that has been approved on this property.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Lot 2A, Twenty Mile Industrial Park Filing No. 2, 1st Amendment, is located at the southeast corner of Plaza Drive and Twenty Mile Road, west of the Fieldhouse. On March 19, 2018, the Town Council approved a Site Plan and Development Agreement permitting the Parker Tennis Club to be constructed on this property. This property is the subject of a lease agreement under which the Town will retain ownership of the property, thus the Town must grant any easements on the property necessary for the project.

The approved construction plans for the project include the extension of a watermain on the site from Championship Drive to serve the building and an on-site fire hydrant. In accordance with PWSD requirements, a 30-foot-wide easement is proposed to be dedicated over this waterline to

allow the District to maintain the waterline if necessary.

The developer is required to obtain the necessary grading and right-of-way permits for this work, requiring them to restore all areas disturbed with this work.

FINANCIAL IMPACT

The waterline and associated items will be constructed and financed by the Parker Tennis developer at no cost to the Town.

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

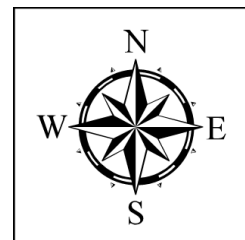
1. Vicinity Map
2. Ordinance 1.511

RECOMMENDED MOTION

I move to approve Ordinance No. 1.511 on first reading and to schedule second reading for May 7, 2017, as part of the consent agenda.



Parker Water and
Sanitation District
Easement Conveyance
Vicinity Map



ORDINANCE NO. 1.511, Series of 2018

TITLE: A BILL FOR AN ORDINANCE CONVEYING CERTAIN REAL PROPERTY BY EASEMENT TO PARKER WATER AND SANITATION DISTRICT FOR LOT 2A, TWENTY MILE INDUSTRIAL PARK SUBDIVISION FILING NO. 2, 1ST AMENDMENT

WHEREAS, the Town Council of the Town of Parker desires to convey certain real property to Parker Water and Sanitation District for Lot 2A, Twenty Mile Industrial Park Subdivision Filing No. 2, 1st Amendment; and

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the subject Easement Agreement.

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

Section 1. The Town Council of the Town of Parker hereby approves the Water Pipeline Easement Agreement by the Town of Parker conveying certain property to Parker Water and Sanitation District for Lot 2A, Twenty Mile Industrial Park Subdivision Filing No. 2, 1st Amendment, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Easement Agreement on behalf of the Town.

Section 2. 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 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

WATER PIPELINE EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is dated this ____ day of _____, 2018, by THE TOWN OF PARKER, COLORADO (hereafter referred to as "Grantor"), having an address at 20120 E. Mainstreet, Parker, Colorado 80138, and THE PARKER WATER AND SANITATION DISTRICT (hereafter referred to as "Grantee"), a Colorado special district and political subdivision, having an address at 18100 E. Woodman Drive, Parker, Colorado 80134.

WHEREAS, Grantee desires to install water pipeline in certain real property owned by Grantor and situate in Douglas County, Colorado, which real property is more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein (the "Easement Property"); and

WHEREAS, Grantor is willing to grant an easement to Grantee in the Easement Property for the aforesaid purposes, subject to the terms and provisions hereof.

NOW, THEREFORE, for good and valuable consideration to Grantor by Grantee, and for the additional consideration of the performance by the parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline.
2. 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. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands, including, but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements situate therein or thereon, and shall keep all of such property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense;

(B) In all activities undertaken on property belonging to Grantor, Grantee and/or its employees, agents, contractors, subcontractors, successors, assigns, lessees and/or licensees shall conduct and construct all work in a good and workmanlike manner; and

(C) 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. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

3. Grantor's Right of Relocation. In the event that the construction of any other utilities, roadways, or other improvements upon, over, under or across the Easement Property necessitates the relocation and/or encasement of the water pipeline, then Grantor shall, at its sole cost and expense, timely perform or cause the performance of such relocation and/or encasement of the water pipeline.

4. Indemnification of Grantor by Grantee. Grantee agrees, and hereby does, to the extent permitted by law, indemnify and hold harmless Grantor, any directors, officers employees and agents of Grantor, and any successors or assigns of Grantor, from any costs, expenses, damages, claims or demands incurred or asserted against Grantor as a result of or arising out of the activities of Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline or otherwise relating to the Grantee's use of the Easement Property.

5. Miscellaneous.

(A) Except as otherwise expressly provided for 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 parties, their heirs, successors and assigns.

(B) This Easement constitutes the entire agreement between the parties.

(C) This Easement shall be of no force and effect until the same is duly and validly executed by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Easement by their respective duly authorized officers as of the date and year first above set forth.

GRANTOR:

Town of Parker, Colorado

By: _____
Mike Waid, Mayor

ATTEST:

By: _____
Carol Baumgartner, Town Clerk

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Mike Waid, Mayor of the Town of Parker, Colorado.

WITNESS my hand and official seal.

My commission expires: _____

GRANTEE:

Parker Water & Sanitation District,
a Colorado special district and political
subdivision.

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

By: _____
Maleia Good, Engineering Secretary

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Ron R. Redd, P.E., District Manager of the Parker Water and Sanitation District.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

EXHIBIT "A"

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH,
RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 1 OF 2

A PARCEL OF LAND LOCATED OVER, UNDER AND ACROSS A PORTION OF LOT 2A, TWENTY MILE INDUSTRIAL PARK SUBDIVISION FILING NO. 2 1ST AMENDMENT AS DESCRIBED IN THE RECORDS OF DOUGLAS COUNTY ON MAY 5, 2010, AT RECEPTION NO. 2010027433, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING AN EAST LINE OF SAID LOT 2A TO BEAR NORTH 00°32'29" WEST, A DISTANCE OF 242.27 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2A;
THENCE ALONG SAID EAST LINE, NORTH 00°32'29" WEST, A DISTANCE OF 186.68 FEET, TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, NORTH 90°00'00" WEST, A DISTANCE OF 198.84 FEET;
THENCE NORTH 00°00'00" EAST, A DISTANCE OF 30.00 FEET;
THENCE NORTH 90°00'00" EAST, A DISTANCE OF 15.00 FEET;
THENCE NORTH 00°00'00" EAST, A DISTANCE OF 19.30 FEET;
THENCE NORTH 90°00'00" EAST, A DISTANCE OF 20.00 FEET;
THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 19.30 FEET;
THENCE NORTH 90°00'00" EAST, A DISTANCE OF 178.19 FEET TO A POINT ON THE WESTERLY LINE OF AN EXISTING PARKER WATER AND SANITATION DISTRICT EASEMENT AS DESCRIBED IN THE RECORDS OF DOUGLAS COUNTY ON MAY 23, 2006, AT RECEPTION NO. 2006043117;
THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES:
11.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 265.00 FEET, AN INCLUDED ANGLE OF 02°28'59", AND SUBTENDED BY A CHORD BEARING SOUTH 00°42'54" WEST, A DISTANCE OF 11.48 FEET;
THENCE SOUTH 00°31'36" EAST, A DISTANCE OF 29.83 FEET;
THENCE DEPARTING SAID WESTERLY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 10.42 FEET;
THENCE NORTH 00°00'00" EAST, A DISTANCE OF 11.31 FEET;
THENCE NORTH 90°00'00" WEST, A DISTANCE OF 4.07 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 6,897 SQ. FT. OR 0.16 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATIRONS, INC.
JOB NUMBER: 17-70,620
DRAWN BY: E. PRESCOTT
DATE: DECEMBER 7, 2017

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.



FSI JOB NO. 17-70,620

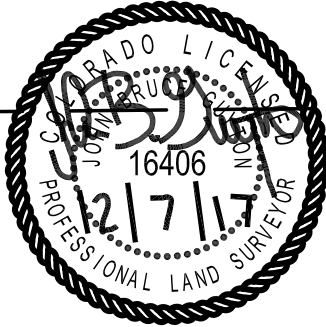
Flatirons, Inc.
Surveying, Engineering & Geomatics

655 FOURTH AVE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355
www.FlatironsInc.com

EXHIBIT "A"

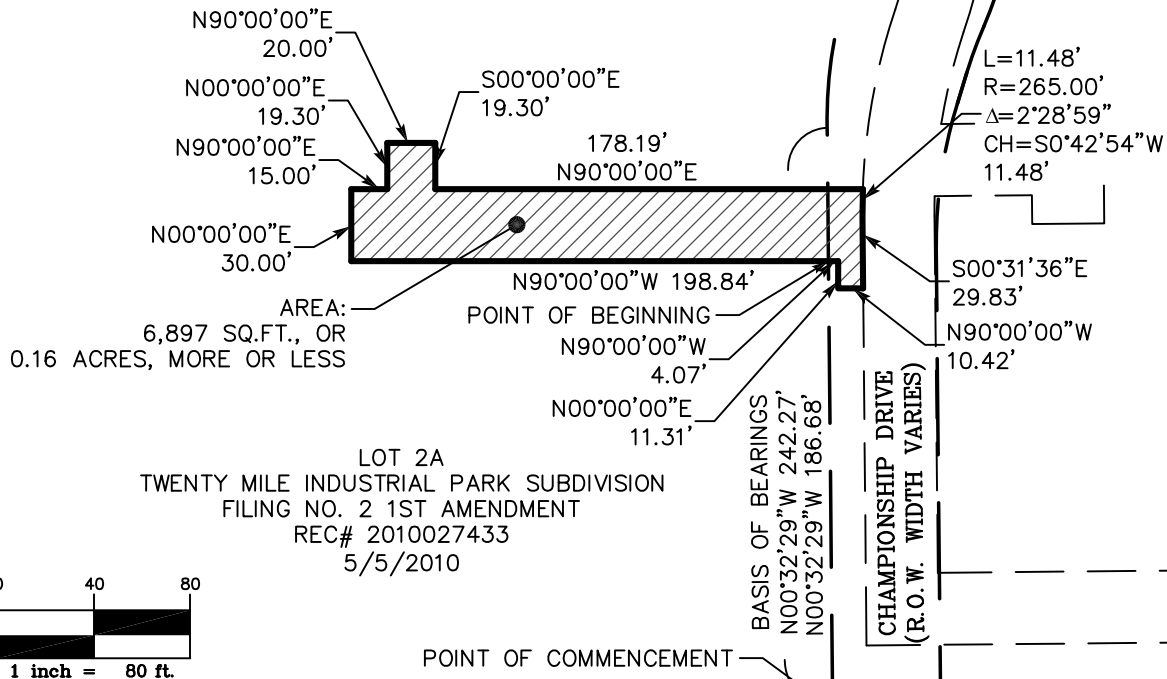
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH,
RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 2



PLAZA DRIVE
(60' R.O.W.)

WATER EASEMENT TO PARKER WATER
AND SANITATION DISTRICT
REC. NO. 2006043117
MAY 23, 2006



LOT 1A, BLOCK 1
TWENTY MILE INDUSTRIAL PARK
SUBDIVISION FILING NO. 3 1ST
AMENDMENT
REC# 2011077780
12/9/2011

LOT 1B, BLOCK 1
TWENTY MILE INDUSTRIAL
PARK SUBDIVISION FILING
NO. 3 1ST AMENDMENT
REC# 2011077780
12/9/2011

JOB NUMBER: 17-70,620
DRAWN BY: E. PRESCOTT
DATE: DECEMBER 7, 2017

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS
NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD
INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics



655 FOURTH AVE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355

www.FlatironsInc.com



Request for Town Council Action

Date: April 2, 2018

Submitted By: John Fussa, Community Development Director
Mary Munekata, Associate Planner
Dennis Trapp, Projects Administrator

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-033**
A Resolution Setting the Date for Consideration of the
Annexation Ordinance for the Town Harvie Open Space
Property for Second Reading on May 7, 2018

Department: Community Development, Mary
Munekata
Parks, Recreation and Open Space,
Dennis Trapp

Trakit No.: ANX17-003

EXECUTIVE SUMMARY

The Town of Parker, as the property owner and applicant, proposes to annex 71.45 acres of land currently located in Douglas County into the Town of Parker. The property is known as the Ray J. Harvie Open Space and is located north of the Mainstreet at the Canterbury Parkway intersection.

The purpose of this resolution is to set a public hearing date of May 7, 2018, to consider annexation of the property.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Harvie Open Space Property is located on the east side of Parker north of the intersection of Mainstreet and Canterbury Parkway. Douglas County contacted the Town in 2013 regarding transferring ownership of the property from the County to the Town since the property is out of the County's routine service routes and it's adjacency to the Town boundary. Working collaboratively with the County, the transfer of the Harvie property to the Town was

finalized in late 2016.

In association with the annexation, the Town plans to zone the property Open Space (OS) and will preserve the property for future open space and park with limited passive recreational uses.

This property is located within the Town's Urban Growth Area Boundary, is contiguous to the Town, and meets the statutory requirements for annexation.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



SUPPORT AN
ACTIVE COMMUNITY

ATTACHMENTS

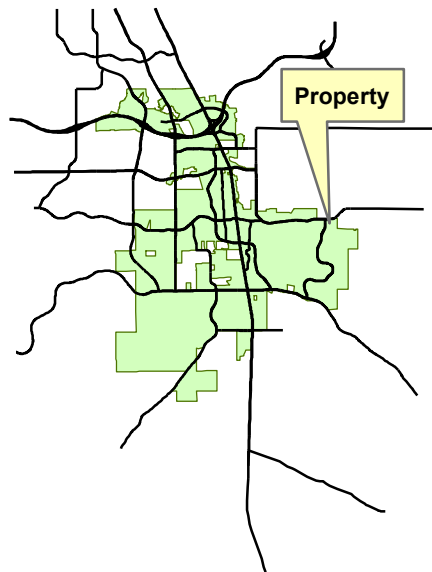
1. Harvie Vicinity Map
2. Resolution No. 18-033

RECOMMENDED MOTION

I move to approve Resolution No. 18-033, as part of the consent agenda.

Harvie Open Space Annexation & Rezoning

Annexation and Rezoning
Case No. ANX17-003 & Z17-017



Legend

- Site
- Roads

Narrative:
Proposed Annexation and Rezoning of approximately 71.45 acres for open space and future passive recreational uses.

Planner: Mary Munekata
Hearing Schedules:
Planning Commission:
April 12, 2018

Town Council:
April 16, 2018 (1st Reading)
May 7, 2018 (2nd Reading)



RESOLUTION NO. 18-033, Series of 2018

TITLE: A RESOLUTION SETTING THE DATE FOR CONSIDERATION OF THE ANNEXATION ORDINANCE FOR THE TOWN HARVIE OPEN SPACE PROPERTY FOR SECOND READING ON MAY 7, 2018

WHEREAS, the Town of Parker is the sole owner of certain real property in Douglas County, which is described on attached **Exhibit A** (the "Property");

WHEREAS, the Town Council, sitting as the governing body of the Town of Parker, Colorado, hereby determines that the Property is eligible for annexation, as set forth in C.R.S. §§ 31-12-104(1)(a) and 31-12-105; and

WHEREAS, pursuant to C.R.S. § 31-12-106(3), the Town of Parker, as the sole owner of the Property which is eligible for annexation, may, by ordinance, annex the Property to the Town of Parker without notice and hearing, as provided by C.R.S. § 31-12-106(3).

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

Section 1. The ordinance to annex the Property will be considered on second reading by the Town Council on May 7, 2018, at the Town of Parker Town Hall, which is located at 20120 East Mainstreet, Parker, Colorado 80138.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

Legal Description

A PARCEL OF LAND RECORDED AT RECEPTION NO. 2017002715 AND RECEPTION NO. 2017002719 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDERS OFFICE. LYING WITHIN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, ADDITIONALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 24;

THENCE ALONG THE NORTHERLY LINE OF SAID NORTHEAST QUARTER SOUTH 89°14'29" EAST, A DISTANCE OF 2,585.51 FEET TO AN EXISTING FENCE LINE ON THE WESTERLY SIDE OF POPE ROAD;

THENCE SOUTHWESTERLY ALONG SAID EXISTING FENCE LINE THE FOLLOWING (12) COURSES:

1. SOUTH 09°27'07" WEST, A DISTANCE OF 21.10 FEET;
2. SOUTH 03°29'43" WEST, A DISTANCE OF 99.37 FEET;
3. SOUTH 05°34'46" WEST, A DISTANCE OF 105.18 FEET;
4. SOUTH 08°44'32" WEST, A DISTANCE OF 62.52 FEET;
5. SOUTH 12°39'26" WEST, A DISTANCE OF 15.09 FEET;
6. SOUTH 17°05'43" WEST, A DISTANCE OF 117.46 FEET;
7. SOUTH 20°20'39" WEST, A DISTANCE OF 71.14 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 250.00 FEET;
8. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°24'08", AN ARC LENGTH OF 71.57 FEET;
9. TANGENT TO SAID CURVE SOUTH 36°44'47" WEST, A DISTANCE OF 595.55 FEET;
10. SOUTH 43°42'09" WEST, A DISTANCE OF 198.89 FEET;
11. NORTH 48°34'31" WEST, A DISTANCE OF 19.32 FEET;
12. SOUTH 39°02'05" WEST, A DISTANCE OF 208.01 FEET TO THE NORTHERLY LINE OF EAST MAINSTREET RECORDED IN BOOK 1422 AT PAGE 526 IN SAID RECORDS.

THENCE ALONG SAID NORTHERLY LINE SOUTH 83°01'13" WEST, A DISTANCE OF 12.64 FEET TO THE NORTHERLY LINE OF EAST MAINSTREET RECORDED AT RECEPTION NO. 2003021410 IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY LINE SOUTH 89°02'54" WEST, A DISTANCE OF 1802.41 FEET TO THE WESTERLY LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 24;

THENCE ALONG SAID WESTERLY LINE NORTH 00°13'24" WEST, A DISTANCE OF 25.67 FEET TO THE NORTH SIXTEENTH CORNER OF SECTION 24;

THENCE ALONG THE WESTERLY LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER NORTH 00°13'38" WEST, A DISTANCE OF 1352.65 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 71.459 ACRES, (3,112,760 SQUARE FEET), MORE OR LESS.



Request for Town Council Action

Date: April 2, 2018

Submitted By: Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-029**
A Resolution to Appoint Members to the Investment Advisory Committee

Department: Finance, Mary Lou Brown

EXECUTIVE SUMMARY

The Investment Advisory Committee consists of a Councilmember, Town Finance Director, Town Administrator and two community financial professionals. The terms of the councilmember and one community financial professional expired December 31, 2017, and the second community financial professional resigned, also effective December 31, 2017, due to a move outside of the country.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker Investment Policy (the “Investment Policy”) was adopted by the Town Council on July 7, 2015, through Resolution No. 15-031. Pursuant to the Investment Policy, the Town maintains an Investment Advisory Committee (the “Committee”) consisting of “the Mayor or a Councilmember appointed by the Mayor and ratified by Town Council, the Town Finance Director, the Town Administrator and two financial professionals.”

On December 31, 2017, the terms of the Councilmember and one of the community financial professionals both expired. In addition, the second community financial professional resigned due to a move outside of the country.

The Mayor has appointed John Diak to a second term on the Committee expiring December 31, 2018. Rufat Garalov has requested reappointment to the Committee for a second term expiring December 31, 2021.

Councilmember John Diak and Finance Director Mary Lou Brown interviewed six candidates and recommend appointing Robert Agan to complete the term of the community financial professional who resigned. Robert's term would run up to and including December 31, 2019.

FINANCIAL IMPACT

There is no direct financial impact of this action. The Committee provides an oversight function related to the working capital investments of the Town.

STRATEGIC GOAL(S)



**FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT**



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**

ATTACHMENTS

1. Resolution No. 18-029

RECOMMENDED MOTION

I move to approve Resolution No. 18- 029

RESOLUTION NO. 18-029, Series of 2018

TITLE: A RESOLUTION TO APPOINT MEMBERS TO THE INVESTMENT ADVISORY COMMITTEE

WHEREAS, the term of one (1) regular member expired on December 31, 2017;

WHEREAS, one (1) regular member resigned;

WHEREAS, the Town Council desires to appoint one (1) regular member to fill the vacancy for the remaining two (2) years of the 4-year term to the Committee;

WHEREAS, the Town Council desires to appoint one (1) regular member for a 4-year term to the Committee; and

WHEREAS, the Town Council desires to ratify the Councilmember appointment.

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 appoints one (1) regular member to the Committee for the term ending December 31, 2019, and one (1) regular member to the Committee for the term ending December 31, 2021, as described in **Exhibit A**, which is attached hereto and incorporated by this reference.

Section 2. The Town Council of the Town of Parker hereby ratifies the Councilmember appointment, for the term ending December 31, 2018, as described in Exhibit A.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

1. One (1) Regular Investment Advisory Commission Member for a term up to and including December 31, 2019.

Robert Agan

2. One (1) Regular Investment Advisory Commission Member for a term up to and including December 31, 2021.

Rufat Garalov

3. Town Councilmember for a term up to and including December 31, 2018.

John Diak



Request for Town Council Action

Date: April 2, 2018

Submitted By:

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-036**
A Resolution to Modify the Planning Commission Public Hearing Protocol and Town Council Public Hearing Procedure for the Town of Parker Zoning Case Number Z18-009 and Town of Parker Annexation Case Number ANX18-001

Department: **Town Attorney, Jim Maloney**

EXECUTIVE SUMMARY

The Town received a request to modify: (1) the Planning Commission Public Hearing Protocol; and (2) the Town Council Public Hearing Procedure for the public hearings scheduled on April 12, 2018, and April 16, 2018, concerning the Town of Parker Annexation Case Number ANX18-001 (the “Annexation Application”) and Town of Parker Zoning Case Number Z18-009 (the “Zoning Application”).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Public hearings are scheduled before the Planning Commission and Town Council concerning the Annexation Application and the Zoning Application. The Planning Commission public hearing scheduled for April 12, 2018, only concerns the Zoning Application. The Town Council public hearing scheduled for April 16, 2018, concerns both the Annexation Application and the Zoning Application. The Annexation Application includes a majority annexation petition signed by four (4) lot owners (the “Applicants”) to annex a total of seven (7) lots, of which, three (3) lot owners did not sign the majority annexation petition and are not consenting to the annexation and zoning of their lots (the “Involuntary Lots”). Legal counsel for the owner of two (2) of the Involuntary Lots (the “Vista Lots Owner”) requested that the Vista Lots Owner be “afforded the same treatment as the Applicants in these proceedings, including equal presentation time at all hearings held on the annexation and zoning . . .” The Parker Land Development Ordinance, the

Town Council Public Hearing Procedure, and the Planning Commission Public Hearing Protocol do not provide for a nonapplicant to have applicant status. In order to provide the Vista Lots Owner with additional presentation time, the Town Council will need to modify the Town Council Public Hearing Procedure, and the Planning Commission Public Hearing Protocol for the public hearings on the Annexation Application and the Zoning Application.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 18-036

RECOMMENDED MOTION

I move to approve Resolution No. 18-036, as part of the consent agenda.

RESOLUTION NO. 18-036, Series of 2018

TITLE: A RESOLUTION TO MODIFY THE PLANNING COMMISSION PUBLIC HEARING PROTOCOL AND TOWN COUNCIL PUBLIC HEARING PROCEDURE FOR THE TOWN OF PARKER ANNEXATION CASE NUMBER ANX18-001 AND THE TOWN OF PARKER ZONING CASE NUMBER Z18-009

WHEREAS, public hearings are scheduled before the Planning Commission and Town Council concerning Town of Parker Annexation Case Number ANX18-001 (the “Annexation Application”) and Town of Parker Zoning Case Numbers Z18-009 (the “Zoning Application”);

WHEREAS, the Planning Commission public hearing scheduled for April 12, 2018, only concerns the Zoning Application;

WHEREAS, the Town Council public hearing scheduled for April 16, 2018, concerns both the Annexation Application and the Zoning Application;

WHEREAS, the Annexation Application includes a majority annexation petition signed by four (4) lot owners (the “Applicants”) to annex a total of seven (7) lots, of which, three (3) lot owners did not sign the majority annexation petition and are not consenting to the annexation and zoning of their lots (the “Involuntary Lots”);

WHEREAS, legal counsel for the owner of two (2) of the Involuntary Lots (“Vista Lots Owner”) requested that the Vista Lots Owner be “afforded the same treatment as the Applicants in these proceedings, including equal presentation time at all hearings held on the annexation and zoning . . .;”

WHEREAS, the Parker Land Development Ordinance, the Town Council Public Hearing Procedure, and the Planning Commission Public Hearing Protocol do not provide for a nonapplicant to have applicant status;

WHEREAS, the Town Council acknowledges that the Vista Lots Owner owns two (2) lots that are the subject of the Annexation Application and the Zoning Application;

WHEREAS, the Town Council desires to provide additional presentation time to the Vista Lots Owner than what is allocated to the nonapplicant public, which is three (3) minutes, without granting the Vista Lots Owner the status of an applicant; and

WHEREAS, the Town Council, in order to provide the Vista Lots Owner with additional presentation time, desires to modify the Town Council Public Hearing Procedure, and the Planning Commission Public Hearing Protocol for the public hearings on the Annexation Application and the Zoning Application.

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 modifies the Planning Commission Public Hearing Protocol solely for the public hearing on the Zoning Application, as provided in **Exhibit A**, which is attached hereto and incorporated by this reference.

Section 2. The Town Council hereby modifies the Town Council Public Hearing Procedure solely for the public hearing on the Annexation Application and the Zoning Application, as provided in **Exhibit B**, which is attached hereto and incorporated by this reference.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

PLANNING COMMISSION PROTOCOL FOR TOWN OF PARKER ZONING CASE NUMBER Z18-009

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

3. ROLL CALL

- a. After Chair calls the meeting to order, the Chair states absent Commissioners if any, and announces the Alternates sitting in for the absent Commissioner(s).

4. CHAIR CALLS FOR ANY ADDITIONS TO OR DELETIONS FROM THE AGENDA

5. APPROVAL OF MINUTES

- a. The Chair calls for any additions or corrections to the minutes from the last meeting
- b. The Chair will request a motion for approval of minutes
- c. Chair will verify that everyone has voted and announce those Commissioners voting for and where appropriate making note of those Commissioners that need to abstain

6. CONSENT AGENDA

- a. **Chair will ask if there is a motion to pull any items from the Consent Agenda for discussion.**
- b. Chair will request a motion for the Consent Agenda.
- c. *Chair will verify that everyone has voted and announce those Commissioners voting for and against the motion where appropriate. (If voting against the motion, the Chair requests the Planning Commissioner/s to state the reason/s for denial)

7. PUBLIC HEARING

- a. Chair will ***open the Public Hearing stating the time and title*** of the hearing
- b. Any potential conflict of interest regarding the hearing would now be disclosed
- c. Staff will present the project
- d. Chair will ask Commissioners if they have any questions for Staff
- e. Applicant will make their presentation (30 minutes allocated)
- f. Chair will ask Commissioners if they have any questions for the Applicant
- g. Chair will ask Commissioners if they have any additional questions for Staff
- h. Owner(s) of the Involuntary Lots will make their presentation (30 minutes allocated)
- i. Chair will ask Commissioners if they have any questions for the Owner(s) of the Involuntary Lots
- j. Commissioners may request further information from staff and/or Owner(s) of the Involuntary Lots if needed
- k. Chair will ***open*** the discussion to Public Comment (3 minutes allocated per speaker)
- l. Chair will ***close*** the Public Comment
- m. Commissioners may request further information from staff and/or Applicant if needed
- n. Chair will ***close the public hearing and state the time.***
- o. Planning Commission discussion
- p. Chair will ask for a motion if there is no further discussion among Commissioners
- q. *Chair will verify that everyone has voted and announce those Commissioners voting for and against the motion where appropriate. (If voting against the motion, the Chair requests the Planning Commissioner/s to state the reason/s for denial)

8. PUBLIC MEETING

The same steps for 6a – 6n are to be followed. The main difference between a public hearing and public meeting is that there is no requirement for Public Hearing notification under the Code.

9. PLANNING COMMISSION AND STAFF DISCUSSION ITEMS

10. ADJOURNMENT

***The following is an excerpt from Section 13.03.020 of the Land Development Ordinance on possible Planning Commission actions through the motion process:**

(k) Review, comment and/or decision.

- (1) The Planning Commission shall review all responses, comments and recommendations and the proposal submitted by the applicant on the land use applications identified in Subsection (i) above, except site plans, at a public hearing held to discuss the request, for compliance with the applicable provisions of the Land Development Ordinance.
 - a. Whenever the Planning Commission decides to continue review and/or discussion on a request before it, it may do so without further notice to affected parties or posting of the property, yet with the consent of the applicant. Any continuance shall be to a date and time certain.
 - b. The Planning Commission shall notify the Town Council and the applicant of the disposition of the Commission.
- (2) Recommendation, comment and/or decision, as applicable, by the Planning Commission. After review and discussion of the proposal, the Planning Commission shall make one (1) of the following recommendations to the Town Council for its review and action:
 - a. Approval of the request, without conditions.
 - b. Conditional approval of the request, indicating for the record what conditions shall be attached to the proposal.
 - c. Disapproval of the request, indicating for the record the reasons for the recommendation of denial.
 - d. Continuing the request until the next available meeting in order to obtain more information to help clarify or support the request before it.

EXHIBIT B

**TOWN COUNCIL PUBLIC HEARING PROCEDURE FOR
TOWN OF PARKER ANNEXATION CASE NUMBER ANX18-001 AND
TOWN OF PARKER ZONING CASE NUMBER Z18-009**

ACTOR	ACTION
1. Mayor	Open public hearing and specify time. Brief explanation of: 1) purpose of public hearing; and 2) the order of business, which should be as follows: a) staff presentation; b) applicant presentation; c) public testimony; d) closing comments, applicant; and e) closing comments, staff.
2. Mayor	Request presentation from staff.
3. Mayor/ Councilmembers	Address questions to staff.
4. Mayor	Applicants are requested to come to podium, state their name and address, make presentation, and respond to questions from the Mayor/Councilmembers (30 minutes allocated).
5. Mayor/ Councilmembers	Address questions to Applicant/staff that are directly related to the application(s).
6. Mayor	Owner(s) of the Involuntary Lots are requested to come to the podium, state their name(s) and address(es), make presentation and respond to questions of Mayor/Councilmembers (30 minutes allocated).
7. Mayor/ Councilmembers	Address questions to Owner(s) of the Involuntary Lots/staff that are directly related to the application(s).
8. Mayor	Request members of the public interested in the application to come to the podium, state their name and address, and speak and respond to questions from the Mayor/Councilmembers (3 minutes allocated per speaker).
9. Mayor	May request further information from staff and/or Applicant if needed.
10. Mayor	Closes the hearing to the public (specify the time) and open for debate and discussion of the evidence among Mayor/Councilmembers.

ACTOR	ACTION
11. Mayor	Closes debate among Councilmembers.
12. Mayor	Requests Town Council motion/decision on the matter.
13. Mayor	States the Town Council's decision or states that the Town Council's decision will be rendered within a specified time or reasonable time, as provided by the applicable ordinance.



Request for Town Council Action

Date: April 2, 2018

Submitted By: Paul Workman, Senior Planner
Ryan McGee, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **MEADOWLARK - Annexation and Zoning**

Applicant: Henry Design Group for Meritage Homes

Location: The northeast corner of Crowfoot Valley Road and Richlawn Parkway

Department: Community Development, Ryan McGee

TRAKiT No.: ANX16-004 & Z16-020

- (1) **ORDINANCE NO. 2.258 - Second Reading
A Bill for an Ordinance Approving and Accomplishing
the Annexation of Contiguous Unincorporated
Territory Known as the Meadowlark Property in
Douglas County**
- (2) **ORDINANCE NO. 3.325 - Second Reading
A Bill for an Ordinance Zoning Certain Property
Within the Town of Parker, Colorado, Known as the
Meadowlark Property to PD-Planned Development
District Pursuant to the Town of Parker Land
Development Ordinance and Amending the Zoning
Ordinance and Map to Conform Therewith**
- (3) **ANNEXATION AGREEMENT**
- (4) **SKETCH AND PRELIMINARY PLAN**

EXECUTIVE SUMMARY

The applicant, Henry Design Group on behalf of Meritage Homes, is proposing to annex, zone and subdivide a 90-acre undeveloped property located in unincorporated Douglas County. The subject property is generally located at the northeast corner of Crowfoot Valley Road and Richlawn Parkway adjacent to Lemon Gulch. The property is located within the Town's Urban Growth Area and the request for annexation and zoning are consistent with the Parker 2035 Master Plan. The applicant proposes to zone the property Meadowlark Planned Development (PD) to allow for 267 single-family homes with associated parks, trails and open space consistent with the Master Plan. Meritage Homes plans to subdivide the 90-acre parcel through Sketch Plan and Preliminary Plans into 267 single-family lots and dedicate park and open space lands at a future date.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The applicant plans to develop the subject property with 267 lots for future residential development having lots ranging in size from 5,000 to 6,600 square feet in total area. The proposal will also incorporate four parks (totaling 6.5 acres), open space (totaling 18.2 acres), trails, improvements to Crowfoot Valley Road and stormwater improvements to Lemon Gulch. In order to achieve this, the applicant is requesting approval of the annexation petition, application for zoning and ultimately a Sketch and Preliminary Plan.

The primary access to the proposed residential development would be from Crowfoot Valley Road with secondary access from Richlawn Drive. Pedestrian access would be provided by new sidewalks along Crowfoot Valley Road, sidewalks interior to the site and a major trail along Lemon Gulch.

The site is located within the Town's Urban Growth Area and meets the statutory requirements including contiguity for annexation into the Town.

The proposed zoning meets the nine criteria as further documented in the attached Planning Commission staff report.

The Sketch Plan and Preliminary Plan meet the requirements set forth in the Land Development Ordinance as further documented in the attached Planning Commission staff report.

On March 22, 2018, the Planning Commission recommended Town Council approve the zoning, sketch and preliminary plans requests 4:1.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Vicinity Map
2. Ordinance No. 2.258
3. Annexation Plat
4. Ordinance 3.325
5. Zoning Staff Report
6. PD Document
7. Meadowlark Annexation Agreement
8. Sketch and Preliminary Staff Report
9. Sketch Plan

RECOMMENDED MOTION

1. I move to approve Ordinance No. 2.258 on second reading.
2. I move to approve Ordinance No. 3.325 on second reading.
3. I move to approve the Annexation Agreement for Meadowlark based on staff findings.
4. I move that Town Council approve the Sketch and Preliminary Plans, subject to the four (4) conditions contained in the staff report:
 - A. Meritage Homes shall construct a pedestrian connection from the Trails at Crowfoot development (south of this property) to their development as required by the Annexation Agreement.
 - B. All Final Plats and Landscape Plans must be substantially similar in design and layout and the inclusion of amenities to this Sketch and Preliminary Plans, as determined by Town staff.
 - C. Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.
 - D. The applicant shall meet required setbacks and zoning within the Planned Development Guide.

Vicinity Map



ORDINANCE NO. 2.258, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE MEADOWLARK PROPERTY IN DOUGLAS COUNTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Parker, Colorado, written petition(s) for annexation to and by the Town of Parker, Colorado, of that property described in attached **Exhibit 1** (the “Property”), being contiguous unincorporated territory situated, lying, and being in the County of Douglas, State of Colorado;

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing, as required by law, to determine the eligibility for annexation of the Property; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of the Property, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. The annexation by and to the Town of Parker, State of Colorado, of the Property, situated, lying, and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker, and therefore, the said annexation is hereby approved.

Section 2. More than fifty percent (50%) of the owner(s) of more than fifty percent (50%) of the Property have petitioned for annexation.

Section 3. Rezoning of the Property shall be completed simultaneously with the annexation of the Property, pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker (the “Charter”).

Section 4. Upon the effective date of this Annexation Ordinance, the Property shall become subject to the Municipal Laws of the State of Colorado pertaining to cities and to the Charter, ordinances, resolutions, rules and regulations of the Town of Parker, except general taxation, which shall be effective on and after January 1 of the next succeeding year following the passage of this Annexation Ordinance.

Section 5. The Town Council hereby approves the Annexation Agreement that is attached hereto as **Exhibit 2**, and incorporated by this reference, and authorizes the execution of the Annexation Agreement by the Mayor and Town Clerk.

Section 6. Considering all of the foregoing, and based on the conviction that annexation of the Property to the Town of Parker will serve the best interests of the Town of Parker and the owner(s) of the Property, the Property is hereby annexed to the Town of Parker, Colorado.

Section 7. The Town Clerk shall file for recording three (3) certified copies of the Annexation Ordinance and three (3) certified copies of the Annexation Map for the Property with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 8. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 9. 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 10. This Annexation Ordinance shall become effective ten (10) days after the publication date of this Annexation Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Annexation Ordinance.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3 AND CONSIDERING THE NORTH LINE OF SAID NORTHWEST 1/4 TO BEAR 89 DEGREES 52 MINUTES 31 SECONDS EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 1740.60 FEET;

THENCE SOUTH 00 DEGREES 07 MINUTES 29 SECONDS EAST A DISTANCE OF 34.37 FEET; THENCE SOUTH 23 DEGREES 12 MINUTES 25 SECONDS WEST A DISTANCE OF 1054.94 FEET;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 550.78 FEET TO THE SOUTHEAST CORNER OF THE TAP PROPERTIES PARCEL (BOOK 982 AT PAGE 524) AND TO THE

TRUE POINT OF BEGINNING;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 259.41 FEET;

THENCE SOUTH 24 DEGREES 40 MINUTES 14 SECONDS EAST A DISTANCE OF 846.84 FEET;

THENCE SOUTH 07 DEGREES 07 MINUTES 00 SECONDS EAST A DISTANCE OF 134.18 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4;

THENCE SOUTH 89 DEGREES 51 MINUTES 10 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 2118.05 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 4;

THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 4 A DISTANCE OF 619.79 FEET TO

THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT FILED ON JANUARY 12, 1971 PER RECEPTION NO. 140291;

THENCE ALONG THE NORTHERN BOUNDARY OF RICHLAWN HILLS FOR THE NEXT 12 COURSES:

1. THENCE SOUTH 89 DEGREES 55 MINUTES 34 SECONDS WEST A DISTANCE OF 710.00 FEET;

2. THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST A DISTANCE OF 491.54 FEET;

3. THENCE SOUTHWESTERLY ALONG THE ARC OF CURVE TO THE RIGHT A DISTANCE OF 238.13 FEET, SAID CURVE HAS A RADIUS OF 470.00 FEET AND A CENTRAL ANGLE OF 29 DEGREES 01 MINUTES 48 SECONDS TO A POINT OF TANGENT;

4. THENCE SOUTH 75 DEGREES 12 MINUTES 17 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 107.39 FEET TO A POINT OF CURVE;

5. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 263.65 FEET, SAID CURVE HAS A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 55 DEGREES 58 MINUTES 50 SECONDS TO A POINT OF TANGENT;

6. THENCE NORTH 48 DEGREES 50 MINUTES 53 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 52.07 FEET TO A POINT OF CURVE;

7. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 127.30 FEET, SAID CURVE HAS A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 30 DEGREES 23 MINUTES 23 SECONDS TO A POINT OF TANGENT;

8. THENCE NORTH 79 DEGREES 14 MINUTES 16 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 509.97 FEET TO A POINT OF CURVE;

9. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 59.84 FEET, SAID CURVE HAS A RADIUS OF 290.00 FEET AND A CENTRAL ANGLE OF 11 DEGREES 49 MINUTES 21 SECONDS TO A POINT OF TANGENT;

10. THENCE SOUTH 88 DEGREES 56 MINUTES 23 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 151.71 FEET TO A POINT OF CURVE;

11. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 273.32 FEET, SAID CURVE HAS A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 34 DEGREES 02 MINUTES 35 SECONDS TO A POINT OF TANGENT;

12. THENCE NORTH 57 DEGREES 01 MINUTES 62 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 76.93 FEET TO THE EAST RIGHT OF WAY LINE OF THE COUNTY ROAD;

THENCE NORTH 32 DEGREES 58 MINUTES 58 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1116.38 FEET;

THENCE NORTH 25 DEGREES 06 MINUTES 42 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 780.91 FEET TO A POINT OF CURVE;

THENCE NORTHEASTERLY ALONG SAID EAST RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 56.88 FEET, SAID CURVE HAS A RADIUS OF 925.25 FEET AND A CENTRAL ANGLE OF 03 DEGREES 31 MINUTES 21 SECONDS TO THE MOST WESTERLY CORNER OF THE WILSON PARCEL (BOOK 819 AT PAGE 717);

THENCE SOUTH 50 DEGREES 36 MINUTES 41 SECONDS EAST A DISTANCE OF 504.57 FEET TO THE MOST SOUTHERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 39 DEGREES 23 MINUTES 19 SECONDS EAST A DISTANCE OF 345.29 FEET TO THE MOST EASTERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 50 DEGREES 36 MINUTES 41 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SAID WILSON PARCEL A DISTANCE OF 87.46 FEET TO THE MOST SOUTHERLY CORNER OF THE COYLE PARCEL (BOOK 638 AT PAGE 869);

THENCE NORTH 73 DEGREES 12 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 913.61 FEET;

THENCE NORTH 83 DEGREES 28 MINUTES 25 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 460.79 FEET TO THE SOUTHEAST CORNER OF THE COYLE PARCEL, BEING THE SOUTHWEST CORNER OF THE TAP PROPERTIES PARCEL;

THENCE NORTH 89 DEGREES 28 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF THE TAP PROPERTIES PARCEL A DISTANCE OF 1226.29 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THERE FROM THOSE PORTIONS CONVEYED IN DEED RECORDED OCTOBER 20, 1999 IN BOOK 1768 AT PAGE 1098.

AND EXCEPTING THEREFROM THAT PORTION TAKEN IN RULE AND ORDER RECORDED SEPTEMBER 26, 2003 AT RECEPTION NO. 2003143247.

COUNTY OF DOUGLAS, STATE OF COLORADO.

SAID PARCEL CONTAINS 3,958,306 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS, AFTER SUBTRACTION OF THE EXCEPTIONS.

EXHIBIT 2

MEADOWLARK ANNEXATION AGREEMENT

THIS MEADOWLARK ANNEXATION AGREEMENT (this “**Agreement**”) is voluntarily made and entered into this _____ day of _____, 2018, by and between the Town of Parker, a Colorado home rule municipality (hereinafter referred to as the “**Town**”), the Parker Water and Sanitation District (hereinafter referred to as the “**District**”) (only as to Paragraph 3), and Cherry Creek Project Water Authority, its successors and assigns (hereinafter referred to as the “**Property Owner**”).

RECITALS:

A. The Property Owner is the owner of certain real property situated in the County of Douglas, State of Colorado, which is described in **Exhibit A**, attached hereto and made a part hereof (the “**Property**”).

B. The Town wishes to annex the Property into the Town and shall consider the zoning application for the Property upon the condition that this Agreement is approved by the Town and is executed by the Town, the District and the Property Owner.

C. Section 110(2) of the Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, authorizes the Town to impose terms and conditions upon the annexation of the Property, which terms and conditions are set forth in their entirety herein.

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants, and promises set forth below, the receipt and sufficiency of which are mutually acknowledged, the Town, the District (only as to Paragraph 3) and the Property Owner hereby agree as follows:

1. Annexation. The annexation of the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, as amended.

a. Conditions Precedent. Annexation of the Property shall not become effective, and neither the Property Owner nor the Town shall record or cause to be recorded the items described in § 31-12-113(2)(a)(II)(A), C.R.S. or this Agreement, until each of the following conditions have been satisfied (it being acknowledged that the Town shall cause recordation of the requisite documents to effect annexation of the Property upon satisfaction of the conditions precedent):

i. The Property Owner and the Town have mutually executed and delivered this Agreement.

ii. The Property has been fully included within the boundaries of the District by virtue of an Order of Inclusion having been signed by the Douglas County District Court and recorded in the real estate records of Douglas County, Colorado (the “Records”).

iii. The District signs this Agreement within ten (10) days after the legal challenge period described in Subparagraph 1.a.vi. of this Agreement

expires and no legal challenge has been brought within the applicable period(s) for such challenge(s).

iv. Transfer of Ownership has occurred in accordance with Subparagraph 1.c. of this Agreement.

v. The ordinance approving the annexation of the Property has become effective in accordance with the provisions of the Town Charter.

vi. No legal challenge to the Town's approval of the annexation, this Agreement, or the zoning approval set forth in Subparagraph 4.a. below, including, but not limited to, appeals pursuant to C.R.S. § 31-12-116 and Colorado Rules of Civil Procedure 106(a)(4) or a referendum pursuant to Section 14.3 of the Town Charter, has been brought within the applicable period(s) for such challenge(s).

vii. The Property Owner certifies in writing to the Town, in a form acceptable to the Town, that the conditions precedent described in Subparagraph 1.a of this Agreement have been fully satisfied, within ten (10) days after the legal challenge period described in Subparagraph 1.a.vi. of this Agreement expires and no legal challenge has been brought within the applicable period(s) for such challenge(s).

b. Failure of Conditions. Until the conditions precedent set forth in Subparagraph 1.a have been satisfied, this document shall constitute an offer by the Property Owner and the Town to enter into this Agreement (notwithstanding the parties' mutual execution and delivery of this document), and the annexation of the Property to the Town shall not become effective. In such case, neither the Property Owner nor the Town shall record or cause to be recorded this Agreement or the items described in § 31-12-113(2)(a)(II)(A), C.R.S.

c. Transfer of Ownership/Authorized Representative. The Property Owner shall execute and cause to be recorded a conveyance deed in a form acceptable to the Town, which deed shall convey fee simple title in and to the Property to Meritage Homes of Colorado, Inc., or its assign, which deed shall be recorded in the Douglas County Clerk and Recorder's Office, contemporaneously with the recordation of the items described in § 31-12-113(2)(a)(II)(A), C.R.S., as provided in Subparagraph 1.a. (the "**Transfer of Ownership**"). Upon the Transfer of Ownership, the Property Owner shall have no further liability, obligation or responsibility hereunder and all rights and obligations of the Property Owner shall be assumed by and be the sole obligation of Meritage Homes of Colorado, Inc., or its assigns.

2. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by the Property Owner upon annexation and initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Town of Parker Land Development Code, as amended, any and all state statutes, and other sections of the ordinances of the Town of Parker.

3. Water and Sewer Services. The parties to this Agreement acknowledge that the Town has no obligation under this Agreement to provide water and sewer service to the Property. The District will provide water and sewer services to the Property if the Property Owner satisfies all requirements of the District including, but not limited to, the dedication of water resources and/or the payment of fees in lieu thereof, and the construction of water, sewer and wastewater treatment lines and facilities necessary to service the land use proposed for the Property.

4. Zoning and Development.

a. Zoning Approval. The Property Owner hereby consents to zoning the Property PD-Planned Development pursuant to the Development Plan and Guide that is adopted by Ordinance No. 3.325 contemporaneously with this Agreement (the “**Development Plan**”).

b. Town Fees. The Property Owner hereby agrees to pay the Town its actual out of pocket cost plus fifteen percent (15%) to defray the administrative and review expenses of the Town, and for engineering, surveying, and legal services rendered in connection with the review of the annexation of the Property, which cost shall be determined by the Town Planning Director, provided that the Town provides to the Property Owner reasonable documentation of such costs, such as invoices. In addition, the Property Owner shall reimburse the Town for the actual cost of making corrections or additions to the official Town Map, with a fee for recording such map, if necessary, and accompanying documents with the County Clerk and Recorder. The Property Owner further agrees to pay all building fees, use taxes, impact fees and excise taxes as established by Town ordinance and such additional fees and taxes as may be in effect at the time such payment is required in accordance with Town ordinance except as specifically provided by this Agreement, provided that real property taxes will become effective on January 1 of the next succeeding year following the effectiveness of the annexation ordinance adopted by the Town annexing the Property into the Town. The Town may withhold any plat approval or withhold the issuance of any permits for construction or occupancy for failure to pay Town fees and taxes as provided herein. All fees recited in this Agreement shall be subject to amendment by the Town Council by ordinance so long as any amendment is Townwide. Any amendment to the fees shall be incorporated into this Agreement as if originally set forth herein.

5. Open Space. The Property Owner shall provide 18.93 acres of open space on the Property as described in the Development Plan (the “Open Space”), which Open Space will be owned and maintained by a homeowners' association approved by the Town (the “Association”). The Open Space that is located within or adjacent to the planning area described in the Development Plan that is being platted, shall be conveyed to the Association, at the time of such final plat. The Property Owner shall implement and complete a plan using best management practices as approved by the Town to eradicate the noxious weeds and rodents on the Open Space Property prior to the conveyance to the Association.

6. Trail and Trail Connections. The Property Owner shall hereby design and construct, and cause to be maintained by the Association approved by the Town, trail

connections throughout the Property, in accordance with approved subdivision plat(s), as set forth in the Development Plan. The Property Owner shall design and construct such trails according to Town standards contained in the Construction Specifications and Design Considerations for Parks, Trails and Streetscapes, as amended (the “**Park and Trail Standards**”). Materials used to construct such trails shall be determined by the Town at the time of the first preliminary plan for the Property. Prior to the issuance of any building permit for the construction of a dwelling unit within any Planning Area or part thereof that contains or abuts portions of such trails, such portions of such trails shall be constructed. If only a portion of a Planning Area is platted, the Property Owner shall construct such trails within and/or adjacent to the entire Planning Area.

7. Parks. The Property Owner shall develop park sites on the Property with a minimum collective acreage of 6.44 acres as described in the Development Plan in accordance with the Park and Trail Standards, which park sites shall be owned and maintained by the Association. The Property Owner shall construct each park site prior to probationary acceptance of the public improvements for a final platted planned area that contains or abuts a park site as described in the Development Plan, unless otherwise agreed to by the Town, pursuant to the applicable subdivision agreement.

8. Deficit Reduction Fee. The Property Owner hereby agrees to pay the Town a deficit reduction fee to off-set the impact to the Town's General Fund as a result of this annexation in the amount of Six Thousand Nine Hundred Twenty-Eight Dollars (\$6,928.00) for each residential unit (the "Deficit Reduction Fee"). The Deficit Reduction Fee shall be paid individually at the time of the issuance of a building permit for any residential unit. The Deficit Reduction Fee shall increase annually, commencing on the recordation of first final plat for the Property, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index.

9. Construction of Roads. The Property Owner shall design and construct, at its sole expense, the following road improvements, in accordance with the Town of Parker Roadway Design and Construction Criteria Manual, as amended (the “Roadway Manual”), except as otherwise provided in this Paragraph.

a. Crowfoot Valley Road. The Property Owner shall design and construct, at its sole expense, one half (1/2) of Crowfoot Valley Road adjacent to the property as a four-lane arterial section, as defined in the Roadway Manual, including curb, gutter, streetscape, drainage improvements, a detached eight-foot (8') sidewalk, and all auxiliary, acceleration, or deceleration lanes, and intersection improvements in accordance with the Roadway Manual and the Town approved Traffic Study for the Property, prior to any building permit on the Property. Notwithstanding the foregoing, the Town, in the exercise of its sole discretion, may agree that building permits may be issued for model lots prior to the Property Owner's construction of the foregoing Crowfoot Valley Road improvements, subject to compliance with applicable building and fire codes; however, such model lots may not be sold to third parties prior to probationary acceptance by the Town of the foregoing Crowfoot Valley Road improvements. In the event that the Town determines to build the Crowfoot Valley Road prior to the first final plat for the Property, then in that event the Property Owner

shall pay to the Town one hundred percent (100%) of the actual cost to design and construct these improvements, as determined by the Town (which amount shall increase annually commencing on the date on which the improvements are completed and open for use by the public, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index), at the time of such first final plat the Property.

b. **Collector Roadway.** The Property Owner shall design and construct, at its sole expense, a residential collector roadway through the Property, including curb, gutter, sidewalk, streetscape, and drainage improvements, in accordance with the Roadway Manual, from Crowfoot Valley Road to the eastern Property boundary.

c. **Sidewalk Connection.** The Property Owner shall design and construct, or cause to be constructed, an 8-foot-wide concrete sidewalk connection, not to exceed three hundred (300) feet in length, along the south side of Crowfoot Valley Road south of the Property adjacent to Richlawn Estates to connect with the Trails at Crowfoot development. This sidewalk connection shall be designed and constructed prior to the release of any building permits for the Property.

10. **Traffic Signals.** The Property Owner shall be responsible for the payment to the Town of one hundred percent (100%) of the cost to design and construct the required traffic signal at the intersection of Crowfoot Valley Road and the proposed Collector Roadway, as determined by the Town pursuant to the Roadway Manual, which payment shall be made at the time of recordation for the first final plat on the Property (the “Crowfoot Valley Road Signal Payment”), and which funds shall be used by the Town for the sole purpose of designing and constructing the traffic signal upon warrants being met at this intersection. The Town agrees to recover twenty-five percent (25%) of the Crowfoot Valley Road Signal Payment from the owner of the real property described in **Exhibit B-1**, which is attached hereto and incorporated by this reference and twenty-five percent (25%) of the Crowfoot Valley Road Signal Payment from the owner of the real property described in **Exhibit B-2**, which is attached hereto and incorporated by this reference (collectively referred to as the “**Benefitted Property**”), as a condition to the annexation of the Benefitted Property into the Town, and upon such recovery the Town will reimburse the property owner that paid the Crowfoot Valley Road Signal Payment to the Town.

11. **Lemon Gulch Drainage Improvements.** The Property Owner shall pay to the Town an amount not to exceed One Million Seven Hundred Eighty-Six Thousand Dollars (\$1,786,000) (the “**Lemon Gulch Payment**”), which amount is the cost to construct all improvements to Lemon Gulch through the Property, as determined by the Town and in accordance with the final design approved by Urban Drainage and Flood Control District (UDFCD). The Lemon Gulch Payment shall be made to the Town at the time of recordation for the first final plat on the Property, which shall increase annually, commencing on the recordation of the Agreement, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index, described herein. The Town shall use the Lemon Gulch Payment for the sole purpose of constructing these improvements.

12. Limitation on Number of Dwelling Units. The total number of residential dwelling units allowed on the Property shall not exceed two hundred sixty-eight (268) residential dwelling units.

13. Land Dedication. The Property Owner shall either dedicate by plat or convey to the Town, by special warranty deed, free and clear of all liens and monetary encumbrances, the following real property:

a. Crowfoot Valley Road. The real property to construct the improvements to Crowfoot Valley Road, as described in Paragraph 9 of this Agreement, together with all necessary easements as determined by the Town, including, but not limited to, slope, drainage and construction easements, at the time of the first final plat for the Property or upon thirty (30) days' written notice of the Town to the Property Owner, whichever occurs first, unless otherwise specified by the Town in writing.

b. Lemon Gulch. The real property to construct the improvements to Lemon Gulch, as described in Paragraph 11 of this Agreement, together with all necessary easements as determined by the Town, including, but not limited to, slope, drainage and construction easements, at the time of the first final plat for the Property or upon thirty (30) days' written notice of the Town to the Property Owner, whichever occurs first, unless otherwise specified by the Town in writing.

c. Trail Easements. The Property Owner shall also grant to the Town, free and clear of all liens and monetary encumbrances, nonexclusive easements for the trail(s) and trail connection(s) described in Paragraph 6 of this Agreement, which dedications shall occur from time to time with approval each Development Plat for the portion of Property that contains the trail(s) or trail connection(s) described herein.

14. School Mitigation Plan. The Property Owner desires and has agreed to contribute to the Douglas County School District No. RE-1 (the "School District") the sum of Two Thousand Five Hundred Fifty-Eight Dollars (\$2,558.00) for each residential unit constructed on the Property for school mitigation (the "School Mitigation Fee") and a fee in lieu of a 5.712-acre land dedication for the school sites (the "In-Lieu Fee"), which fees are for the benefit of the School District and its students. The School Mitigation Fee shall be paid by the Property Owner to the School District prior to the issuance of a building permit for each residential unit within the Property. The amount of the In-Lieu Fee shall be determined by an appraisal provided by the Property Owner prior to the recording of the first final plat for the Property. The In-Lieu Fee shall be paid by the Property Owner in one (1) installment to the School District for all lots in each final plat, concurrently with the recording of each final plat for the Property. The In-Lieu Fee for each final plat shall be calculated as a proportionate share of the total In-Lieu Fee for the Property, based upon the number of residential units contemplated in such final plat. Any outstanding balance of the In-Lieu Fee shall be paid to the School District in its entirety concurrently with recording of the last residential subdivision plat for the Property.

15. Douglas County Improvements. The Property Owner shall obtain all applicable approvals and permits required by Douglas County for improvements associated with the

development of the Property, including, but not limited to, all permits associated with improvements to Richlawn Drive.

16. Permitted Development. The Property Owner shall develop the Property in accordance with this Agreement, Town ordinances and regulations, and applicable state and federal law and regulations. The Town shall allow and permit the development of the Property upon submission of proper application and payment of fees imposed by the Town ordinances and regulations. The Property Owner shall cause a homeowners' association to be created at the time of the first final plat for the purpose of maintaining those areas described in this Agreement which are to be owned and maintained by the homeowners' association.

17. Property Owner. The Property Owner is entering into this Agreement and is undertaking the obligations imposed upon the Property Owner herein in reliance upon the Town's concurrent adoption of an ordinance annexing the Property into the Town and the adoption of an ordinance zoning the Property PD-Planned Development as provided in Subparagraph 4.a of this Agreement. Performance of the Property Owner's obligations hereunder is expressly conditioned upon the Town's adoption of the ordinance described in Subparagraph 4.a. If the Town fails to adopt the ordinance described in Subparagraph 4.a, then the petition for annexation will be deemed withdrawn and the annexation process will be terminated.

18. Waiver of Prior Vested Rights. The Property Owner waives any prior vested property rights acquired in Douglas County so long as the Property remains annexed into the Town.

19. Remedies. The Property Owner's remedies against the Town for the Town's breach of this Agreement are limited to breach of contract claims. The Town's remedies under this Agreement include, but are not limited to, the following:

- 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.
- d. Any other remedy available at law.

20. Authority of the Town. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its inhabitants; nor shall this Agreement prohibit the enactment by the Town of any fee that is of uniform or general application.

21. Termination. If the zoning as set forth above in Subparagraph 4.a. is not approved by ordinance, or if the annexation of the Property is for any reason not completed, or

this Agreement is not approved by the Town Council, then this Agreement shall be null and void and of no force and effect whatsoever, and any monies paid will be reimbursed to the Property Owner. If the Town Council's approval of the annexation of the Property, this Agreement, or the zoning contemplated in Subparagraph 4.a. above become subject to any judicial or other legal challenge described in Subparagraph 1.a.vi., the Property Owner may elect, in its sole and absolute discretion, to terminate this Agreement, at which time this Agreement and the annexation of the Property shall be null and void and of no force and effect whatsoever, and any monies paid will be reimbursed to the Property Owner.

22. Binding Effect; Amendments. Upon and after the Effective Date, this Agreement shall inure to the benefit of and be binding on the successors or assigns in interest or the legal representatives of the parties hereto, including all the purchasers and subsequent owners of any lots or parcels within the Property. This Agreement constitutes the entire agreement of the parties and may be amended only in writing by the parties, approved in substantially the same manner as the Agreement itself. The Property Owner or Developer, as applicable, are hereby authorized to execute amendments to this Agreement with respect to the entire Property without the approval of any owner of any lot within the Property that is used for residential purposes; however, such amendment(s) will not be enforceable as against such owner(s).

23. Recordation of Agreement. Upon the Effective Date, this Agreement shall be recorded in the Records and upon recordation shall run with the land.

24. Effective Date. This Agreement shall be effective upon the satisfaction of the conditions set forth in Subparagraph 1.a of this Agreement (the "**Effective Date**").

25. Severability. It is understood and agreed by the parties hereto that if any part, term, or provision of this Agreement is held by the courts to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

26. 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.

27. Notice. Any 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 on the earlier of actual receipt or seventy-two (72) hours after deposit in the United States mail with the proper address (and by registered or certified mail, return receipt requested, postage prepaid), 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

To Property Owner: Cherry Creek Project Water Authority
c/o Russell Dykstra, Esq.
Spencer Fane, LLP
1700 Lincoln Ave., Suite 2000
Denver, Colorado 80203

28. Entire Agreement. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Agreement shall supersede all previous communications, representations or agreements, either verbal or written, between the parties hereto.

IN WITNESS WHEREOF, the parties have signed this Agreement 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:

James S. Maloney, Town Attorney

[Remainder of page intentionally left blank. Signatures continue on following page.]

**PROPERTY OWNER: CHERRY
CREEK PROJECT WATER
AUTHORITY**

By: _____

[Please print name/title on line.↑]

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
2018, by _____ as _____ of the Cherry Creek Project
Water Authority.

SEAL

Notary Public

**DISTRICT: PARKER WATER AND
SANITATION DISTRICT (AS TO
PARAGRAPH 3)**

By: _____
Ron Redd, District Manager

ATTEST:

Maliea Good, Engineering Secretary

EXHIBITS

EXHIBIT A LEGAL DESCRIPTION OF PROPERTY

EXHIBIT B-1 LEGAL DESCRIPTION BENEFITTED PROPERTY

EXHIBIT B-2 LEGAL DESCRIPTION BENEFITTED PROPERTY

EXHIBIT A

Legal Description of Property

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3 AND CONSIDERING THE NORTH LINE OF SAID NORTHWEST 1/4 TO BEAR 89 DEGREES 52 MINUTES 31 SECONDS EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 1740.60 FEET;

THENCE SOUTH 00 DEGREES 07 MINUTES 29 SECONDS EAST A DISTANCE OF 34.37 FEET; THENCE SOUTH 23 DEGREES 12 MINUTES 25 SECONDS WEST A DISTANCE OF 1054.94 FEET;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 550.78 FEET TO THE SOUTHEAST CORNER OF THE TAP PROPERTIES PARCEL (BOOK 982 AT PAGE 524) AND TO THE

TRUE POINT OF BEGINNING;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 259.41 FEET;

THENCE SOUTH 24 DEGREES 40 MINUTES 14 SECONDS EAST A DISTANCE OF 846.84 FEET;

THENCE SOUTH 07 DEGREES 07 MINUTES 00 SECONDS EAST A DISTANCE OF 134.18 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4;

THENCE SOUTH 89 DEGREES 51 MINUTES 10 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 2118.05 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 4;

THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 4 A DISTANCE OF 619.79 FEET TO

THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT FILED ON JANUARY 12, 1971 PER RECEPTION NO. 140291;

THENCE ALONG THE NORTHERN BOUNDARY OF RICHLAWN HILLS FOR THE NEXT 12 COURSES:

1. THENCE SOUTH 89 DEGREES 55 MINUTES 34 SECONDS WEST A DISTANCE OF 710.00 FEET;

2. THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST A DISTANCE OF 491.54 FEET;
 3. THENCE SOUTHWESTERLY ALONG THE ARC OF CURVE TO THE RIGHT A DISTANCE OF 238.13 FEET, SAID CURVE HAS A RADIUS OF 470.00 FEET AND A CENTRAL ANGLE OF 29 DEGREES 01 MINUTES 48 SECONDS TO A POINT OF TANGENT;
 4. THENCE SOUTH 75 DEGREES 12 MINUTES 17 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 107.39 FEET TO A POINT OF CURVE;
 5. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 263.65 FEET, SAID CURVE HAS A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 55 DEGREES 58 MINUTES 50 SECONDS TO A POINT OF TANGENT;
 6. THENCE NORTH 48 DEGREES 50 MINUTES 53 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 52.07 FEET TO A POINT OF CURVE;
 7. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 127.30 FEET, SAID CURVE HAS A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 30 DEGREES 23 MINUTES 23 SECONDS TO A POINT OF TANGENT;
 8. THENCE NORTH 79 DEGREES 14 MINUTES 16 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 509.97 FEET TO A POINT OF CURVE;
 9. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 59.84 FEET, SAID CURVE HAS A RADIUS OF 290.00 FEET AND A CENTRAL ANGLE OF 11 DEGREES 49 MINUTES 21 SECONDS TO A POINT OF TANGENT;
 10. THENCE SOUTH 88 DEGREES 56 MINUTES 23 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 151.71 FEET TO A POINT OF CURVE;
 11. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 273.32 FEET, SAID CURVE HAS A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 34 DEGREES 02 MINUTES 35 SECONDS TO A POINT OF TANGENT;
 12. THENCE NORTH 57 DEGREES 01 MINUTES 62 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 76.93 FEET TO THE EAST RIGHT OF WAY LINE OF THE COUNTY ROAD;
- THENCE NORTH 32 DEGREES 58 MINUTES 58 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1116.38 FEET;
- THENCE NORTH 25 DEGREES 06 MINUTES 42 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 780.91 FEET TO A POINT OF CURVE;

THENCE NORTHEASTERLY ALONG SAID EAST RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 56.88 FEET, SAID CURVE HAS A RADIUS OF 925.25 FEET AND A CENTRAL ANGLE OF 03 DEGREES 31 MINUTES 21 SECONDS TO THE MOST WESTERLY CORNER OF THE WILSON PARCEL (BOOK 819 AT PAGE 717);

THENCE SOUTH 50 DEGREES 36 MINUTES 41 SECONDS EAST A DISTANCE OF 504.57 FEET TO THE MOST SOUTHERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 39 DEGREES 23 MINUTES 19 SECONDS EAST A DISTANCE OF 345.29 FEET TO THE MOST EASTERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 50 DEGREES 36 MINUTES 41 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SAID WILSON PARCEL A DISTANCE OF 87.46 FEET TO THE MOST SOUTHERLY CORNER OF THE COYLE PARCEL (BOOK 638 AT PAGE 869);

THENCE NORTH 73 DEGREES 12 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 913.61 FEET;

THENCE NORTH 83 DEGREES 28 MINUTES 25 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 460.79 FEET TO THE SOUTHEAST CORNER OF THE COYLE PARCEL, BEING THE SOUTHWEST CORNER OF THE TAP PROPERTIES PARCEL;

THENCE NORTH 89 DEGREES 28 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF THE TAP PROPERTIES PARCEL A DISTANCE OF 1226.29 FEET TO THE **POINT OF BEGINNING.**

EXCEPTING THERE FROM THOSE PORTIONS CONVEYED IN DEED RECORDED OCTOBER 20, 1999 IN BOOK 1768 AT PAGE 1098.

AND EXCEPTING THEREFROM THAT PORTION TAKEN IN RULE AND ORDER RECORDED SEPTEMBER 26, 2003 AT RECEPTION NO. 2003143247.

COUNTY OF DOUGLAS, STATE OF COLORADO.

SAID PARCEL CONTAINS 3,958,306 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS, AFTER SUBTRACTION OF THE EXCEPTIONS.

EXHIBIT B-1

LEGAL DESCRIPTION

SHEET 1 OF 2

THAT PARCEL OF LAND RECORDED IN BOOK 583 AT PAGE 33 OF THE RECORDS OF THE DOUGLAS CLERK AND RECORDER, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 4 AND CONSIDERING THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 4 TO BEAR SOUTH 89°52'13" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°07'33" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 262.19 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°52'32" EAST A DISTANCE OF 514.20 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD RECORDED AT RECEPTION NO. 2009075004 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;
THENCE SOUTH 35°30'07" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 388.29 FEET;
THENCE NORTH 89°45'27" WEST A DISTANCE OF 288.01 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER;
THENCE NORTH 00°07'33" WEST ALONG SAID WEST LINE A DISTANCE OF 316.00 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS A CALCULATED AREA OF 126,900 SQUARE FEET, OR 2.913 ACRES, MORE OR LESS.

I, THOMAS D. STAAB, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED ILLUSTRATION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



THOMAS D. STAAB, P.L.S. 25965
FOR AND ON BEHALF OF
JANSEN STRAWN CONSULTING ENGINEERS, INC.
45 WEST 2ND AVENUE
DENVER, CO 80223



PROJECT NAME: MEADOWLARK

JOB NO.: 15030

DATE : AUGUST 26, 2016

DRAFTED BY: IH

CHECKED BY: TS

SCALE: N/A

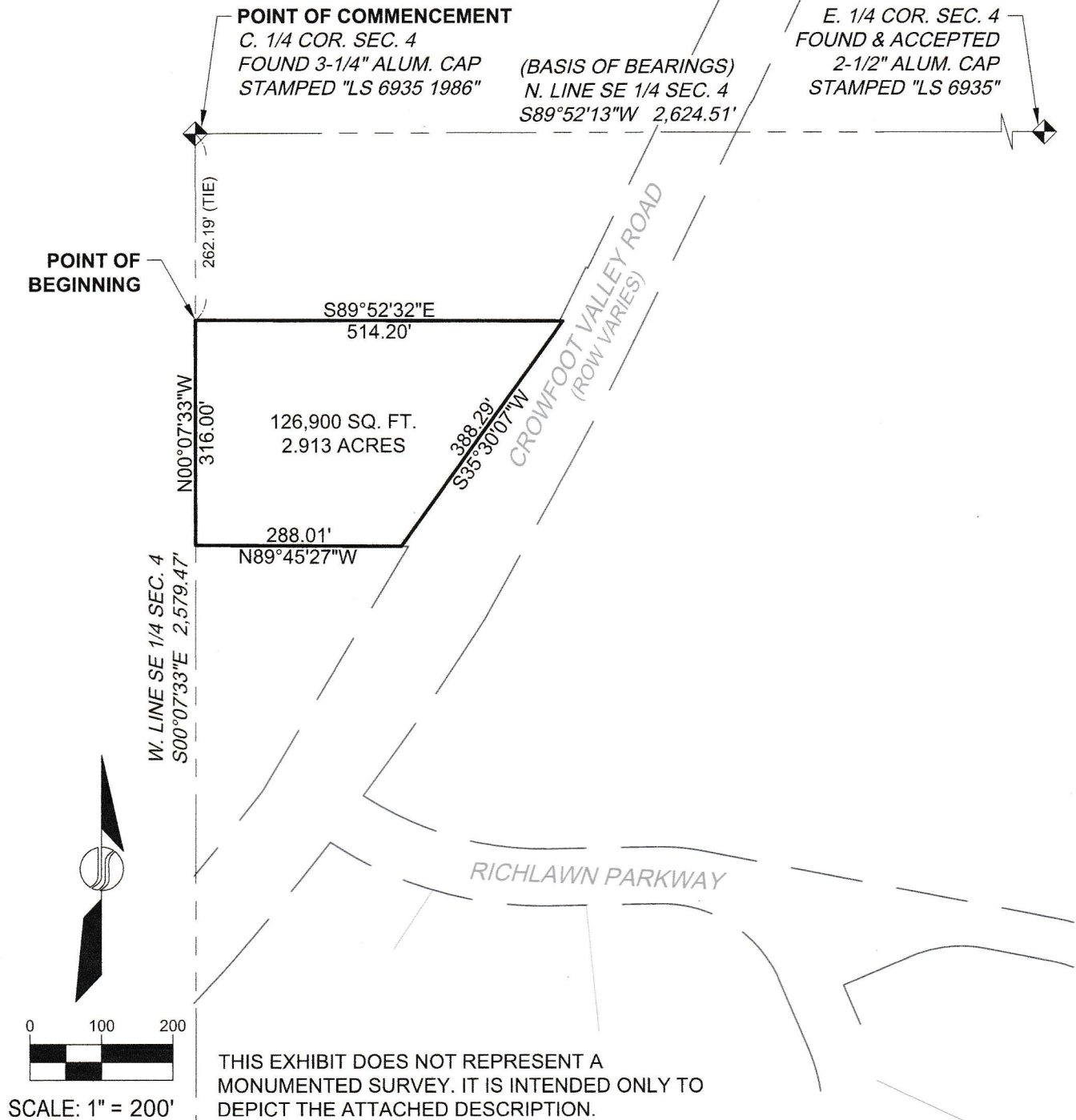
SHEET

1 OF 2

EXHIBIT B-1

LEGAL DESCRIPTION

SHEET 2 OF 2



JANSEN STRAWN
 CONSULTING ENGINEERS
 A WARE MALCOMB Company

45 WEST 2ND AVENUE
 DENVER, CO 80223
 P.303.561.3333
 F.303.561.3339

PROJECT NAME: MEADOWLARK

JOB NO.: 15030

DATE: AUGUST 26, 2016

DRAFTED BY: IH

CHECKED BY: TS

SCALE: 1" = 200'

SHEET

2 OF 2

EXHIBIT B-2

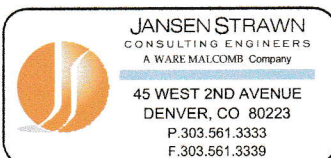
LEGAL DESCRIPTION
SHEET 1 OF 2

THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 9350693 OF THE RECORDS OF THE DOUGLAS CLERK AND RECORDER, BEING THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST, AND THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SW/4) OF SECTION 3, TOWNSHIP 7 SOUTH RANGE 66 WEST, AND THAT PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST, SITUATE WEST OF COLORADO STATE HIGHWAY 83.

I, THOMAS D. STAAB, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED ILLUSTRATION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



THOMAS D. STAAB, P.L.S. 25965
FOR AND ON BEHALF OF
JANSEN STRAWN CONSULTING ENGINEERS, INC.
45 WEST 2ND AVENUE
DENVER, CO 80223



PROJECT NAME: MEADOWLARK

JOB NO.: 15030

DATE : AUGUST 26, 2016

DRAFTED BY: IH

CHECKED BY: TS

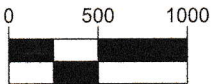
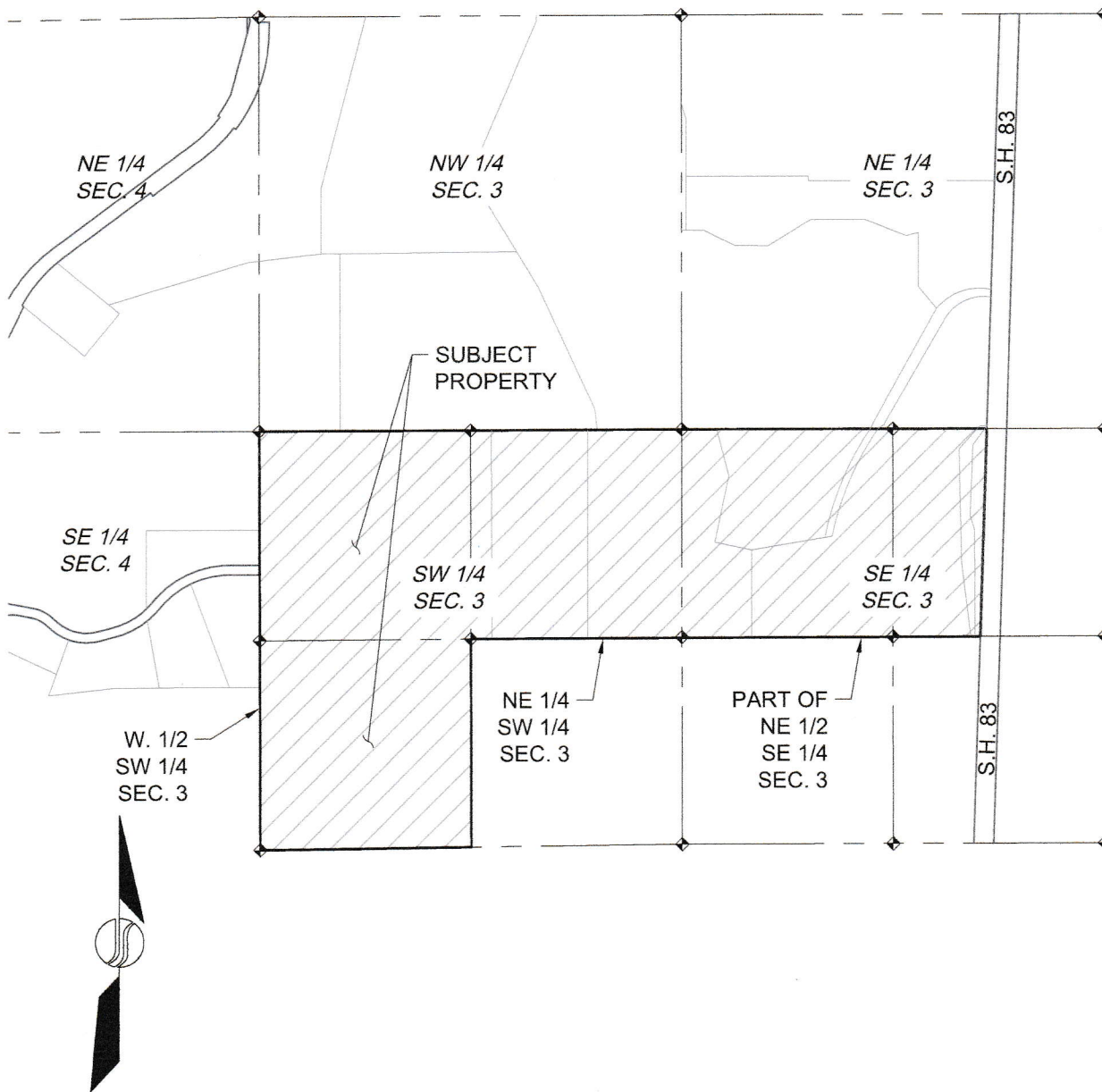
SCALE: N/A

SHEET

1 OF 2

EXHIBIT B-2

LEGAL DESCRIPTION
SHEET 2 OF 2



SCALE: 1" = 1000'

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY TO
DEPICT THE ATTACHED DESCRIPTION.

 **JANSEN STRAWN**
CONSULTING ENGINEERS
A WARE MALCOMB Company
45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

PROJECT NAME: MEADOWLARK			SHEET 2 OF 2
JOB NO.: 15030		DATE : AUGUST 26, 2016	
DRAFTED BY: IH	CHECKED BY: TS	SCALE: 1" = 1000'	

MEADOWLARK
ANNEXATION PLAT
LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 1 OF 2

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 4 AND CONSIDERING THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 4 TO BEAR SOUTH 89°52'13" WEST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°06'43" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 619.70 FEET TO THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT RECORDED ON JANUARY 12, 1971 AT RECEPTION NO. 140291 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE NORTHERLY BOUNDARY OF RICHLAWN HILLS THE FOLLOWING TWELVE (12) COURSES:

- 1) SOUTH 89°55'34" WEST A DISTANCE OF 708.72 FEET;
- 2) SOUTH 00°04'26" EAST A DISTANCE OF 491.58 FEET TO A POINT OF CURVATURE;
- 3) ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 28°58'50", A RADIUS OF 470.00 FEET, AN ARC LENGTH OF 237.73 FEET AND A CHORD THAT BEARS SOUTH 60°42'51" WEST A DISTANCE OF 235.20 FEET;
- 4) SOUTH 75°12'17" WEST A DISTANCE OF 107.39 FEET TO A POINT OF CURVATURE;
- 5) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 55°56'50", A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 263.65 FEET AND A CHORD THAT BEARS NORTH 76°49'26" WEST A DISTANCE OF 253.30 FEET;
- 6) NORTH 48°50'53" WEST A DISTANCE OF 52.07 FEET TO A POINT OF CURVATURE;
- 7) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 30°23'23", A RADIUS OF 240.00 FEET, AN ARC LENGTH OF 127.30 FEET AND A CHORD THAT BEARS NORTH 64°02'35" WEST A DISTANCE OF 125.81 FEET;
- 8) NORTH 79°14'16" WEST A DISTANCE OF 509.97 FEET TO A POINT OF CURVATURE;
- 9) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°49'21", A RADIUS OF 290.00 FEET, AN ARC LENGTH OF 59.84 FEET AND A CHORD THAT BEARS NORTH 85°08'58" WEST A DISTANCE OF 59.73 FEET;
- 10) SOUTH 88°58'23" WEST A DISTANCE OF 151.71 FEET TO A POINT OF CURVATURE;
- 11) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 34°02'35", A RADIUS OF 460.00 FEET, AN ARC LENGTH OF 273.32 FEET AND A CHORD THAT BEARS NORTH 74°02'20" WEST A DISTANCE OF 269.31 FEET;
- 12) NORTH 57°01'02" WEST A DISTANCE OF 2.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND THE TOWN OF PARKER TOWN LIMITS ACCORDING TO THE HESS RANCH ANNEXATION PLAT RECORDED AT RECEPTION NO. 2003146584 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND SAID TOWN OF PARKER TOWN LIMITS THE FOLLOWING TEN (10) COURSES:

- 1) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°25'42", A RADIUS OF 3,880.00 FEET, AN ARC LENGTH OF 299.87 FEET AND A CHORD THAT BEARS NORTH 34°28'16" EAST A DISTANCE OF 299.80 FEET;
- 2) NORTH 28°48'02" EAST A DISTANCE OF 253.75 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°34'34", A RADIUS OF 3,873.00 FEET, AN ARC LENGTH OF 174.14 FEET AND A CHORD THAT BEARS NORTH 27°13'04" EAST A DISTANCE OF 174.12 FEET;
- 4) NORTH 25°55'47" EAST A DISTANCE OF 381.28 FEET;
- 5) NORTH 33°00'44" EAST A DISTANCE OF 11.59 FEET;
- 6) NORTH 25°11'12" EAST A DISTANCE OF 309.66 FEET;
- 7) NORTH 25°55'46" EAST A DISTANCE OF 55.92 FEET;
- 8) SOUTH 64°04'14" EAST A DISTANCE OF 5.00 FEET;
- 9) NORTH 25°55'47" EAST A DISTANCE OF 403.02 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°12'19", A RADIUS OF 900.00 FEET, AN ARC LENGTH OF 66.05 FEET AND A CHORD THAT BEARS NORTH 28°01'59" EAST A DISTANCE OF 66.04 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 819 AT PAGE 717 AND BOOK 819 AT PAGE 719 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PROPERTY THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 50°36'41" EAST A DISTANCE OF 490.97 FEET;
- 2) NORTH 39°23'19" EAST A DISTANCE OF 345.29 FEET;
- 3) NORTH 50°36'41" WEST A DISTANCE OF 87.46 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 638 AT PAGE 869 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PROPERTY THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 73°12'48" EAST A DISTANCE OF 913.61 FEET;
- 2) NORTH 83°28'25" EAST A DISTANCE OF 460.79 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2004124024 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

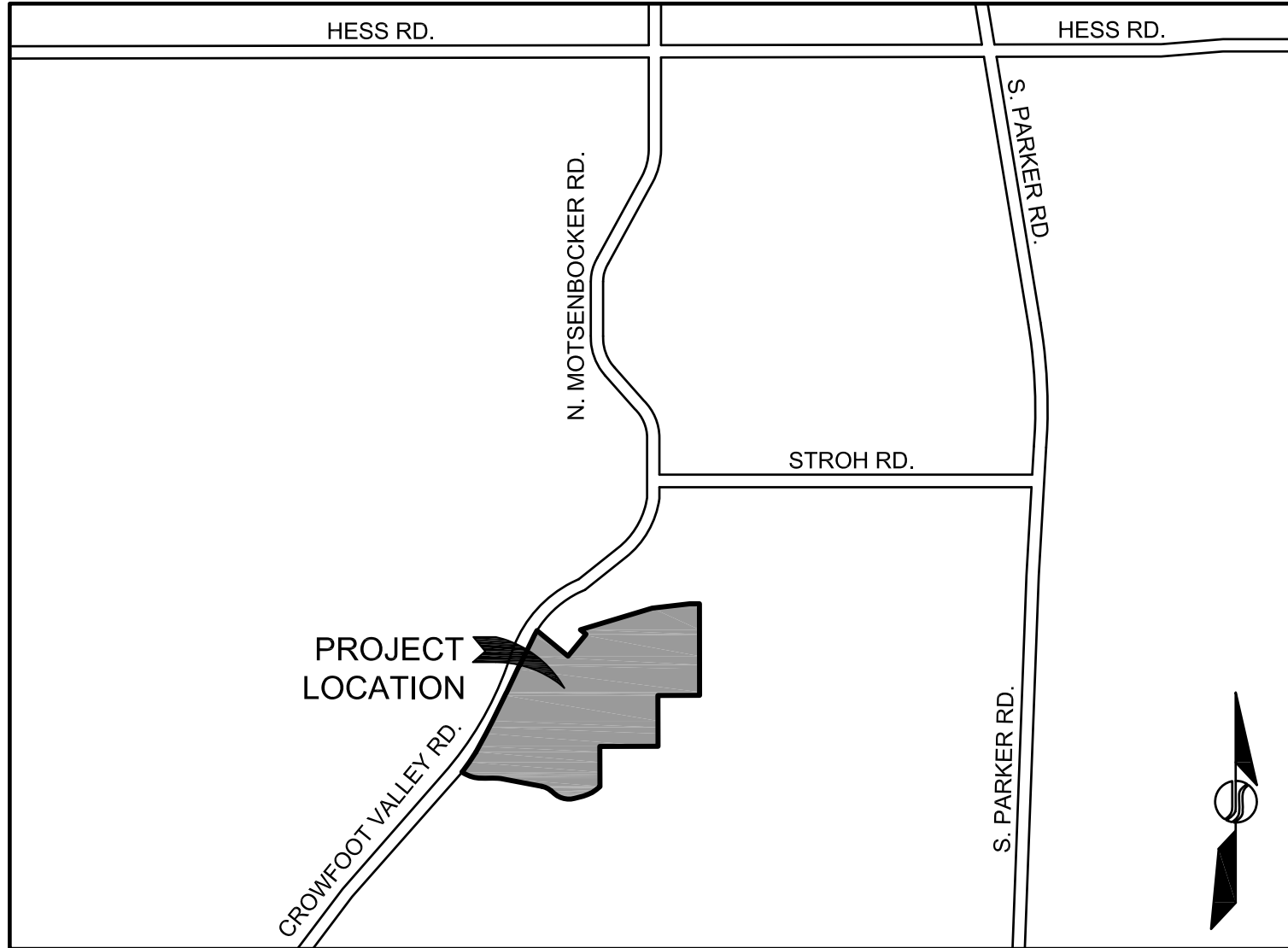
THENCE NORTH 89°37'08" EAST ALONG THE SOUTHERLY BOUNDARY OF SAID PROPERTY A DISTANCE OF 118.41 FEET TO THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2003143247 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE SOUTH 00°03'58" EAST ALONG THE WESTERLY BOUNDARY OF SAID PROPERTY A DISTANCE OF 1,117.73 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 3;

THENCE SOUTH 89°50'53" WEST ALONG SAID SECTION LINE A DISTANCE OF 507.86 FEET TO THE

POINT OF BEGINNING.

SAID PARCEL CONTAINS 3,958,306 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS



VICINITY PLAT

SCALE 1"=2000'

NOTES:

1. **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 CERTIFICATION SHOWN HEREON.
2. 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 STATUTE 18-4-508, C.R.S.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY JANSEN STRAWN CONSULTING ENGINEERS, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, JANSEN STRAWN CONSULTING ENGINEERS, INC. RELIED UPON FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. NCS-723576-CO, EFFECTIVE DATE JUNE 4, 2015 AT 5:00 P.M.
4. THIS ANNEXATION PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.
5. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, ASSUMED TO BEAR SOUTH 89°52'13" WEST, AND IS MONUMENTED AS SHOWN HEREON.
6. THE LINEAL UNIT USED IN THE PREPARATION OF THIS ANNEXATION PLAT IS THE UNITED STATES SURVEY FOOT AS DEFINED BY THE U.S. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION'S NATIONAL GEODETIC SURVEY.

CONTIGUOUS SUMMARY TABLE

TOTAL PERIMETER:	9,607.72 FEET
CONTIGUOUS PERIMETER TO PRESENT PARKER TOWN LIMITS: PERCENT CONTIGUOUS (STATE LAW REQUIRES A MINIMUM 1/6 (16.66%) CONTIGUITY WITH EXISTING TOWN BOUNDARY):	1,960.28 FEET 20.40%
1/6 PERIMETER:	1,601.29 FEET
TOTAL AREA ANNEXED	90.87 ACRES

OWNER CERTIFICATE

CHERRY CREEK PROJECT WATER AUTHORITY

BY: _____
TITLE: _____
ATTEST:

SECRETARY
SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____ A.D.,
BY _____ (NAME PRINTED)

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

SHEET INDEX

1	COVER SHEET
2	ANNEXATION PLAT

SURVEYOR'S CERTIFICATION

I, THOMAS D. STAAB, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, STATE OF COLORADO AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.

THOMAS D. STAAB, PLS
COLORADO PLS NO. 25965
FOR AND ON BEHALF OF
JANSEN STRAWN CONSULTING ENGINEERS, INC.

TOWN COUNCIL CERTIFICATE

THIS PLAT WAS APPROVED BY THE TOWN COUNCIL AND/OR, WHERE APPLICABLE, THE PLANNING DIRECTOR AND PUBLIC WORKS DIRECTOR 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

CLERK AND RECORDER 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 ____ A.M./P.M., AND WAS RECORDED AT RECEPTION NUMBER _____.

COUNTY CLERK AND RECORDER

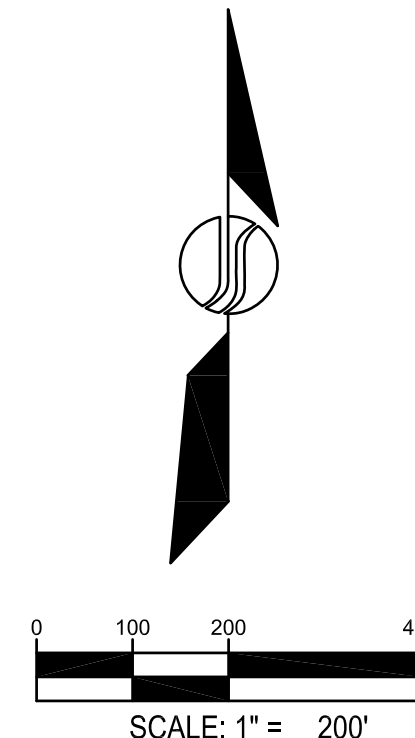
ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

MEADOWLARK ANNEXATION PLAT			
Scale: N/A			
Date: DECEMBER 1, 2015			
Job No.: 15030			
Sheet	1	of	2
No.	Revisions	Date	By
Designed By: IH		Checked By: TS	

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 2 OF 2



JANSEN STRAWN
CONSULTING ENGINEERS

45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

No.	Revisions	Date	By
Designed By: IH		Checked By: TS	

ORDINANCE NO. 3.325, Series of 2018

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE MEADOWLARK PROPERTY TO PD-PLANNED DEVELOPMENT DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Finding of Fact.

a. Application has been made for rezoning certain property described in attached **Exhibit A**, within the Town of Parker, Colorado (the "Property"), as PD-Planned Development District, pursuant to the Town of Parker Land Development Ordinance.

b. Public notice has been given 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.

d. The requirements contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for rezoning the Property to PD-Planned Development District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby zoned PD-Planned Development District as provided in the Meadowlark Development Plan and Guide, which is attached hereto as **Exhibit B** and incorporated by this reference. The uses permitted for the Property are specifically described in the attached Development Guide and Plan.

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 upon the later to occur of: (i) the date that is ten (10) days after final publication; or (ii) the date the Annexation Ordinance for the Property goes into effect, whichever occurs last.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3 AND CONSIDERING THE NORTH LINE OF SAID NORTHWEST 1/4 TO BEAR 89 DEGREES 52 MINUTES 31 SECONDS EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 1740.60 FEET;

THENCE SOUTH 00 DEGREES 07 MINUTES 29 SECONDS EAST A DISTANCE OF 34.37 FEET; THENCE SOUTH 23 DEGREES 12 MINUTES 25 SECONDS WEST A DISTANCE OF 1054.94 FEET;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 550.78 FEET TO THE SOUTHEAST CORNER OF THE TAP PROPERTIES PARCEL (BOOK 982 AT PAGE 524) AND TO THE

TRUE POINT OF BEGINNING;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 259.41 FEET;

THENCE SOUTH 24 DEGREES 40 MINUTES 14 SECONDS EAST A DISTANCE OF 846.84 FEET;

THENCE SOUTH 07 DEGREES 07 MINUTES 00 SECONDS EAST A DISTANCE OF 134.18 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4;

THENCE SOUTH 89 DEGREES 51 MINUTES 10 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 2118.05 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 4;

THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 4 A DISTANCE OF 619.79 FEET TO

THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT FILED ON JANUARY 12, 1971 PER RECEPTION NO. 140291;

THENCE ALONG THE NORTHERN BOUNDARY OF RICHLAWN HILLS FOR THE NEXT 12 COURSES:

1. THENCE SOUTH 89 DEGREES 55 MINUTES 34 SECONDS WEST A DISTANCE OF 710.00 FEET;

2. THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST A DISTANCE OF 491.54 FEET;

3. THENCE SOUTHWESTERLY ALONG THE ARC OF CURVE TO THE RIGHT A DISTANCE OF 238.13 FEET, SAID CURVE HAS A RADIUS OF 470.00 FEET AND A CENTRAL ANGLE OF 29 DEGREES 01 MINUTES 48 SECONDS TO A POINT OF TANGENT;

4. THENCE SOUTH 75 DEGREES 12 MINUTES 17 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 107.39 FEET TO A POINT OF CURVE;

5. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 263.65 FEET, SAID CURVE HAS A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 55 DEGREES 58 MINUTES 50 SECONDS TO A POINT OF TANGENT;

6. THENCE NORTH 48 DEGREES 50 MINUTES 53 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 52.07 FEET TO A POINT OF CURVE;

7. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 127.30 FEET, SAID CURVE HAS A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 30 DEGREES 23 MINUTES 23 SECONDS TO A POINT OF TANGENT;

8. THENCE NORTH 79 DEGREES 14 MINUTES 16 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 509.97 FEET TO A POINT OF CURVE;

9. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 59.84 FEET, SAID CURVE HAS A RADIUS OF 290.00 FEET AND A CENTRAL ANGLE OF 11 DEGREES 49 MINUTES 21 SECONDS TO A POINT OF TANGENT;

10. THENCE SOUTH 88 DEGREES 56 MINUTES 23 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 151.71 FEET TO A POINT OF CURVE;

11. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 273.32 FEET, SAID CURVE HAS A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 34 DEGREES 02 MINUTES 35 SECONDS TO A POINT OF TANGENT;

12. THENCE NORTH 57 DEGREES 01 MINUTES 62 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 76.93 FEET TO THE EAST RIGHT OF WAY LINE OF THE COUNTY ROAD;

THENCE NORTH 32 DEGREES 58 MINUTES 58 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1116.38 FEET;

THENCE NORTH 25 DEGREES 06 MINUTES 42 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 780.91 FEET TO A POINT OF CURVE;

THENCE NORTHEASTERLY ALONG SAID EAST RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 56.88 FEET, SAID CURVE HAS A RADIUS OF 925.25 FEET AND A CENTRAL ANGLE OF 03 DEGREES 31 MINUTES 21 SECONDS TO THE MOST WESTERLY CORNER OF THE WILSON PARCEL (BOOK 819 AT PAGE 717);

THENCE SOUTH 50 DEGREES 36 MINUTES 41 SECONDS EAST A DISTANCE OF 504.57 FEET TO THE MOST SOUTHERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 39 DEGREES 23 MINUTES 19 SECONDS EAST A DISTANCE OF 345.29 FEET TO THE MOST EASTERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 50 DEGREES 36 MINUTES 41 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SAID WILSON PARCEL A DISTANCE OF 87.46 FEET TO THE MOST SOUTHERLY CORNER OF THE COYLE PARCEL (BOOK 638 AT PAGE 869);

THENCE NORTH 73 DEGREES 12 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 913.61 FEET;

THENCE NORTH 83 DEGREES 28 MINUTES 25 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 460.79 FEET TO THE SOUTHEAST CORNER OF THE COYLE PARCEL, BEING THE SOUTHWEST CORNER OF THE TAP PROPERTIES PARCEL;

THENCE NORTH 89 DEGREES 28 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF THE TAP PROPERTIES PARCEL A DISTANCE OF 1226.29 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THERE FROM THOSE PORTIONS CONVEYED IN DEED RECORDED OCTOBER 20, 1999 IN BOOK 1768 AT PAGE 1098.

AND EXCEPTING THEREFROM THAT PORTION TAKEN IN RULE AND ORDER RECORDED SEPTEMBER 26, 2003 AT RECEPTION NO. 2003143247.

COUNTY OF DOUGLAS, STATE OF COLORADO.

SAID PARCEL CONTAINS 3,958,306 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS, AFTER SUBTRACTION OF THE EXCEPTIONS.

EXHIBIT B

Meadowlark
Parker, Colorado

Meadowlark Planned
Development Guide

March 8, 2018

Meadowlark

Planned Development Guide

March 8, 2018

Table of Contents

EXHIBIT A – VICINITY MAP

PLANNED DEVELOPEMENT GUIDE

A.	Statement and Purpose	Page 1
B.	Application	Page 1

AUTHORITY

A.	Authority	Page 1
B.	Adoption	Page 1
C.	Enforcement	Page 1
D.	Additions	Page 2

CONTROL PROVISIONS

A.	Control Over Use	Page 2
B.	Control Over Location and Bulk	Page 2
C.	Incorporation of Development Plan	Page 2

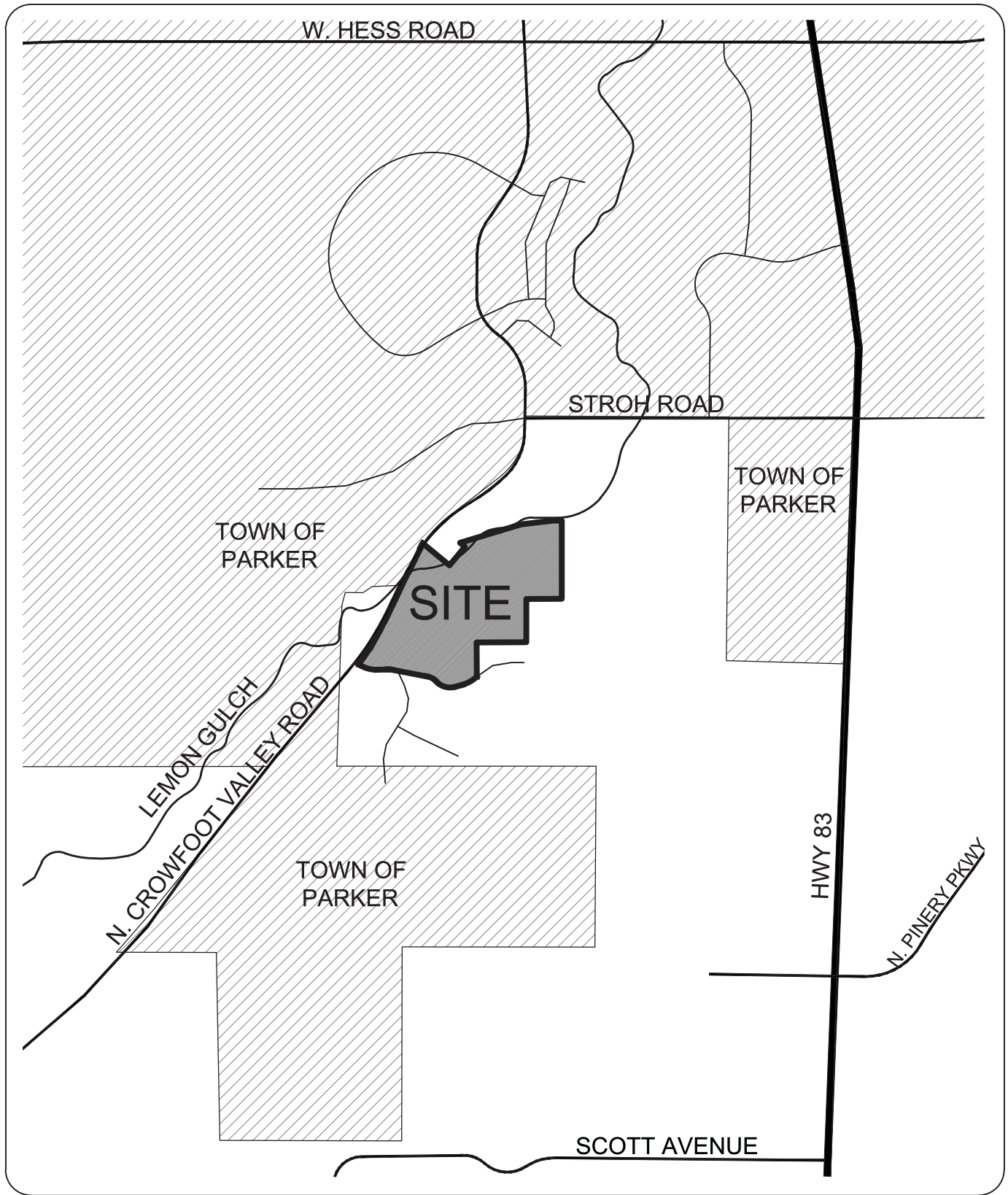
GENERAL PROVISIONS

A.	Purpose	Page 2
B.	Planning Area Boundaries	Page 3
C.	Utility Connections	Page 3
D.	Agricultural Uses	Page 3
E.	Definitions	Page 3

DEVELOPMENT STANDARDS

SECTION 1.	SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREA -1 (PA-1)	Page 4-6
SECTION 2.	OPEN SPACE – PLANNING AREA 2 (PA-2)	Page 6
SECTION 3.	NOTES	Page 7

EXHIBIT B – MEADOWLARK DEVELOPMENT PLAN



VICINITY MAP

SCALE: 1" = 2,000'



EXHIBIT A

MEADOWLARK

Planned Development Guide

Revised March 8, 2018

January 16, 2018

November 17, 2017

October 13, 2017

August 25, 2016

PLANNED DEVELOPMENT GUIDE

A. Statement of Purpose

The purpose of the Meadowlark Development Plan and this Development Guide is to establish standards for the development and improvement of the property subject hereto. The standards contained in this Development Guide are intended to carry out the goals of this planned community.

B. Application

These standards shall apply to all property encumbered by 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 Development Guide shall prevail and govern the use of the site. 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 Parker Municipal Code prevails.

AUTHORITY

A. Authority

The authority for this Development Guide is Section 13.04.150 of the Parker Municipal Code, as amended.

B. Adoption

Adoption of this Development Guide shall be governed by the PD-Planned Development section 13.04.150 of the Parker Municipal Code, as amended.

C. 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.

D. Additions

The addition of land to this Planned Development shall be considered a zoning amendment and shall be subject to the procedures and requirements for zoning amendments as contained in the Parker Land Development Ordinance as contained in the Parker Municipal Code.

CONTROL PROVISIONS

A. Control Over Use

After adoption of this Development Guide by Town Council:

1. Any new building or other structure, and any parcel of land may be used as provided for in this Development Guide; and
2. The use of any existing building, other structure, or parcel of land may be changed or expanded to the extent provided by the Parker Municipal Code, as amended.

B. Control Over Location and Bulk

After 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 this Development Guide shall be in conformance with:

1. All applicable standards contained within the Development Plan and this Development Guide; and
2. Any other applicable standards of the Parker Municipal Code, as amended.

C. Incorporation of the Development Plan

The plan for development of the subject property, including the type, location and boundaries of land use areas as shown on the Meadowlark Development Plan, 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 of the subject lands.

B. Planning Area Boundaries

The boundaries and acreage of all Planning Areas within this Planned Development are shown on the Development Plan. Where a Planning Area abuts an internal local street or drive, the boundary shall be the centerline of the street. Where a Planning Area abuts an arterial or collector street the boundary shall be the right-of-way line of that street as indicated on the Development Plan. Where a Planning Area abuts another Planning Area, the boundary shall be the centerline of the abutting boundaries as shown on the Development Plan.

1. The size of the Planning Area may increase or decrease a maximum of 10% from what is shown on the Development Plan.
2. No amendment to this Development Guide shall be required for modifications to Planning Area boundaries which results in changes to those areas amounting to less than 10% of the area of each such Planning 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 Community Development Director if the modification is determined to be minor.
3. Any modifications to a Planning Area that increases or decreases such Planning Area by more than 10% of its size as shown on the Development Plan shall be processed as a zoning amendment in accordance with the Parker Municipal Code, as amended.
4. The final boundary of any Planning Area shall be established upon approval of final plat(s) for such area.

C. Utility Connections

Approval for connection to Parker Water and Sanitation District facilities or other appropriate utility systems shall be required for each principal building and notice of such approval shall be provided to the Town Building Inspector.

D. Agricultural Uses

Agricultural activities, and all accessory structures and uses which are customarily incidental or appropriate to farming and ranching shall be permitted within the subject property, prior to, but not during, the development of the project, subject to the Parker Municipal Code, as amended.

E. Definitions

All definitions default to the Parker Land Development Ordinance, as amended.

DEVELOPMENT STANDARDS

SECTION 1. SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREA (PA-1)

Sec. 1-10. Intent

The single family detached neighborhood will include residential lots and accessory uses, parks, open spaces and trail corridors which will connect the residences to the site's amenities.

Sec. 1-20. Uses Permitted by Right

1. Detached single family dwellings
2. Public and private open space, parks, and recreational uses
3. Community building/clubhouse including private indoor and outdoor recreation facilities
- 4.. Public facilities including Public Water Facilities and other public facilities that meet the intent of this district as determined by the Community Development Director
5. Drainage facilities and detention/water quality ponds, subject to the requirements established within of the Parker Municipal Code, as amended; (may not be included in the required 20% open space calculations unless the design of the pond is in accordance with the Parker Municipal Code.)

Sec. 1-30. Development Standards

1. Maximum Gross Density: 3.5 Dwelling units per acre
2. Minimum lot area: 5,000 square feet
3. Maximum Building height: 35 feet
4. Minimum lot width:
 - a. Straight street frontage: 50 feet (measured at ROW line)
 - b. At a cul-de-sac or knuckle street frontage: 40 feet measured at building setback for garage door)
 - c. Curved street frontage: 50 feet (measured at building setback for garage door), but not less than 45 feet at the ROW line.
5. Front Setback – Primary Structure (from local street right-of-way):
 - a. 20 feet minimum to face of garage door
 - b. 12 feet minimum to face of home when garage is side loaded, provided there is at least 20 feet from the back of sidewalk to the face of the garage door.
 - c. 10 feet to unenclosed, covered porch without living space above the porch

6. Side Setback - Primary and accessory structure: 5 feet minimum
7. Corner lot side setback (from local and collector street right-of-way):
 - a. 10 feet minimum to side of structure
 - b. 20 feet minimum to face of garage door if side entry
 - c. 5 feet minimum when adjacent to an open space tract paralleling the street, provided the open space tract is a minimum of five feet wide. If tract is less than 5 feet in width, the corner side setback shall be 10 feet minimum.
8. Rear Setback –Primary structure:
 - a. 15 feet minimum:
 - i. internal lots
 - ii. lots adjacent to an open space buffer, open space, park, trail or detention facility
 - iii. lots along the eastern perimeter of the parcel
 - iv. lots adjacent to open space and landscape buffers along the internal residential collector street and E. Richlawn Drive
 - v. Lots adjacent to Lot 13 within the Richlawn Subdivision.
 - i. A 15- foot wide drainage tract and landscape buffer is provided along the rear lot line of the homes adjacent to Lot 13.
 - ii. The builder shall provide landscaping within the buffer equivalent to one tree every 30 feet. The trees may be clustered to provide the most effective screening
 - b. 20 feet minimum
Lots adjacent to the open space buffer along Crowfoot Valley Road
 - c. Accessory structure rear setback: 10 feet minimum
9. Encroachments of up to two (2) feet are allowed into required building setbacks for roof eaves/overhangs, brick ledges, bay/box windows, fireplaces/chimneys, entertainment centers. Encroachments into building setbacks up to 3.5 feet are allowed for window wells.
10. Special Setbacks/Buffers:

Residential lot lines adjacent to E. Richlawn Drive shall be setback a minimum of 50 feet from the ultimate right-of-way line of the street. The average setback for the lots backing on Crowfoot Valley Road shall be 60-65 feet with a minimum of 50 feet from the ultimate right-of-way line of the street.
11. Community building/clubhouse including private indoor and outdoor recreation

facilities:

- a. Setback from all property/tract lines: 20 feet minimum
- b. Maximum building height: 35 feet

12. Single Family Detached Residential Guidelines: All development shall meet the minimum design criteria established in the Parker Municipal Code, as amended.

SECTION 2. OPEN SPACE – PLANNING AREA 2 (PA-2)

Sec. 2-10. Description/Intent

1. Open spaces include separation buffers, steep slopes landscape buffers, floodplain and trail corridors. The intent is that all residences have easy access to the site recreational amenities and trail corridors.
2. The intent of the Open Space is to provide for areas intentionally left free from development that are regulated to manage and protect the natural environment. These areas generally left in their natural state provide passive recreational opportunities, provide environmental protection and educational, scientific or aesthetic benefits and may include trail corridors, greenways and undeveloped parks whereas not requiring significant infrastructure such as roads or utility services.

Sec. 2-20. Uses Permitted by Right

1. Trails;
2. Drainage facilities and detention/water quality ponds, subject to the requirements established within the Parker Municipal Code, as amended; (may not be included in the required 20% open space calculations unless the design of the pond is in accordance with the Parker Municipal Code);
3. Picnic area;
4. Informal recreation requiring limited infrastructure or utilities (i.e. frisbee golf, horseshoes, volley ball etc.); and
5. Outdoor nature center such as an unpaved path with informational signage, informal seating on rocks or logs, grove of trees and informal gathering place, shelters, outdoor classroom, and like items.

Sec. 2-30. Maximum Structure Height

The maximum height of any structure in the Open Space areas shall be 20 feet.

SECTION 3. NOTES

1. The developer has the right to build at a lower density in any Planning Area provided it is compatible with adjacent land uses. The finding of compatibility is determined at the time of Sketch Plan. This reduction shall be considered a minor change, enabling the developer to gain approval of the Subdivision without amending the Development Plan.
2. All roadways and access points shown on the Development Plan are conceptually located to provide access to the site and its environs. Final alignments, access and design will be determined at the time of Subdivision
3. Parks and open space provided on the Development Plan meet the requirements for Public Land dedication and Open Space dedication. These dedications do not need to be provided per filing based on acreage and number of dwelling units in each filing. However, these requirements shall be met by internal parks and open space owned and maintained by the HOA within the overall plan. Tracking of parks and open space included within each filing shall be provided with the Final Plat for each filing.

Legal Description

A TRACT OF LAND SITUATE IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 4 AND CONSIDERING THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 4 TO BEAR SOUTH 89°02'15" WEST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 07°09'42" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 619.19 FEET TO THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT RECORDED ON JANUARY 12, 1971 AT RECEPTION NO. 144257 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE NORTHERLY BOUNDARY OF RICHLAWN HILLS THE FOLLOWING TWELVE (12) COURSES:

- 1) SOUTH 89°50'34" WEST A DISTANCE OF 708.92 FEET;
- 2) SOUTH 05°04'26" EAST A DISTANCE OF 491.88 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°08'59", A RADIUS OF 470.00 FEET, AN ARC LENGTH OF 227.73 FEET AND A CHORD THAT BEARS SOUTH 80°42'31" WEST A DISTANCE OF 235.20 FEET;
- 4) SOUTH 75°12'17" WEST A DISTANCE OF 107.39 FEET TO A POINT OF CURVATURE;
- 5) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 55°56'59", A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 263.68 FEET AND A CHORD THAT BEARS NORTH 76°49'26" WEST A DISTANCE OF 253.30 FEET;
- 6) NORTH 48°50'53" WEST A DISTANCE OF 52.07 FEET TO A POINT OF CURVATURE;
- 7) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 30°22'32", A RADIUS OF 240.00 FEET, AN ARC LENGTH OF 125.61 FEET AND A CHORD THAT BEARS NORTH 76°49'26" WEST A DISTANCE OF 253.30 FEET;
- 8) NORTH 75°14'16" WEST A DISTANCE OF 280.97 FEET TO A POINT OF CURVATURE;
- 9) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°49'21", A RADIUS OF 290.00 FEET, AN ARC LENGTH OF 58.84 FEET AND A CHORD THAT BEARS NORTH 85°08'56" WEST A DISTANCE OF 59.73 FEET;
- 10) SOUTH 88°56'23" WEST A DISTANCE OF 151.71 FEET TO A POINT OF CURVATURE;
- 11) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 34°02'35", A RADIUS OF 460.00 FEET, AN ARC LENGTH OF 273.32 FEET AND A CHORD THAT BEARS NORTH 74°02'20" WEST A DISTANCE OF 280.31 FEET;
- 12) NORTH 51°51'41" EAST A DISTANCE OF 2.59 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AS SHOWN ON THE PLAT RECORDED AT RECEPTION NO. 2004146584 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER.

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND SAID TOWN OF PARKER TOWN LIMITS THE FOLLOWING TEN (10) COURSES:

- 1) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°25'42", A RADIUS OF 3,880.00 FEET, AN ARC LENGTH OF 299.87 FEET AND A CHORD THAT BEARS NORTH 34°28'16" EAST A DISTANCE OF 299.89 FEET;
- 2) NORTH 25°48'02" EAST A DISTANCE OF 253.75 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°34'34", A RADIUS OF 3,873.00 FEET, AN ARC LENGTH OF 299.87 FEET AND A CHORD THAT BEARS NORTH 34°28'16" EAST A DISTANCE OF 299.89 FEET;
- 4) NORTH 25°55'47" EAST A DISTANCE OF 31.28 FEET;
- 5) NORTH 33°05'44" EAST A DISTANCE OF 11.59 FEET;
- 6) NORTH 25°11'12" EAST A DISTANCE OF 309.86 FEET;
- 7) NORTH 25°55'46" EAST A DISTANCE OF 55.02 FEET;
- 8) SOUTH 64°04'14" EAST A DISTANCE OF 5.00 FEET;
- 9) NORTH 25°55'47" EAST A DISTANCE OF 403.02 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°12'19", A RADIUS OF 900.00 FEET, AN ARC LENGTH OF 66.05 FEET AND A CHORD THAT BEARS NORTH 28°01'39" EAST A DISTANCE OF 66.04 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AS SHOWN ON THE PLAT RECORDED AT RECEPTION NO. 2004146584 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PROPERTY THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 50°36'41" EAST A DISTANCE OF 480.97 FEET;
- 2) NORTH 38°23'19" EAST A DISTANCE OF 345.29 FEET;
- 3) NORTH 50°36'41" WEST A DISTANCE OF 97.48 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 638 AT PAGE 869 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PROPERTY THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 73°12'48" EAST A DISTANCE OF 413.01 FEET;
- 2) NORTH 63°28'25" EAST A DISTANCE OF 460.79 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2004142424 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE NORTH 89°27'06" EAST ALONG THE SOUTHERLY BOUNDARY OF SAID PROPERTY A DISTANCE OF 118.41 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2003143247 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE SOUTH 07°05'39" EAST ALONG THE WESTERLY BOUNDARY OF SAID PROPERTY A DISTANCE OF 1,117.73 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 3;

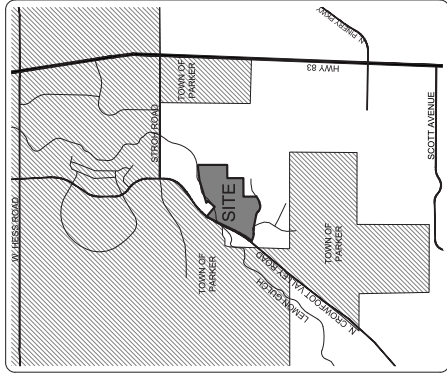
THENCE SOUTH 89°50'33" WEST ALONG SAID SECTION LINE A DISTANCE OF 507.88 FEET TO THE

POINT OF BEGINNING

SAID PARCEL CONTAINS 3,368.308 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS

Meadowlark Development Plan

BEING A PART OF THE NORTHWEST 1/4 OF SECTION 3, & IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES 268 RESIDENTIAL LOTS



VICINITY MAP

SCALE: 1" = 2,000'

NORTH

Signature Block by Owner:

I / we, the undersigned, being the owner of deeds of trust and holder of other interest in the Planned Development Plan represents the approved land use concept for the property described as follows: a parcel of land located in the Northwest 1/4 of Section 3, and in the East 1/2 of Section 4, Township 7 South, Range 66 West of the 6th Principal Meridian, Douglas County, Colorado.

Owners:

By: _____
STATE OF COLORADO }
COUNTY OF DOUGLAS }

The foregoing instrument was acknowledged before me this _____ day of _____,

Witness my hand and official seal.

Notary Public _____ My Commission Expires: _____

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 _____, 20____.

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 _____, 20____, for the property described as the Meadowlark. The zoning information shown hereon was confirmed with the 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 _____, 20____ A.D. at _____ o'clock, _____ M. and was recorded with reception number _____.

Douglas County Clerk and Recorder

APPLICANT:
Meadowlark Homes
8882 S. Broadway, Suite 230
Centennial, CO 80112
(773) 442-0022

ENGINEER:
Douglas County
8882 S. Broadway, Suite 230
Centennial, CO 80112
(303) 951-3333

PLANNER:
Henry Design Group, Inc.
1501 W. 8th St., Suite 1-C
Centennial, CO 80112
(303) 446-2389

Sheet Index:

Sheet 1 - Cover Sheet
Sheet 2 - Development Plan Exhibit

DEVELOPMENT PLAN
SHEET 1: of 2
DATE: 5-26-2016
REV: 10-26-2016
10-13-2017

BEING A PART OF THE NORTHWEST 1/4 OF SECTION 3, & IN THE EAST 1/2 OF SECTION 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES 268 RESIDENTIAL LOTS

PAVING & OPEN SPACE

1. A. Required Open Space: 90.87 acres x 20% = 18.174 acres
(Detention/Retention Ponds are not included in the proposed open space)
B. Provided Open Space: 18.27 acres

2. A. Required Parks: 267 DU x .0239 = 6.38 acres
B. Provided Parks: 6.45 acres

1. The site is currently zoned A-1 Agriculture in Douglas County.
2. The proposed zoning is to be Meadowlark Planned Development.
3. The number of units will not exceed 267 units. All units will be single family detached.
4. The proposed gross density is 2.94 du/ac. The density shall be 2.0 du/ac for lots less than 1/2 acre. This is a single-family residences by the net acres. This is a maximum density which shall apply to the entire area and shall not be specifically applicable to any individual portion thereof.
5. The following entities will provide services/utilities to the site:
 - A. Sewer and water services will be provided by the City of Douglas.
 - B. Police protection and other municipal services will be provided to the property by the Town of Parker.
 - C. Fire protection will be provided by the South Metro Fire Rescue Authority.
6. The approximate location of parks, open space, trails, recreation facilities and vehicular access points as indicated on the PD Plan are conceptual only. Location, design and construction shall be indicated at time of Sketch and Preliminary Plan.
7. Access points and the residential collector are conceptual only and will be determined at the time of Sketch and Preliminary Plan.
8. Steep slopes exist on the property and are located in the side slopes of Lemon Gulch and within PA-2. No steep slopes are located within the development area. The property is located within the Douglas County Comprehensive Zoning Section 13.10.100 (Hillside Development) of the Parker Municipal Code, as amended.



Sheet 1 - Cover Sheet
Sheet 2 - Development Plan Exhibit

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway
Denver, CO 80202
(303) 561-3333

PLANNER: Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2388

DEVELOPMENT PLAN:

SHEET: 2 of 2

DATE: 5-26-2016

REV: 8-25-2016
10-13-2017



Planning Commission Staff Report

Planning Commission Date: 3/22/2018

Town Council Date: 4/2/2018

Hearing Type: Public Hearing
Z16-020 MEADOWLARK - Zoning

Location: Northeast corner of Crowfoot Valley Road and
Richlawn Parkway

Project Planner: Paul Workman, Senior Planner

Applicant: Karen Henry, Henry Design Group for Meritage Homes

Executive Summary: The applicant, Henry Design Group for Meritage Homes request to zone roughly 90.87 acres from Douglas County Agricultural – 1 zoning to Town of Parker PD to allow for 267 single-family detached homes, 18+/- acres of open space, and 6.4+/- acres of park space.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve the Meadowlark Planned Development Zoning.”

ALTERNATIVE MOTIONS

“I move that the Planning Commission recommend that Town Council approve the Meadowlark Planned Development Zoning, subject to the conditions contained in this staff report.”

“I move that the Planning Commission recommend that Town Council deny the Meadowlark Planned Development Zoning as the request does not meet the following approval criteria:”
-List criteria not met (either by staff or Planning Commission)

“I move that the Planning Commission vote to continue the Meadowlark Planned Development Zoning to a future date.”

I. BACKGROUND/DISCUSSION

The subject property is currently undeveloped and zoned Agricultural – 1 (A-1) in Douglas County. The intent is to develop the site with 267 single-family detached homes on lots ranging from approximately 5,000 to 6,600 square-feet in size with park and open space dedication as required by the Land Development Ordinance. Primary access to the neighborhood is from Crowfoot Valley Road with secondary access from Richlawn Drive. A residential collector roadway is proposed through Meadowlark which provides access to the local streets serving the homes. The residential collector roadway will also provide future access to the east should those parcels be developed. It is proposed that the street pattern within Meadowlark be designed to direct the majority of the traffic to the full movement access at Crowfoot Valley Road, therefore minimizing the access to Richlawn Drive. Several open space, park and trail corridors are proposed throughout the neighborhood.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
September of 2016	Planning Commission held a public hearing related to this zoning request and voted to recommend approval to Town Council. After the Planning Commission hearing and prior to the Town Council public hearing, the applicant requested a continuation of the Town Council public hearing in order to finalize their inclusion into the Parker Water and Sanitation District (PWSD) service area. Town Council approved a continuation of the zoning to a date uncertain and the applicant has completed the inclusion process into the PWSD service area. The zoning requested in this application is substantially similar to the request made in 2016.

III. CURRENT SITE DATA

Existing Zoning	Douglas County A-1 (Agricultural – 1)		
Overlay District	N/A		
PD & Plan Area	Meadowlark Planned Development (PD)(proposed)		
Master Plan Area	Medium Density Residential		
Site Acreage	90.87 acres		
Subdivision	Meadowlark (proposed via SUB17-020 & SUB17-022)		
Existing Use	Undeveloped		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Medium Density Residential	Douglas County Zoning	Lemon Gulch, Single-Family Detached Residential, and Undeveloped Land
South	Medium Density Residential	Douglas County Zoning	Large Lot Single-Family Detached Residential
East	Medium Density Residential	Douglas County Zoning	Undeveloped Land
West	Low Density Residential	Douglas County Zoning	Crowfoot Valley Road and Large Lot Single-Family Detached Residential and Undeveloped Land

IV. 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	The Parker 2035 Master Plan recommends this area as Medium Density Residential which 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.
Consistent Goals/Strategies	Land Use 1.A Transportation 2.C Public Services and Facilities 1
Staff Analysis	The requested zoning for 267 units on 90 acres is within the 3.5 dwelling units per acres recommended by the Master Plan. Additionally, staff has identified certain goals and strategies within the Master Plan that the requested development is consistent with the referenced Master Plan Goals/Strategies.

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Zonings)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	3.5 dwelling units per acre	3 dwelling units per acre	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Allowed Uses	Medium Density Residential	Single family detached homes, open space, and parks	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	N/A	35' height maximum for residential homes.	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	Staff has reviewed the zoning request against the Town's Master Plan and determined that the proposal is consistent with the Master Plan for the type of proposed development and the density of the proposed development.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The submitted Sketch and Preliminary Plans (SUB17-020 & SUB17-022) propose primary access from the west off Crowfoot Valley Road with a new residential collector to be named Henslow Parkway. Henslow Parkway would primarily run east/west and provides an opportunity for future connections to the east, should the properties on the east side of the development ever redevelop. A secondary access on the south side of the development is proposed off Richlawn Drive. This second point of access is required in order to satisfy the Fire Code's requirements for a minimum of two points of access into any residential developments with 40 or more units. A second access cannot be provided off Crowfoot Valley Road due to the limited frontage along Crowfoot Valley Road between Richlawn Drive and Lemon Gulch.

The linear frontage needed to meet the access spacing requirements and ensure vehicular safety is not available. In order to minimize the impacts to Richlawn Drive, the applicant has proposed to implement two strategies. First, the lot layout and road network between Richlawn Drive and Henslow Parkway has been designed to minimize the ease of access to Richlawn Drive. This has been accomplished through a series of cul-de-sacs and roadway connections to Henslow Parkway that encourage vehicular traffic to use the future collector road as opposed to Richlawn Drive. Second, the intersection of Crowfoot Valley Road and Henslow Parkway will be a full-movement intersection with a traffic light while the intersection of Crowfoot Valley Road and Richlawn Drive will become a right-in and right-out restricted movement intersection.

The proposed road improvements are supported by the Policies found in the Town's Transportation Master Plan. For example:

- *Policy 1 - Coordinate land use planning, transportation planning and management, economic initiatives, and capital investments to result in a transportation system and land uses that support and enhance each other.*
 - The proposed development is for single-family detached homes. The associated road network is designed proposed to be constructed in accordance with the Town's standards for residential roadways.
- *Policy 3 - Create an interconnected local and regional roadway network that provides efficient and convenient mobility and access.*
 - The proposed road network provides for logical connectivity while minimizing impacts to existing roads. Additionally, the improvements to Crowfoot Valley Road will improve regional connectivity and allow the proposed development to connect into the larger regional network.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Zoning Requests:

1. A need exists for the proposal.

Applicant's Response

This area of Douglas County is very desirable as evidenced by the continued growth within the Town of Parker. Meritage Homes will provide homes within Meadowlark that will meet the needs of families desiring to live within Parker. Meritage is known for their energy efficient homes which are very appealing to many new homeowners. Meadowlark is planned for a reasonable number of homes, which combined with the limited infrastructure needs, aid in the completion of the neighborhood within the immediate future.

Staff Analysis

State law requires that any property that is annexed by a municipality is required to be zoned by that municipality. The applicant has petitioned the Town to annex into the Town of Parker, therefore the Town needs to zone the subject property in order to comply with Colorado law.

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's Response

The characteristics of the site and the location are correct for the proposed development. The site is located within the Town's Urban Growth Area and is designated on the Parker 2035 Master Plan as Residential Medium Density. The site is bounded to the southwest by the Hess Ranch Planned Development and to the northwest by Anthology. It is anticipated that land to the north and east will develop in the near future. The site's natural features in no way limit the development of a neighborhood. The vegetation is weedy grasslands and the topography is gently rolling. Lemon Gulch traverses the western and northern edge of the site but the 100 Year Floodplain is contained and does not impact the development area.

Staff Analysis

The subject property is located within the Town's growth boundary and is recommended to be medium density residential development by the Parker 2035 Master Plan. The Parker 2035 Master Plan included a robust public outreach process through this process it was determined that medium density residential development was appropriate for the subject property. The applicant has proposed development that is consistent with the Town Master Plan, which means that the subject property is the correct site for medium density residential development.

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's Response

None.

Staff Analysis

This criteria does not apply to this request.

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

Applicant's Response

Significant changes in the area include the approval of the Hess Ranch and Anthology Planned Developments, the continued development in The Pinery, Stepping Stone and commercial development in the immediate vicinity. Also, the improvements to and the designation of Crowfoot Valley Road as a four-lane arterial road which intersects with the planned Chambers Road/Bayou Gulch Road extension has improved the transportation system in the area. Stroh Ranch continues to develop as do new subdivisions within Douglas County and the Town of Parker.

Staff Analysis

As previously stated, the requested zoning is being done to comply with Colorado law. However, there have been significant changes in the area in the last 20 to 30 years. These changes include the recent zoning amendments to Anthology North and Hess Ranch as well as the current platting of 736 single family homes south of this site.

Crowfoot Valley Road is proposed to be a four-lane arterial road that connects new development from Castle Rock, Douglas County, and Parker. This higher capacity roadway was designated in order to accommodate existing zoning and new development like the one that is proposed by the applicant. Additionally, new development of both residential and non-residential uses have continued on the south end of the Town. Economic growth in the Denver Metropolitan Area has led to a need for more residential housing as Parker continues to be a desirable place to live.

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's Response

Vehicular and pedestrian circulation will be improved with this development. Additional improvements will be provided to Crowfoot Valley Road. A residential collector which is planned through the site will provide access to the properties to the east therefore eliminating a potential future burden on Richlawn Drive. Primary access for Meadowlark will be to Crowfoot Valley Road. Secondary access is provided to Richlawn Drive. The neighborhood was designed to limit the use of Richlawn Drive by making it more difficult to use Richlawn Drive for access to Meadowlark and Crowfoot Valley Road.

Staff Analysis

Based on the detailed analysis in Section VI of this staff report, the proposed zoning and associated development have provided adequate circulation and traffic will not be impeded by this 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's Response

Municipal services are adequate to serve the site given its close-in location and the existing and planned neighborhoods within the Town. Precautions are made to protect the Town from additional costs in the form of required improvements and the payment of the deficit reduction fee.

Staff Analysis

The Parker 2035 Master Plan recommends the subject property for medium density residential development. By including the property within the Town boundaries in the Master Plan, the Town has determined that it is prepared to provide municipal services.

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's Response

The site has limited environmental features and natural resources. The rolling grasslands pose no constraints for development. Lemon Gulch will be stabilized in accordance with the Outfall System Plan (OSP) as designed and required by Urban Drainage and Flood Control District. No development is proposed within the 100 Year Floodplain for Lemon Gulch.

Staff Analysis

The applicant has worked closely with the Town's Engineering staff to ensure that all floodplain impacts are mitigated and the applicant has agreed to fund improvements to Lemon Gulch to stabilize the Gulch and have formalized the arrangement in an Annexation Agreement. Within the Development Plan submitted with the zoning request, the applicant has zoned Lemon Gulch as "Open Space" which would only allow for recreation amenities such as trails as well as serving the primary purpose of a drainage facilities. The limitation on the uses allowed in the Open Space will prevent and mitigate any environmental impacts.

Based on this analysis, staff has determined that the request meets this criterion.

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

Applicant's Response

The proposed development is consistent with the Residential Medium Density residential designation of the Parker 2035 Master Plan. It meets the maps, goals and policies of the Master Plan as follows:

a. Master Plan Vision and Guiding Principles

Meadowlark meets all of the Guiding Principles of the Master Plan but notably it will maintain native open spaces, it will provide high quality architecture and land use design that reflect the aesthetic excellence of the Town; the neighborhood will provide housing choices that allow people to remain in Parker throughout their lives; and promote transportation improvements that provide local and regional connectivity including a regional trail segment that is safe for the community.

b. Land Use

Meadowlark is planned in an area that has continued to grow limiting the impacts and need to extend community services long distances given the surrounding planned and existing neighborhoods. The neighborhood will support a high quality of life through excellence in housing design and energy efficiency, parks, trails and open space.

The site is located within the Town's Urban Growth Boundary and the proposal is in compliance with the General Land Use Plan. The Land Use Plan designates this area as Medium Density which allows for up to 3.5 dwelling units per acre. Meadowlark is planned for 268 homes at density of 2.95 dwelling units per acre.

As stated, Meadowlark is planned as a residential neighborhood which will become one of the primary building blocks of the community.

c. *Housing and Neighborhoods.*

Meadowlark contributes to the housing choices within the Town while being sensitive to the environment, quality of design, housing cost, neighborhood characteristics, parks, open spaces and trails and ease of transportation.

d. *Community Appearance and Design*

Meadowlark will contribute to the Town's established character by providing tree lined streets, housing constructed of high quality materials; variety in elevations to enhance the streetscape, energy efficiency and an open feel with parks and open space all contributing to a sense of neighborhood. These elements will be realized by both the residents and visitors to the community.

e. *Natural Resource Protection*

- The Meadowlark site is ideal for a neighborhood given its limited natural resources. The site is primarily weedy grasslands with limited vegetation and cover for wildlife.
- The most significant feature of the site is Lemon Gulch which will be improved and enhanced to manage flows better and to stabilize the eroding banks. Lemon Gulch is proposed as open space as part of the PD Plan.
- There are no endangered species or environmental hazards on the site.
- Visual resources are limited to internal views. There are no views of the Front Range of the Rocky Mountains to the west due to existing land forms.
- The rolling topography of the site does not pose any problems for development. Covenants conditions and restrictions established for the neighborhood will establish controls on light and noise pollution.
- Meritage Homes is nationally recognized for its energy efficient homes
- Landscaping of common areas will incorporate water wise techniques in plantings and irrigation systems. The CC&R's will establish design guidelines for water wise landscaping within the private lots as well.

f. *Open space and Recreation*

The Development Plan for Meadowlark is designed to acknowledge that parks, trails and open spaces are the Town's citizen's most prized amenities. The Plan provides for a regional trail along the north side of Lemon Gulch establishing connectivity eventually to the south within Hess Ranch and to the north to the Cherry Creek Regional Trail. The trail is planned in accordance with the Town's Open Space, Trails and Greenways Master Plan. Four pocket parks are scattered throughout the neighborhood to provide passive and active recreational opportunities within walking distance for all residents.

Staff Analysis

As discussed in detail in Section IV of this staff report, staff has determined that the request is consistent with the Town's Master Plan and the designation within the Master Plan for this property to be developed in accordance with the medium density residential designation.

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's Response

Water and wastewater services will be provided by Parker Water and Sanitation District. Educational services will be provided by Douglas County School District. Existing and planned schools are located in close proximity to the site. Four pocket parks are scattered throughout the neighborhood within walking distance of all residents. Nearby community and regional parks and recreational facilities include the Cherry Creek Regional Trail, Stroh Ranch Soccer Fields and Salisbury Equestrian Park to name a few.

Staff Analysis

The applicant has successfully petitioned the Parker Water and Sanitation District (PWSD) for inclusion into their boundaries, which will allow the property to be served by PWSD. Additionally, all other separate agencies have reviewed the request and responded with necessary mitigation to off-set impacts or an indication of their ability to provide services.

Based on this analysis, staff has determined that the request meets this criterion.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	Approved
Fire and Life Safety	No Comments
Parker Police	No Comments
Douglas County School District	Advisory Comments
Parker Water and Sanitation District	Approved
Urban Drainage	No Comments
Xcel	Advisory Comments
IREA	Advisory Comments
CenturyLink	No Comments

IX. CONCLUSION

The applicant has submitted this zoning request in order to comply with Colorado law and has demonstrated compliance with the zoning approval criteria outlined above. Additionally, the development meets the recommendation of the Town's Master Plan for medium density residential development. Based on this information staff is recommending approval of the zoning request.

X. RECOMMENDED CONDITIONS

None

XI. ATTACHMENTS

1. PD Zone Document and Map
2. Zoning Approval Criteria Analysis

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

Meadowlark

Parker, Colorado

Meadowlark Planned Development Guide

March 8, 2018

Meadowlark

Planned Development Guide

March 8, 2018

Table of Contents

EXHIBIT A – VICINITY MAP

PLANNED DEVELOPEMENT GUIDE

A.	Statement and Purpose	Page 1
B.	Application	Page 1

AUTHORITY

A.	Authority	Page 1
B.	Adoption	Page 1
C.	Enforcement	Page 1
D.	Additions	Page 2

CONTROL PROVISIONS

A.	Control Over Use	Page 2
B.	Control Over Location and Bulk	Page 2
C.	Incorporation of Development Plan	Page 2

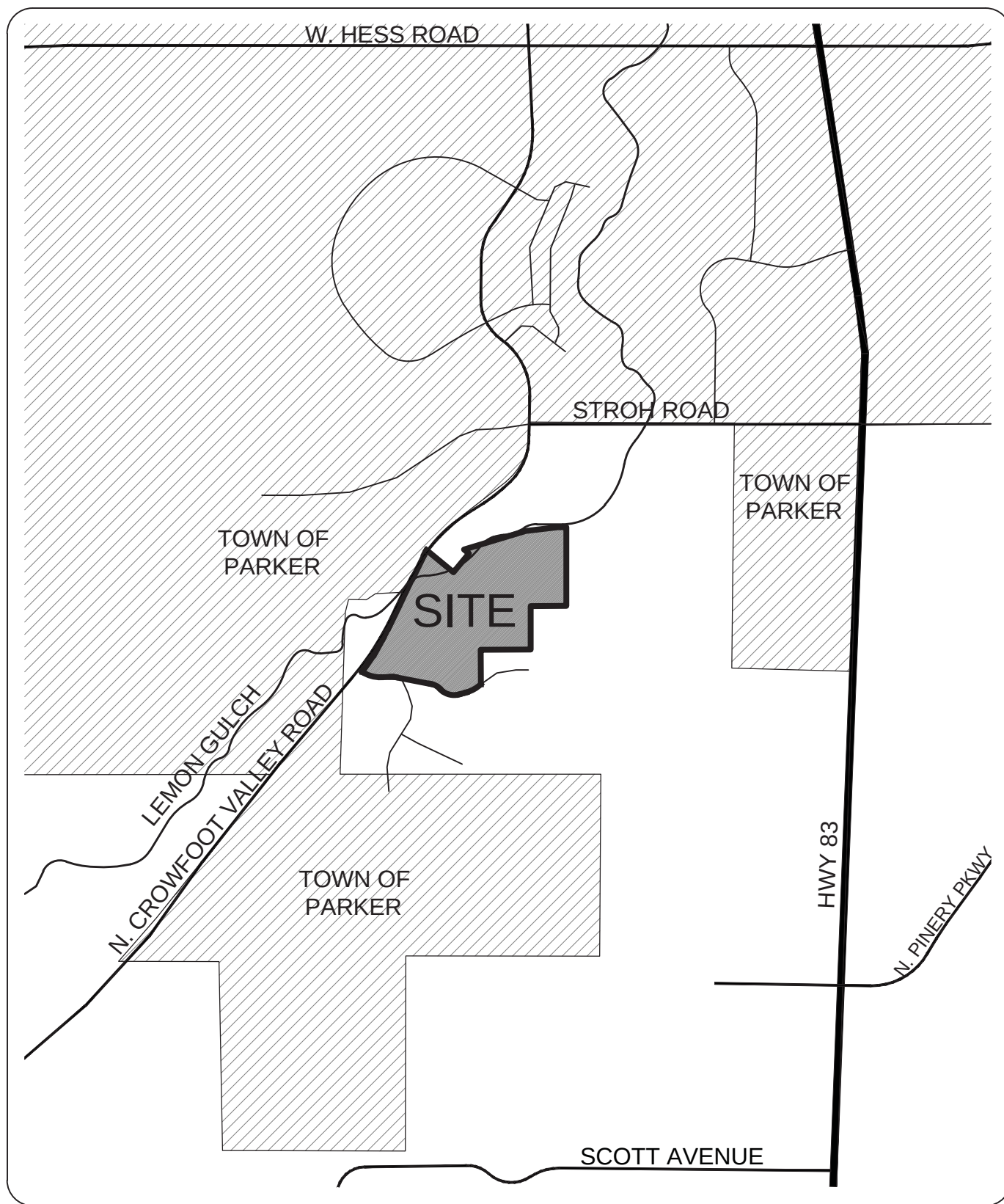
GENERAL PROVISIONS

A.	Purpose	Page 2
B.	Planning Area Boundaries	Page 3
C.	Utility Connections	Page 3
D.	Agricultural Uses	Page 3
E.	Definitions	Page 3

DEVELOPMENT STANDARDS

SECTION 1.	SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREA -1 (PA-1)	Page 4-6
SECTION 2.	OPEN SPACE – PLANNING AREA 2 (PA-2)	Page 6
SECTION 3.	NOTES	Page 7

EXHIBIT B – MEADOWLARK DEVELOPMENT PLAN



VICINITY MAP

SCALE: 1" = 2,000'



EXHIBIT A

MEADOWLARK

Planned Development Guide

Revised March 8, 2018

January 16, 2018

November 17, 2017

October 13, 2017

August 25, 2016

PLANNED DEVELOPMENT GUIDE

A. Statement of Purpose

The purpose of the Meadowlark Development Plan and this Development Guide is to establish standards for the development and improvement of the property subject hereto. The standards contained in this Development Guide are intended to carry out the goals of this planned community.

B. Application

These standards shall apply to all property encumbered by 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 Development Guide shall prevail and govern the use of the site. 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 Parker Municipal Code prevails.

AUTHORITY

A. Authority

The authority for this Development Guide is Section 13.04.150 of the Parker Municipal Code, as amended.

B. Adoption

Adoption of this Development Guide shall be governed by the PD-Planned Development section 13.04.150 of the Parker Municipal Code, as amended.

C. 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.

D. Additions

The addition of land to this Planned Development shall be considered a zoning amendment and shall be subject to the procedures and requirements for zoning amendments as contained in the Parker Land Development Ordinance as contained in the Parker Municipal Code.

CONTROL PROVISIONS

A. Control Over Use

After adoption of this Development Guide by Town Council:

1. Any new building or other structure, and any parcel of land may be used as provided for in this Development Guide; and
2. The use of any existing building, other structure, or parcel of land may be changed or expanded to the extent provided by the Parker Municipal Code, as amended.

B. Control Over Location and Bulk

After 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 this Development Guide shall be in conformance with:

1. All applicable standards contained within the Development Plan and this Development Guide; and
2. Any other applicable standards of the Parker Municipal Code, as amended.

C. Incorporation of the Development Plan

The plan for development of the subject property, including the type, location and boundaries of land use areas as shown on the Meadowlark Development Plan, 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 of the subject lands.

B. Planning Area Boundaries

The boundaries and acreage of all Planning Areas within this Planned Development are shown on the Development Plan. Where a Planning Area abuts an internal local street or drive, the boundary shall be the centerline of the street. Where a Planning Area abuts an arterial or collector street the boundary shall be the right-of-way line of that street as indicated on the Development Plan. Where a Planning Area abuts another Planning Area, the boundary shall be the centerline of the abutting boundaries as shown on the Development Plan.

1. The size of the Planning Area may increase or decrease a maximum of 10% from what is shown on the Development Plan.
2. No amendment to this Development Guide shall be required for modifications to Planning Area boundaries which results in changes to those areas amounting to less than 10% of the area of each such Planning 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 Community Development Director if the modification is determined to be minor.
3. Any modifications to a Planning Area that increases or decreases such Planning Area by more than 10% of its size as shown on the Development Plan shall be processed as a zoning amendment in accordance with the Parker Municipal Code, as amended.
4. The final boundary of any Planning Area shall be established upon approval of final plat(s) for such area.

C. Utility Connections

Approval for connection to Parker Water and Sanitation District facilities or other appropriate utility systems shall be required for each principal building and notice of such approval shall be provided to the Town Building Inspector.

D. Agricultural Uses

Agricultural activities, and all accessory structures and uses which are customarily incidental or appropriate to farming and ranching shall be permitted within the subject property, prior to, but not during, the development of the project, subject to the Parker Municipal Code, as amended.

E. Definitions

All definitions default to the Parker Land Development Ordinance, as amended.

DEVELOPMENT STANDARDS

SECTION 1. SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREA (PA-1)

Sec. 1-10. Intent

The single family detached neighborhood will include residential lots and accessory uses, parks, open spaces and trail corridors which will connect the residences to the site's amenities.

Sec. 1-20. Uses Permitted by Right

1. Detached single family dwellings
2. Public and private open space, parks, and recreational uses
3. Community building/clubhouse including private indoor and outdoor recreation facilities
- 4.. Public facilities including Public Water Facilities and other public facilities that meet the intent of this district as determined by the Community Development Director
5. Drainage facilities and detention/water quality ponds, subject to the requirements established within of the Parker Municipal Code, as amended; (may not be included in the required 20% open space calculations unless the design of the pond is in accordance with the Parker Municipal Code.)

Sec. 1-30. Development Standards

1. Maximum Gross Density: 3.5 Dwelling units per acre
2. Minimum lot area: 5,000 square feet
3. Maximum Building height: 35 feet
4. Minimum lot width:
 - a. Straight street frontage: 50 feet (measured at ROW line)
 - b. At a cul-de-sac or knuckle street frontage: 40 feet measured at building setback for garage door)
 - c. Curved street frontage: 50 feet (measured at building setback for garage door), but not less than 45 feet at the ROW line.
5. Front Setback – Primary Structure (from local street right-of-way):
 - a. 20 feet minimum to face of garage door
 - b. 12 feet minimum to face of home when garage is side loaded, provided there is at least 20 feet from the back of sidewalk to the face of the garage door.
 - c. 10 feet to unenclosed, covered porch without living space above the porch

6. Side Setback - Primary and accessory structure: 5 feet minimum
7. Corner lot side setback (from local and collector street right-of-way):
 - a. 10 feet minimum to side of structure
 - b. 20 feet minimum to face of garage door if side entry
 - c. 5 feet minimum when adjacent to an open space tract paralleling the street, provided the open space tract is a minimum of five feet wide. If tract is less than 5 feet in width, the corner side setback shall be 10 feet minimum.
8. Rear Setback –Primary structure:
 - a. 15 feet minimum:
 - i. internal lots
 - ii. lots adjacent to an open space buffer, open space, park, trail or detention facility
 - iii. lots along the eastern perimeter of the parcel
 - iv. lots adjacent to open space and landscape buffers along the internal residential collector street and E. Richlawn Drive
 - v. Lots adjacent to Lot 13 within the Richlawn Subdivision.
 - i. A 15- foot wide drainage tract and landscape buffer is provided along the rear lot line of the homes adjacent to Lot 13.
 - ii. The builder shall provide landscaping within the buffer equivalent to one tree every 30 feet. The trees may be clustered to provide the most effective screening
 - b. 20 feet minimum
Lots adjacent to the open space buffer along Crowfoot Valley Road
 - c. Accessory structure rear setback: 10 feet minimum
9. Encroachments of up to two (2) feet are allowed into required building setbacks for roof eaves/overhangs, brick ledges, bay/box windows, fireplaces/chimneys, entertainment centers. Encroachments into building setbacks up to 3.5 feet are allowed for window wells.
10. Special Setbacks/Buffers:

Residential lot lines adjacent to E. Richlawn Drive shall be setback a minimum of 50 feet from the ultimate right-of-way line of the street. The average setback for the lots backing on Crowfoot Valley Road shall be 60-65 feet with a minimum of 50 feet from the ultimate right-of-way line of the street.
11. Community building/clubhouse including private indoor and outdoor recreation

facilities:

- a. Setback from all property/tract lines: 20 feet minimum
- b. Maximum building height: 35 feet

12. Single Family Detached Residential Guidelines: All development shall meet the minimum design criteria established in the Parker Municipal Code, as amended.

SECTION 2. OPEN SPACE – PLANNING AREA 2 (PA-2)

Sec. 2-10. Description/Intent

1. Open spaces include separation buffers, steep slopes landscape buffers, floodplain and trail corridors. The intent is that all residences have easy access to the site recreational amenities and trail corridors.
2. The intent of the Open Space is to provide for areas intentionally left free from development that are regulated to manage and protect the natural environment. These areas generally left in their natural state provide passive recreational opportunities, provide environmental protection and educational, scientific or aesthetic benefits and may include trail corridors, greenways and undeveloped parks whereas not requiring significant infrastructure such as roads or utility services.

Sec. 2-20. Uses Permitted by Right

1. Trails;
2. Drainage facilities and detention/water quality ponds, subject to the requirements established within the Parker Municipal Code, as amended; (may not be included in the required 20% open space calculations unless the design of the pond is in accordance with the Parker Municipal Code);
3. Picnic area;
4. Informal recreation requiring limited infrastructure or utilities (i.e. frisbee golf, horseshoes, volley ball etc.); and
5. Outdoor nature center such as an unpaved path with informational signage, informal seating on rocks or logs, grove of trees and informal gathering place, shelters, outdoor classroom, and like items.

Sec. 2-30. Maximum Structure Height

The maximum height of any structure in the Open Space areas shall be 20 feet.

SECTION 3. NOTES

1. The developer has the right to build at a lower density in any Planning Area provided it is compatible with adjacent land uses. The finding of compatibility is determined at the time of Sketch Plan. This reduction shall be considered a minor change, enabling the developer to gain approval of the Subdivision without amending the Development Plan.
2. All roadways and access points shown on the Development Plan are conceptually located to provide access to the site and its environs. Final alignments, access and design will be determined at the time of Subdivision
3. Parks and open space provided on the Development Plan meet the requirements for Public Land dedication and Open Space dedication. These dedications do not need to be provided per filing based on acreage and number of dwelling units in each filing. However, these requirements shall be met by internal parks and open space owned and maintained by the HOA within the overall plan. Tracking of parks and open space included within each filing shall be provided with the Final Plat for each filing.

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE SOUTH 00°06'43" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 619.70 FEET TO THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT RECORDED ON JANUARY 12, 1971 AT RECEPTION NO. 140291 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

- 1) SOUTH 89°55'34" WEST A DISTANCE OF 708.72 FEET;
- 2) SOUTH 00°04'26" EAST A DISTANCE OF 491.58 FEET TO A POINT OF CURVATURE;
- 3) ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 28°58'50", A RADIUS OF 470.00 FEET, AN ARC LENGTH OF 237.73 FEET AND A CHORD THAT BEARS SOUTH 60°42'51" WEST A DISTANCE OF 235.20 FEET;
- 4) SOUTH 75°12'17" WEST A DISTANCE OF 107.39 FEET TO A POINT OF CURVATURE;
- 5) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 55°56'50", A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 263.65 FEET AND A CHORD THAT BEARS NORTH 76°49'26" WEST A DISTANCE OF 253.30 FEET;
- 6) NORTH 48°50'53" WEST A DISTANCE OF 52.07 FEET TO A POINT OF CURVATURE;
- 7) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 30°23'23", A RADIUS OF 240.00 FEET, AN ARC LENGTH OF 127.30 FEET AND A CHORD THAT BEARS NORTH 64°02'35" WEST A DISTANCE OF 125.81 FEET;
- 8) NORTH 79°14'16" WEST A DISTANCE OF 509.97 FEET TO A POINT OF CURVATURE;
- 9) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°49'21", A RADIUS OF 290.00 FEET, AN ARC LENGTH OF 59.84 FEET AND A CHORD THAT BEARS NORTH 85°08'56" WEST A DISTANCE OF 59.73 FEET;
- 10) SOUTH 88°56'23" WEST A DISTANCE OF 151.71 FEET TO A POINT OF CURVATURE;
- 11) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 34°02'35", A RADIUS OF 460.00 FEET, AN ARC LENGTH OF 273.32 FEET AND A CHORD THAT BEARS NORTH 74°02'20" WEST A DISTANCE OF 269.31 FEET;
- 12) NORTH 57°01'02" WEST A DISTANCE OF 2.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND THE TOWN OF PARKER TOWN LIMITS ACCORDING TO THE HESS RANCH ANNEXATION PLAN RECORDED AT RECEPTION NO. 2003146584 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

- 1) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°25'42", A RADIUS OF 3,880.00 FEET, AN ARC LENGTH OF 299.87 FEET AND A CHORD THAT BEARS NORTH 34°28'16" EAST A DISTANCE OF 299.80 FEET;
- 2) NORTH 28°48'02" EAST A DISTANCE OF 253.75 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°34'34", A RADIUS OF 3,873.00 FEET, AN ARC LENGTH OF 174.14 FEET AND A CHORD THAT BEARS NORTH 27°13'04" EAST A DISTANCE OF 174.12 FEET;
- 4) NORTH 25°55'47" EAST A DISTANCE OF 381.28 FEET;
- 5) NORTH 33°00'44" EAST A DISTANCE OF 11.59 FEET;
- 6) NORTH 25°11'12" EAST A DISTANCE OF 309.66 FEET;
- 7) NORTH 25°55'46" EAST A DISTANCE OF 55.92 FEET;
- 8) SOUTH 64°04'14" EAST A DISTANCE OF 5.00 FEET;
- 9) NORTH 25°55'47" EAST A DISTANCE OF 403.02 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°12'19", A RADIUS OF 900.00 FEET, AN ARC LENGTH OF 66.05 FEET AND A CHORD THAT BEARS NORTH 28°01'59" EAST A DISTANCE OF 66.04 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 819 AT PAGE 717 AND BOOK 819 AT PAGE 719 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

- 1) SOUTH 50°36'41" EAST A DISTANCE OF 490.97 FEET;
- 2) NORTH 39°23'19" EAST A DISTANCE OF 345.29 FEET;
- 3) NORTH 50°36'41" WEST A DISTANCE OF 87.46 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 638 AT PAGE 869 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

- 1) NORTH 73°12'48" EAST A DISTANCE OF 913.61 FEET;
- 2) NORTH 83°28'25" EAST A DISTANCE OF 460.79 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2004124024 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

POINT OF BEGINNING.

Meadowlark

Development Plan

W. HESS ROAD

STROTH ROAD

TOWN OF PARKER

TOWN OF PARKER

LEMONGREEN

N. CROWFOOT VALLEY ROAD

SITE

TOWN OF PARKER

SCOTT AVENUE

HWY 83

N. DIMERLY DRIVE



PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

Sheet 1 - Cover Sheet
Sheet 2 - Development Plan Exhibit

DEVELOPMENT PROGRAM

DEVELOPMENT PROGRAM					
AREA	Acres	Dwelling units	Density	Park Dedication	Open Space Dedication
Total Site Area	90.87	267	2.94 DU/Ac		
20% slopes FEMA 100 yr. floodplain	1.47				1.47*
	4.73				4.73*
Net Site Area	84.67		3.165 DU/Ac		

PARKS AND OPEN SPACE

Open space	18.27*			18.27
Parks	6.45		6.45	

*Includes 20% slopes and FEMA 100 Year Floodplain
Does not include 2.0 acres of 100 year flood elevation in detention ponds

PARKS & OPEN SPACE

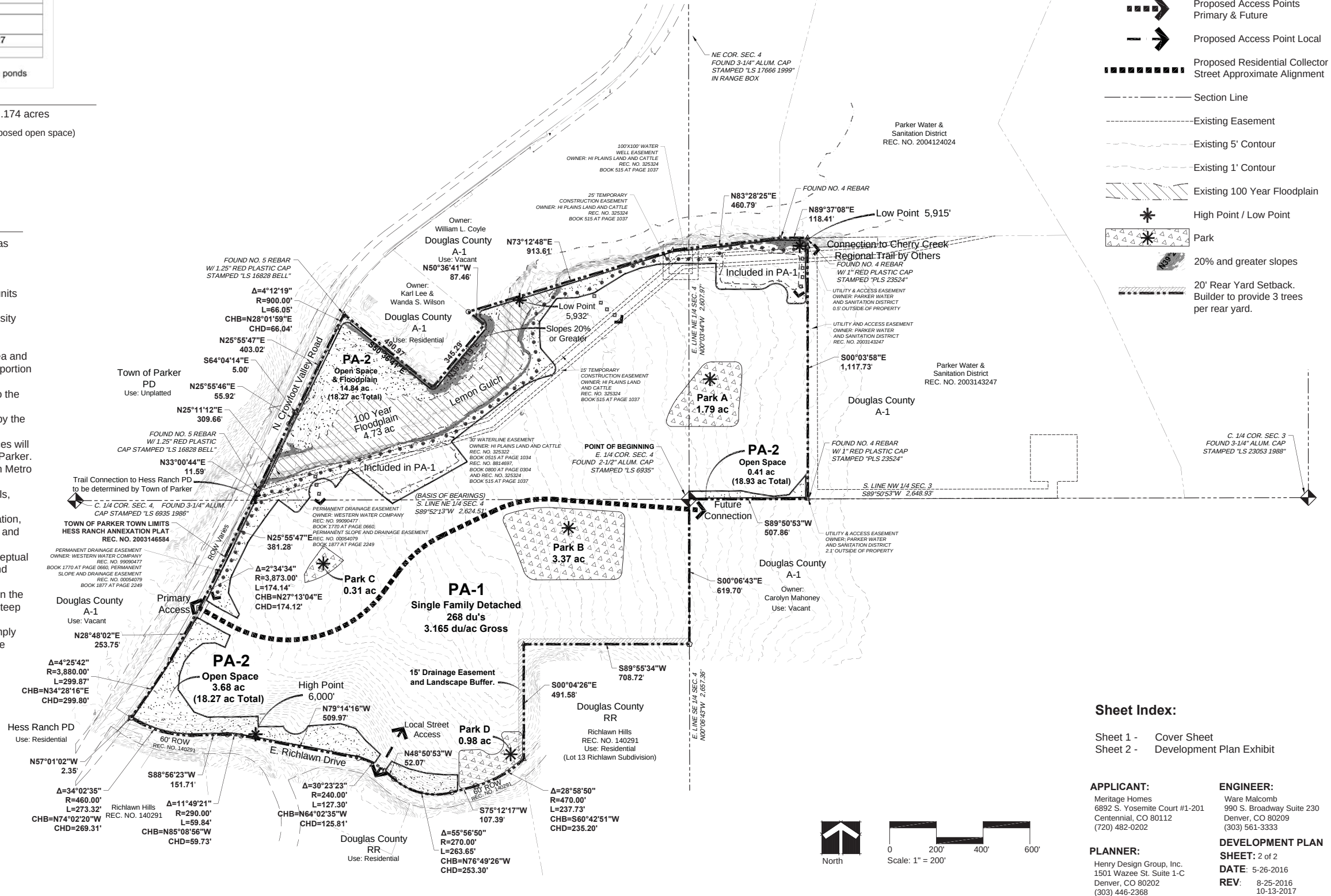
- A. Required Open Space: 90.87 acres x 20% = 18.174 acres
(Detention/Retention Ponds are not included in the proposed open space)
- B. Provided Open Space: 18.27 acres
- A. Required Parks: 267 DU x .0239 = 6.38 acres
- B. Provided Parks: 6.45 acres

NOTES

- The site is currently zoned A-1 Agriculture in Douglas County.
- The proposed zoning is to be Meadowlark Planned Development.
- The number of units will not exceed 267 units. All units will be single family detached.
- The proposed gross density is 2.94 du/ac. The density shall be computed by dividing the total number of single-family residences by the net acres. This is a maximum density which shall apply to the entire area and shall not be specifically applicable to any individual portion thereof.
- The following entities will provide services/utilities to the site:
 - Sewer and water services will be provided by the Parker Water and Sanitation District.
 - Police protection and other municipal services will be provided to the property by the Town of Parker.
 - Fire protection will be provided by the South Metro Fire Rescue Authority.
- The approximate location of parks, open space, trails, detention facilities and vehicular access points as indicated on the PD Plan are conceptual only. Location, design and size shall be indicated at time of Sketch and Preliminary Plan.
- Access points and the residential collector are conceptual only and will be determined at the time of Sketch and Preliminary Plan.
- Steep slopes exist on the property and are located in the side slopes of Lemon Gulch and within PA-2. No steep slopes are located within the development area. Development within the steep slope areas shall comply with Section 13.10.100 (Hillside Development) of the Parker Municipal Code, as amended.

Meadowlark Development Plan

BEING A PART OF THE NORTHWEST 1/4 OF SECTION 3, & IN THE EAST 1/2 OF SECTION 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES 268 RESIDENTIAL LOTS



MEADOWLARK ANNEXATION AGREEMENT

THIS MEADOWLARK ANNEXATION AGREEMENT (this “**Agreement**”) is voluntarily made and entered into this _____ day of _____, 2018, by and between the Town of Parker, a Colorado home rule municipality (hereinafter referred to as the “**Town**”), the Parker Water and Sanitation District (hereinafter referred to as the “**District**”) (only as to Paragraph 3), and Cherry Creek Project Water Authority, its successors and assigns (hereinafter referred to as the “**Property Owner**”).

RECITALS:

A. The Property Owner is the owner of certain real property situated in the County of Douglas, State of Colorado, which is described in **Exhibit A**, attached hereto and made a part hereof (the “**Property**”).

B. The Town wishes to annex the Property into the Town and shall consider the zoning application for the Property upon the condition that this Agreement is approved by the Town and is executed by the Town, the District and the Property Owner.

C. Section 110(2) of the Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, authorizes the Town to impose terms and conditions upon the annexation of the Property, which terms and conditions are set forth in their entirety herein.

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants, and promises set forth below, the receipt and sufficiency of which are mutually acknowledged, the Town, the District (only as to Paragraph 3) and the Property Owner hereby agree as follows:

1. Annexation. The annexation of the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, as amended.

a. Conditions Precedent. Annexation of the Property shall not become effective, and neither the Property Owner nor the Town shall record or cause to be recorded the items described in § 31-12-113(2)(a)(II)(A), C.R.S. or this Agreement, until each of the following conditions have been satisfied (it being acknowledged that the Town shall cause recordation of the requisite documents to effect annexation of the Property upon satisfaction of the conditions precedent):

i. The Property Owner and the Town have mutually executed and delivered this Agreement.

ii. The Property has been fully included within the boundaries of the District by virtue of an Order of Inclusion having been signed by the Douglas County District Court and recorded in the real estate records of Douglas County, Colorado (the “Records”).

iii. The District signs this Agreement within ten (10) days after the legal challenge period described in Subparagraph 1.a.vi. of this Agreement

expires and no legal challenge has been brought within the applicable period(s) for such challenge(s).

iv. Transfer of Ownership has occurred in accordance with Subparagraph 1.c. of this Agreement.

v. The ordinance approving the annexation of the Property has become effective in accordance with the provisions of the Town Charter.

vi. No legal challenge to the Town's approval of the annexation, this Agreement, or the zoning approval set forth in Subparagraph 4.a. below, including, but not limited to, appeals pursuant to C.R.S. § 31-12-116 and Colorado Rules of Civil Procedure 106(a)(4) or a referendum pursuant to Section 14.3 of the Town Charter, has been brought within the applicable period(s) for such challenge(s).

vii. The Property Owner certifies in writing to the Town, in a form acceptable to the Town, that the conditions precedent described in Subparagraph 1.a of this Agreement have been fully satisfied, within ten (10) days after the legal challenge period described in Subparagraph 1.a.vi. of this Agreement expires and no legal challenge has been brought within the applicable period(s) for such challenge(s).

b. Failure of Conditions. Until the conditions precedent set forth in Subparagraph 1.a have been satisfied, this document shall constitute an offer by the Property Owner and the Town to enter into this Agreement (notwithstanding the parties' mutual execution and delivery of this document), and the annexation of the Property to the Town shall not become effective. In such case, neither the Property Owner nor the Town shall record or cause to be recorded this Agreement or the items described in § 31-12-113(2)(a)(II)(A), C.R.S.

c. Transfer of Ownership/Authorized Representative. The Property Owner shall execute and cause to be recorded a conveyance deed in a form acceptable to the Town, which deed shall convey fee simple title in and to the Property to Meritage Homes of Colorado, Inc., or its assign, which deed shall be recorded in the Douglas County Clerk and Recorder's Office, contemporaneously with the recordation of the items described in § 31-12-113(2)(a)(II)(A), C.R.S., as provided in Subparagraph 1.a. (the "**Transfer of Ownership**"). Upon the Transfer of Ownership, the Property Owner shall have no further liability, obligation or responsibility hereunder and all rights and obligations of the Property Owner shall be assumed by and be the sole obligation of Meritage Homes of Colorado, Inc., or its assigns.

2. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by the Property Owner upon annexation and initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Town of Parker Land Development Code, as amended, any and all state statutes, and other sections of the ordinances of the Town of Parker.

3. Water and Sewer Services. The parties to this Agreement acknowledge that the Town has no obligation under this Agreement to provide water and sewer service to the Property. The District will provide water and sewer services to the Property if the Property Owner satisfies all requirements of the District including, but not limited to, the dedication of water resources and/or the payment of fees in lieu thereof, and the construction of water, sewer and wastewater treatment lines and facilities necessary to service the land use proposed for the Property.

4. Zoning and Development.

a. Zoning Approval. The Property Owner hereby consents to zoning the Property PD-Planned Development pursuant to the Development Plan and Guide that is adopted by Ordinance No. 3.325 contemporaneously with this Agreement (the “Development Plan”).

b. Town Fees. The Property Owner hereby agrees to pay the Town its actual out of pocket cost plus fifteen percent (15%) to defray the administrative and review expenses of the Town, and for engineering, surveying, and legal services rendered in connection with the review of the annexation of the Property, which cost shall be determined by the Town Planning Director, provided that the Town provides to the Property Owner reasonable documentation of such costs, such as invoices. In addition, the Property Owner shall reimburse the Town for the actual cost of making corrections or additions to the official Town Map, with a fee for recording such map, if necessary, and accompanying documents with the County Clerk and Recorder. The Property Owner further agrees to pay all building fees, use taxes, impact fees and excise taxes as established by Town ordinance and such additional fees and taxes as may be in effect at the time such payment is required in accordance with Town ordinance except as specifically provided by this Agreement, provided that real property taxes will become effective on January 1 of the next succeeding year following the effectiveness of the annexation ordinance adopted by the Town annexing the Property into the Town. The Town may withhold any plat approval or withhold the issuance of any permits for construction or occupancy for failure to pay Town fees and taxes as provided herein. All fees recited in this Agreement shall be subject to amendment by the Town Council by ordinance so long as any amendment is Townwide. Any amendment to the fees shall be incorporated into this Agreement as if originally set forth herein.

5. Open Space. The Property Owner shall provide 18.93 acres of open space on the Property as described in the Development Plan (the “Open Space”), which Open Space will be owned and maintained by a homeowners' association approved by the Town (the “Association”). The Open Space that is located within or adjacent to the planning area described in the Development Plan that is being platted, shall be conveyed to the Association, at the time of such final plat. The Property Owner shall implement and complete a plan using best management practices as approved by the Town to eradicate the noxious weeds and rodents on the Open Space Property prior to the conveyance to the Association.

6. Trail and Trail Connections. The Property Owner shall hereby design and construct, and cause to be maintained by the Association approved by the Town, trail

connections throughout the Property, in accordance with approved subdivision plat(s), as set forth in the Development Plan. The Property Owner shall design and construct such trails according to Town standards contained in the Construction Specifications and Design Considerations for Parks, Trails and Streetscapes, as amended (the "**Park and Trail Standards**"). Materials used to construct such trails shall be determined by the Town at the time of the first preliminary plan for the Property. Prior to the issuance of any building permit for the construction of a dwelling unit within any Planning Area or part thereof that contains or abuts portions of such trails, such portions of such trails shall be constructed. If only a portion of a Planning Area is platted, the Property Owner shall construct such trails within and/or adjacent to the entire Planning Area.

7. Parks. The Property Owner shall develop park sites on the Property with a minimum collective acreage of 6.44 acres as described in the Development Plan in accordance with the Park and Trail Standards, which park sites shall be owned and maintained by the Association. The Property Owner shall construct each park site prior to probationary acceptance of the public improvements for a final platted planned area that contains or abuts a park site as described in the Development Plan, unless otherwise agreed to by the Town, pursuant to the applicable subdivision agreement.

8. Deficit Reduction Fee. The Property Owner hereby agrees to pay the Town a deficit reduction fee to off-set the impact to the Town's General Fund as a result of this annexation in the amount of Six Thousand Nine Hundred Twenty-Eight Dollars (\$6,928.00) for each residential unit (the "Deficit Reduction Fee"). The Deficit Reduction Fee shall be paid individually at the time of the issuance of a building permit for any residential unit. The Deficit Reduction Fee shall increase annually, commencing on the recordation of first final plat for the Property, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index.

9. Construction of Roads. The Property Owner shall design and construct, at its sole expense, the following road improvements, in accordance with the Town of Parker Roadway Design and Construction Criteria Manual, as amended (the "Roadway Manual"), except as otherwise provided in this Paragraph.

a. Crowfoot Valley Road. The Property Owner shall design and construct, at its sole expense, one half (1/2) of Crowfoot Valley Road adjacent to the property as a four-lane arterial section, as defined in the Roadway Manual, including curb, gutter, streetscape, drainage improvements, a detached eight-foot (8') sidewalk, and all auxiliary, acceleration, or deceleration lanes, and intersection improvements in accordance with the Roadway Manual and the Town approved Traffic Study for the Property, prior to any building permit on the Property. Notwithstanding the foregoing, the Town, in the exercise of its sole discretion, may agree that building permits may be issued for model lots prior to the Property Owner's construction of the foregoing Crowfoot Valley Road improvements, subject to compliance with applicable building and fire codes; however, such model lots may not be sold to third parties prior to probationary acceptance by the Town of the foregoing Crowfoot Valley Road improvements. In the event that the Town determines to build the Crowfoot Valley Road prior to the first final plat for the Property, then in that event the Property Owner

shall pay to the Town one hundred percent (100%) of the actual cost to design and construct these improvements, as determined by the Town (which amount shall increase annually commencing on the date on which the improvements are completed and open for use by the public, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index), at the time of such first final plat the Property.

b. **Collector Roadway.** The Property Owner shall design and construct, at its sole expense, a residential collector roadway through the Property, including curb, gutter, sidewalk, streetscape, and drainage improvements, in accordance with the Roadway Manual, from Crowfoot Valley Road to the eastern Property boundary.

c. **Sidewalk Connection.** The Property Owner shall design and construct, or cause to be constructed, an 8-foot-wide concrete sidewalk connection, not to exceed three hundred (300) feet in length, along the south side of Crowfoot Valley Road south of the Property adjacent to Richlawn Estates to connect with the Trails at Crowfoot development. This sidewalk connection shall be designed and constructed prior to the release of any building permits for the Property.

10. **Traffic Signals.** The Property Owner shall be responsible for the payment to the Town of one hundred percent (100%) of the cost to design and construct the required traffic signal at the intersection of Crowfoot Valley Road and the proposed Collector Roadway, as determined by the Town pursuant to the Roadway Manual, which payment shall be made at the time of recordation for the first final plat on the Property (the “Crowfoot Valley Road Signal Payment”), and which funds shall be used by the Town for the sole purpose of designing and constructing the traffic signal upon warrants being met at this intersection. The Town agrees to recover twenty-five percent (25%) of the Crowfoot Valley Road Signal Payment from the owner of the real property described in **Exhibit B-1**, which is attached hereto and incorporated by this reference and twenty-five percent (25%) of the Crowfoot Valley Road Signal Payment from the owner of the real property described in **Exhibit B-2**, which is attached hereto and incorporated by this reference (collectively referred to as the “**Benefitted Property**”), as a condition to the annexation of the Benefitted Property into the Town, and upon such recovery the Town will reimburse the property owner that paid the Crowfoot Valley Road Signal Payment to the Town.

11. **Lemon Gulch Drainage Improvements.** The Property Owner shall pay to the Town an amount not to exceed One Million Seven Hundred Eighty Six Thousand Dollars (\$1,786,000) (the “**Lemon Gulch Payment**”), which amount is the cost to construct all improvements to Lemon Gulch through the Property, as determined by the Town and in accordance with the final design approved by Urban Drainage and Flood Control District (UDFCD). The Lemon Gulch Payment shall be made to the Town at the time of recordation for the first final plat on the Property, which shall increase annually, commencing on the recordation of the Agreement, by the U.S. Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, All Items, All Urban Consumers, or its successor index, described herein. The Town shall use the Lemon Gulch Payment for the sole purpose of constructing these improvements.

12. Limitation on Number of Dwelling Units. The total number of residential dwelling units allowed on the Property shall not exceed two hundred sixty-eight (268) residential dwelling units.

13. Land Dedication. The Property Owner shall either dedicate by plat or convey to the Town, by special warranty deed, free and clear of all liens and monetary encumbrances, the following real property:

a. Crowfoot Valley Road. The real property to construct the improvements to Crowfoot Valley Road, as described in Paragraph 9 of this Agreement, together with all necessary easements as determined by the Town, including, but not limited to, slope, drainage and construction easements, at the time of the first final plat for the Property or upon thirty (30) days' written notice of the Town to the Property Owner, whichever occurs first, unless otherwise specified by the Town in writing.

b. Lemon Gulch. The real property to construct the improvements to Lemon Gulch, as described in Paragraph 11 of this Agreement, together with all necessary easements as determined by the Town, including, but not limited to, slope, drainage and construction easements, at the time of the first final plat for the Property or upon thirty (30) days' written notice of the Town to the Property Owner, whichever occurs first, unless otherwise specified by the Town in writing.

c. Trail Easements. The Property Owner shall also grant to the Town, free and clear of all liens and monetary encumbrances, nonexclusive easements for the trail(s) and trail connection(s) described in Paragraph 6 of this Agreement, which dedications shall occur from time to time with approval each Development Plat for the portion of Property that contains the trail(s) or trail connection(s) described herein.

14. School Mitigation Plan. The Property Owner desires and has agreed to contribute to the Douglas County School District No. RE-1 (the "School District") the sum of Two Thousand Five Hundred Fifty-Eight Dollars (\$2,558.00) for each residential unit constructed on the Property for school mitigation (the "School Mitigation Fee") and a fee in lieu of a 5.712-acre land dedication for the school sites (the "In-Lieu Fee"), which fees are for the benefit of the School District and its students. The School Mitigation Fee shall be paid by the Property Owner to the School District prior to the issuance of a building permit for each residential unit within the Property. The amount of the In-Lieu Fee shall be determined by an appraisal provided by the Property Owner prior to the recording of the first final plat for the Property. The In-Lieu Fee shall be paid by the Property Owner in one (1) installment to the School District for all lots in each final plat, concurrently with the recording of each final plat for the Property. The In-Lieu Fee for each final plat shall be calculated as a proportionate share of the total In-Lieu Fee for the Property, based upon the number of residential units contemplated in such final plat. Any outstanding balance of the In-Lieu Fee shall be paid to the School District in its entirety concurrently with recording of the last residential subdivision plat for the Property.

15. Douglas County Improvements. The Property Owner shall obtain all applicable approvals and permits required by Douglas County for improvements associated with the

development of the Property, including, but not limited to, all permits associated with improvements to Richlawn Drive.

16. Permitted Development. The Property Owner shall develop the Property in accordance with this Agreement, Town ordinances and regulations, and applicable state and federal law and regulations. The Town shall allow and permit the development of the Property upon submission of proper application and payment of fees imposed by the Town ordinances and regulations. The Property Owner shall cause a homeowners' association to be created at the time of the first final plat for the purpose of maintaining those areas described in this Agreement which are to be owned and maintained by the homeowners' association.

17. Property Owner. The Property Owner is entering into this Agreement and is undertaking the obligations imposed upon the Property Owner herein in reliance upon the Town's concurrent adoption of an ordinance annexing the Property into the Town and the adoption of an ordinance zoning the Property PD-Planned Development as provided in Subparagraph 4.a of this Agreement. Performance of the Property Owner's obligations hereunder is expressly conditioned upon the Town's adoption of the ordinance described in Subparagraph 4.a. If the Town fails to adopt the ordinance described in Subparagraph 4.a, then the petition for annexation will be deemed withdrawn and the annexation process will be terminated.

18. Waiver of Prior Vested Rights. The Property Owner waives any prior vested property rights acquired in Douglas County so long as the Property remains annexed into the Town.

19. Remedies. The Property Owner's remedies against the Town for the Town's breach of this Agreement are limited to breach of contract claims. The Town's remedies under this Agreement include, but are not limited to, the following:

- 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.
- d. Any other remedy available at law.

20. Authority of the Town. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its inhabitants; nor shall this Agreement prohibit the enactment by the Town of any fee that is of uniform or general application.

21. Termination. If the zoning as set forth above in Subparagraph 4.a. is not approved by ordinance, or if the annexation of the Property is for any reason not completed, or

this Agreement is not approved by the Town Council, then this Agreement shall be null and void and of no force and effect whatsoever, and any monies paid will be reimbursed to the Property Owner. If the Town Council's approval of the annexation of the Property, this Agreement, or the zoning contemplated in Subparagraph 4.a. above become subject to any judicial or other legal challenge described in Subparagraph 1.a.vi., the Property Owner may elect, in its sole and absolute discretion, to terminate this Agreement, at which time this Agreement and the annexation of the Property shall be null and void and of no force and effect whatsoever, and any monies paid will be reimbursed to the Property Owner.

22. Binding Effect; Amendments. Upon and after the Effective Date, this Agreement shall inure to the benefit of and be binding on the successors or assigns in interest or the legal representatives of the parties hereto, including all the purchasers and subsequent owners of any lots or parcels within the Property. This Agreement constitutes the entire agreement of the parties and may be amended only in writing by the parties, approved in substantially the same manner as the Agreement itself. The Property Owner or Developer, as applicable, are hereby authorized to execute amendments to this Agreement with respect to the entire Property without the approval of any owner of any lot within the Property that is used for residential purposes; however, such amendment(s) will not be enforceable as against such owner(s).

23. Recordation of Agreement. Upon the Effective Date, this Agreement shall be recorded in the Records and upon recordation shall run with the land.

24. Effective Date. This Agreement shall be effective upon the satisfaction of the conditions set forth in Subparagraph 1.a of this Agreement (the "**Effective Date**").

25. Severability. It is understood and agreed by the parties hereto that if any part, term, or provision of this Agreement is held by the courts to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

26. 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.

27. Notice. Any 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 on the earlier of actual receipt or seventy-two (72) hours after deposit in the United States mail with the proper address (and by registered or certified mail, return receipt requested, postage prepaid), 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

To Property Owner: Cherry Creek Project Water Authority
c/o Russell Dykstra, Esq.
Spencer Fane, LLP
1700 Lincoln Ave., Suite 2000
Denver, Colorado 80203

28. Entire Agreement. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Agreement shall supersede all previous communications, representations or agreements, either verbal or written, between the parties hereto.

IN WITNESS WHEREOF, the parties have signed this Agreement 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:

James S. Maloney, Town Attorney

[Remainder of page intentionally left blank. Signatures continue on following page.]

PROPERTY OWNER: CHERRY
CREEK PROJECT WATER
AUTHORITY

By: _____

Luis Tovar

[Please print name/title on line.↑]

STATE OF COLORADO)

COUNTY OF Arapahoe)

ss.

The foregoing instrument was acknowledged before me this 13th day of February, 2018, by Luis Tovar as President of the Cherry Creek Project Water Authority..

SEAL

Laurie M. Tatlock
Notary Public

**LAURIE M TATLOCK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19964021470
MY COMMISSION EXPIRES 12/27/2020**

**DISTRICT: PARKER WATER AND
SANITATION DISTRICT (AS TO
PARAGRAPH 3)**

By: _____

Ron Redd, District Manager

ATTEST:

Maliea Good, Engineering Secretary

**PROPERTY OWNER: CHERRY
CREEK PROJECT WATER
AUTHORITY**

By: _____

[Please print name/title on line.↑]

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
2018, by _____ as _____ of the Cherry Creek Project
Water Authority.

SEAL

Notary Public

**DISTRICT: PARKER WATER AND
SANITATION DISTRICT (AS TO
PARAGRAPH 3)**

By:

Ron T. Redd
Ron Redd, District Manager

ATTEST:

Maliea Good
Maliea Good, Engineering Secretary

EXHIBITS

EXHIBIT A LEGAL DESCRIPTION OF PROPERTY

EXHIBIT B-1 LEGAL DESCRIPTION BENEFITTED PROPERTY

EXHIBIT B-2 LEGAL DESCRIPTION BENEFITTED PROPERTY

EXHIBIT A

Legal Description of Property

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 3 AND CONSIDERING THE NORTH LINE OF SAID NORTHWEST 1/4 TO BEAR 89 DEGREES 52 MINUTES 31 SECONDS EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 89 DEGREES 52 MINUTES 31 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 1740.60 FEET;

THENCE SOUTH 00 DEGREES 07 MINUTES 29 SECONDS EAST A DISTANCE OF 34.37 FEET; THENCE SOUTH 23 DEGREES 12 MINUTES 25 SECONDS WEST A DISTANCE OF 1054.94 FEET;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 550.78 FEET TO THE SOUTHEAST CORNER OF THE TAP PROPERTIES PARCEL (BOOK 982 AT PAGE 524) AND TO THE

TRUE POINT OF BEGINNING;

THENCE SOUTH 31 DEGREES 26 MINUTES 50 SECONDS EAST A DISTANCE OF 259.41 FEET;

THENCE SOUTH 24 DEGREES 40 MINUTES 14 SECONDS EAST A DISTANCE OF 846.84 FEET;

THENCE SOUTH 07 DEGREES 07 MINUTES 00 SECONDS EAST A DISTANCE OF 134.18 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4;

THENCE SOUTH 89 DEGREES 51 MINUTES 10 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 2118.05 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 4;

THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 4 A DISTANCE OF 619.79 FEET TO

THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT FILED ON JANUARY 12, 1971 PER RECEPTION NO. 140291;

THENCE ALONG THE NORTHERN BOUNDARY OF RICHLAWN HILLS FOR THE NEXT 12 COURSES:

1. THENCE SOUTH 89 DEGREES 55 MINUTES 34 SECONDS WEST A DISTANCE OF 710.00 FEET;

2. THENCE SOUTH 00 DEGREES 04 MINUTES 26 SECONDS EAST A DISTANCE OF 491.54 FEET;
 3. THENCE SOUTHWESTERLY ALONG THE ARC OF CURVE TO THE RIGHT A DISTANCE OF 238.13 FEET, SAID CURVE HAS A RADIUS OF 470.00 FEET AND A CENTRAL ANGLE OF 29 DEGREES 01 MINUTES 48 SECONDS TO A POINT OF TANGENT;
 4. THENCE SOUTH 75 DEGREES 12 MINUTES 17 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 107.39 FEET TO A POINT OF CURVE;
 5. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 263.65 FEET, SAID CURVE HAS A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 55 DEGREES 58 MINUTES 50 SECONDS TO A POINT OF TANGENT;
 6. THENCE NORTH 48 DEGREES 50 MINUTES 53 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 52.07 FEET TO A POINT OF CURVE;
 7. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 127.30 FEET, SAID CURVE HAS A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 30 DEGREES 23 MINUTES 23 SECONDS TO A POINT OF TANGENT;
 8. THENCE NORTH 79 DEGREES 14 MINUTES 16 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 509.97 FEET TO A POINT OF CURVE;
 9. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 59.84 FEET, SAID CURVE HAS A RADIUS OF 290.00 FEET AND A CENTRAL ANGLE OF 11 DEGREES 49 MINUTES 21 SECONDS TO A POINT OF TANGENT;
 10. THENCE SOUTH 88 DEGREES 56 MINUTES 23 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 151.71 FEET TO A POINT OF CURVE;
 11. THENCE WESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 273.32 FEET, SAID CURVE HAS A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 34 DEGREES 02 MINUTES 35 SECONDS TO A POINT OF TANGENT;
 12. THENCE NORTH 57 DEGREES 01 MINUTES 62 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 76.93 FEET TO THE EAST RIGHT OF WAY LINE OF THE COUNTY ROAD;
- THENCE NORTH 32 DEGREES 58 MINUTES 58 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1116.38 FEET;
- THENCE NORTH 25 DEGREES 06 MINUTES 42 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 780.91 FEET TO A POINT OF CURVE;

THENCE NORTHEASTERLY ALONG SAID EAST RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 56.88 FEET, SAID CURVE HAS A RADIUS OF 925.25 FEET AND A CENTRAL ANGLE OF 03 DEGREES 31 MINUTES 21 SECONDS TO THE MOST WESTERLY CORNER OF THE WILSON PARCEL (BOOK 819 AT PAGE 717);

THENCE SOUTH 50 DEGREES 36 MINUTES 41 SECONDS EAST A DISTANCE OF 504.57 FEET TO THE MOST SOUTHERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 39 DEGREES 23 MINUTES 19 SECONDS EAST A DISTANCE OF 345.29 FEET TO THE MOST EASTERLY CORNER OF SAID WILSON PARCEL;

THENCE NORTH 50 DEGREES 36 MINUTES 41 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SAID WILSON PARCEL A DISTANCE OF 87.46 FEET TO THE MOST SOUTHERLY CORNER OF THE COYLE PARCEL (BOOK 638 AT PAGE 869);

THENCE NORTH 73 DEGREES 12 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 913.61 FEET;

THENCE NORTH 83 DEGREES 28 MINUTES 25 SECONDS EAST ALONG THE SOUTH LINE OF THE COYLE PARCEL A DISTANCE OF 460.79 FEET TO THE SOUTHEAST CORNER OF THE COYLE PARCEL, BEING THE SOUTHWEST CORNER OF THE TAP PROPERTIES PARCEL;

THENCE NORTH 89 DEGREES 28 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF THE TAP PROPERTIES PARCEL A DISTANCE OF 1226.29 FEET TO THE **POINT OF BEGINNING.**

EXCEPTING THERE FROM THOSE PORTIONS CONVEYED IN DEED RECORDED OCTOBER 20, 1999 IN BOOK 1768 AT PAGE 1098.

AND EXCEPTING THEREFROM THAT PORTION TAKEN IN RULE AND ORDER RECORDED SEPTEMBER 26, 2003 AT RECEPTION NO. 2003143247.

COUNTY OF DOUGLAS, STATE OF COLORADO.

SAID PARCEL CONTAINS 3,958,306 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS, AFTER SUBTRACTION OF THE EXCEPTIONS.

EXHIBIT B-1

LEGAL DESCRIPTION
SHEET 1 OF 2

THAT PARCEL OF LAND RECORDED IN BOOK 583 AT PAGE 33 OF THE RECORDS OF THE DOUGLAS CLERK AND RECORDER, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 4 AND CONSIDERING THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 4 TO BEAR SOUTH 89°52'13" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°07'33" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 262.19 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°52'32" EAST A DISTANCE OF 514.20 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD RECORDED AT RECEPTION NO. 2009075004 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;
THENCE SOUTH 35°30'07" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 388.29 FEET;

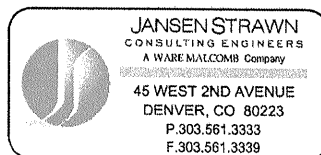
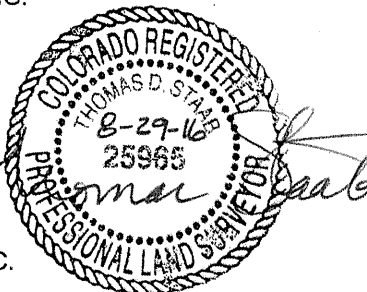
THENCE NORTH 89°45'27" WEST A DISTANCE OF 288.01 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 00°07'33" WEST ALONG SAID WEST LINE A DISTANCE OF 316.00 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS A CALCULATED AREA OF 126,900 SQUARE FEET, OR 2.913 ACRES, MORE OR LESS.

I, THOMAS D. STAAB, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED ILLUSTRATION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

THOMAS D. STAAB, P.L.S. 25965
FOR AND ON BEHALF OF
JANSEN STRAWN CONSULTING ENGINEERS, INC.
45 WEST 2ND AVENUE
DENVER, CO 80223



PROJECT NAME: MEADOWLARK

JOB NO.: 15030

DATE : AUGUST 26, 2016

DRAFTED BY: IH

CHECKED BY: TS

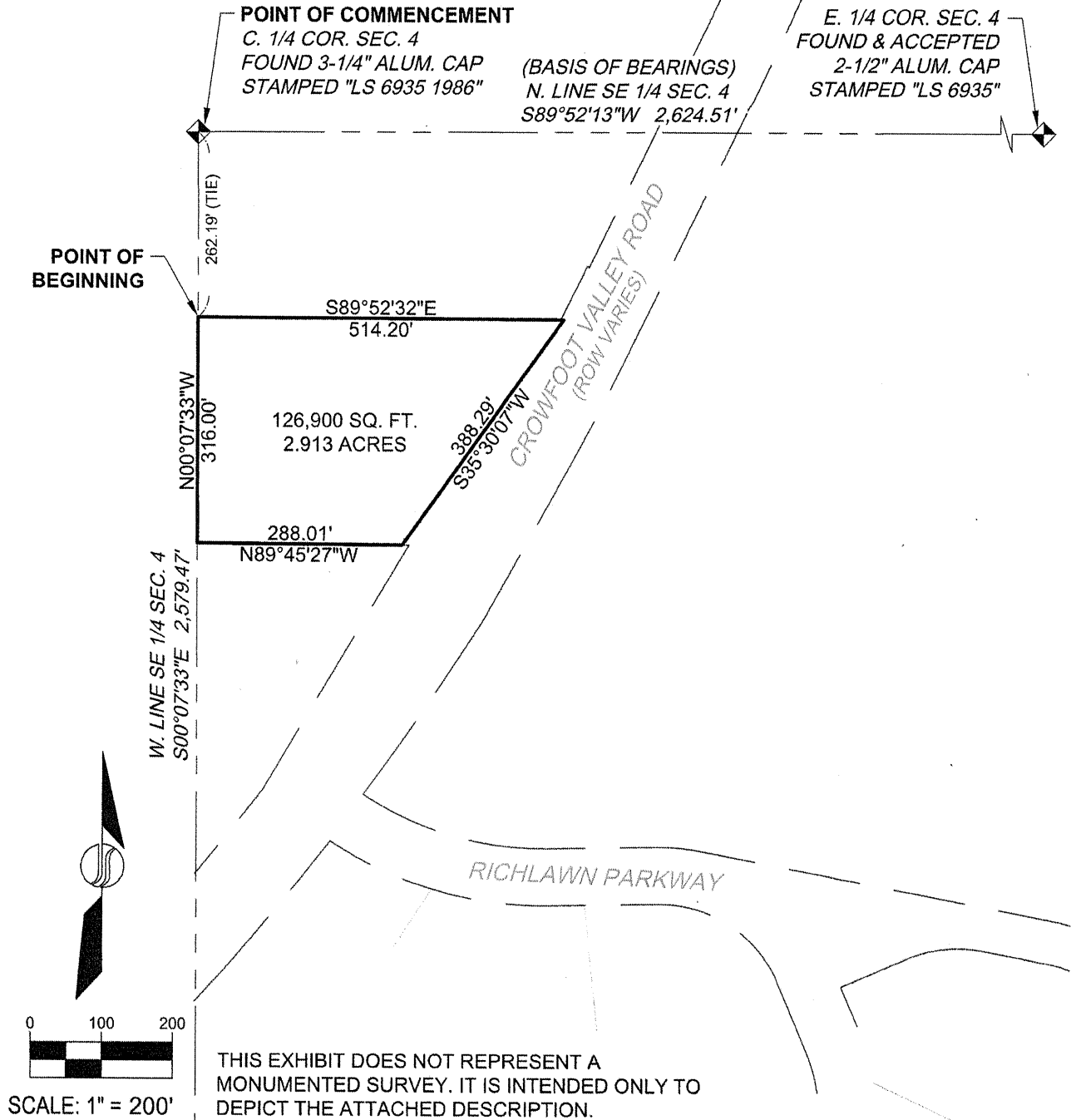
SCALE: N/A

SHEET

1 OF 2

EXHIBIT B-1

LEGAL DESCRIPTION
SHEET 2 OF 2



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOLM Company
45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

PROJECT NAME: MEADOWLARK

JOB NO.: 15030

DATE : AUGUST 26, 2016

DRAFTED BY: IH

CHECKED BY: TS

SCALE: 1" = 200'

SHEET

2 OF 2

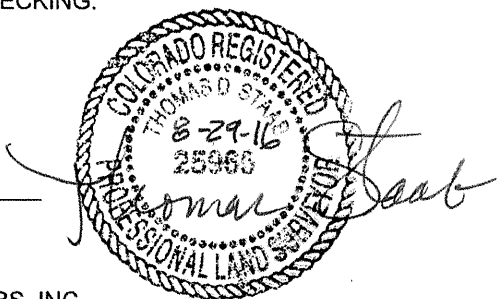
EXHIBIT B-2

LEGAL DESCRIPTION

SHEET 1 OF 2

THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 9350693 OF THE RECORDS OF THE DOUGLAS CLERK AND RECORDER, BEING THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST, AND THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SW/4) OF SECTION 3, TOWNSHIP 7 SOUTH RANGE 66 WEST, AND THAT PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST, SITUATE WEST OF COLORADO STATE HIGHWAY 83.

I, THOMAS D. STAAB, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED ILLUSTRATION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



THOMAS D. STAAB, P.L.S. 25965

FOR AND ON BEHALF OF

JANSEN STRAWN CONSULTING ENGINEERS, INC.

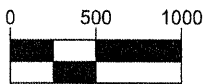
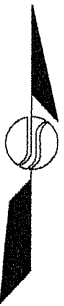
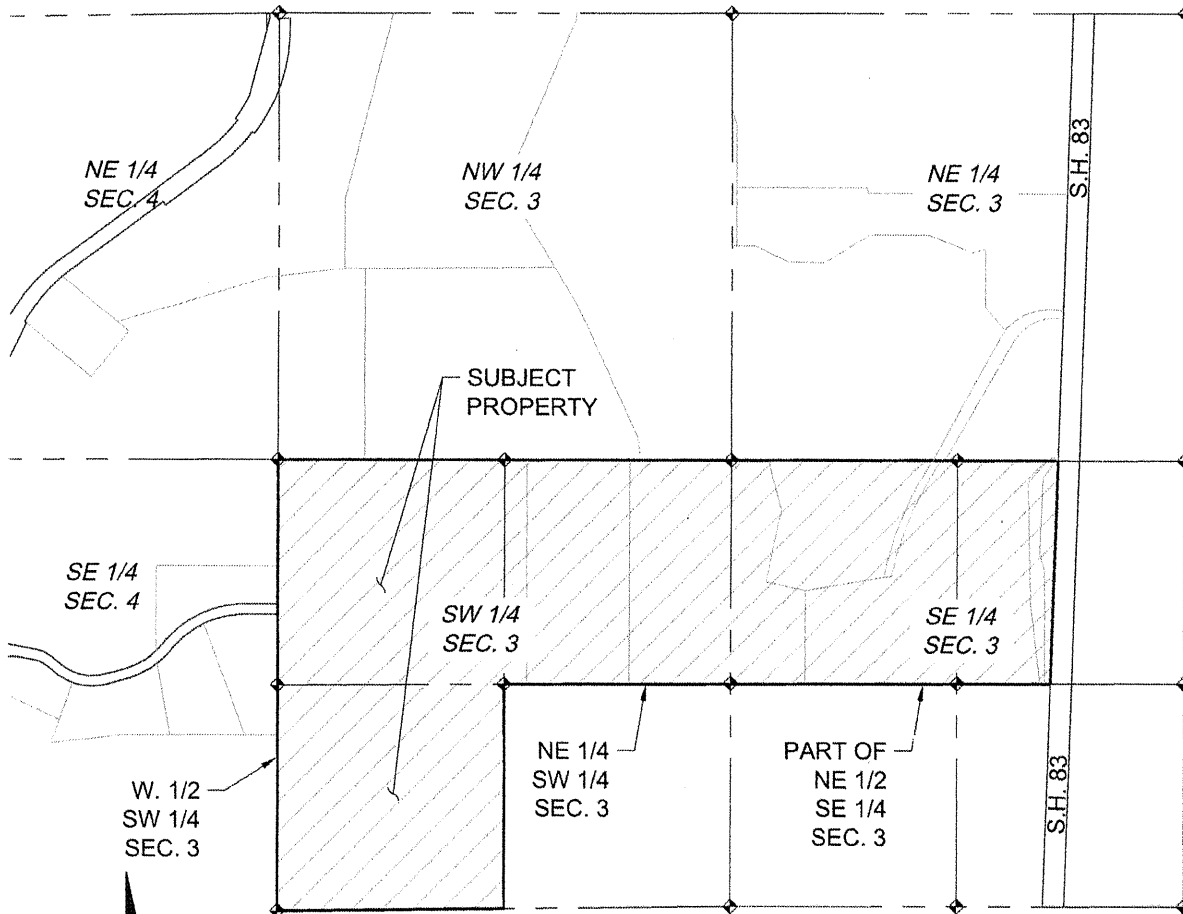
45 WEST 2ND AVENUE

DENVER, CO 80223

 JANSEN STRAWN CONSULTING ENGINEERS A WARE MALCOMB Company 45 WEST 2ND AVENUE DENVER, CO 80223 P.303.561.3333 F.303.561.3339	PROJECT NAME: MEADOWLARK		SHEET 1 OF 2
	JOB NO.: 15030	DATE : AUGUST 26, 2016	
	DRAFTED BY: IH	CHECKED BY: TS	

EXHIBIT B-2

LEGAL DESCRIPTION
SHEET 2 OF 2



SCALE: 1" = 1000'

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY TO
DEPICT THE ATTACHED DESCRIPTION.



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

PROJECT NAME: MEADOWLARK

JOB NO.: 15030

DATE: AUGUST 26, 2016

DRAFTED BY: IH

CHECKED BY: TS

SCALE: 1" = 1000'

SHEET

2 OF 2



Planning Commission Staff Report

Planning Commission Date: 3/22/2018

Town Council Date: 4/2/2018

Hearing Type: Public Hearing
MEADOWLARK - Sketch and Preliminary Plans
SUB17-020 & SUB17-022

Location: Northeast corner of Crowfoot Valley Road and Richlawn Parkway

Project Planner: Paul Workman, Senior Planner

Applicant: Karen Henry, Henry Design Group for Meritage Homes

Executive Summary: The applicant, Henry Design Group for Meritage Homes requests a Sketch and Preliminary Plan to plat 90.87 acres into 267 single-family detached homes, 18+/- acres of open space, and 6.4+/- acres of park space.

Staff Recommendation: Approval with Conditions

RECOMMENDED MOTION

"I move that the Planning Commission recommend that Town Council approve the Sketch and Preliminary Plans, subject to the four (4) conditions contained in the staff report:"

- 1. Meritage Homes shall construct a pedestrian connection from the Trails at Crowfoot development (south of this property) to their development as required by the Annexation Agreement.*
- 2. All Final Plats and Landscape Plans must be substantially similar in design and layout and the inclusion of amenities to this Sketch and Preliminary Plans, as determined by Town staff.*
- 3. Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.*
- 4. The applicant shall meet required setbacks and zoning within the Planned Development Guide.*

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve the Sketch and Preliminary Plans."

“I move that the Planning Commission recommend that Town Council deny the Sketch and Preliminary Plans as the request does not meet the following approval criteria:”

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

“I move that the Planning Commission vote to continue the Sketch and Preliminary Plans to a future date.”

I. BACKGROUND/DISCUSSION

The intent is to develop the site with 267 single-family detached homes on lots ranging from approximately 5,000 to 6,600 square-feet in size with park and open space dedication as required by the Land Development Ordinance. Primary access to the neighborhood is from Crowfoot Valley Road with secondary access from Richlawn Drive. A residential collector roadway is proposed through Meadowlark which provides access to the local streets serving the homes. The residential collector roadway will also provide future access to the east should those parcels be developed. It is proposed that the street pattern within Meadowlark be designed to direct the majority of the traffic to the full movement access at Crowfoot Valley Road, therefore minimizing the access to Richlawn Drive. Several open space, park and trail corridors are proposed throughout the neighborhood.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
N/A	There have been no previous actions related to the Sketch and Preliminary Plans

III. CURRENT SITE DATA

Existing Zoning	Douglas County A-1 (Agricultural – 1)		
Overlay District	N/A		
PD & Plan Area	Meadowlark Planned Development (PD) (proposed via Z16-020)		
Master Plan Area	Medium Density Residential		
Site Acreage	90.87 acres		
Subdivision	Meadowlark - proposed		
Existing Use	Undeveloped		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Medium Density Residential	Douglas County Zoning	Lemon Gulch, Single-Family Detached Residential, and Undeveloped Land
South	Medium Density Residential	Douglas County Zoning	Large Lot Single-Family Detached Residential
East	Medium Density Residential	Douglas County Zoning	Undeveloped
West	Low Density Residential	Douglas County Zoning	Crowfoot Valley Road, Large Lot Single-Family Detached Residential and Undeveloped Land

IV. 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	The Parker 2035 Master Plan recommends this area as Medium Density Residential which consists of an overall gross density of 3.5 dwelling units per acre.
Consistent Goals/Strategies	<u>Land Use 1.A</u> <u>Transportation 2.C</u> <u>Public Services and Facilities 1</u>
Staff Analysis	The requested development of 267 units on 90.87 acres is within the 3.5 dwelling units per acres recommended by the Master Plan. Additionally, staff has identified

	certain goals and strategies within the Master Plan consistent with the requested development as referenced in the Master Plan Goals/Strategies.
--	--

V. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Site Plan/UBSR/Sketch/Prelim Plan/MDP)			
Provisions	Existing/Required (pending via Z16-020)	Proposed	Analysis
Setbacks	Front – 20’ to garage door, 10’ to covered porch Side – 5’ Rear – 15’ internal lots, 20’ for lots adjacent to Crowfoot Valley Road Corner – 10’ from street to structure	Specific homes have not been proposed for this development, but the setbacks of the homes will be reviewed at Building Permit.	☐ Consistent ☐ Inconsistent ☒ N/A
Density	3.5 dwelling units per acre	3 dwelling units per acre	☒ Consistent ☐ Inconsistent ☐ N/A
Height/Stories	35 feet	Specific homes have not been proposed for this development, but the heights of the homes will be reviewed at Building Permit.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Size	5,000 square feet	5,050 square feet is the smallest lots	☒ Consistent ☐ Inconsistent ☐ N/A
Lot Coverage	N/A	Specific homes have not been proposed for this development, but the lot coverage of the homes will be evaluated at Building Permit.	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	Staff has reviewed the preliminary landscape plan and determined that the landscaping, parks and open space meet the requirements of 13.06.070	☒ Consistent ☐ Inconsistent ☐ N/A

Miscellaneous	Residential lot lines adjacent to Richlawn Drive have a minimum setback of 50' from the ultimate right-of-way line of the street to the property line. The average setback for the lots backing on Crowfoot Valley Road is a minimum of 60' - 65' with a minimum of 50' from the ultimate right-of-way line of the street to the property line.	Specific homes have not been proposed for this development, but these unique setbacks will be reviewed at the appropriate time.	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	As outlined above, staff has evaluated the requested Sketch and Preliminary Plans against the requirements proposed Meadowlark Planned Development zoning case Z16-020 as well as the landscape standards in the Land Development Ordinance (LDO) and determined that the request complies with the relevant standards.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The submitted Sketch and Preliminary Plans propose primary access from the west off Crowfoot Valley Road with a new residential collector roadway to be named Henslow Parkway. Henslow Parkway would primarily run east/west and provides an opportunity for future connections to the east, should the properties on the east side of the development redevelop. A secondary access on the south side of the development is proposed off Richlawn Drive. This second point of access is required in order to satisfy the Fire Code's requirements for a minimum of two points of access into any residential development with 40 or more units. A second access cannot be provided off Crowfoot Valley Road due to the sites limited distance of frontage along Crowfoot Valley Road between Richlawn Drive and Lemon Gulch. The linear frontage needed to meet the access spacing requirements and ensure vehicular safety is not available. In order to minimize the impacts to Richlawn Drive, the applicant has proposed to implement two strategies. First, the lot layout and road network between Richlawn Drive and Henslow Parkway has been designed to minimize the ease of access to Richlawn Drive. This has been accomplished through a series of cul-de-sacs and roadway connections to Henslow Parkway that encourage vehicular traffic to use the future collector road as opposed to Richlawn Drive. Second, the intersection of Crowfoot Valley Road and Henslow Parkway will be a full-movement intersection with a traffic light while the intersection of Crowfoot Valley Road and Richlawn Drive will become a right-in and right-out restricted movement intersection.

Having the intersection of Crowfoot Valley Road and Henslow Parkway be the intersection with the traffic light, will facilitate greater use of the intersection and will force any southbound traffic from the development onto Crowfoot Valley Road or east bound traffic from the north to use Crowfoot Valley Road to use the intersection with the light.

Once traffic is within the development there are a series of roadway connections designed to provide access to lots and take advantage of the properties topography.

VII. LEMON GULCH AND TRAIL IMPROVEMENTS

As a requirement of this development, the applicant is working with the Town to make improvements to Lemon Gulch. While many of these improvements are technical in nature in order to ensure the functionality of the Gulch, the applicant is also constructing a series of pedestrian connections for the residential home sites and park sites to Lemon Gulch and along Crowfoot Valley Road. Specifically, the applicant has agreed to construct a paved sidewalk connection from the boundary of the Trails at Crowfoot development (south of this development) north to Lemon Gulch and then east from Crowfoot Valley Road to the property's eastern boundary. The Lemon Gulch Trail will eventually connect east to Cherry Creek Trail and west to Hess Ranch. Additionally, there are many sidewalk connections within the residential development that allow for easy access within the development and the opportunity to connect to the larger pedestrian system. This system of connections and the construction of Henslow Parkway with bike lanes will help provide transportation options for residents.

VIII. APPROVAL CRITERIA

Title 13.07.060.d. Approval Considerations for Sketch Plan:

1. Consistency with Master Plan. The proposed subdivision is consistent with the goals and policies of the Town of Parker Master Plan and the General Land Use Plan in the Master Plan.

Applicant's Response

The proposed Sketch Plan and Preliminary Plans are in compliance with the proposed Annexation and Zoning, have been designed to be compatible with the surrounding existing and proposed developments and land uses, and meet the goals and policies of Town of Parker 2035 Master Plan.

Staff Analysis

As described in detail in Section IV of this staff report, the application is consistent with the proposed Meadowlark Planned Development which is consistent with the Medium Density Residential designation as described in the Parker 2035 Master Plan. Specifically, the applicant is under the 3.5 dwelling units per acre as recommended by the Master Plan.

Based on this analysis, staff has determined that the request meets this criterion.

2. Consistency with the Land Development Ordinance and other minimum standards established by the Town. The proposed subdivision complies with this Section and all other provisions of this Title, the Town's Stormwater Drainage and Environmental Criteria Manual and the Town of Parker Roadway Design and Construction Criteria Manual and other applicable standards adopted by the Town.

Applicant's Response

Open space and park land have been provided in accordance with the requirements of the Town of Parker Land Development Code. A total of 18.421 acres (20.28%) of the site is provided as open space, not including the detention ponds; and 6.46 acres of park land is provided. A summary of Parks and Open Space follows:

- Required Open Space (20% of the site 90.87 Acres): 18.174 Acres
- Provided Open Space: 18.27 Acres
- Required Parks: 267 DUs x .0239 = 6.38 Acres
- Provided Parks: 6.45 Acres

A regional trail is provided along the south side of Lemon Gulch and within the landscape buffer along Crowfoot Valley Road. A connection point is provided in the northeast corner of the site which may eventually connect through the PWSD property and eventually tie into the Cherry Creek Trail System. It is anticipated that the regional trail along Lemon Gulch and Crowfoot Valley Road will eventually connect to the trail system being constructed as part of the Hess Ranch development.

A Traffic Impact Study was included with the rezoning application. The study analyzes necessary improvements, the functionality of the roads and proposed intersections and the potential impacts to the surrounding area. Necessary improvements to the existing and proposed road systems have been defined in the Annexation Agreement. A summary follows.

Crowfoot Valley Road

Improvements to Crowfoot Valley Road to be provided as part of this development by the builder/developer including ½ of the widening required for a 4-lane arterial section with acceleration, deceleration and turn lanes, sidewalks, and a proportionate share of a traffic signal at the intersection of the proposed residential collector with Crowfoot Valley Road.

Richlawn Drive

Secondary access for the proposed subdivision will be from Richlawn Drive. The collector street will be improved from Crowfoot Valley Road to the intersection of Richlawn Drive and the entry street into the neighborhood. The road will be designed and constructed in accordance with Douglas County and Town of Parker Regulations including the review, approval and acquisition of necessary permits.

Residential Collector Street (Henslow Parkway)

A residential collector street is proposed through Meadowlark from the intersection with Crowfoot Valley Road to the eastern property line providing for future access for the lands to the east between Meadowlark and Cherry Creek. The road will be designed in accordance with Town of Parker Standards.

Staff Analysis

The application proposes to dedicate and reserve the necessary open space and parks as required in the Land Development Ordinance. Staff has performed a review of the submitted landscape information and determined that the application meets the landscape requirements. Additionally, the Town's Engineering Division has reviewed the Construction Documents submitted by the applicant and determined that those documents meet the Town's requirements.

Based on this analysis, staff has determined that the request meets this criterion.

3. Consistency with Zone District Standards or Planned Development Guide, if applicable. The proposed subdivision complies with all of the provisions of the applicable Zone District or Planned Development Guide

Applicant's Response

The intent is to develop the site with 267 single-family detached homes on lots ranging from approximately 5,000 to 6,600 square feet in size. Two general lot sizes are proposed. 149 lots are planned at 50-feet wide and 118 lots are proposed at 60-feet wide. The lot depths vary between 101 and 110. The larger lots are located on the perimeter of the neighborhood. Per the PD Development Guide front yard setbacks will be 20 feet as measured from the adjacent street right-of-way to the face of the garage or 12 feet to the structure if the garage is recessed or side loaded. A 10-foot setback is permitted for an unenclosed porch. Side yard setbacks are 5 feet and 10 feet on corners where adjacent to a street. Rear yard setbacks are 15 feet. A 20-foot rear yard setback is required for the homes backing on Crowfoot Valley Road.

The proposed homes are traditional in design and character. All homes will feature yard areas for private family activities. A variety of building plans and elevations will be provided in accordance with the Section 13.10.160 – Residential Design Minimums of the Town of Parker land Development Ordinance. Lighting will meet the Town's requirements. Streets within the neighborhood will be asphalt with concrete curb and gutters. Trees will line the streets to soften the street edge and separate pedestrians from traffic. Covenants, conditions and Restrictions (CC&Rs) will be established to govern the use of the neighborhood. The CC&Rs will address items such as homeowner improvements, refuge, domestic pets, interaction with wildlife, lighting on private lots, noise, parking, etc. Meritage Homes is a nationally recognized builder whose intent is to build a high-quality neighborhood that fits into the fabric of the overall community.

Staff Analysis

As discussed in detail in Section V of this staff report, the proposed application complies with proposed requirements of the Meadowlark PD Zone Document.

Based on this analysis, staff has determined that the request meets this criterion.

4. Public notice requirements. The applicant has demonstrated that all public notice requirements have been met.

Applicant's Response

The applicant has provided the required notification affidavits.

Staff Analysis

The applicant has provided the required notification affidavits indicating the application has been noticed in accordance with the Land Development Ordinance (LDO)

Based on this analysis, staff has determined that the request meets this criterion.

Title 13.07.070.d. Criteria for approval for Preliminary Plan:

1. Consistency with Master Plan. The proposed subdivision is consistent with the goals and policies of the Town of Parker Master Plan and the General Land Use Plan in the Master Plan.

Applicant's Response

The proposed Sketch Plan and Preliminary Plans are in compliance with the proposed Annexation and Zoning, have been designed to be compatible with the surrounding existing and proposed developments and land uses, and meet the goals and policies of Town of Parker 2035 Master Plan.

Staff Analysis

As described in detail in Section IV of this staff report, the application is consistent with the proposed Meadowlark Planned Development which is consistent with the Medium Density Residential designation as described in the Parker 2035 Master Plan. Specifically, the applicant is under the 3.5 dwelling units per acre as recommended by the Master Plan.

Based on this analysis, staff has determined that the request meets this criterion.

2. Consistency with the Land Development Ordinance and other minimum standards established by the Town. The proposed subdivision complies with this Section and all other provisions of this Title, the Town's Stormwater Drainage and Environmental Criteria Manual and the Town of Parker Roadway Design and Construction Criteria Manual and other applicable standards adopted by the Town.

Applicant's Response

Open space and park land have been provided in accordance with the requirements of the Town of Parker Land Development Code. A total of 18.421 acres (20.28%) of the site is provided as open space, not including the detention ponds; and 6.46 acres of park land is provided. A summary of Parks and Open Space follows:

- Required Open Space (20% of the site 90.87 Acres): 18.174 Acres
- Provided Open Space: 18.27 Acres
- Required Parks: 267 DUs x .0239 = 6.38 Acres
- Provided Parks: 6.45 Acres

A regional trail is provided along the south side of Lemon Gulch and within the landscape buffer along Crowfoot Valley Road. A connection point is provided in the northeast corner of the site which may eventually connect through the PWSD property and eventually tie into the Cherry Creek Trail System. It is anticipated that the regional trail along Lemon Gulch and Crowfoot Valley Road will eventually connect to the trail system being constructed as part of the Hess Ranch development.

A Traffic Impact Study was included with the rezoning application. The study analyzes necessary improvements, the functionality of the roads and proposed intersections and the potential impacts to the surrounding area. Necessary improvements to the existing and proposed road systems have been defined in the Annexation Agreement. A summary follows.

Crowfoot Valley Road

Improvements to Crowfoot Valley Road to be provided as part of this development by the builder/developer including ½ of the widening required for a 4-lane arterial section with acceleration, deceleration and turn lanes, sidewalks, and a proportionate share of a traffic signal at the intersection of the proposed residential collector with Crowfoot Valley Road.

Richlawn Drive

Secondary access for the proposed subdivision will be from Richlawn Drive. The collector street will be improved from Crowfoot Valley Road to the intersection of Richlawn Drive and the entry street into the neighborhood. The road will be designed and constructed in accordance with Douglas County and Town of Parker Regulations including the review, approval and acquisition of necessary permits.

Residential Collector Street (Henslow Parkway)

A residential collector street is proposed through Meadowlark from the intersection with Crowfoot Valley Road to the eastern property line providing for future access for the lands to the east between Meadowlark and Cherry Creek. The road will be designed in accordance with Town of Parker Standards.

Staff Analysis

The application proposes to dedicate and reserve the necessary open space and parks as required by the Land Development Ordinance. Staff has performed a review of the submitted landscape information and determined that the application meets the landscape requirements. Additionally, the Town's Engineering Division has reviewed the Construction Documents submitted by the applicant and determined that those documents meet the Town's requirements.

Based on this analysis, staff has determined that the request meets this criterion.

3. Consistency with Zone District Standards or Planned Development Guide, if applicable. The proposed subdivision complies with all of the provisions of the applicable Zone District or Planned Development Guide.

Applicant's Response

The intent is to develop the site with 267 single-family detached homes on lots ranging from approximately 5,000 to 6,600 square-feet in size. Two general lot sizes are proposed. 149 lots are planned at 50-feet wide and 118 lots are proposed at 60-feet wide. The lot depths vary between 101 and 110. The larger lots are located on the perimeter of the neighborhood. Per the PD Development Guide front yard setbacks will be 20 feet as measured from the adjacent street right-of-way to the face of the garage or 12 feet to the structure if the garage is recessed or side loaded. A 10-foot setback is permitted for an unenclosed porch. Side yard setbacks are 5 feet and 10 feet on corners where adjacent to a street. Rear yard setbacks are 15 feet. A 20-foot rear yard setback is required for the homes backing on Crowfoot Valley Road.

The proposed homes are traditional in design and character. All homes will feature yard areas for private family activities. A variety of building plans and elevations will be provided in accordance with the Section 13.10.160 – Residential Design Minimums of the Town of Parker Land Development Ordinance. Lighting will meet the Town's requirements. Streets within the neighborhood will be asphalt with concrete curb and gutters. Trees will line the streets to soften the street edge and separate pedestrians from traffic. Covenants, conditions and Restrictions (CC&Rs) will be established to govern the use of the neighborhood. The CC&Rs will address items such as homeowner improvements, refuge, domestic pets, interaction with wildlife, lighting on private lots, noise, parking, etc. Meritage Homes is a nationally recognized builder whose intent is to build a high-quality neighborhood that fits into the fabric of the overall community.

Staff Analysis

As discussed in detail in Section V of this staff report, the proposed application complies with proposed requirements of the Meadowlark PD Zone Document.

Based on this analysis, staff has determined that the request meets this criterion.

4. Previous plans. All conditions of the previous plan have been met. The plan is in substantial conformance with the sketch plan.

Applicant's Response

N/A. These are the first applications for development of this property.

Staff Analysis

The Sketch Plan and Preliminary Plans have been submitted at the same time and reviewed at the same time. They are identical in nature.

Based on this analysis, staff has determined that the request meets this criterion.

5. Public notice requirements. The applicant has demonstrated that all public notice requirements have been met.

Applicant's Response

The applicant has provided the required notification affidavits.

Staff Analysis

The applicant has provided the required notification affidavits indicating the application has been noticed in accordance with the Land Development Ordinance (LDO)

Based on this analysis, staff has determined that the request meets this criterion.

SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	Approved
Fire and Life Safety	Approved
Parker Water and Sanitation District	Advisory Comments
Cherry Creek Basin Water Quality Authority	No Comments
Urban Drainage	Advisory Comments
Xcel	Advisory Comments
IREA	Approved
CenturyLink	No Comments
Comcast	No Comments
Douglas County Schools	No comments

IX. CONCLUSION

The proposed Sketch and Preliminary Plans that have been submitted are consistent with the Town's Master Plan and the applications have demonstrated compliance with the applicable approval criteria. Therefore, staff is recommending that Planning Commission recommend approval for the proposed Meadowlark Sketch and Preliminary Plans.

X. RECOMMENDED CONDITIONS

1. Meritage Homes shall construct a pedestrian connection from the Trails at Crowfoot development (south of this property) to their development as required by the Annexation Agreement.
2. All Final Plats and Landscape Plans must be substantially similar in design and layout and the inclusion of amenities to this Sketch and Preliminary Plans, as determined by Town staff.
3. Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.
4. The applicant shall meet required setbacks and zoning with in the Planned Development Guide.

XI. ATTACHMENTS

1. Sketch & Preliminary Plans
2. Project Narrative

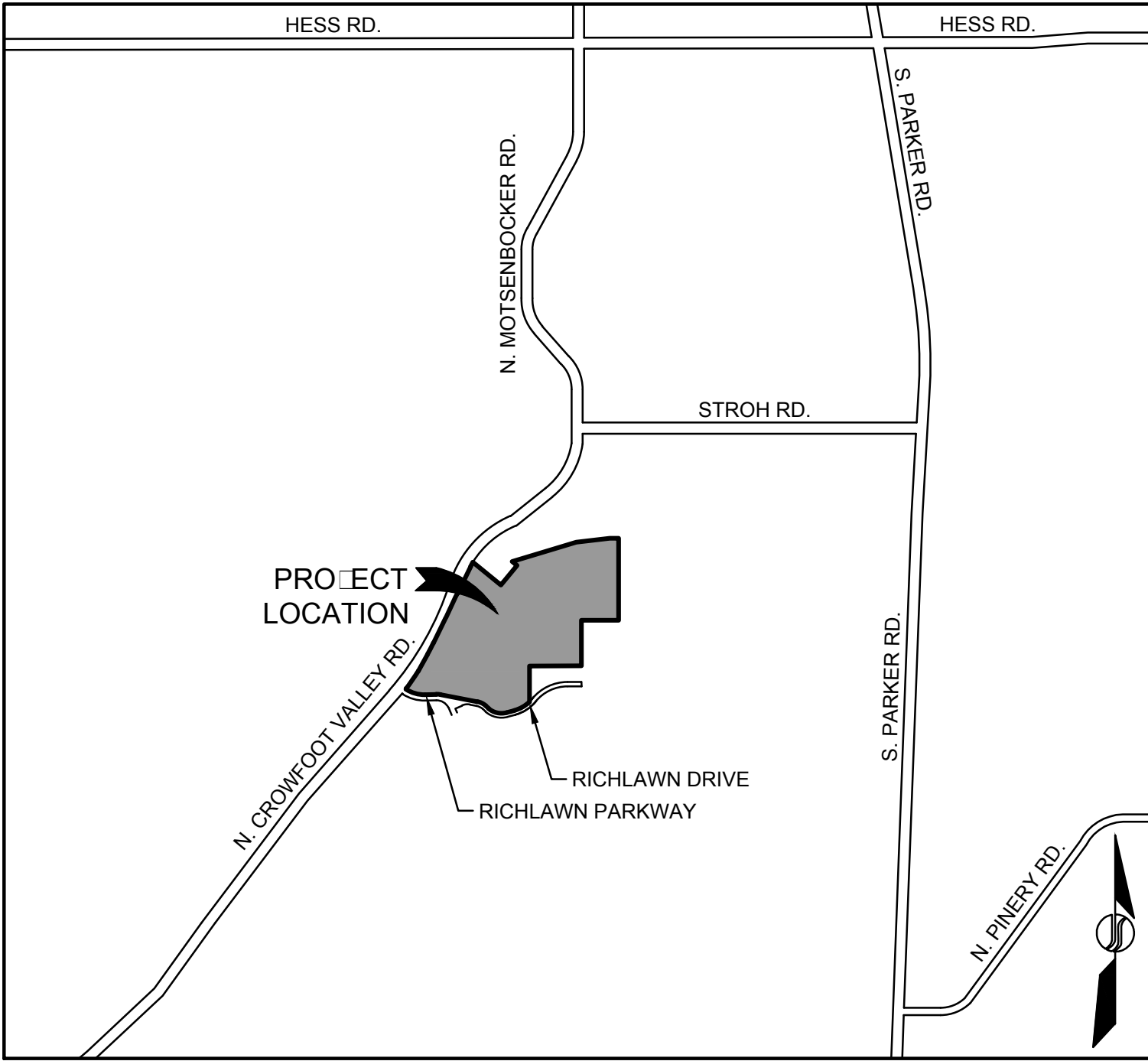
Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



VICINITY MAP
SCALE 1"=2000'

TRACT SUMMARY TABLE FILING 1

TRACT	USE	SQ. FT.	ACRES	OWNERSHIP	MAINTENANCE	PARK CREDIT SQ. FT.	OPEN SPACE CREDIT SQ. FT.	NO CREDIT SQ. FT.
A	LANDSCAPE / OPEN SPACE	50,140	1.15	METRO DISTRICT	HOA		50,140	
B	LANDSCAPE / OPEN SPACE	127,333	2.92	METRO DISTRICT	HOA		127,333	
C	LANDSCAPE / OPEN SPACE	6,781	0.16	METRO DISTRICT	HOA			6,781
D	LANDSCAPE / OPEN SPACE	25,688	0.59	METRO DISTRICT	HOA		25,688	
E	PARK	42,740	0.98	METRO DISTRICT	HOA	42,740		
TOTALS		252,682	5.80			42,740	203,161	6781

TRACT SUMMARY TABLE FILING 2

TRACT	USE	SQ. FT.	ACRES	OWNERSHIP	MAINTENANCE	PARK CREDIT SQ. FT.	OPEN SPACE CREDIT SQ. FT.	NO CREDIT SQ. FT.
F	LANDSCAPE / FLOODPLAIN	564,187	12.95	TOWN OF PARKER	TOWN OF PARKER / UDFCD		564,187	
G	LANDSCAPE / DETENTION	90,580	2.08	METRO DISTRICT	HOA			90,580
H	LANDSCAPE / OPEN SPACE	8,365	0.19	METRO DISTRICT	HOA		8,365	
I	LANDSCAPE / DETENTION	87,877	2.02	METRO DISTRICT	HOA			87,877
K	PARK	13,441	0.31	METRO DISTRICT	HOA	13,441		
L	LANDSCAPE / OPEN SPACE	8,285	0.19	METRO DISTRICT	HOA			8,285
M	LANDSCAPE / OPEN SPACE	5,456	0.13	METRO DISTRICT	HOA			5,456
N	PARK	146,595	3.37	METRO DISTRICT	HOA	146,595		
P	LANDSCAPE / OPEN SPACE	1,023	0.02	METRO DISTRICT	HOA			1,023
Q	LANDSCAPE / OPEN SPACE	16,486	0.38	METRO DISTRICT	HOA			16,411
TOTALS		942,295	21.64			160,036	572,552	209,632

TRACT SUMMARY TABLE FILING 3

TRACT	USE	SQ. FT.	ACRES	OWNERSHIP	MAINTENANCE	PARK CREDIT SQ. FT.	OPEN SPACE CREDIT SQ. FT.	NO CREDIT SQ. FT.
R	PARK	78,082	1.79	METRO DISTRICT	HOA	78,082		
S	LANDSCAPE / OPEN SPACE	26,080	0.60	METRO DISTRICT	HOA			26,080
T	LANDSCAPE / OPEN SPACE	20,011	0.46	METRO DISTRICT	HOA			20,011
TOTALS		124,173	2.85			78,082	0	46,091

LAND USE TABLE

RESIDENTIAL LOTS / FILING 1	46	7.71 ACRES
RESIDENTIAL LOTS / FILING 2	107	16.58 ACRES
RESIDENTIAL LOTS / FILING 3	114	17.74 ACRES
TRACTS / FILING 1	5	5.80 ACRES
TRACTS / FILING 2	10	21.64 ACRES
TRACTS / FILING 3	3	2.85 ACRES
RIGHT-OF-WAY		18.55 ACRES
TOTAL SITE AREA		90.87 ACRES

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 3, AND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 4 AND CONSIDERING THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 4 TO BEAR SOUTH 89°52'13" WEST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°06'43" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 619.70 FEET TO THE NORTHEAST CORNER OF RICHLAWN HILLS ACCORDING TO THE PLAT RECORDED ON JANUARY 12, 1971 AT RECEPTION NO. 140291 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE NORTHERLY BOUNDARY OF RICHLAWN HILLS THE FOLLOWING TWELVE (12) COURSES:

- 1) SOUTH 89°55'34" WEST A DISTANCE OF 708.72 FEET;
- 2) SOUTH 00°04'26" EAST A DISTANCE OF 491.58 FEET TO A POINT OF CURVATURE;
- 3) ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 28°58'50", A RADIUS OF 470.00 FEET, AN ARC LENGTH OF 237.73 FEET AND A CHORD THAT BEARS SOUTH 60°42'51" WEST A DISTANCE OF 235.20 FEET;
- 4) SOUTH 75°12'17" WEST A DISTANCE OF 107.39 FEET TO A POINT OF CURVATURE;
- 5) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 55°56'50", A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 263.65 FEET AND A CHORD THAT BEARS NORTH 76°49'26" WEST A DISTANCE OF 253.30 FEET;
- 6) NORTH 48°50'53" WEST A DISTANCE OF 52.07 FEET TO A POINT OF CURVATURE;
- 7) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 30°23'23", A RADIUS OF 240.00 FEET, AN ARC LENGTH OF 127.30 FEET AND A CHORD THAT BEARS NORTH 64°02'35" WEST A DISTANCE OF 125.81 FEET;
- 8) NORTH 79°14'16" WEST A DISTANCE OF 509.97 FEET TO A POINT OF CURVATURE;
- 9) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°49'21", A RADIUS OF 290.00 FEET, AN ARC LENGTH OF 59.84 FEET AND A CHORD THAT BEARS NORTH 85°08'56" WEST A DISTANCE OF 59.73 FEET;
- 10) SOUTH 88°56'23" WEST A DISTANCE OF 151.71 FEET TO A POINT OF CURVATURE;
- 11) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 34°02'35", A RADIUS OF 460.00 FEET, AN ARC LENGTH OF 273.32 FEET AND A CHORD THAT BEARS NORTH 74°02'20" WEST A DISTANCE OF 269.31 FEET;
- 12) NORTH 57°01'02" WEST A DISTANCE OF 2.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND THE TOWN OF PARKER TOWN LIMITS ACCORDING TO THE HESS RANCH ANNEXATION PLAT RECORDED AT RECEPTION NO. 2003146584 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF CROWFOOT VALLEY ROAD AND SAID TOWN OF PARKER TOWN LIMITS THE FOLLOWING TEN (10) COURSES:

- 1) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°25'42", A RADIUS OF 3,880.00 FEET, AN ARC LENGTH OF 299.87 FEET AND A CHORD THAT BEARS NORTH 34°28'16" EAST A DISTANCE OF 299.80 FEET;
- 2) NORTH 28°48'02" EAST A DISTANCE OF 253.75 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°34'34", A RADIUS OF 3,873.00 FEET, AN ARC LENGTH OF 174.14 FEET AND A CHORD THAT BEARS NORTH 27°13'04" EAST A DISTANCE OF 174.12 FEET;
- 4) NORTH 25°55'47" EAST A DISTANCE OF 381.28 FEET;
- 5) NORTH 33°00'44" EAST A DISTANCE OF 11.59 FEET;
- 6) NORTH 25°11'12" EAST A DISTANCE OF 309.66 FEET;
- 7) NORTH 25°55'46" EAST A DISTANCE OF 55.92 FEET;
- 8) SOUTH 64°04'14" EAST A DISTANCE OF 5.00 FEET;
- 9) NORTH 25°55'47" EAST A DISTANCE OF 403.02 FEET TO A POINT OF CURVATURE;
- 3) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°12'19", A RADIUS OF 900.00 FEET, AN ARC LENGTH OF 66.05 FEET AND A CHORD THAT BEARS NORTH 28°01'59" EAST A DISTANCE OF 66.04 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 819 AT PAGE 717 AND BOOK 819 AT PAGE 719 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PROPERTY THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 50°36'41" EAST A DISTANCE OF 490.97 FEET;
- 2) NORTH 39°23'19" EAST A DISTANCE OF 345.29 FEET;
- 3) NORTH 50°36'41" WEST A DISTANCE OF 87.46 FEET TO A POINT ON THE BOUNDARY OF THAT PROPERTY DESCRIBED IN BOOK 638 AT PAGE 869 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PROPERTY THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 73°12'48" EAST A DISTANCE OF 913.61 FEET;
- 2) NORTH 83°28'25" EAST A DISTANCE OF 460.79 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2004124024 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE NORTH 89°37'08" EAST ALONG THE SOUTHERLY BOUNDARY OF SAID PROPERTY A DISTANCE OF 118.41 FEET TO THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2003143247 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;
THENCE SOUTH 00°03'58" EAST ALONG THE WESTERLY BOUNDARY OF SAID PROPERTY A DISTANCE OF 1,117.73 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 3;
THENCE SOUTH 89°50'53" WEST ALONG SAID SECTION LINE A DISTANCE OF 507.86 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 3,958,306 SQUARE FEET, OR 90.87 ACRES, MORE OR LESS

NOTES:

1. HOMEOWNERS ASSOCIATION WILL MAINTAIN OPEN SPACE AREAS.
2. FIVE FOOT (5') WIDE UTILITY EASEMENTS SHALL BE GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT LOT LINES OF EACH LOT IN THE SUBDIVISION OR PLATTED AREA INCLUDING LOTS TRACT PARCELS AND / OR OPEN SPACE AREAS. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
3. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, ASSUMED TO BEAR SOUTH 89°52'13" WEST.
4. BASED ON A REVIEW OF FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 08035C0182F & 08035C0181F, MAP REVISED SEPTEMBER 30, 2005, SUBJECT PROPERTY IS IN A PORTION OF ZONE A.
5. THIS PROPERTY MAY CONTAIN UNDERGROUND UTILITIES. THE LOCATION OF UNDERGROUND UTILITIES OR DETERMINATION OF THEIR POSITION WAS NOT IN THE SCOPE OF THIS SURVEY. JANSEN STRAWN CONSULTING ENGINEERS TAKES NO RESPONSIBILITY FOR THE POSITION OF UNDERGROUND UTILITIES THAT MAY EXIST WITHIN THIS PROPERTY. WHERE INFORMATION REGARDING UNDERGROUND UTILITIES MAY BE NEEDED, THE CLIENT IS ADVISED THAT UTILITY LOCATORS AND EXCAVATION MAY BE NECESSARY.
6. THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
7. THERE ARE NO BUILDINGS ON THE SUBJECT PROPERTY.

SHEET INDEX

1	COVER SHEET
2-3	EXISTING CONDITIONS PLAN
4	OVERALL SITE PLAN
5-14	PRELIMINARY PLAN

PLANNING COMMISSION STATEMENT

THIS PRELIMINARY PLAN WAS REVIEWED BY THE PLANNING COMMISSION ON THIS ____ DAY OF _____, 20____, A.D.

PLANNING DIRECTOR, ON BEHALF OF THE PLANNING COMMISSION _____ DATE _____

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WAREMALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

COVER SHEET

Scale: N/A
Date: MAY 5, 2017
Job No.: 15030

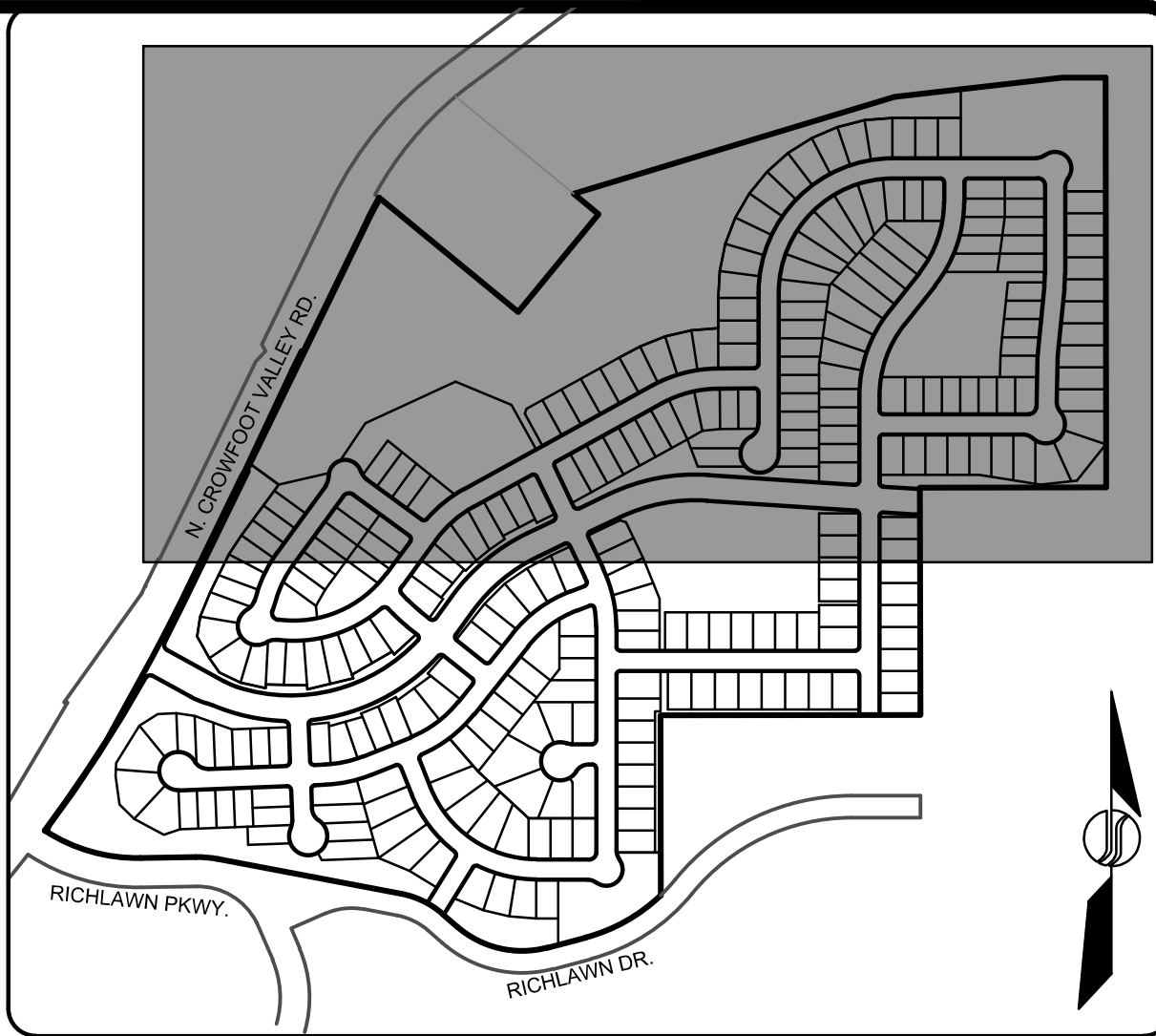
Sheet 1 of 14

4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
No.	Revisions	Date	By
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

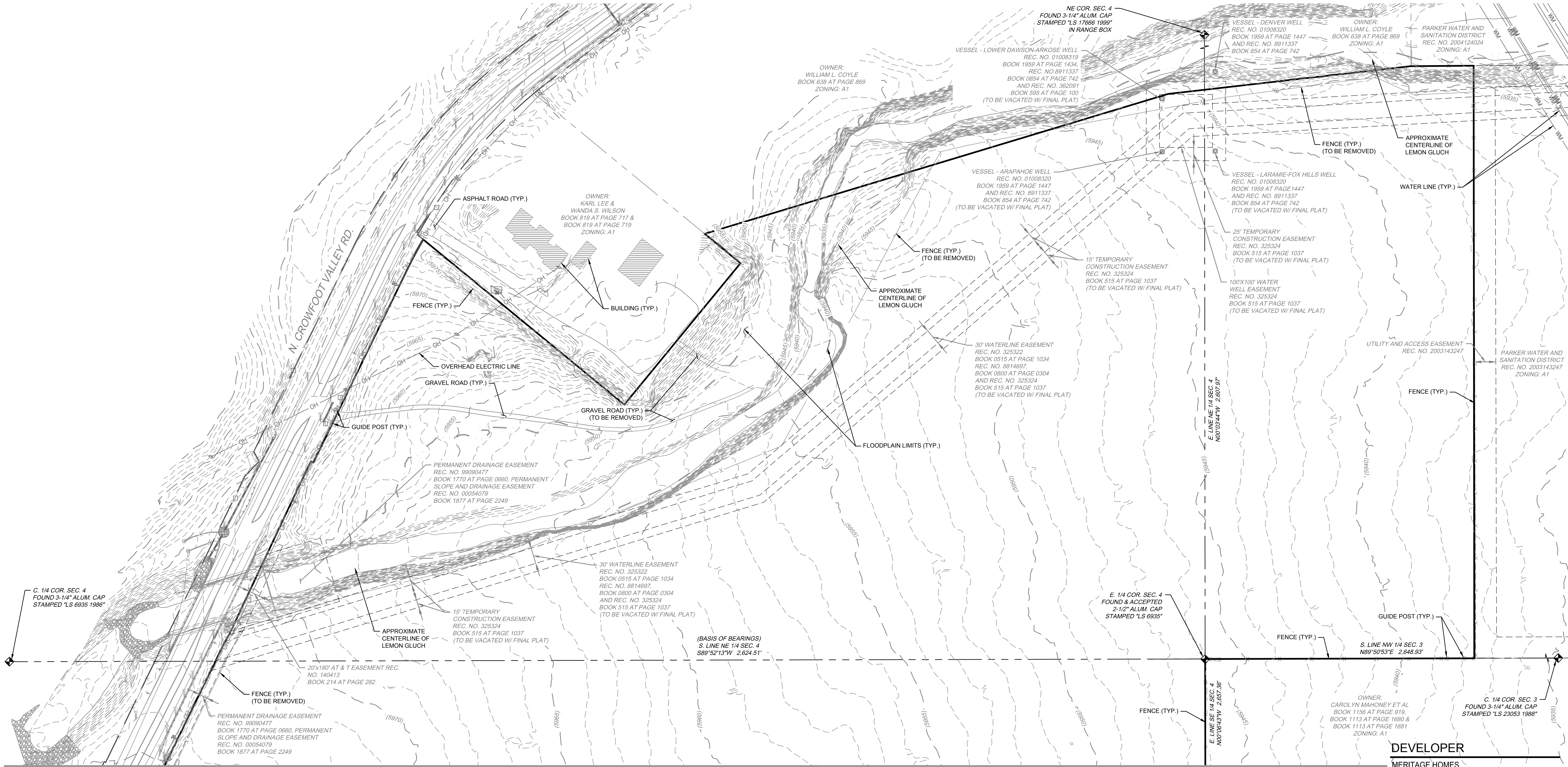
LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



KEY MAP
1" = 500'

LEGEND

- SECTION LINE W/ SECTION CORNER
- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- LOT LINE
- CENTER LINE
- EASEMENT LINE
- SIDEWALK
- CURB AND GUTTER
- 5' CONTOUR
- 1' CONTOUR
- STORM LINE W/ MANHOLE
- STORM INLET
- SANITARY SEWER W/ MANHOLE
- WATERLINE & VALVE W/ FIRE HYDRANT ASSEMBLY
- GAS LINE
- TELEPHONE LINE
- ELECTRIC LINE
- CABLE TV LINE
- OVERHEAD LINE
- FIBER OPTIC LINE
- ROAD SIGN



MATCHLINE SEE SHEET 3

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

EXISTING CONDITIONS PLAN

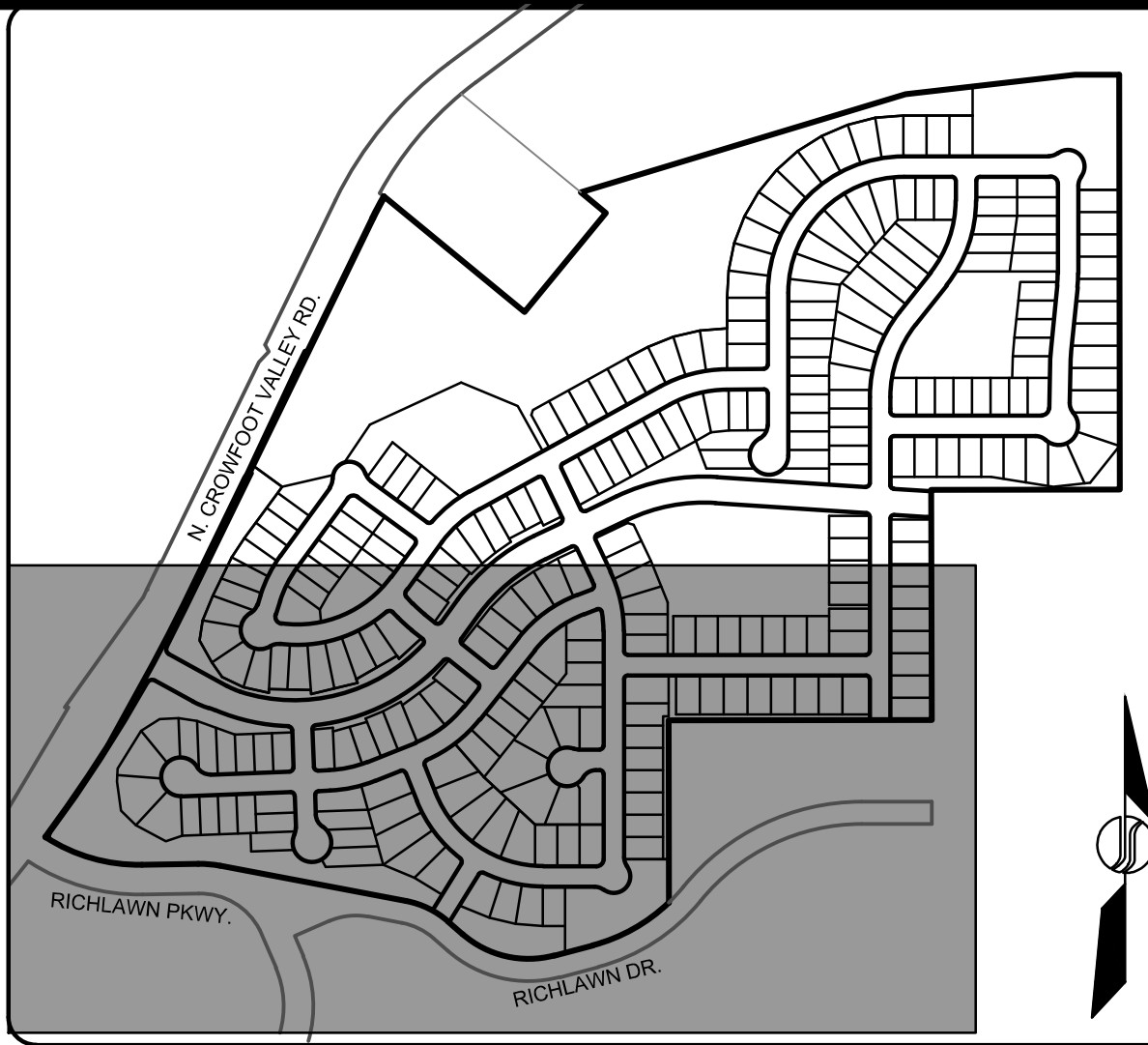
Scale: 1"=100'
Date: MAY 5, 2017
Job No.: 15030
Sheet 2 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

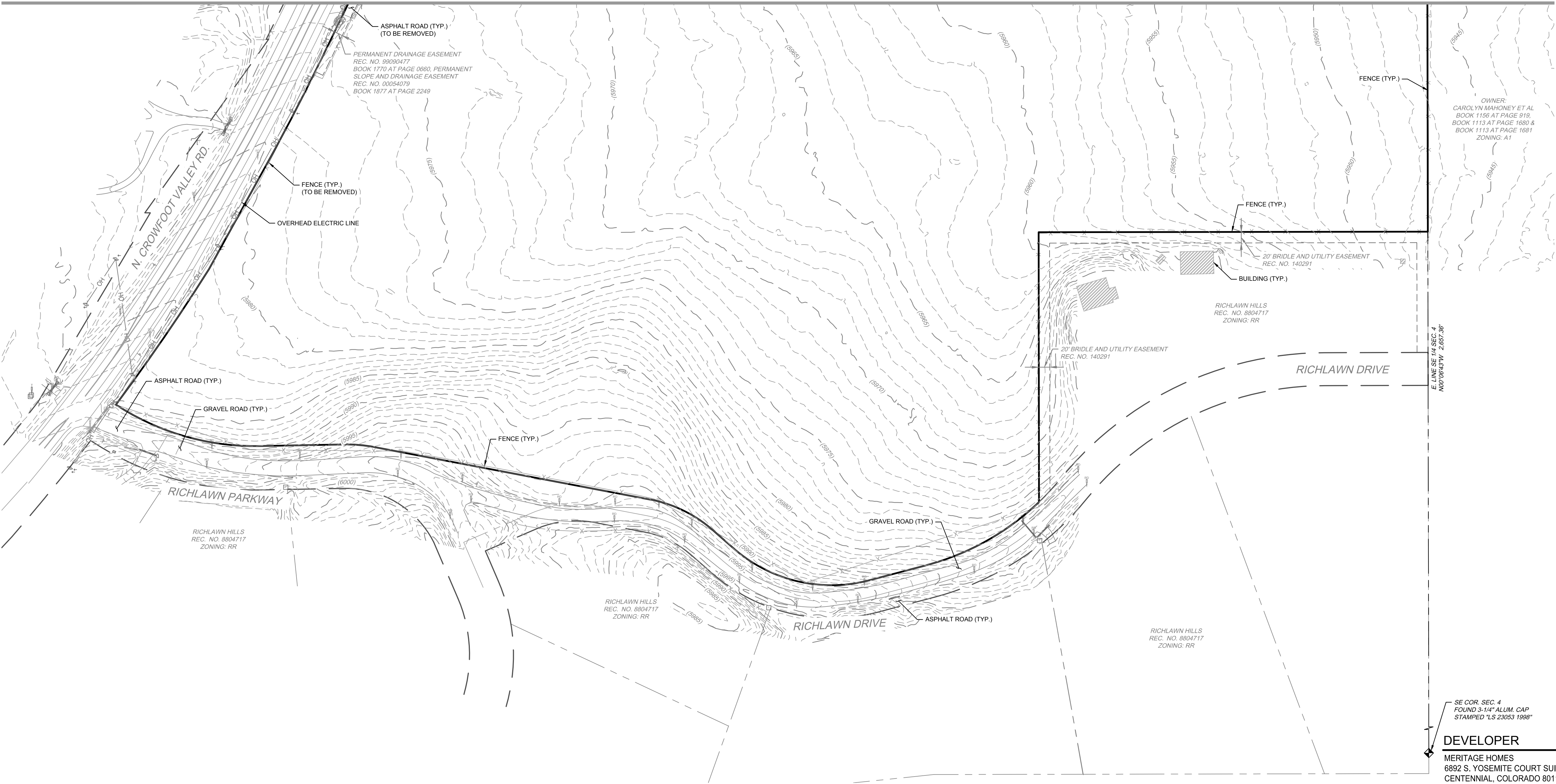
SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



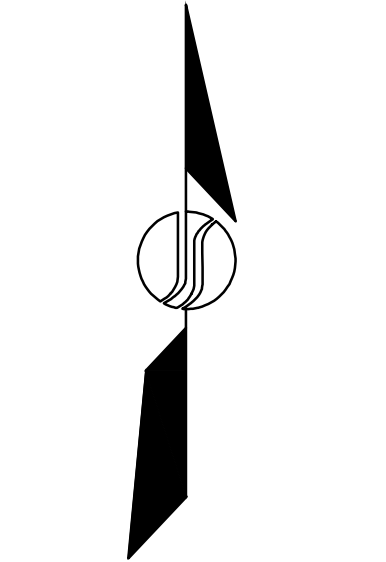
KEY MAP
1" = 500'

MATCHLINE SEE SHEET 2



LEGEND

- SECTION LINE W/ SECTION CORNER
- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- LOT LINE
- CENTER LINE
- EASEMENT LINE
- SIDEWALK
- CURB AND GUTTER
- 5' CONTOUR
- 1' CONTOUR
- STORM LINE W/ MANHOLE
- STORM INLET
- SANITARY SEWER W/ MANHOLE
- WATERLINE & VALVE W/ FIRE HYDRANT ASSEMBLY
- GAS LINE
- TELEPHONE LINE
- ELECTRIC LINE
- CABLE TV LINE
- OVERHEAD LINE
- FIBER OPTIC LINE
- ROAD SIGN



0 50 100 200
SCALE: 1" = 100'
ORIGINAL GRAPHIC SCALE

SE COR. SEC. 4
FOUND 3-1/4" ALUM. CAP.
STAMPED "LS 23053 1998"

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO. 80209
P.303.561.3333
F.303.561.3339

EXISTING CONDITIONS PLAN

Scale: 1"=100'
Date: MAY 5, 2017
Job No.: 15030
Sheet 3 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



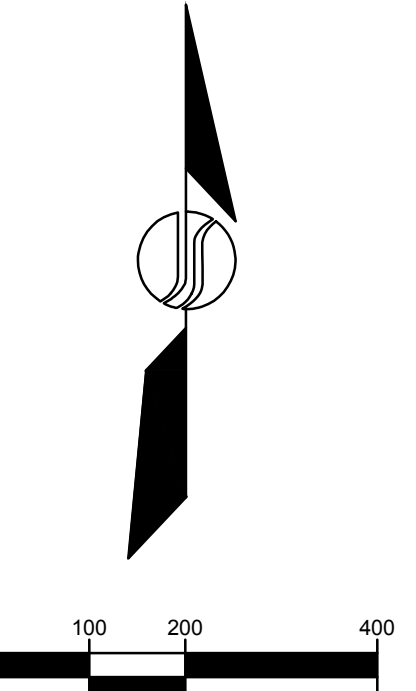
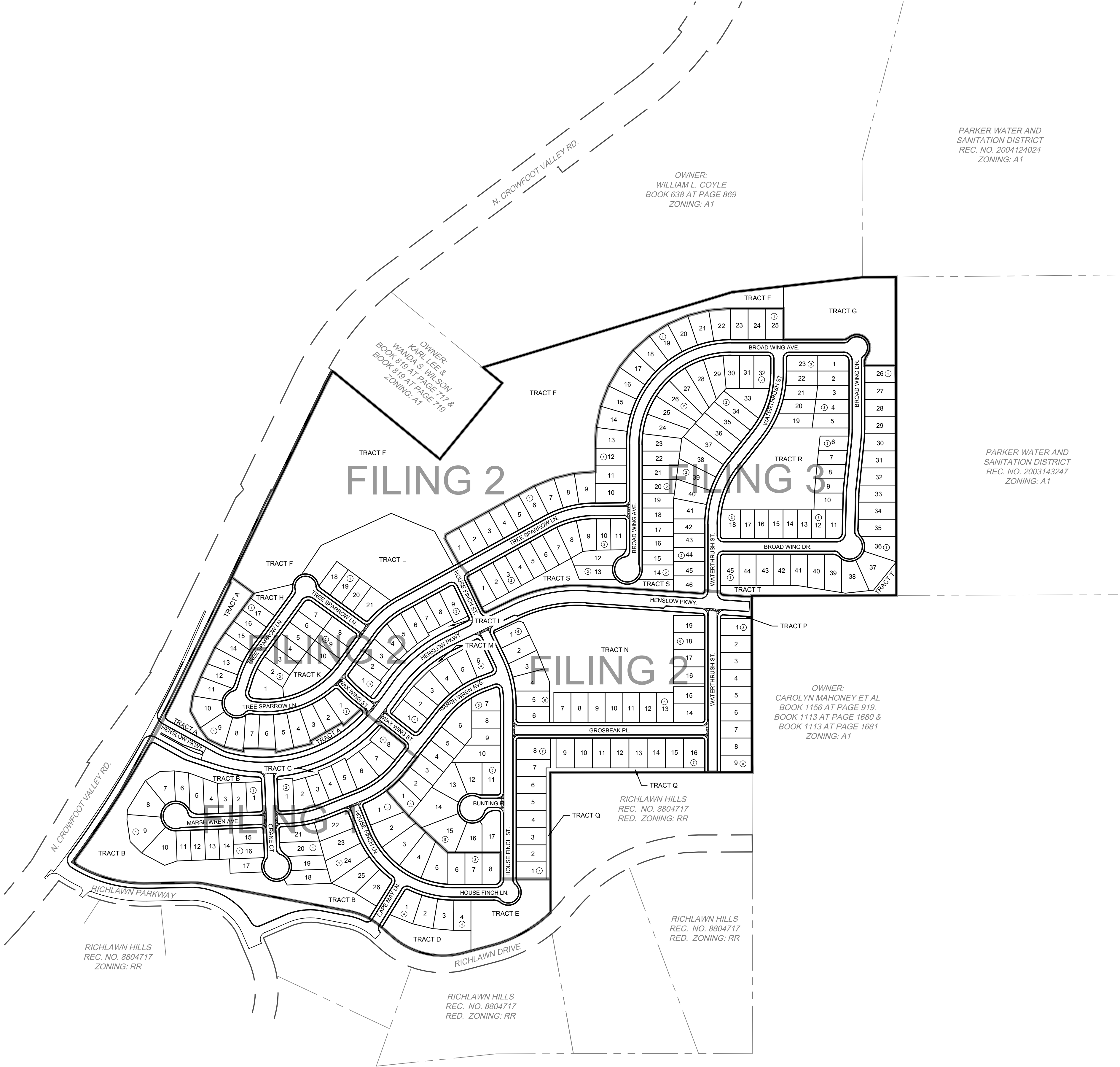
KEY MAP
1" = 500'

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- LOT / TRACT LINE
- CENTER LINE
- FILING BOUNDARY LINE
- CURB AND GUTTER
- CONCRETE CROSSSPAN

NOTE:

- TRACTS A, B, C, D and E WILL BE DEDICATED WITH FILING NO. 1.
- TRACTS F, G, H, I, K, L, M, N, P and Q WILL BE DEDICATED WITH FILING NO. 2.
- TRACTS R, S and T WILL BE DEDICATED WITH FILING NO. 3.



SCALE: 1" = 200'
ORIGINAL GRAPHIC SCALE

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

OVERALL SITE PLAN

Scale: 1"=200'
Date: MAY 5, 2017
Job No.: 15030

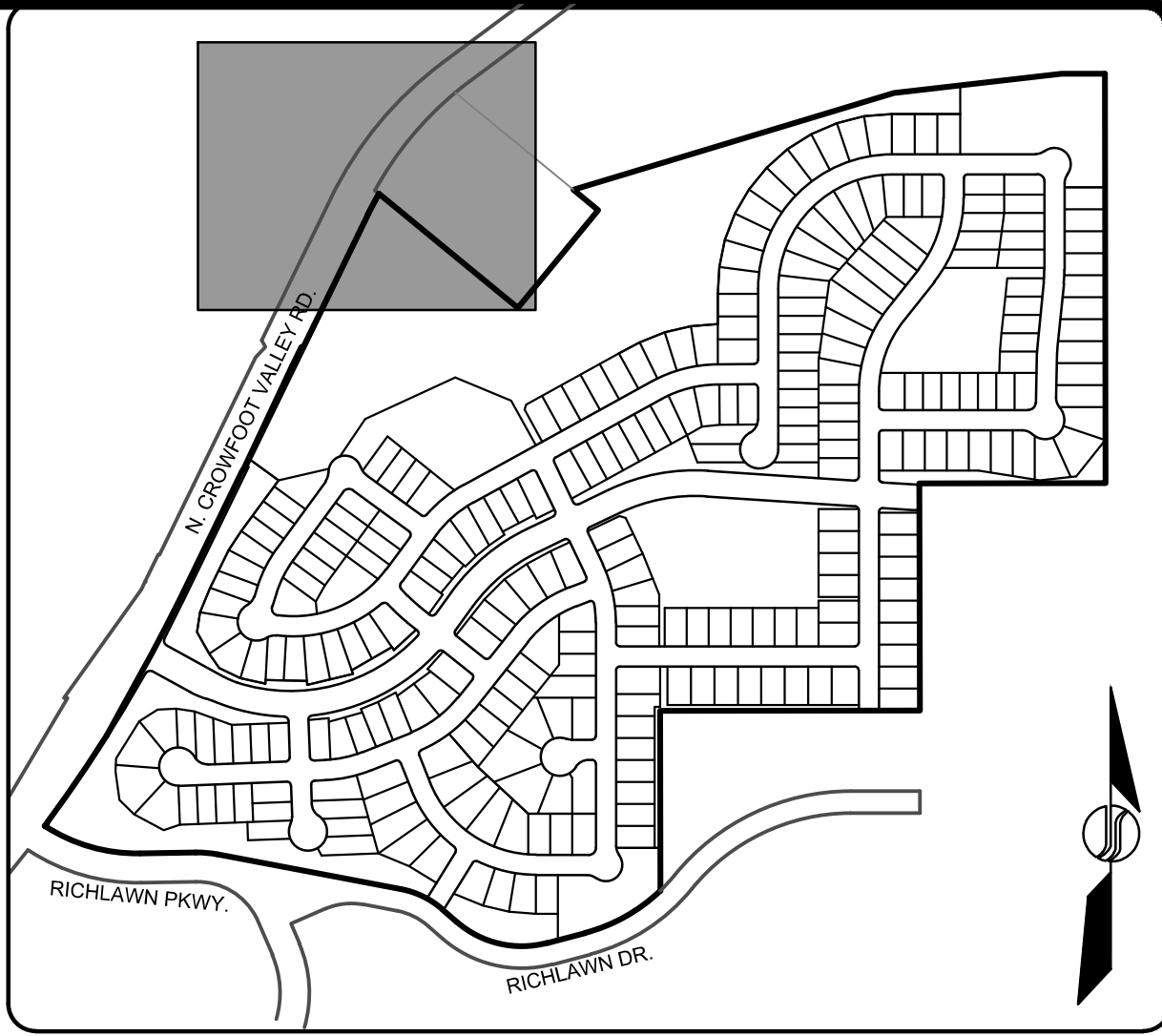
Sheet 4 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



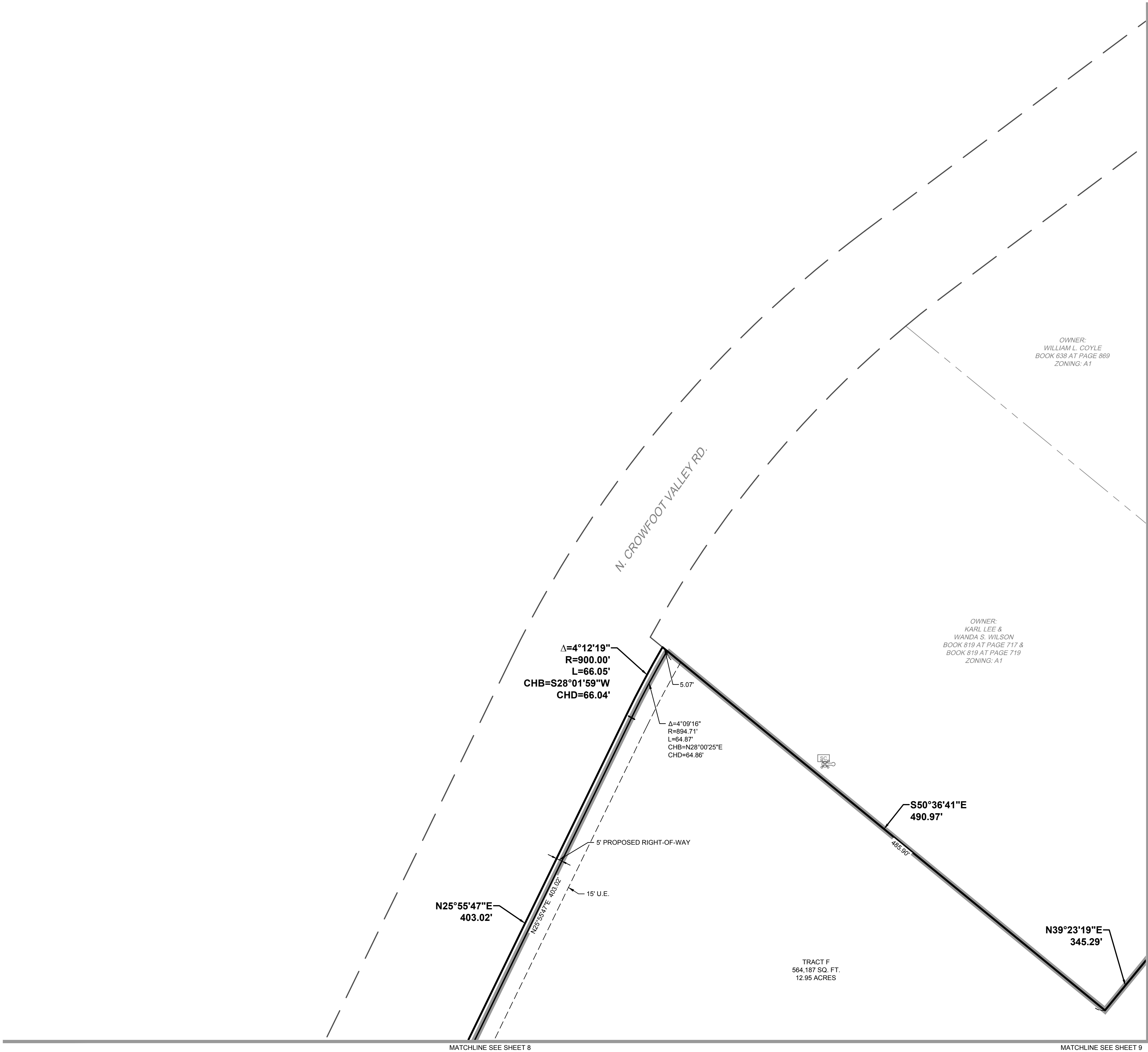
KEY MAP
1" = 500'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSPAN

NOTE:

- TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
- TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
- TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



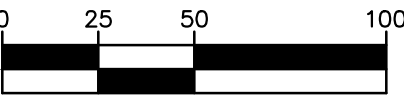
DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339



SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

PRELIMINARY PLAN

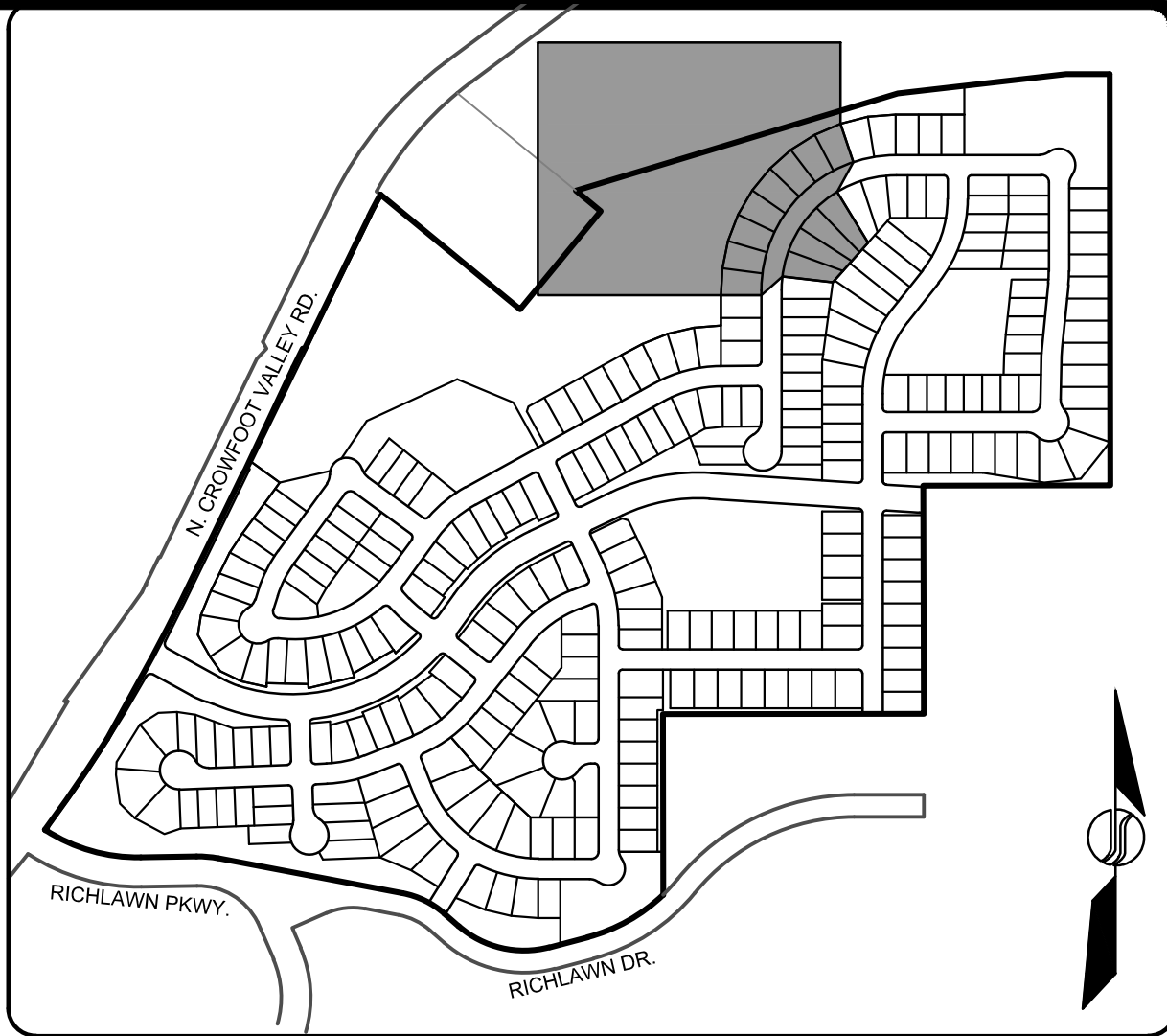
Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030
Sheet 5 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



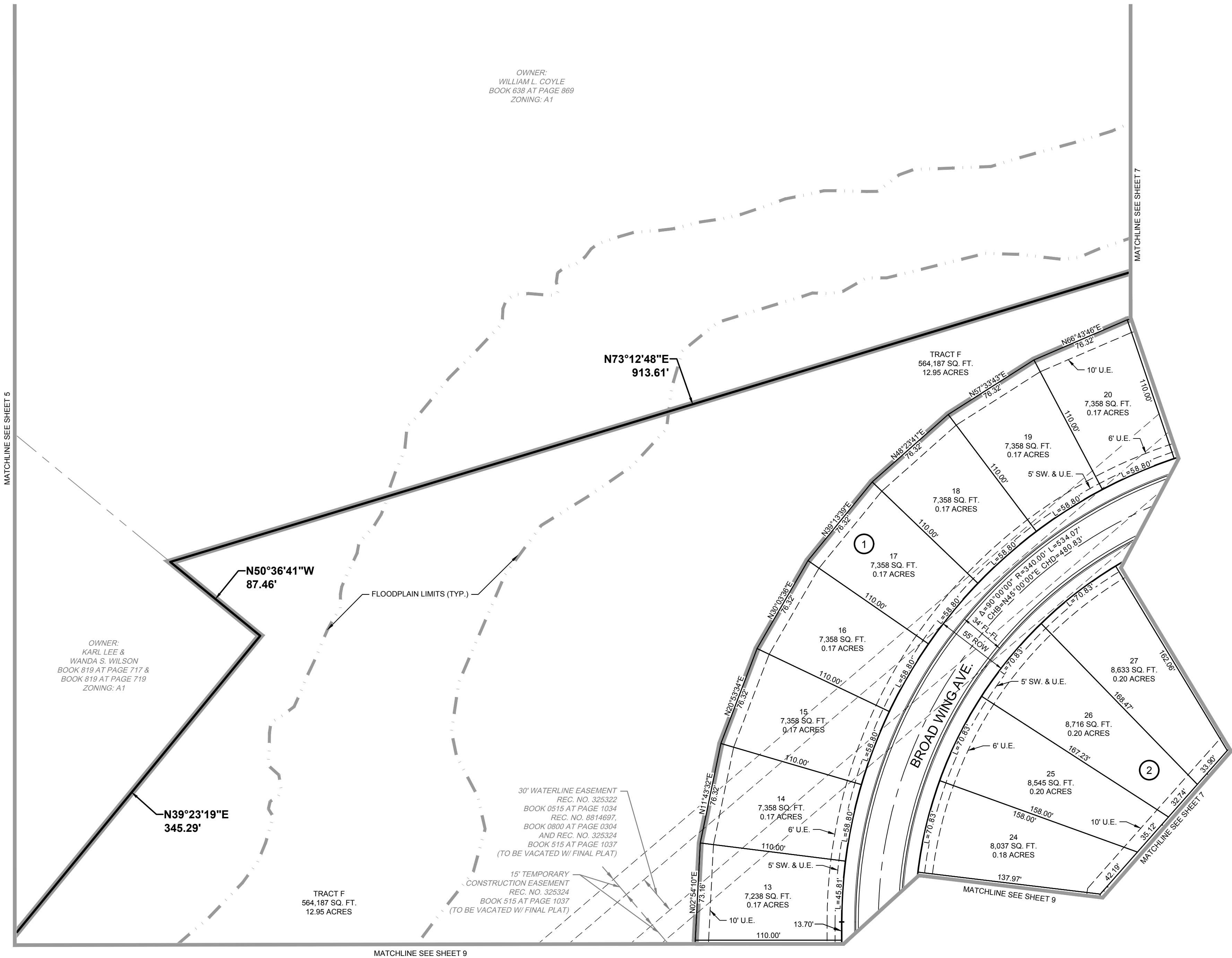
KEY MAP
1" = 500'

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- LOT / TRACT LINE
- CENTER LINE
- EASEMENT LINE
- CURB AND GUTTER
- FILING BOUNDARY LINE
- ROAD SIGN
- CONCRETE CROSSSPAN

NOTE:

- TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
- TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
- TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

0 25 50 100
SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

PRELIMINARY PLAN

Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030

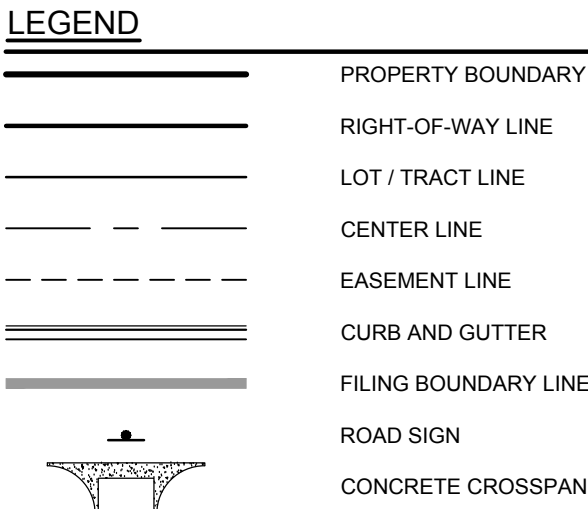
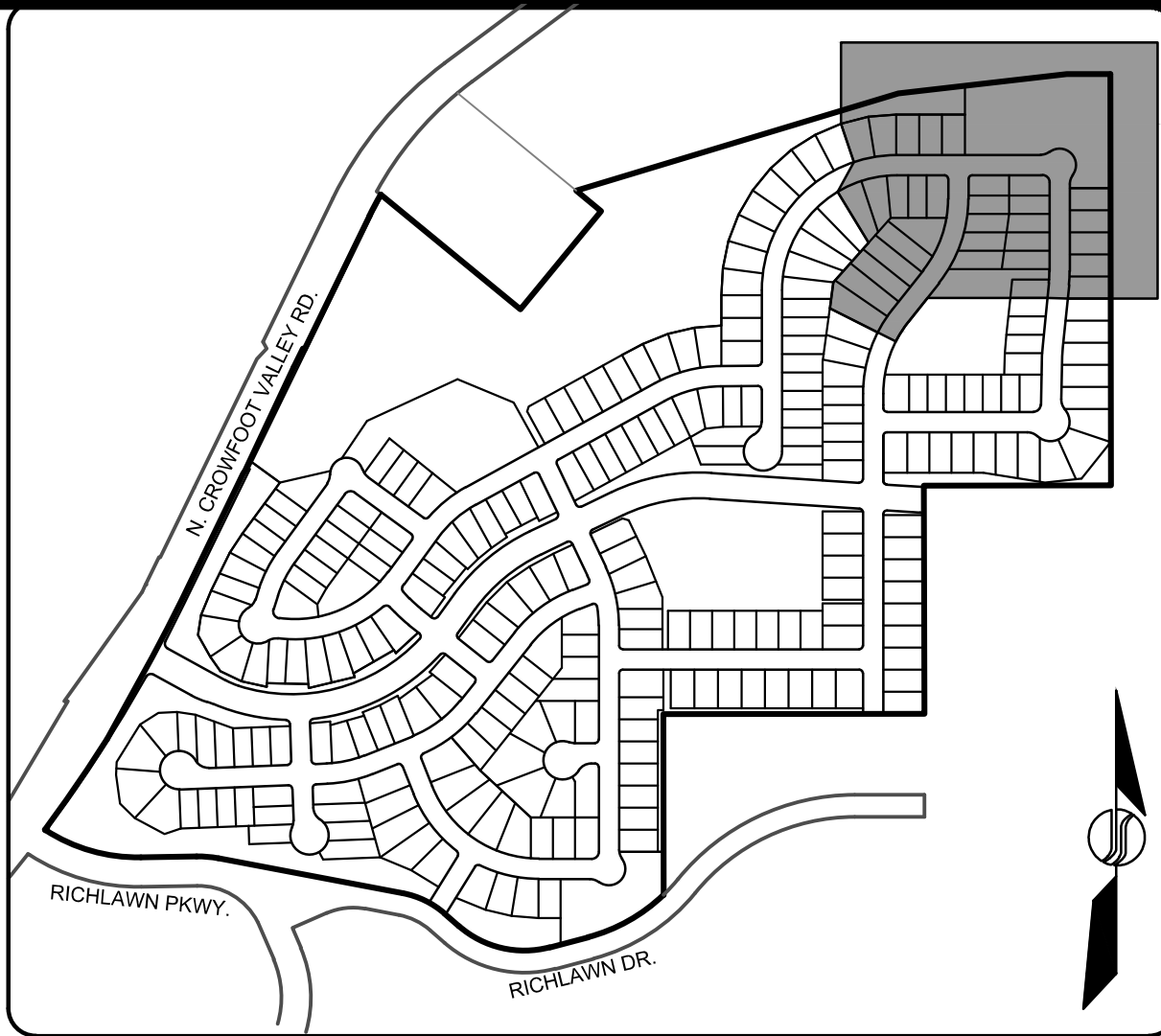
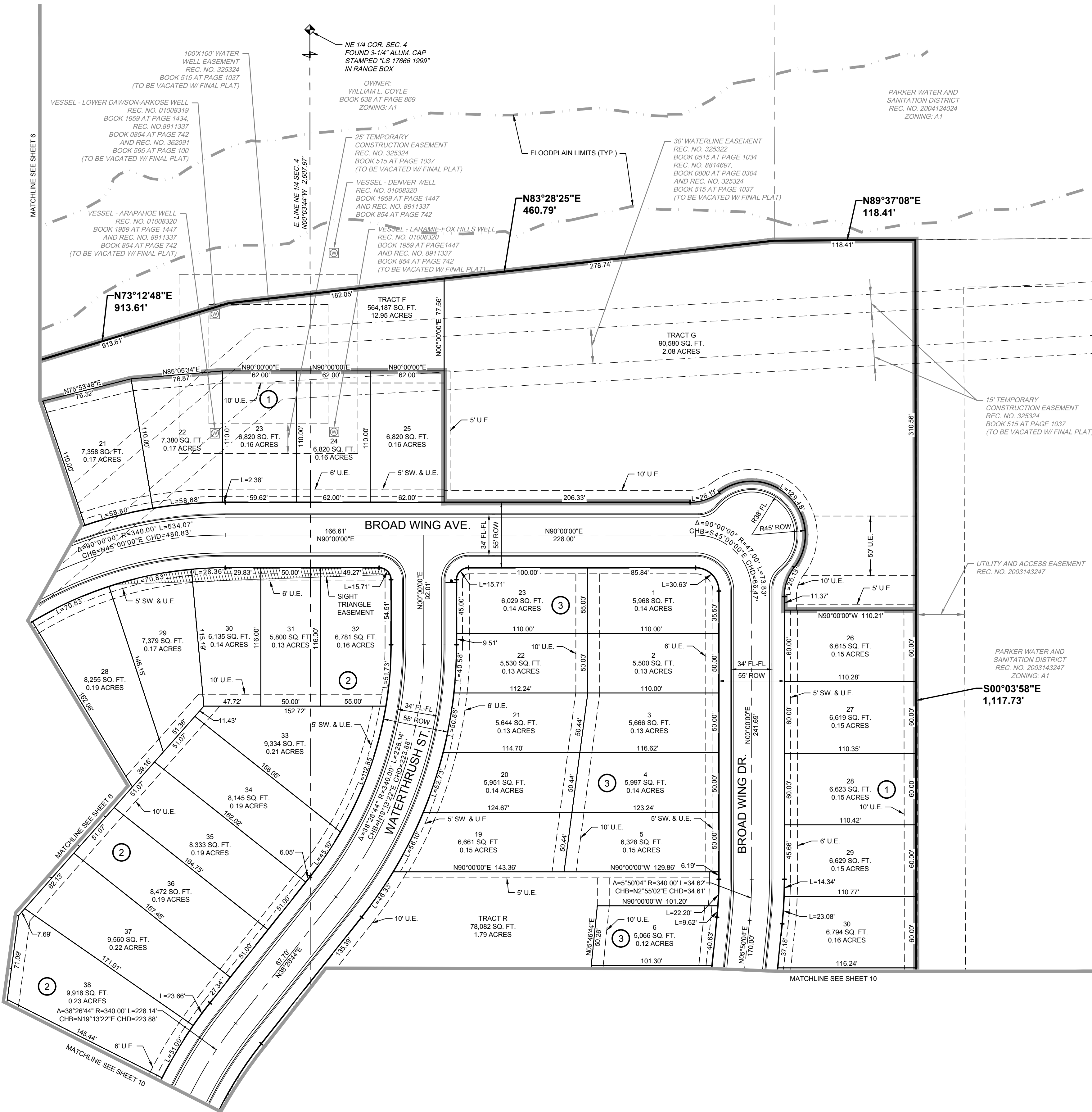
Sheet 6 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

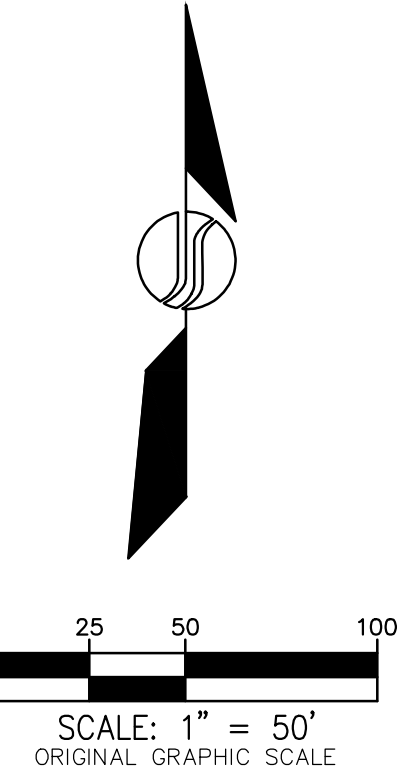
MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



NOTE:
1. TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
2. TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
3. TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030

Sheet 7 of 14

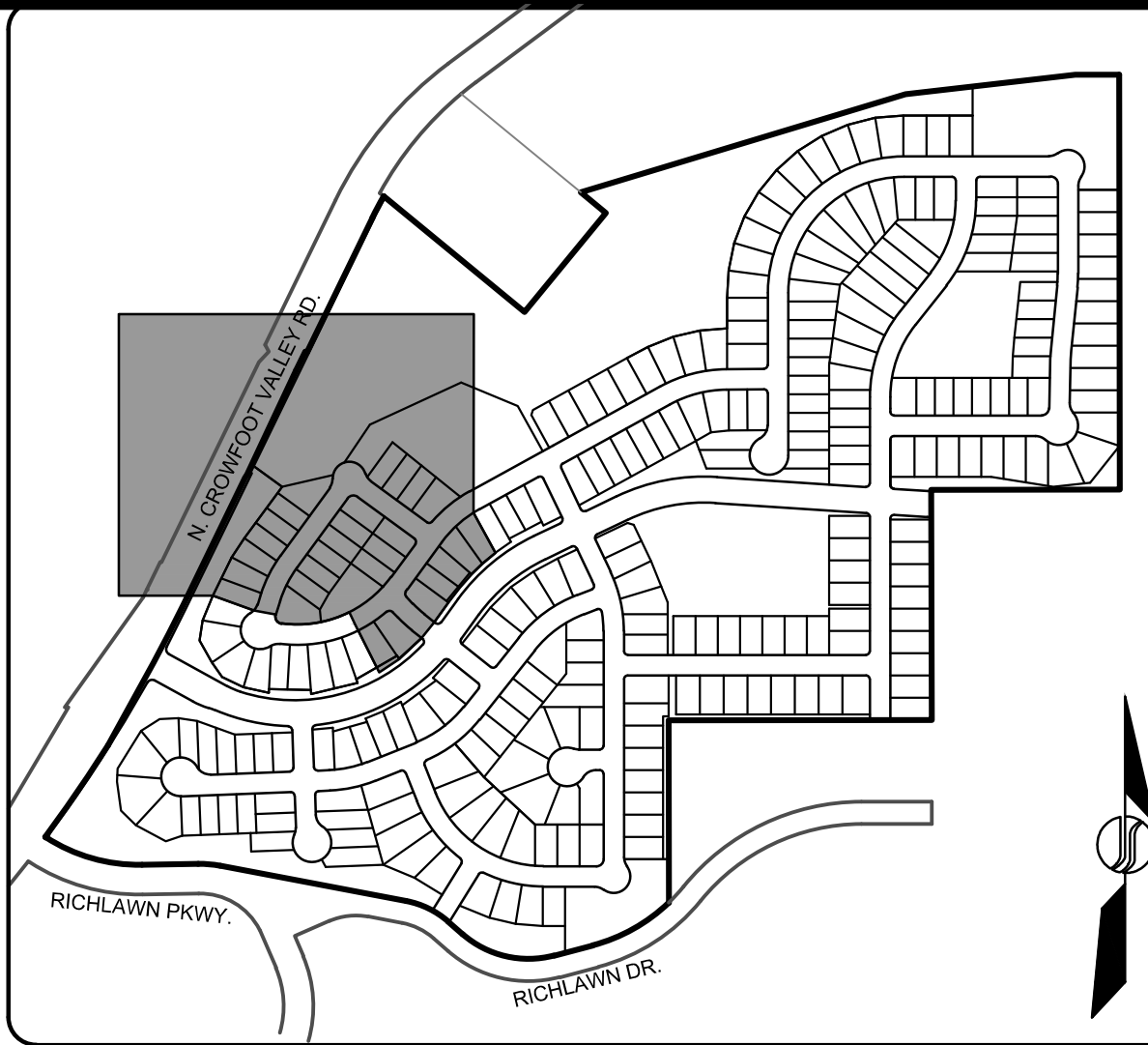
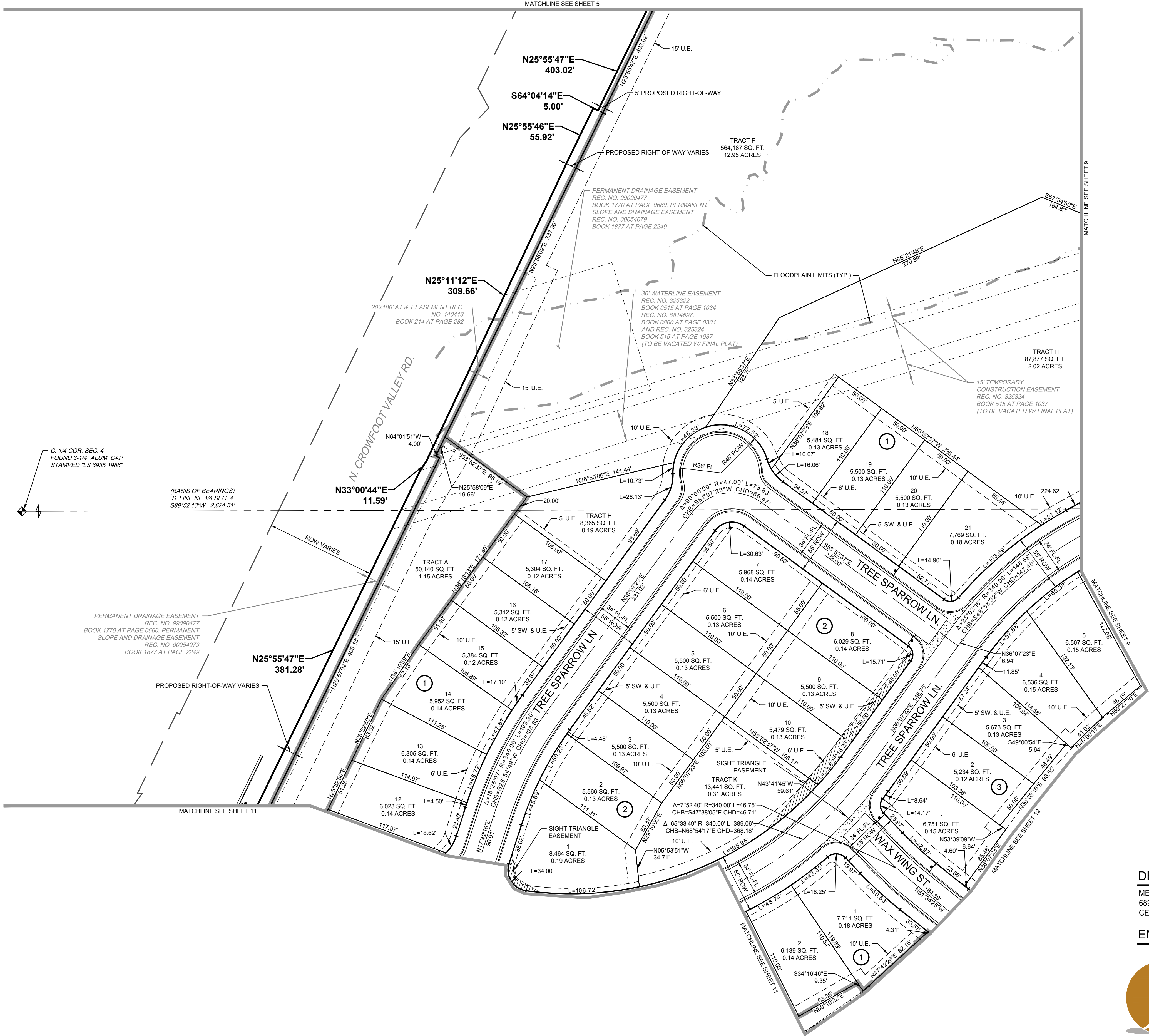
No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS

PLANNED DEVELOPMENT (PD)



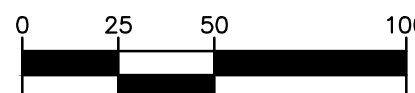
KEY MAP
1" = 500'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSSPAN

NOTE:

1. TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
2. TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
3. TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

Scale: 1"=50'

Date: MAY 5, 2017

Job No.: 15030

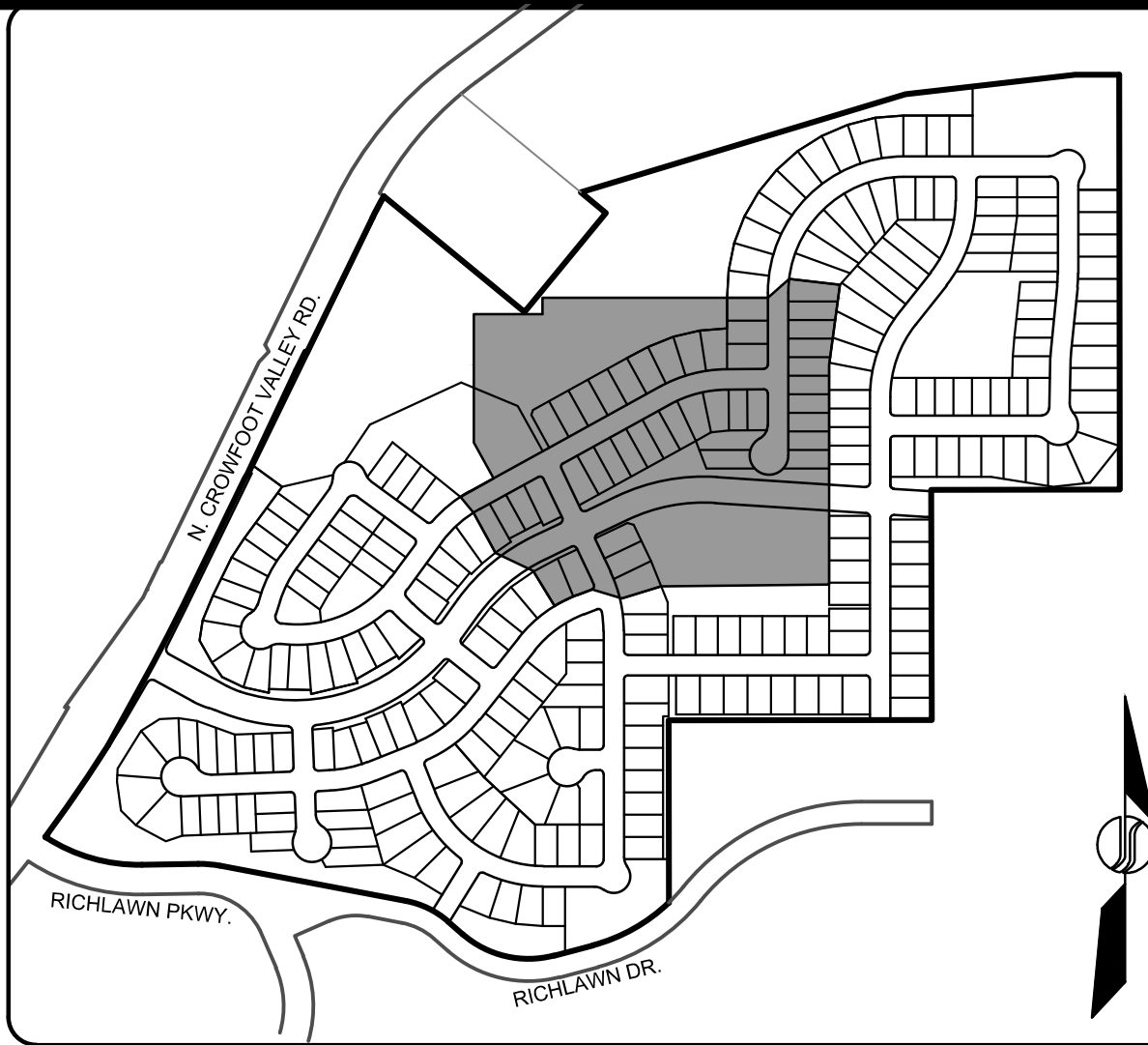
Sheet 8 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



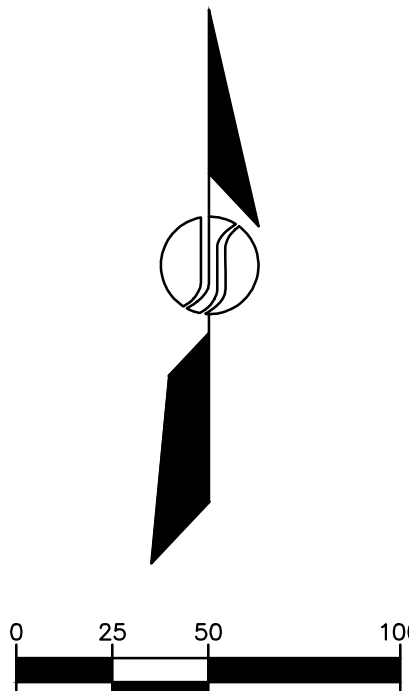
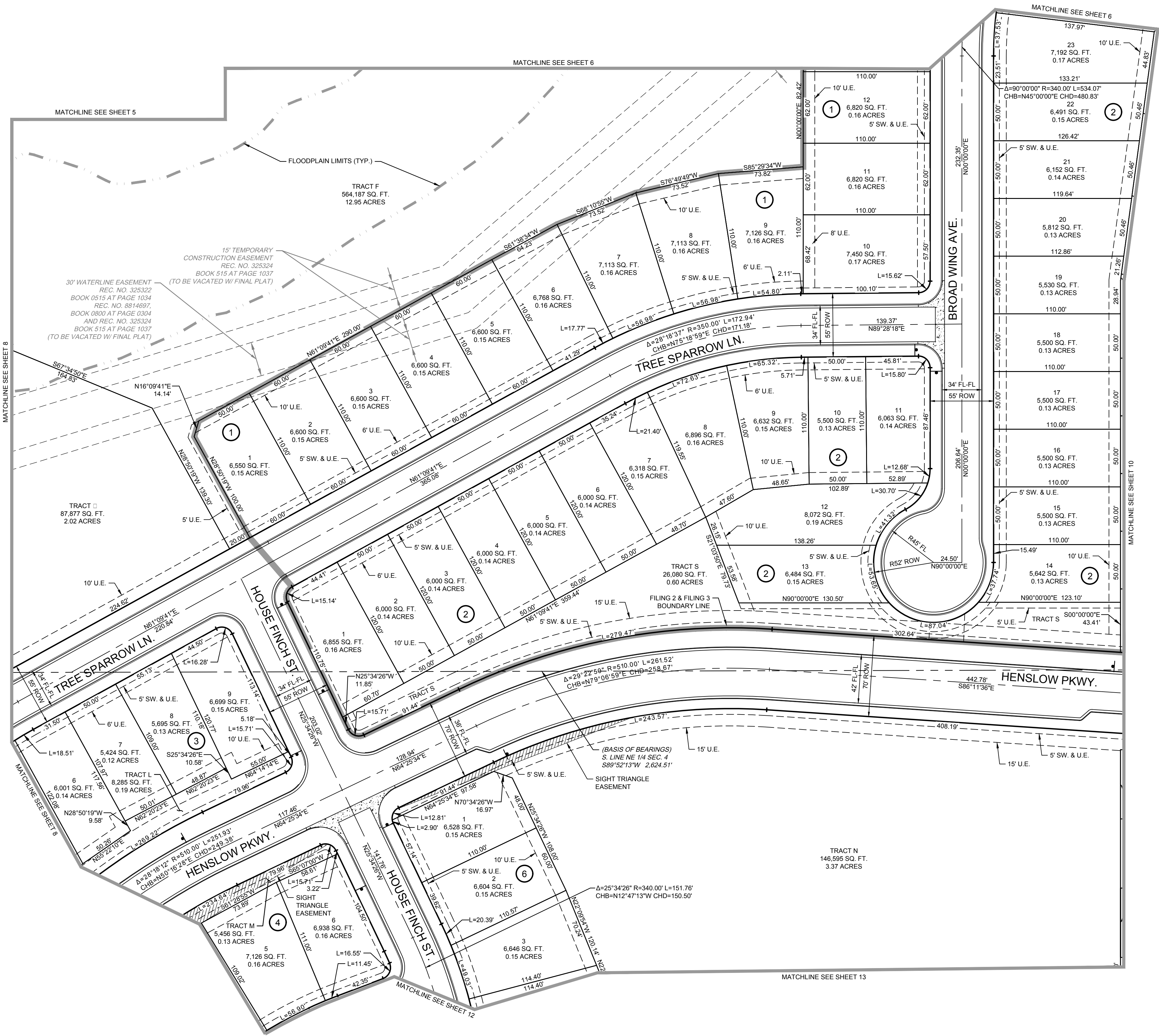
KEY MAP
1" = 500'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSSPAN

NOTE:

1. TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
2. TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
3. TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

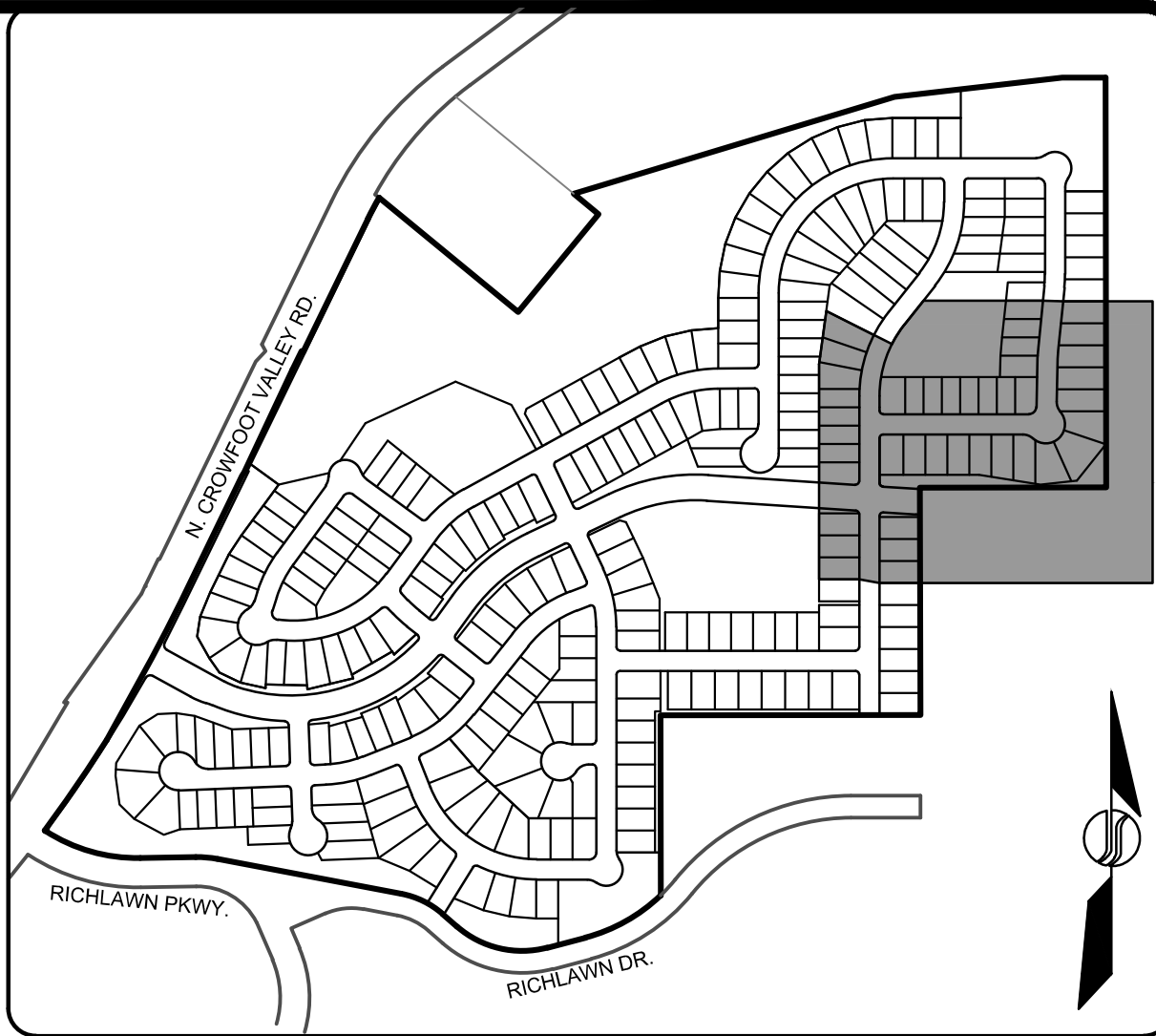
Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030
Sheet 9 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



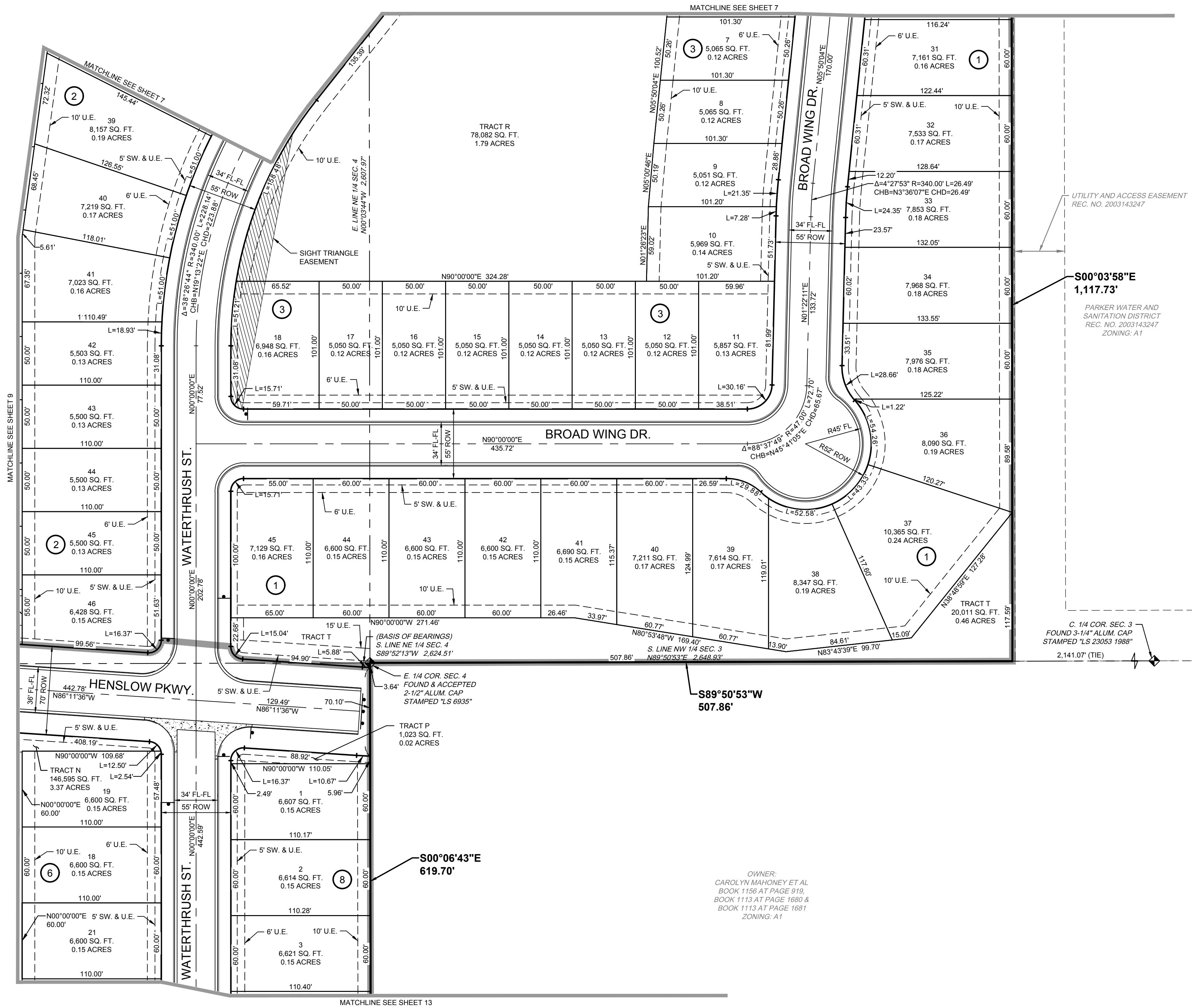
KEY MAP
1" = 50'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSSPAN

NOTE:

- TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
- TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
- TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



OWNER:
CAROLYN MAHONEY ET AL
BOOK 1156 AT PAGE 919,
BOOK 1113 AT PAGE 1680 &
BOOK 1113 AT PAGE 1681
ZONING: A1

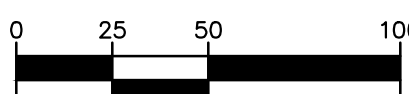


JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

PRELIMINARY PLAN

Scale: 1"=50'

Date: MAY 5, 2017

Job No.: 15030

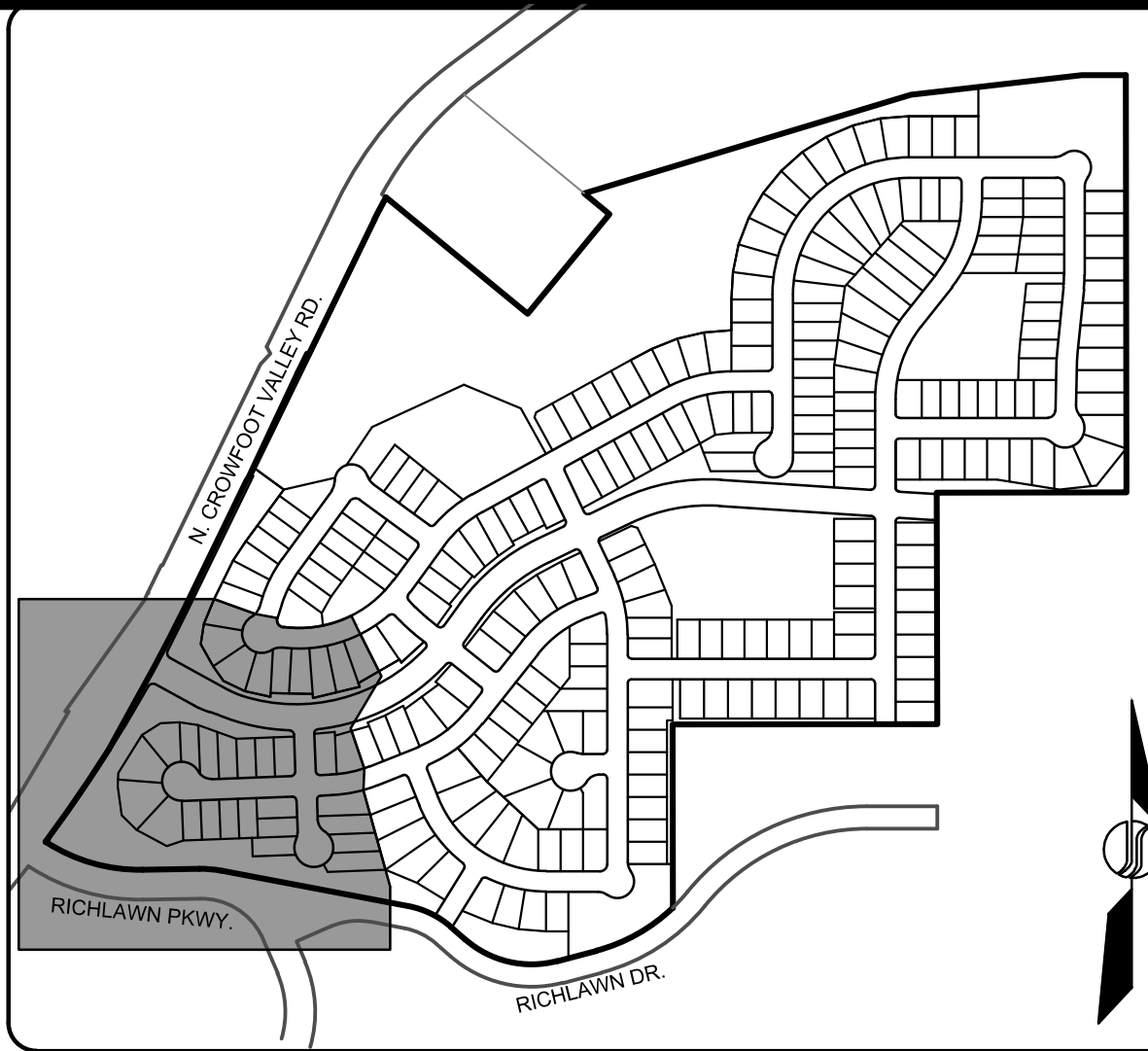
Sheet 10 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



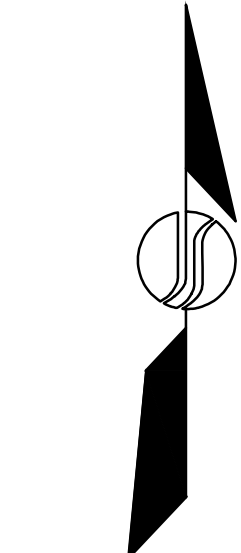
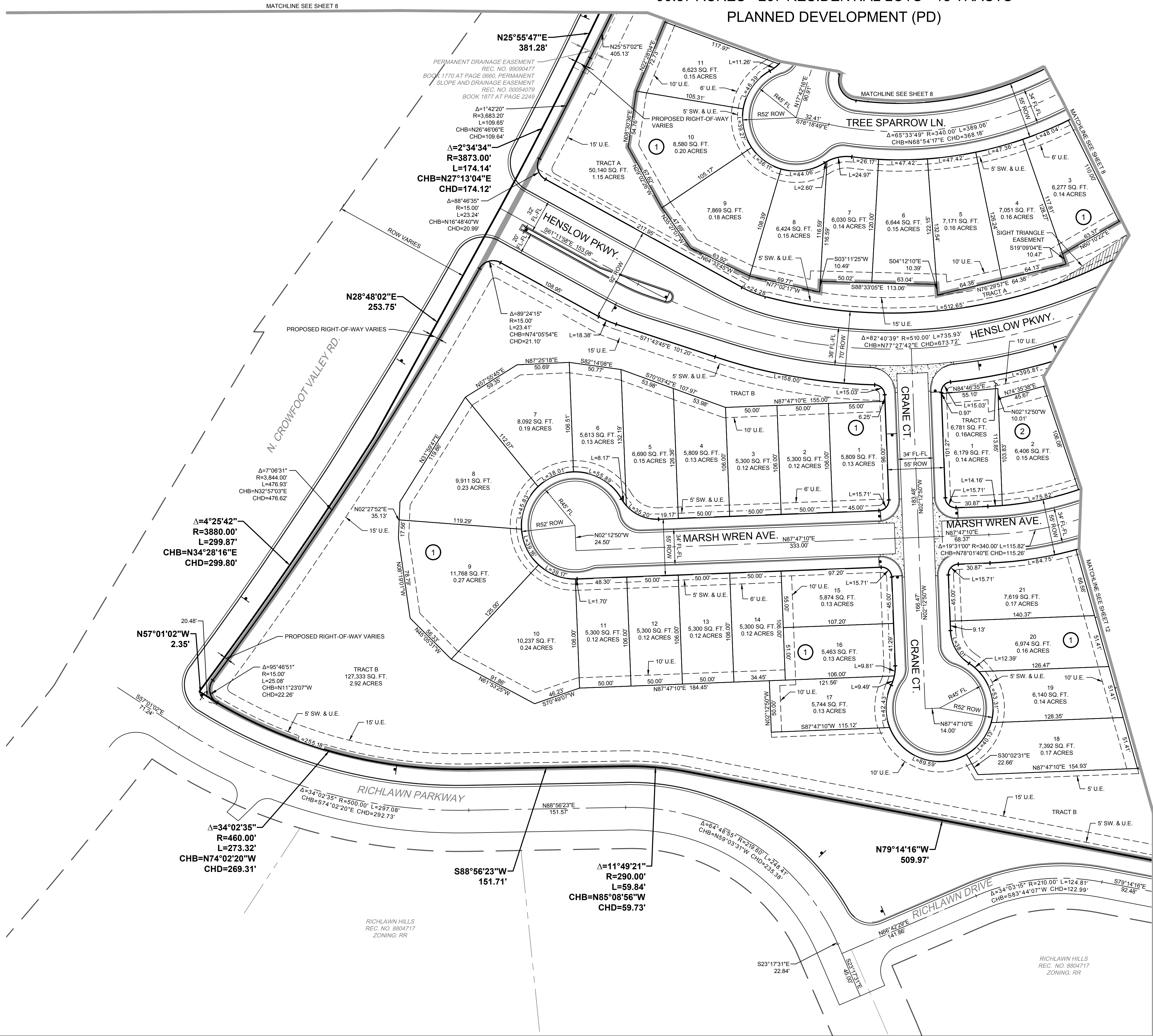
KEY MAP
1" = 500'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSSPAN

NOTE:

1. TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
2. TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
3. TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



0 25 50 100
SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030

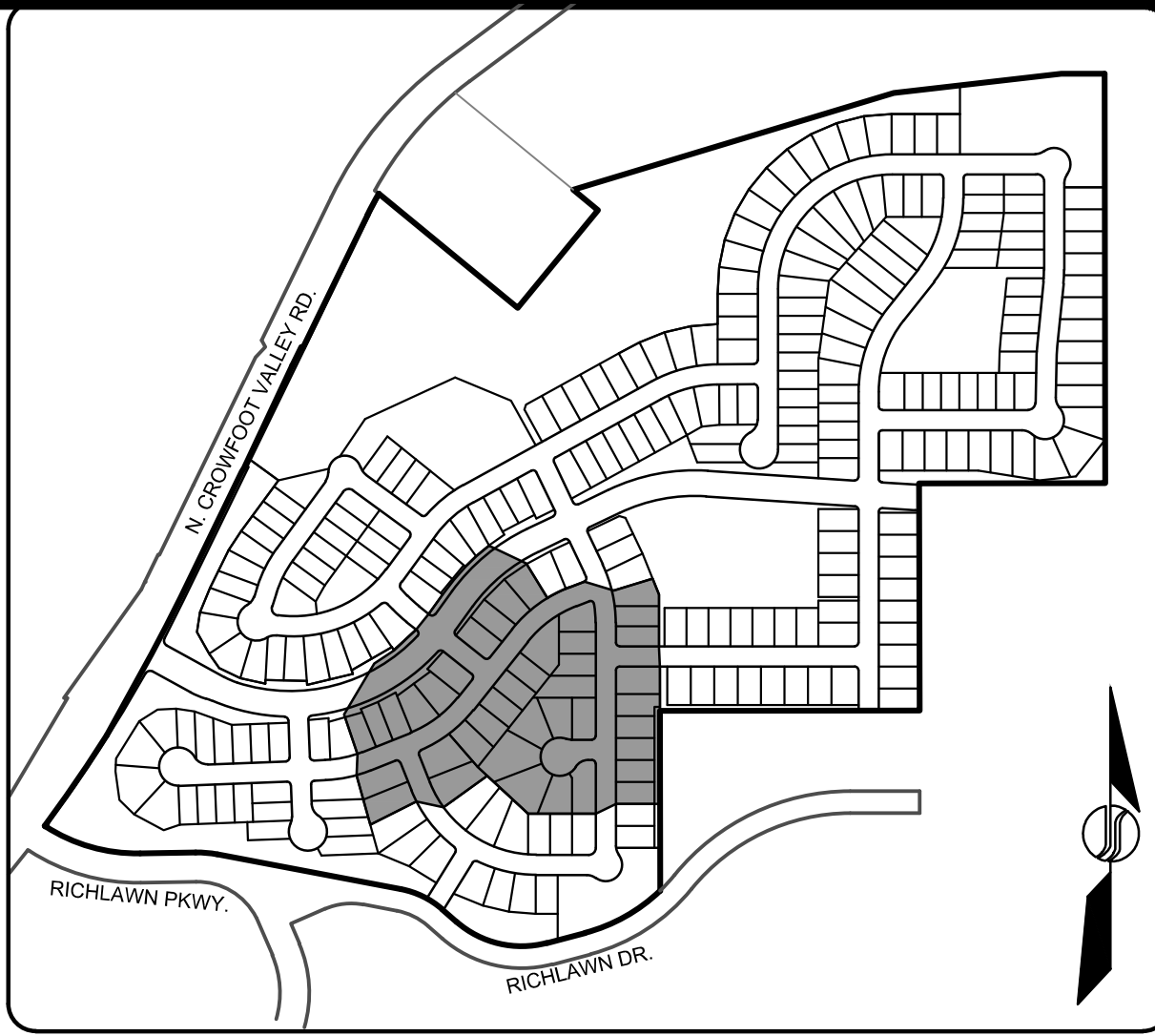
Sheet 11 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



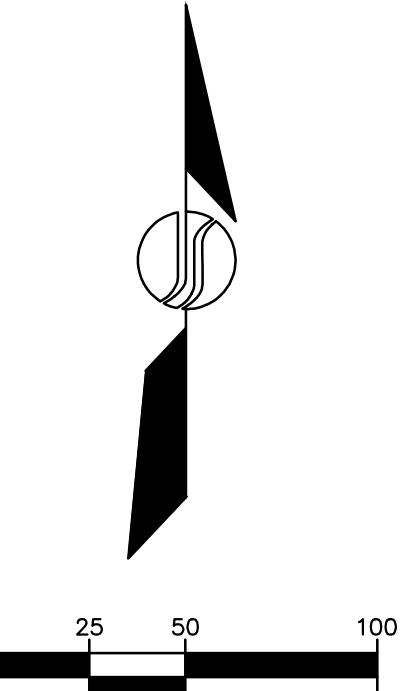
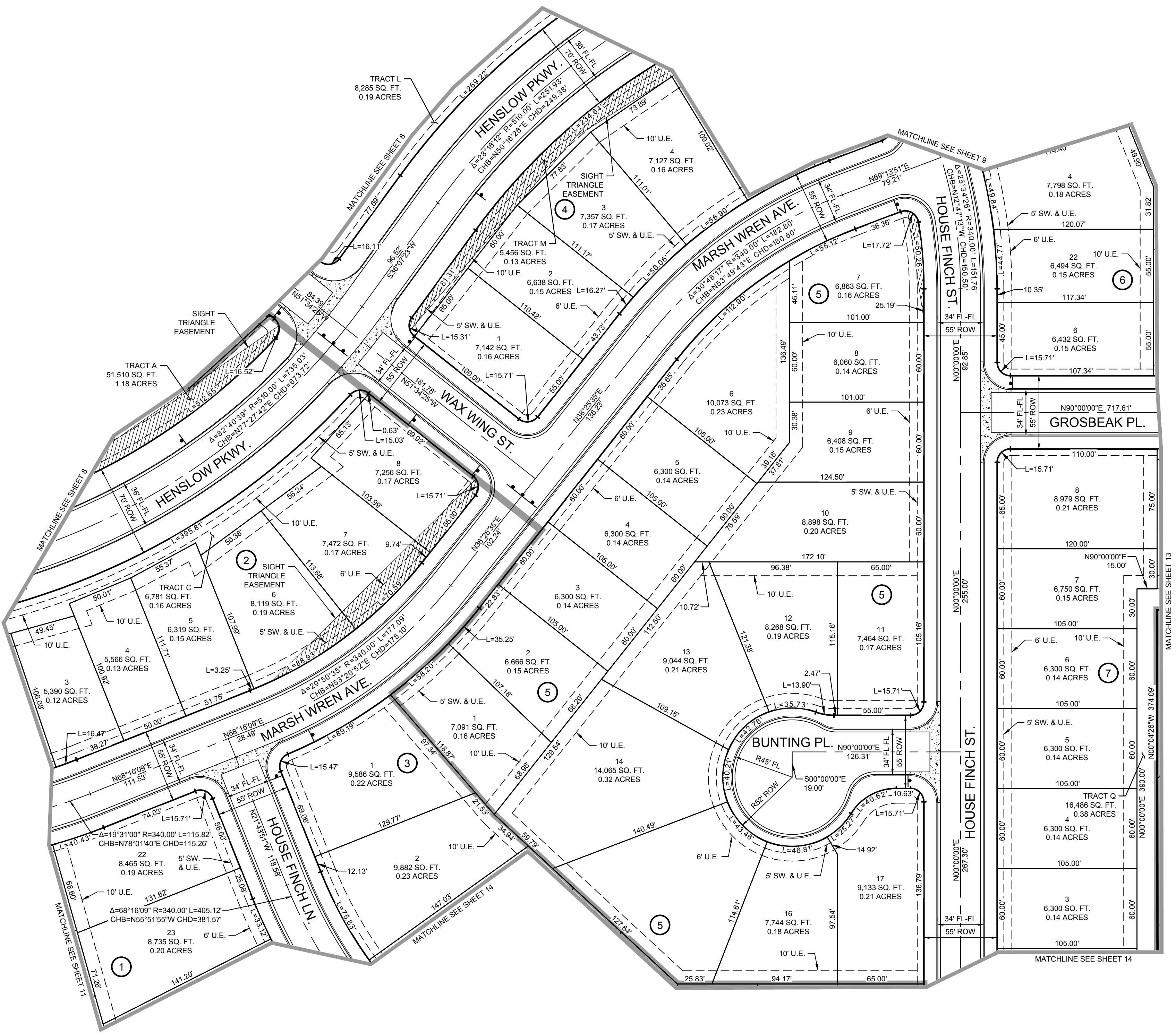
KEY MAP
1" = 50'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSSPAN

NOTE:

- TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
- TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
- TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030

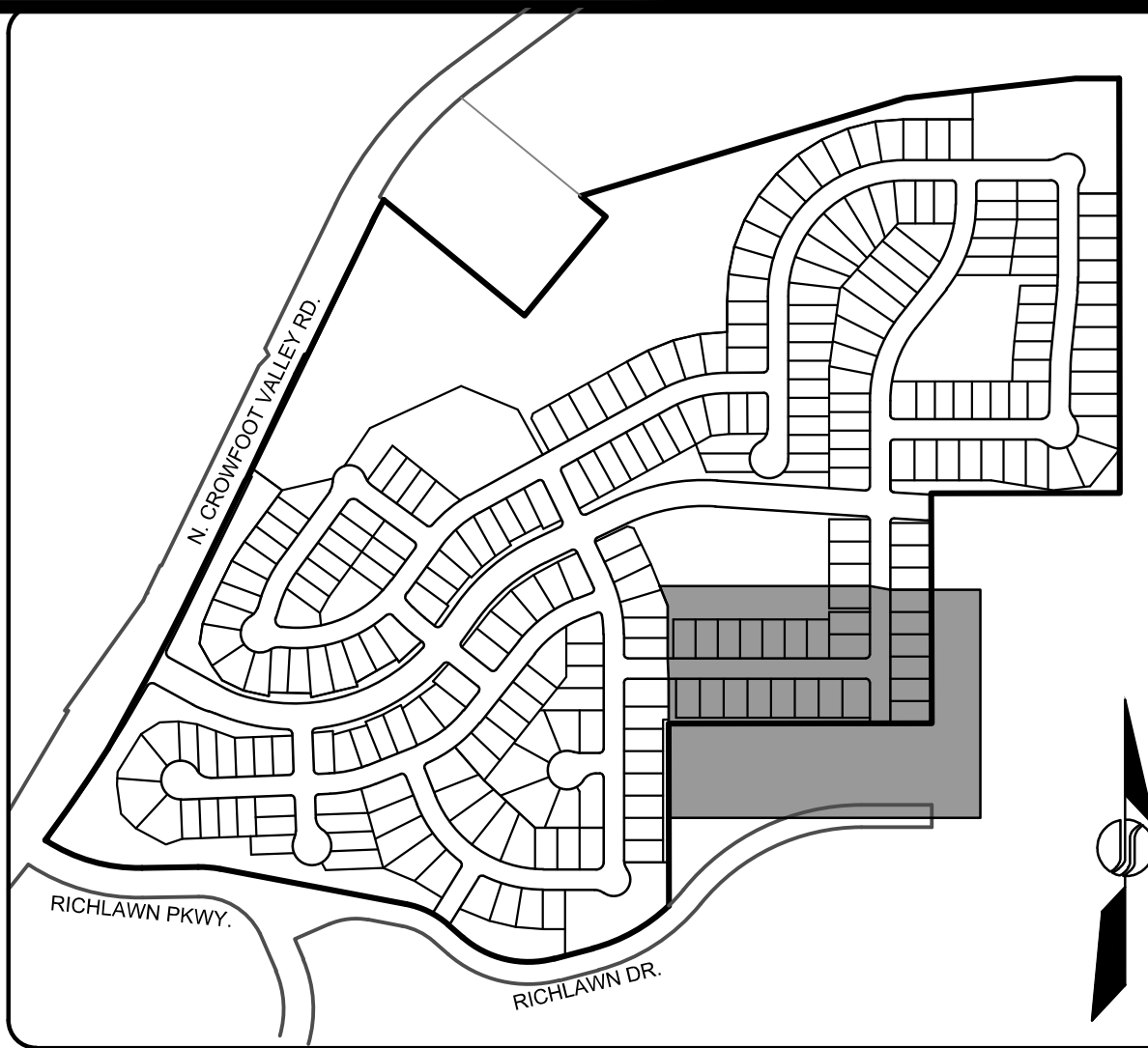
Sheet 12 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



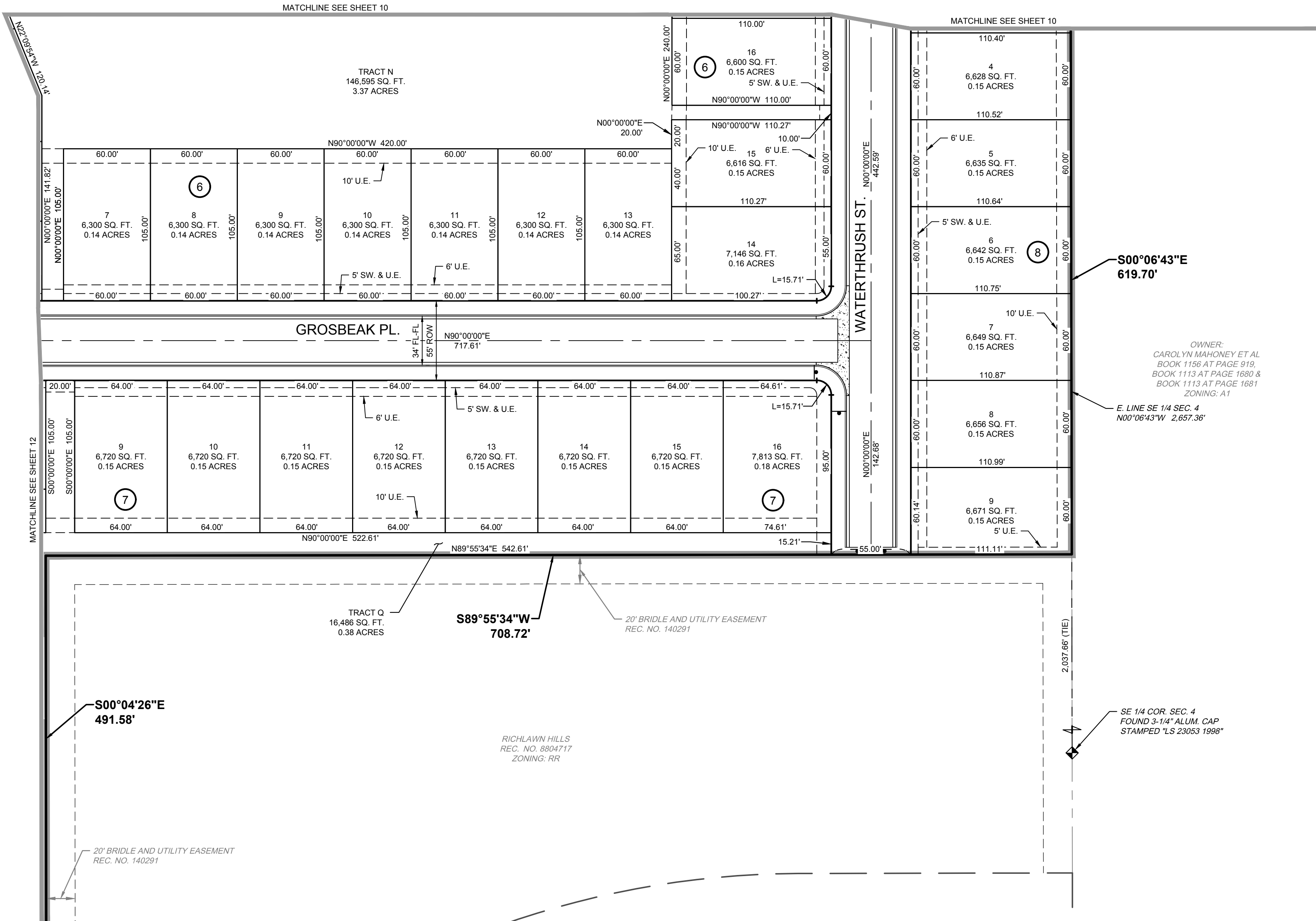
KEY MAP
1" = 500'

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- LOT / TRACT LINE
- CENTER LINE
- EASEMENT LINE
- CURB AND GUTTER
- FILING BOUNDARY LINE
- ROAD SIGN
- CONCRETE CROSSSPAN

NOTE:

- TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
- TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
- TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



OWNER:
CAROLYN MAHONEY ET AL
BOOK 1158 AT PAGE 919
BOOK 1113 AT PAGE 1680 &
BOOK 1113 AT PAGE 1681
ZONING: A1

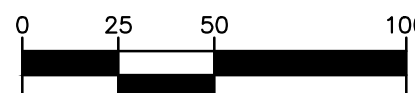
S00°06'43"E
619.70'

E. LINE SE 1/4 SEC. 4
N00°06'43"W 2,657.38'

S89°55'34"W
708.72'

S00°04'26"E
491.58'

SE 1/4 COR. SEC. 4
FOUND 3-1/4" ALUM. CAP
STAMPED "LS 23053 1998"



SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

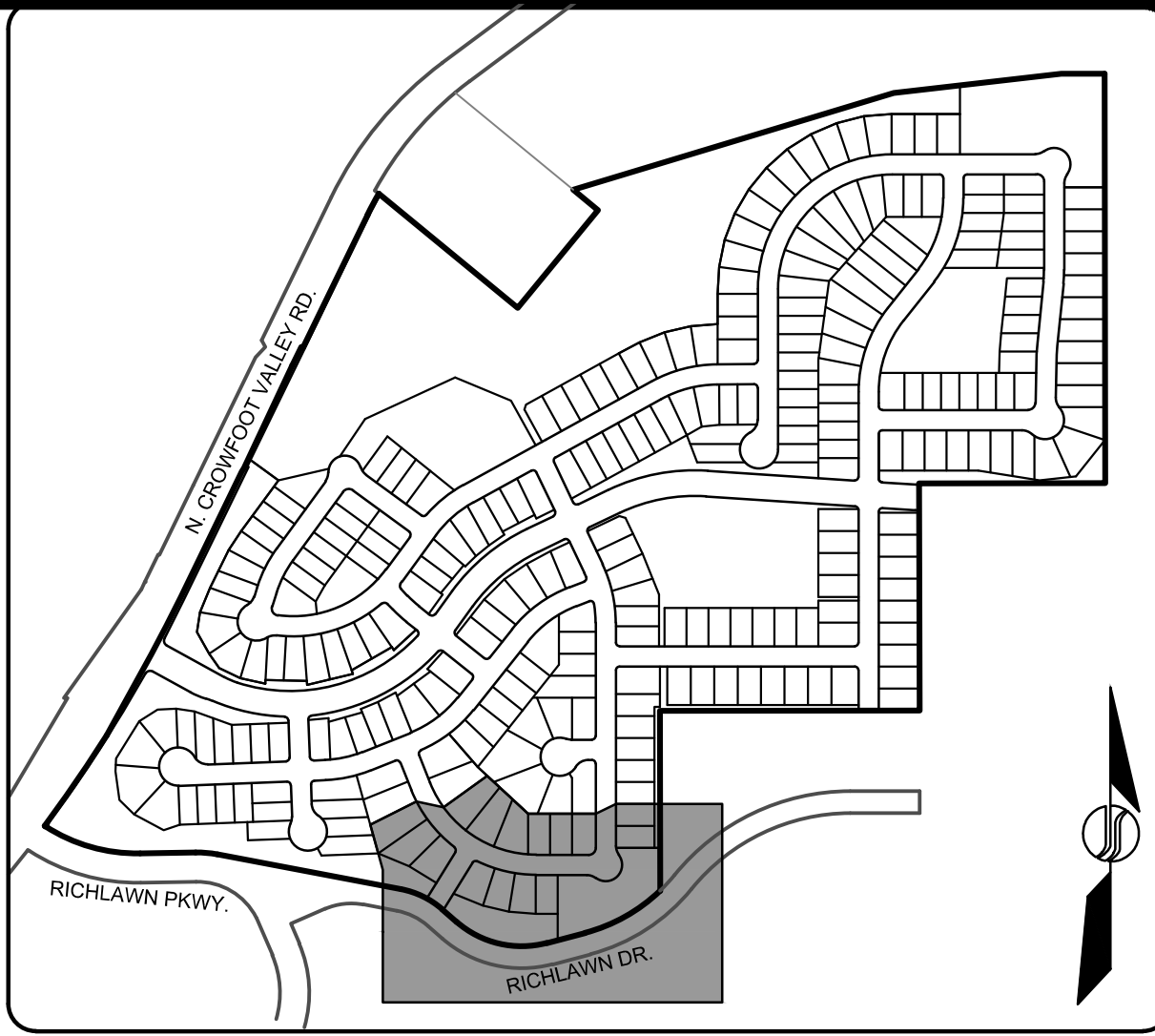
Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030
Sheet 13 of 14

No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 18 TRACTS
PLANNED DEVELOPMENT (PD)



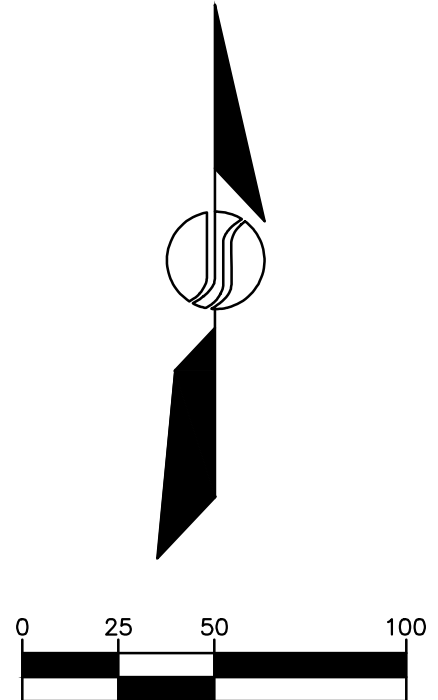
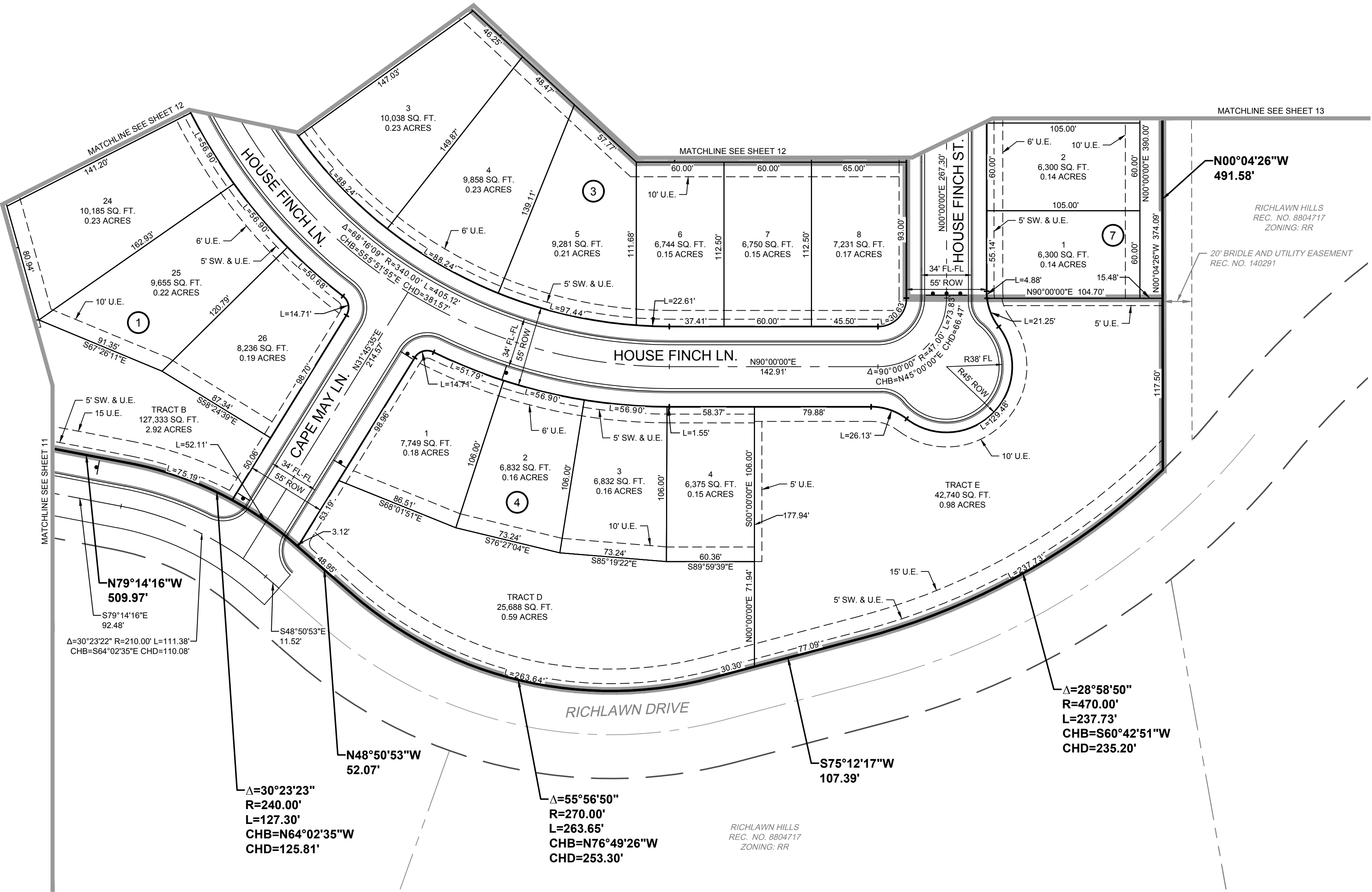
KEY MAP
1" = 500'

LEGEND

	PROPERTY BOUNDARY
	RIGHT-OF-WAY LINE
	LOT / TRACT LINE
	CENTER LINE
	EASEMENT LINE
	CURB AND GUTTER
	FILING BOUNDARY LINE
	ROAD SIGN
	CONCRETE CROSSSPAN

NOTE:

1. TRACTS A, B, C, D AND E WILL BE DEDICATED WITH FILING NO. 1.
2. TRACTS F, G, H, I, K, L, M, N, P AND Q WILL BE DEDICATED WITH FILING NO. 2.
3. TRACTS R, S AND T WILL BE DEDICATED WITH FILING NO. 3.



SCALE: 1" = 50'
ORIGINAL GRAPHIC SCALE

DEVELOPER

MERITAGE HOMES
6892 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
990 SOUTH BROADWAY
SUITE 230
DENVER, CO. 80209
P.303.561.3333
F.303.561.3339

PRELIMINARY PLAN

Scale: 1"=50'
Date: MAY 5, 2017
Job No.: 15030

Sheet 14 of 14

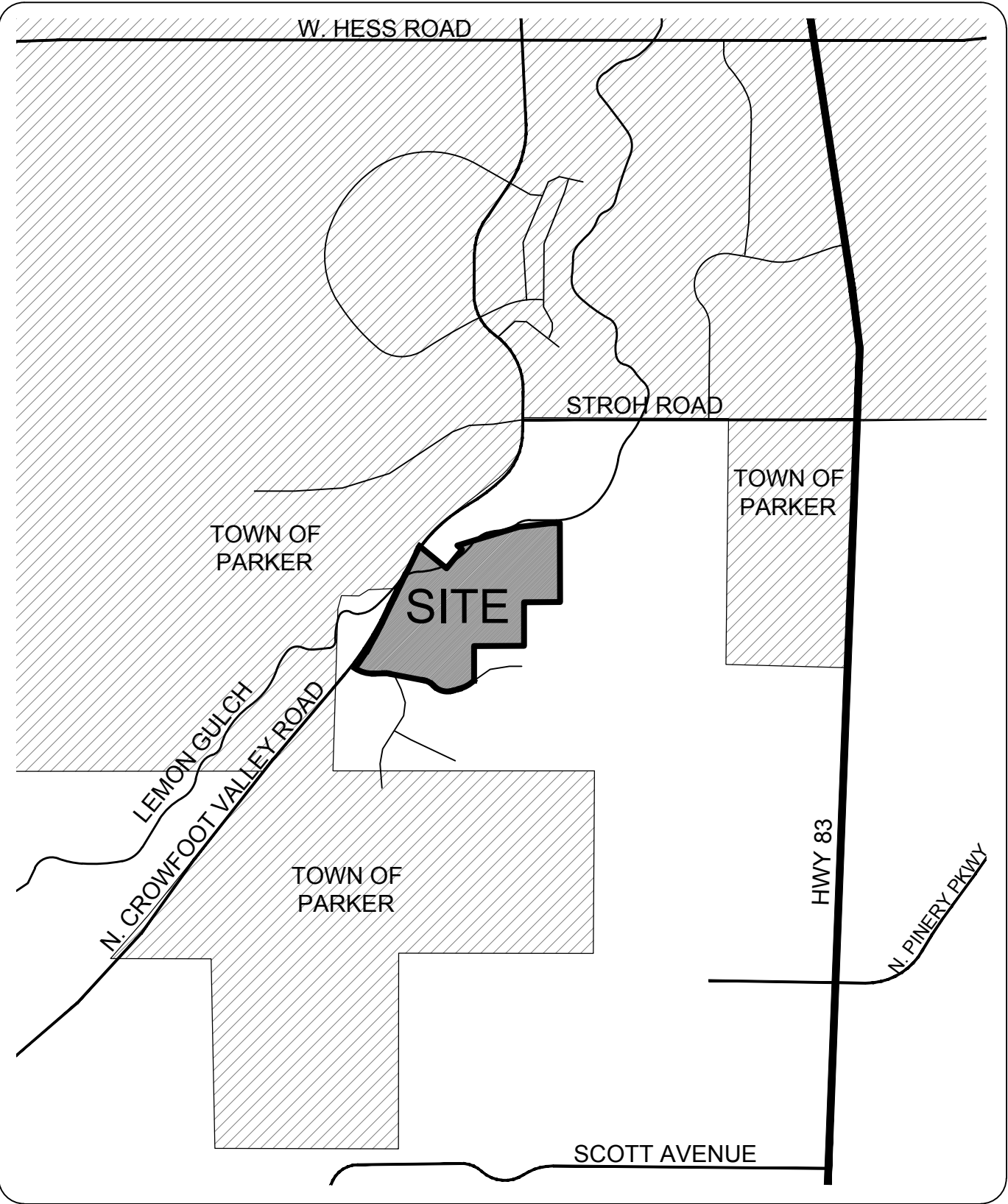
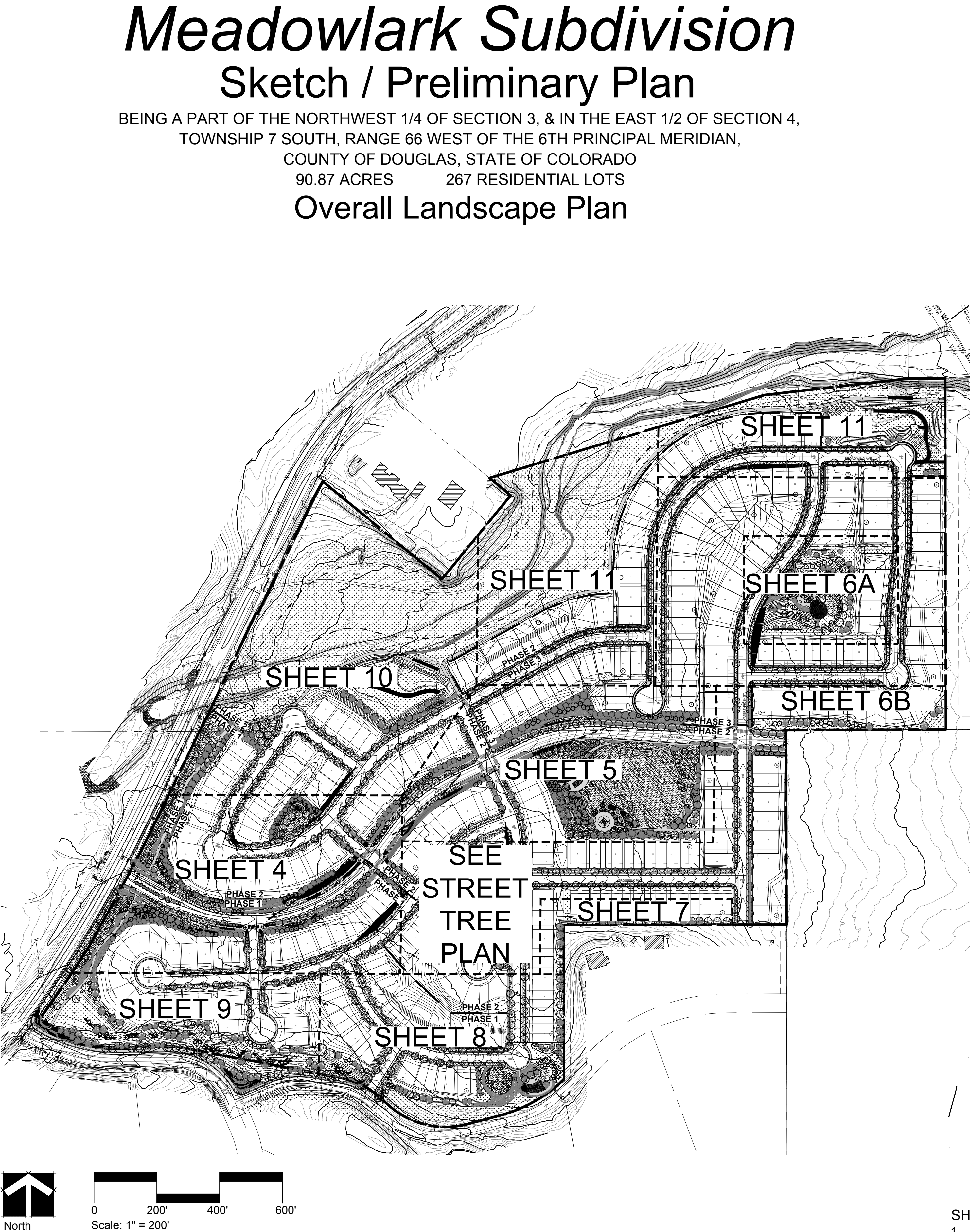
No.	Revisions	Date	By
4	TOWN COMMENTS	01/09/18	IH
3	TOWN COMMENTS	11/17/17	IH
2	TOWN COMMENTS	10/13/17	IH
1	TOWN COMMENTS	08/02/17	IH
Designed By: IH		Checked By: MU	

PWSD LANDSCAPE / IRRIGATION WORKSHEET							
TRACT OR LANDSCAPE AREA	HIGH WATER TURF (6,000SF= 1 SFE)	LOW WATER NATIVE GRASS AND SPRAY SHRUBS AND PERENNIALS (10,000SF=1 SFE)	DRIP IRRIGATED AREA (20,000 SF= 1 SFE)	NON-IRRIGATED AREA	SUB-TOTAL OF (CALCULATED) AREAS	PWSD ONE SFE PER 6,000	SFE REQUIREMENT (SUB-TOTAL CALCULATION DIVIDED BY 6000 - REQUIREMENT
FILING 1							
A	28103	0	30129	0			
B	21710	0	31275	111371			
C	3315	0	7775	0			
D	0	0	370	25458			
E	7811	0	6774	21941			
FILING 2							
F	0	0	0	493715			
G	0	0	0	62810			
H	2035	0	2035	0			
I	0	0	4475	66185			
K	4877	0	6270	0			
L	3923	0	9202	0			
M	3447	0	6365	25068			
N	86007	16583	21227	0			
P	0	0	1348	0			
Q	0	0	0	16300			
FILING 3							
R	12974	50634	3275	0			
S	2710	0	25616	0			
T	0	0	0	19790			
SUBTOTAL	176912	67217	156136	842638	1242903		
MULTIPLIER	SF x 1	SF x 0.6	SF x 0.3	SF x 0=0			
TOTAL	176912	40330	46841	0	264083	6,000	44

NOTE: LANDSCAPE AREAS INCLUDE ADJACENT R.O.W. TREE LAWN.

LANDSCAPE CHART				
Tract	Use	Square Footage - 1 Tree □ 5 Shrubs / 1500 SF.	Trees Required	Shrubs Required
FILING 1				
A	LANDSCAPE / OPEN SPACE	51,510	34.34	171.70
B	LANDSCAPE / DETENTION	129,784	86.52	432.61
C	LANDSCAPE / OPEN SPACE	6,781	4.52	22.60
D	LANDSCAPE / OPEN SPACE	25,688	17.13	85.63
E	PARK	42,740	28.49	142.47
FILING 2				
F	FLOODPLAIN	357,091	0	0
	LANDSCAPE - MANICURED	25,205	16.80	84.02
	LANDSCAPE - NATIVE	198,082	13.21	66.03
G	LANDSCAPE / DETENTION	78,731	52.49	262.44
H	LANDSCAPE / OPEN SPACE	8,365	5.58	27.88
I	LANDSCAPE / DETENTION	83,929	55.95	279.76
K	PARK	13,441	8.96	44.80
L	LANDSCAPE / OPEN SPACE	8,285	5.52	27.62
M	LANDSCAPE / OPEN SPACE	5,456	3.64	18.19
N	PARK	146,595	97.73	488.65
P	LANDSCAPE / OPEN SPACE	1,023	0.68	3.41
Q	LANDSCAPE / OPEN SPACE	16,411	10.94	54.70
FILING 3				
R	PARK	78,082	52.05	260.27
S	LANDSCAPE / OPEN SPACE	26,080	17.39	86.93
T	LANDSCAPE / OPEN SPACE	20,011	13.34	66.70
TOTALS			525.28	2626.42

NOTE: LANDSCAPE NATIVE ASSUME 1 TREE □ 5 SHRUBS / 15,000 SF.



VICINITY MAP

SCALE: 1" = 2,000'



STREET TREE REQUIREMENTS				
Description	Length (LF)	Subtracted Sight Triangle Distance (LF)	Trees Required (1/40')	Trees Provided
HENSLOW PARKWAY	3915	887	76	124
MARSH WREN AVENUE	2170	221	49	41
TREE SPARROW AVENUE	2698	230	62	60
TREE SPARROW LANE	1122		28	27
CRANE COURT	346		9	14
HOUSE FINCH LANE	1187		30	31
WAX WING LANE	448		12	20
HOUSE FINCH STREET	1680	112	40	49
GROSSBEAK PLACE	1195		30	30
BROAD WING AVENUE	2437	232	56	54
WATERTHRUSH STREET	2469	232	56	62
BROAD WING DRIVE	1925		49	46
BUNTING PLACE	74		2	3
CAPE MAY LANE	270		7	6
TOTALS	21,936	1,914	506	567

SHEET INDEX

- 1 OVERALL LANDSCAPE PLAN
- 2 STREET TREE PLAN
- 3 FENCING PLAN
- 4-12 LANDSCAPE PLAN
- 13 FILING 2 - TRACT N DETAIL PLAN
- 14 FILING 3 - TRACT R DETAIL PLAN
- 15 FILING 2 - TRACT K, FILING 1 - TRACT E - DETAIL PLANS
- 16 PLANT LIST
- 17 PLANTING NOTES
- 18 SITE DETAILS

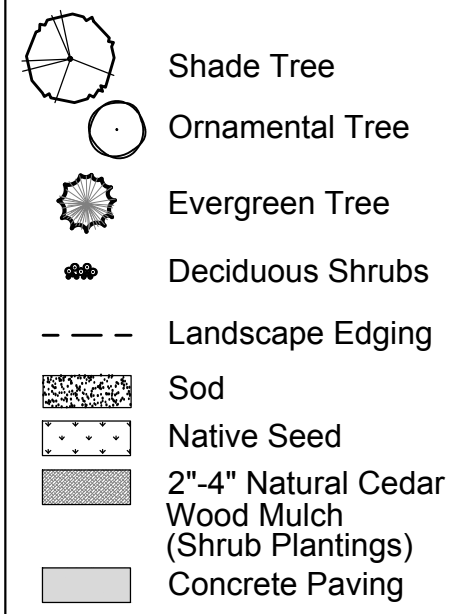
APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

OVERALL LANDSCAPE PLAN
SHEET: 1 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

LEGEND



NOTE:

1. SEE SIGNING AND STRIPING PLAN FOR SIGN LOCATION AND SIGN TYPE.
2. CONTRACTOR TO ENSURE THAT NO TREES ARE PLANTED WITHIN 1' OF A STORM SEWER.
3. CONTRACTOR TO ENSURE THAT SIGHT DISTANCE TRIANGLES REMAIN CLEAR OF VEGETATION THAT GROWS TO A MATURE HEIGHT ABOVE 2'.

Meadowlark Subdivision

Sketch / Preliminary Plan

Street Tree Plan

APPROXIMATE 100 YEAR FLOODPLAIN, TYP. (FINAL LOCATION TO BE DETERMINED AT FILING 2 CD)

PRELIMINARY STOP SIGN LOCATIONS TYP.

SIGHT TRIANGLE

PRELIMINARY STOP SIGN LOCATIONS TYP.

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

STREET TREE PLAN
SHEET: 2 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

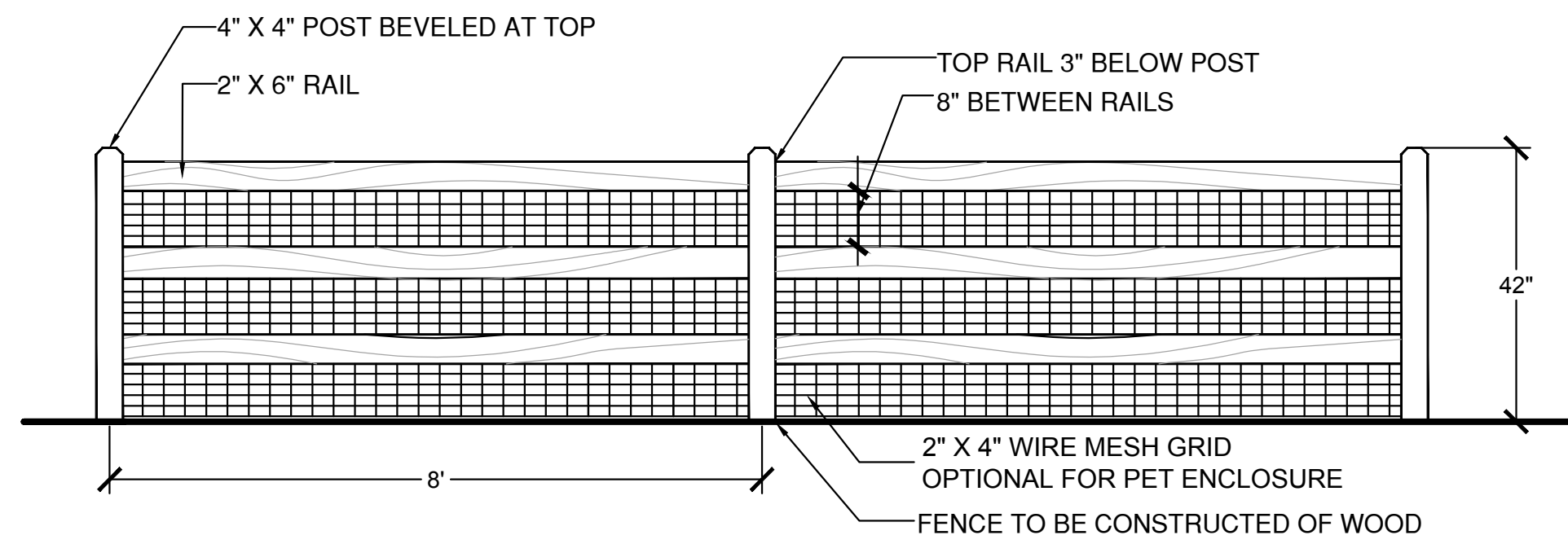


Meadowlark Subdivision

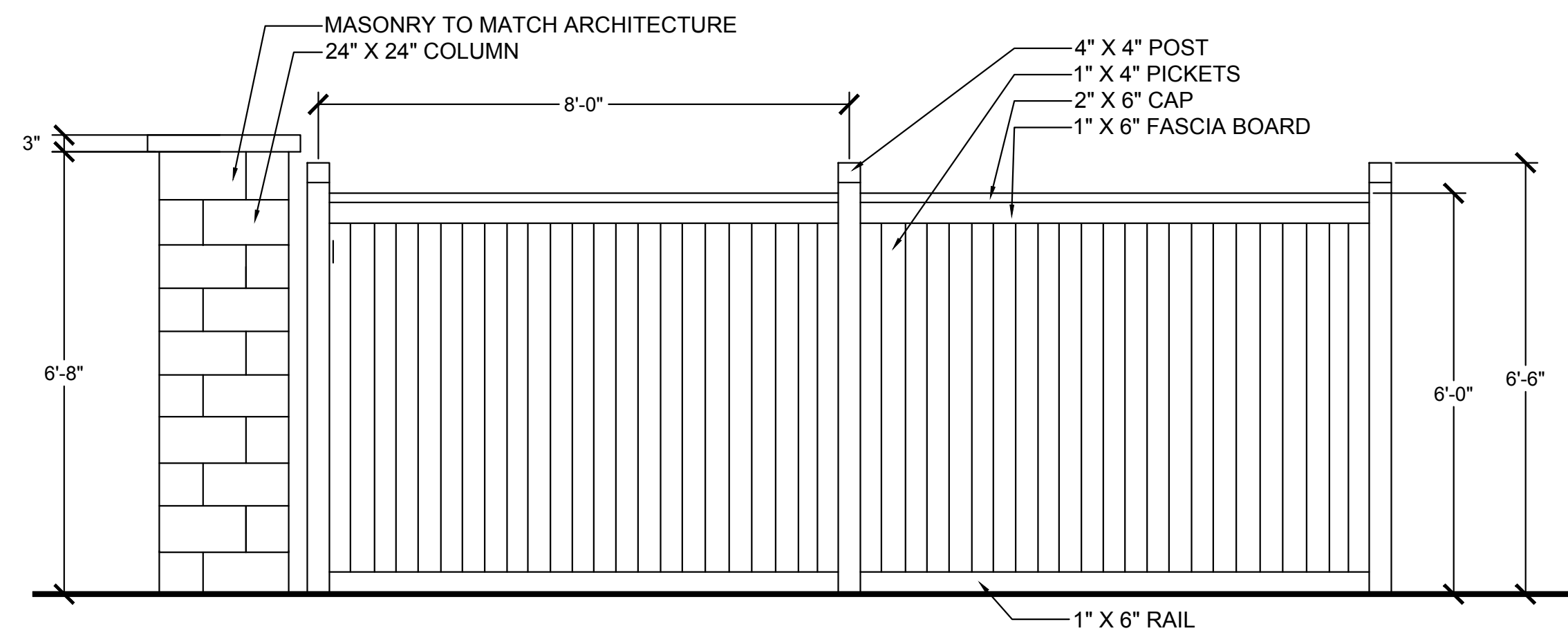
Sketch / Preliminary Plan

Fencing Plan

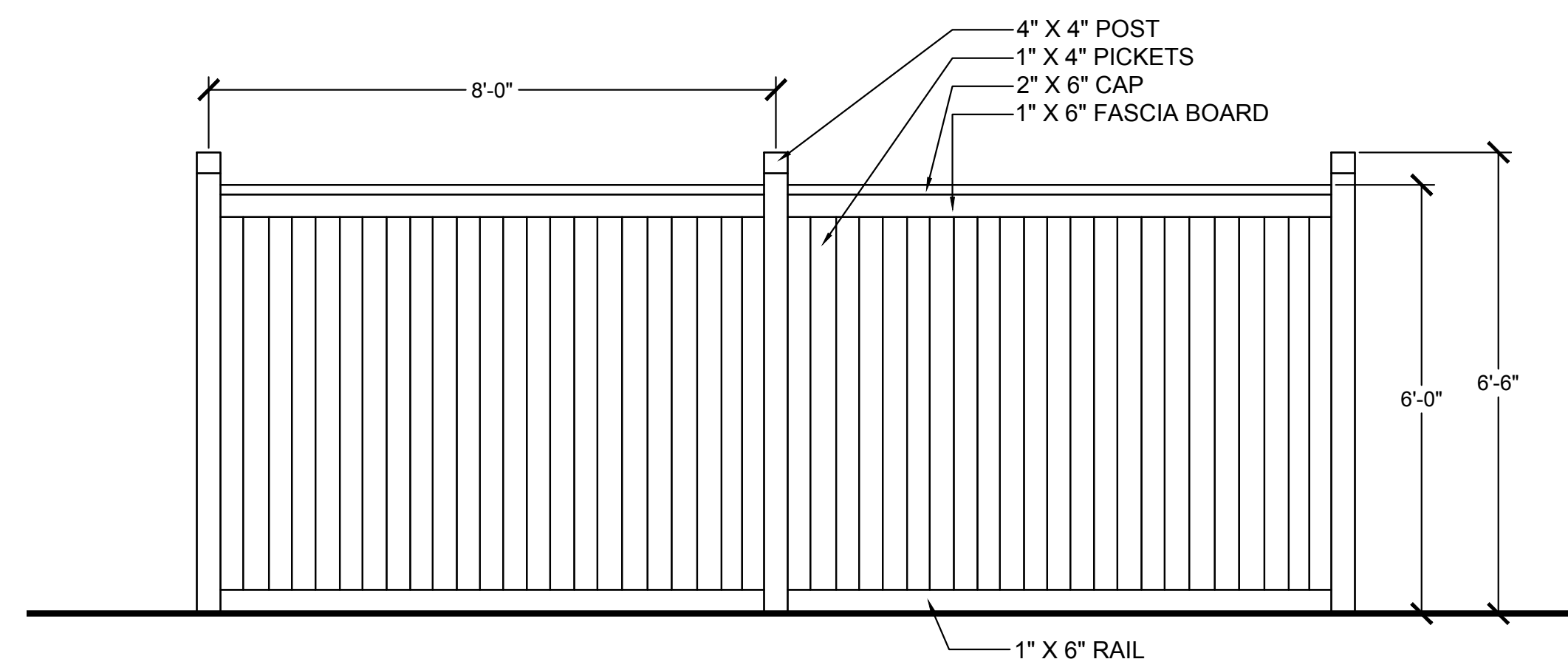
FENCE DETAILS



A OPEN RAIL FENCE
NOTE: STAINED OR PAINTED FENCE COLOR TO BE DETERMINED BY BUILDER TYP. NTS



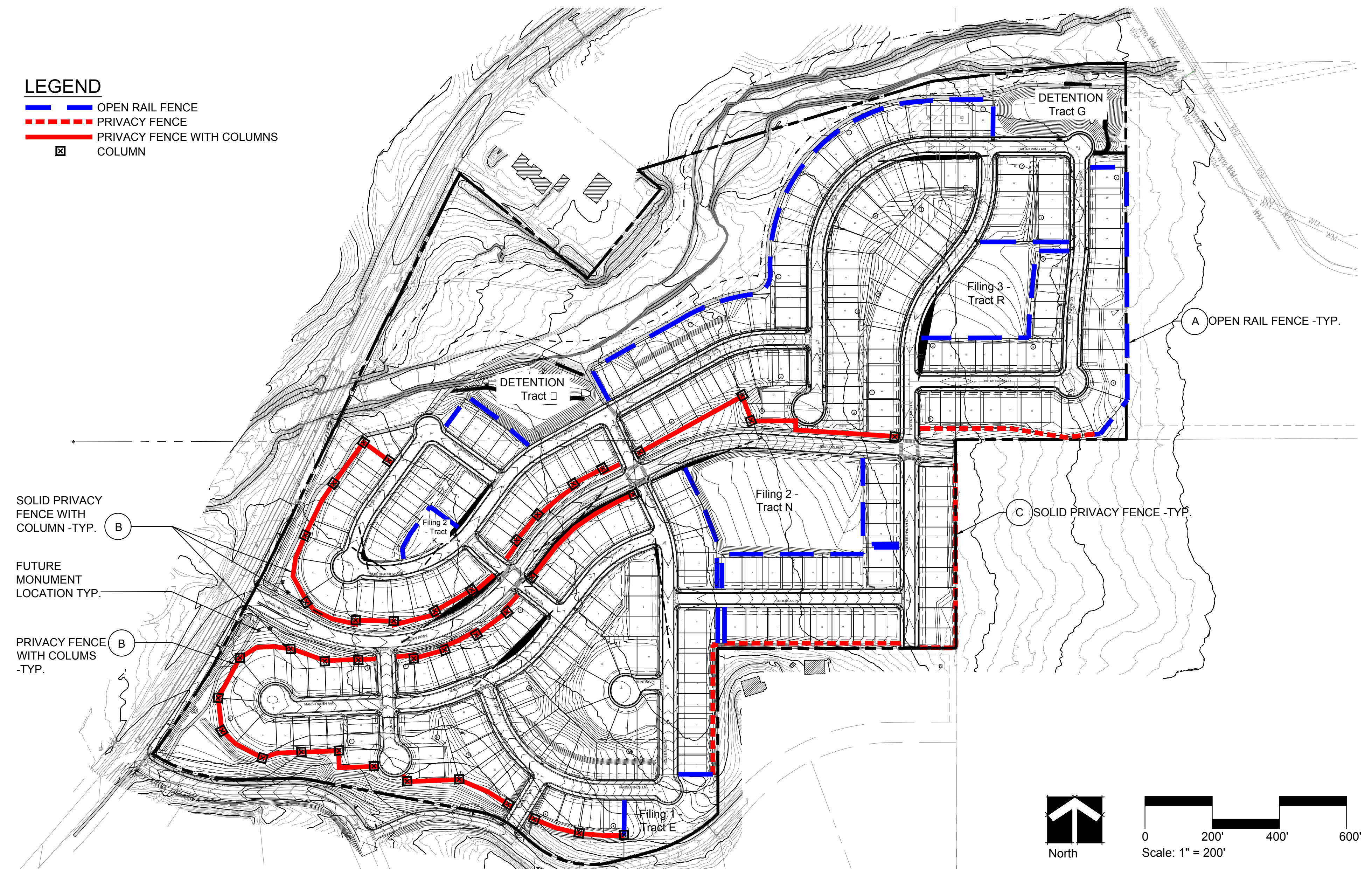
B SOLID PRIVACY FENCE WITH COLUMN
NOTE: STAINED OR PAINTED FENCE COLOR TO BE DETERMINED BY BUILDER TYP. NTS



C SOLID PRIVACY FENCE
NOTE: STAINED OR PAINTED FENCE COLOR TO BE DETERMINED BY BUILDER TYP. NTS

LEGEND

- OPEN RAIL FENCE
- PRIVACY FENCE
- PRIVACY FENCE WITH COLUMNS
- COLUMN



FENCING PLAN

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

FENCING PLAN
SHEET: 3 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

Meadowlark Subdivision
Sketch / Preliminary Plan
Landscape Plan

LEGEND

- Shade Tree
- Ornamental Tree
- Evergreen Tree
- Deciduous Shrubs
- Landscape Edger
- Sod
- Native Seed
- 2"-4" Natural Cedar Wood Mulch (Shrub Plantings)
- Concrete Paving
- Crusher Fines
- Engineered Wood Fiber Mulch

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 4 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

LANDSCAPE PLAN
SHEET: 4 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

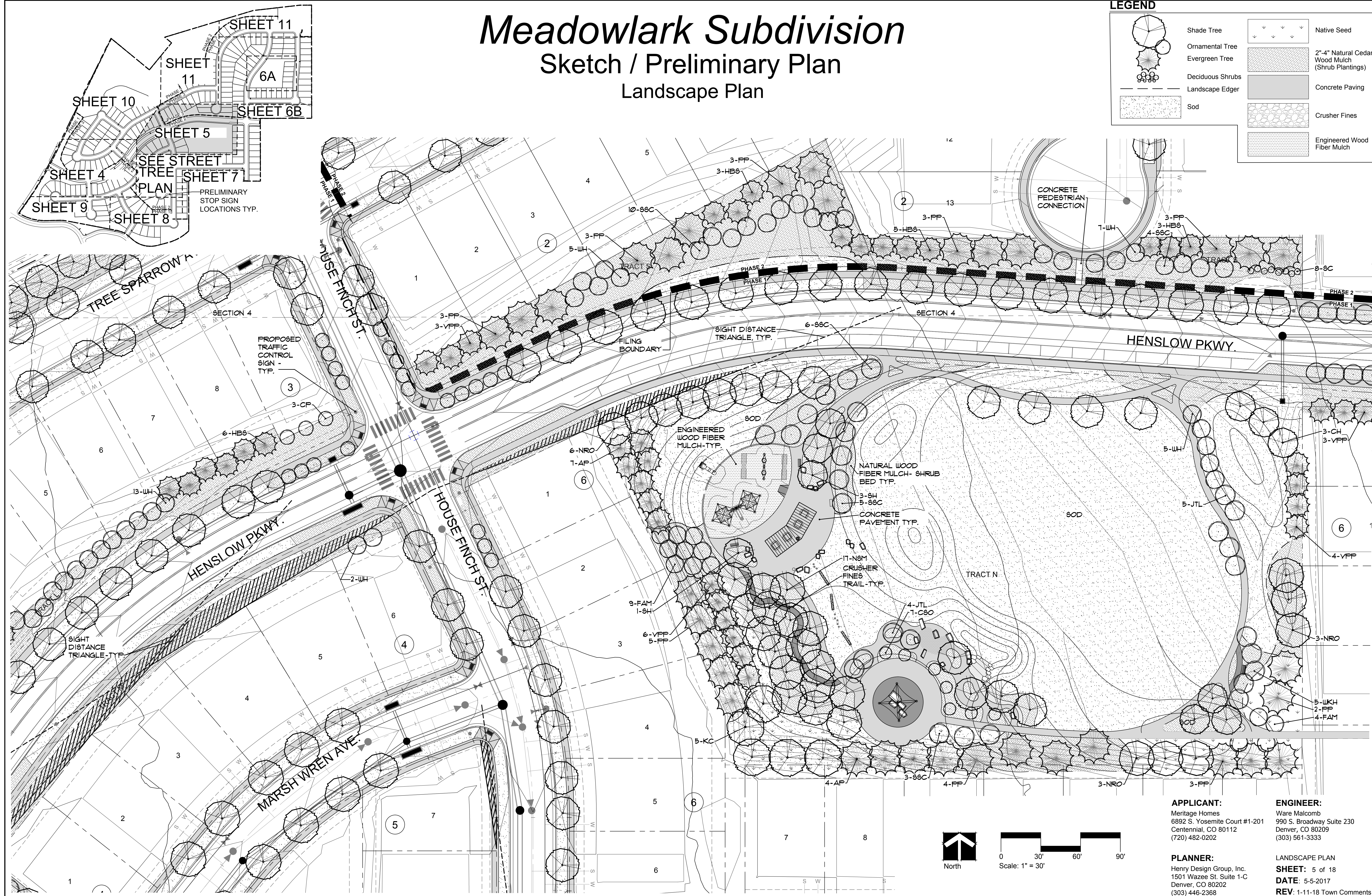
Meadowlark Subdivision

Sketch / Preliminary Plan

Landscape Plan

LEGEND

	Shade Tree		Native Seed
	Ornamental Tree		2\"/>
	Evergreen Tree		Concrete Paving
	Deciduous Shrubs		Crusher Fines
	Landscape Edger		Engineered Wood Fiber Mulch
	Sod		



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

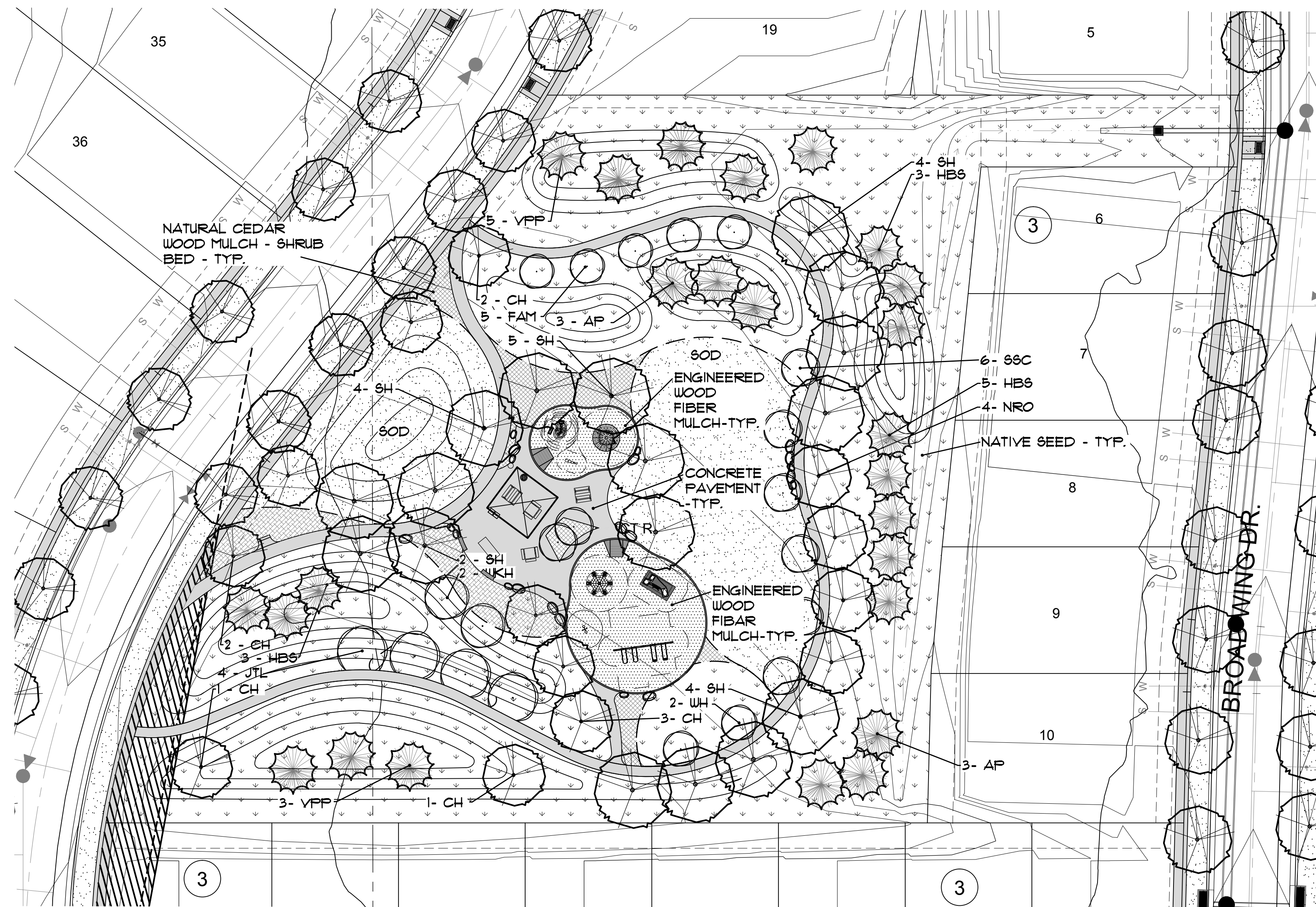
PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 5 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

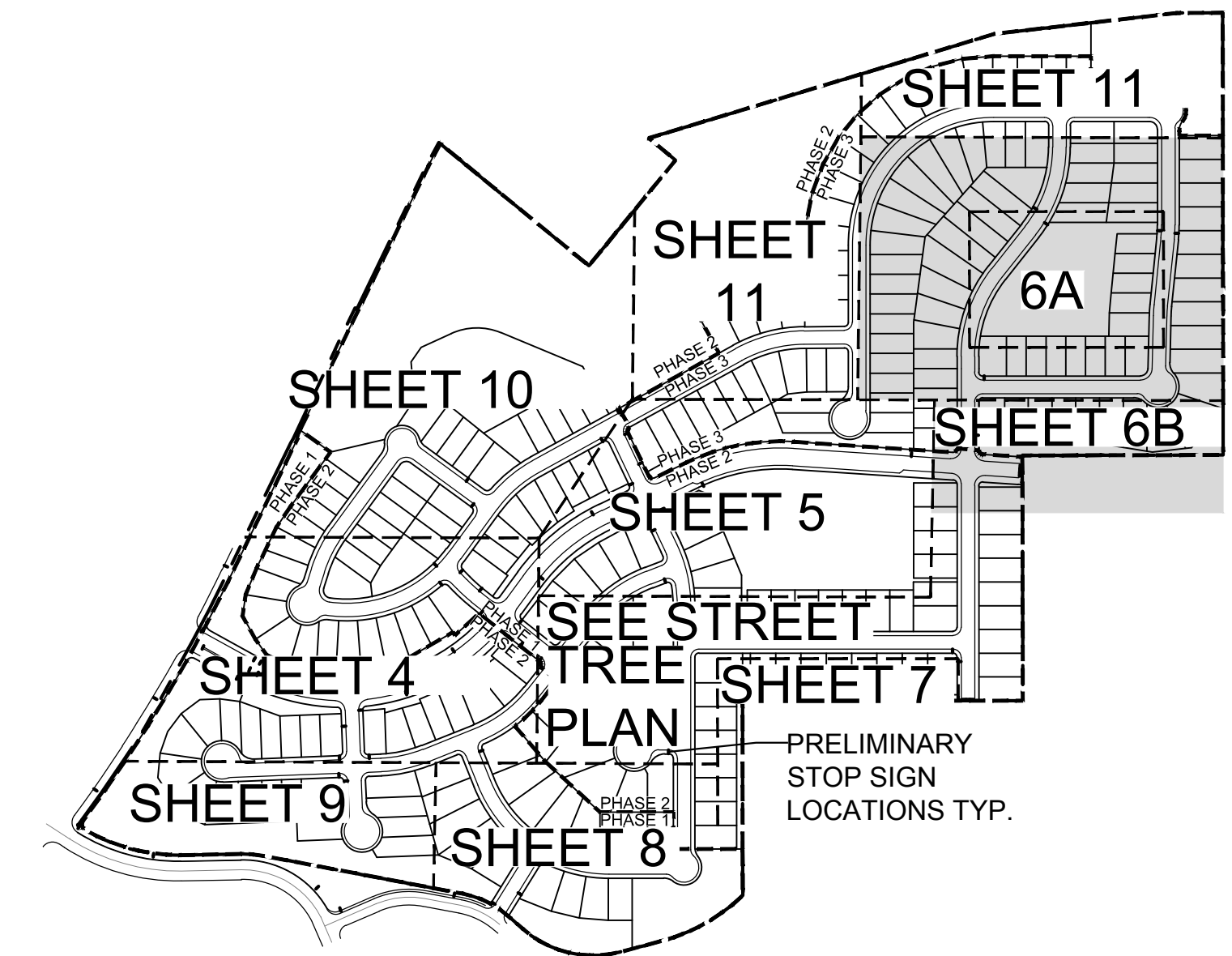
Meadowlark Subdivision

Sketch / Preliminary Plan

Landscape Plan

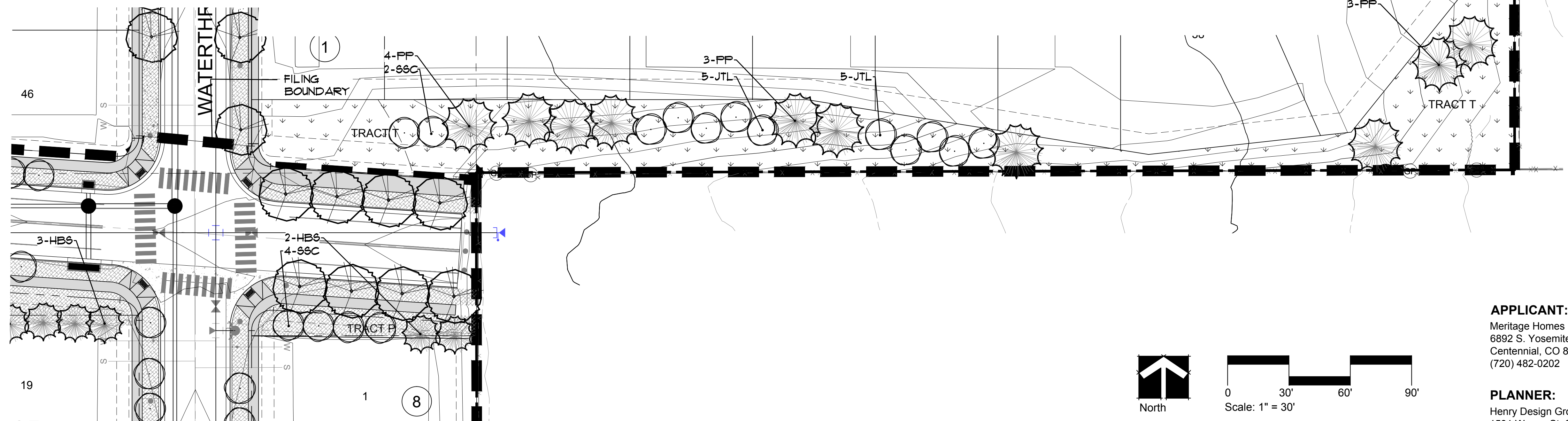


6A

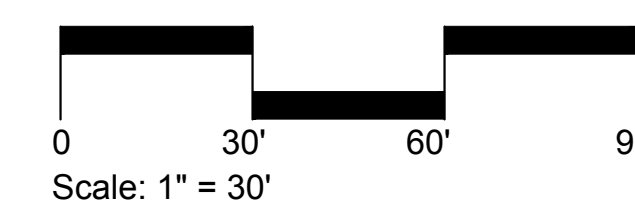


LEGEND

	Shade Tree
	Ornamental Tree
	Evergreen Tree
	Deciduous Shrubs
	Landscape Edger
	Sod
	Native Seed
	2\"-4\" Natural Cedar Wood Mulch (Shrub Plantings)
	Concrete Paving
	Crusher Fines
	Engineered Wood Fiber Mulch



6B



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

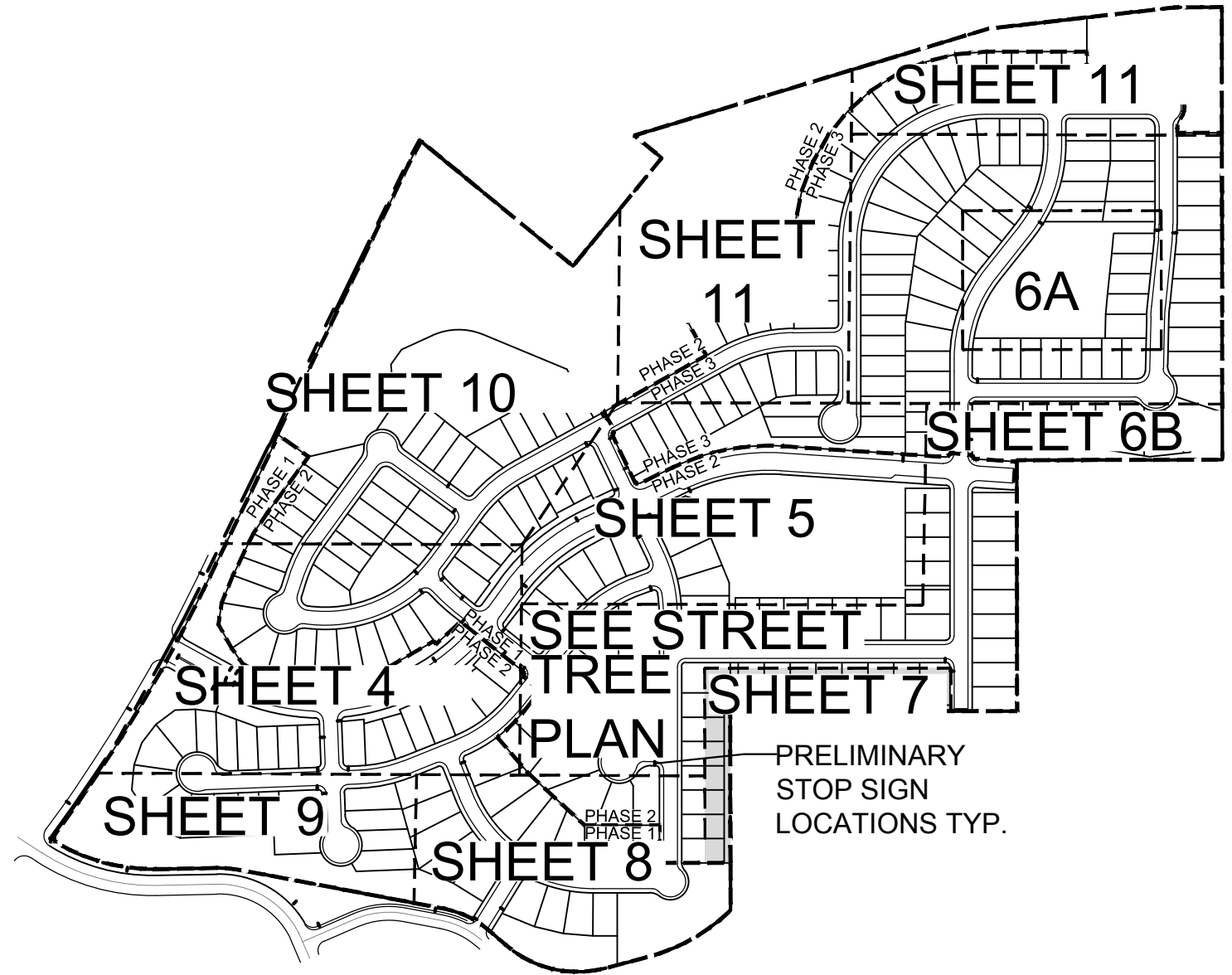
ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

LANDSCAPE PLAN
SHEET: 6 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

Meadowlark Subdivision

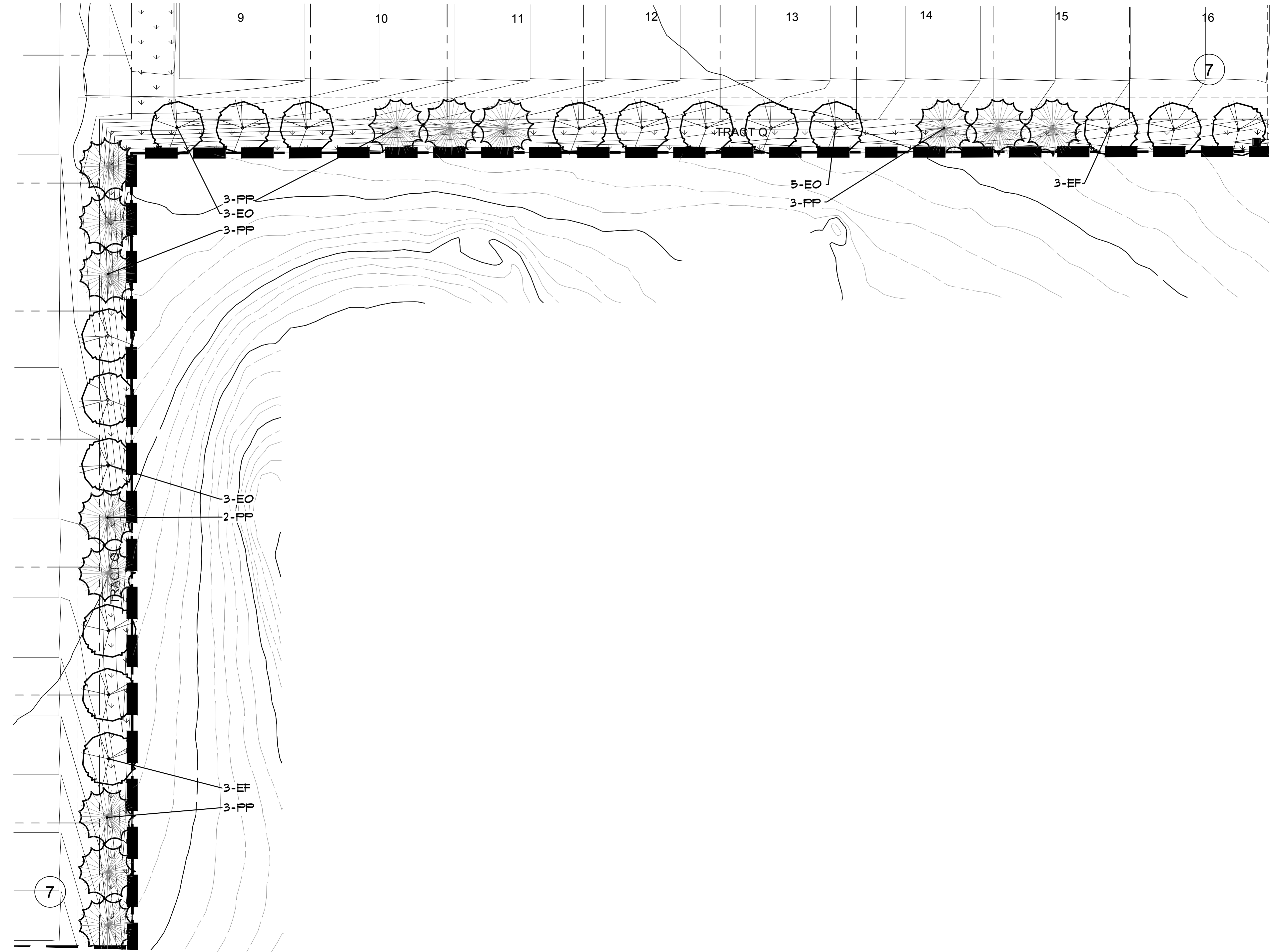
Sketch / Preliminary Plan

Landscape Plan

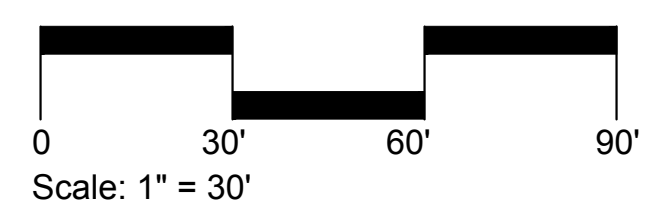
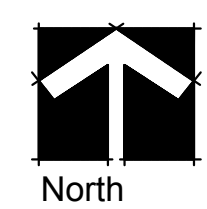


LEGEND

- Shade Tree
- Ornamental Tree
- Evergreen Tree
- Deciduous Shrubs
- Landscape Edger
- Sod
- Native Seed
- 2"-4" Natural Cedar Wood Mulch (Shrub Plantings)
- Concrete Paving
- Crusher Fines
- Engineered Wood Fiber Mulch



Landscape Buffer



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

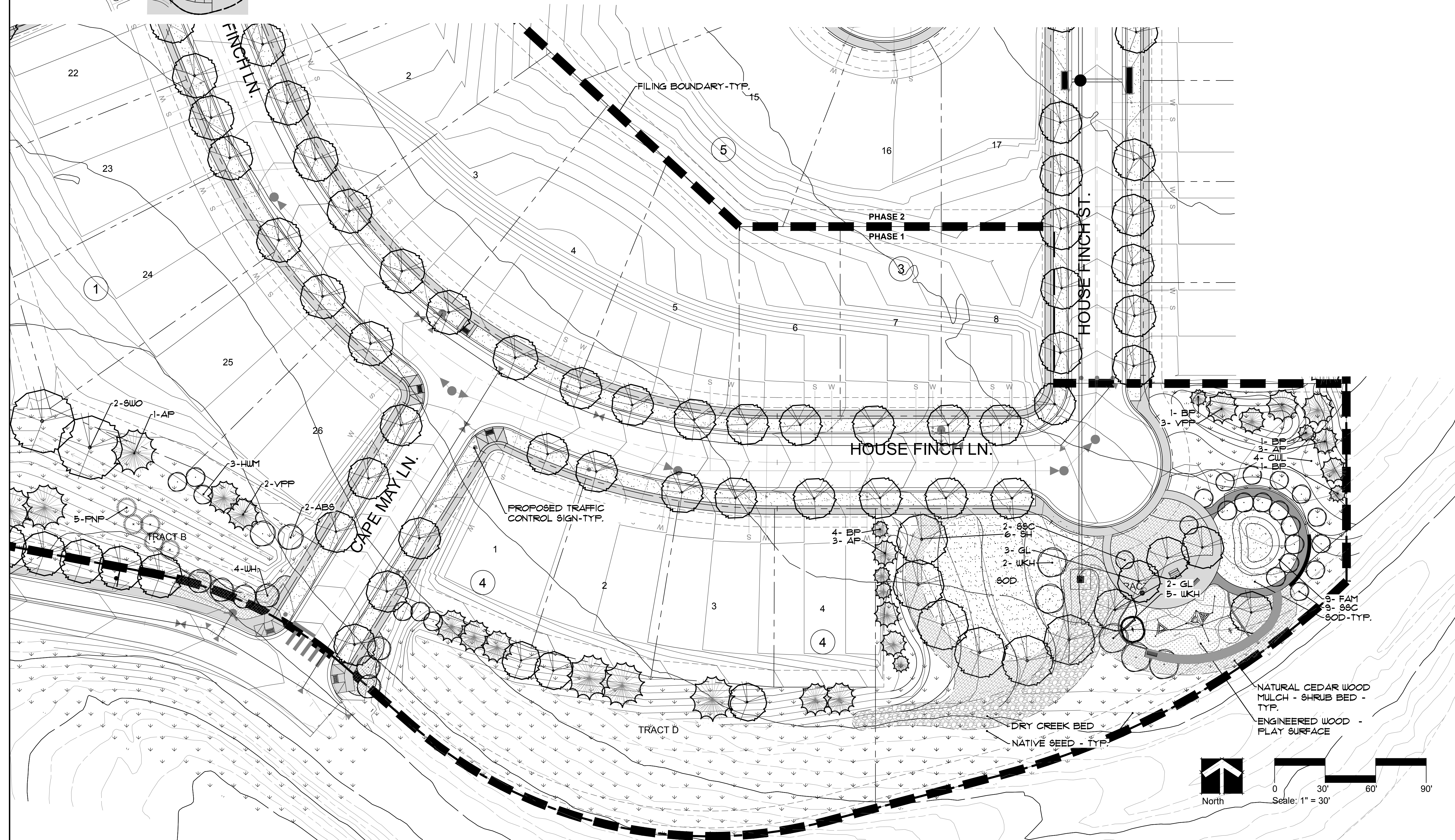
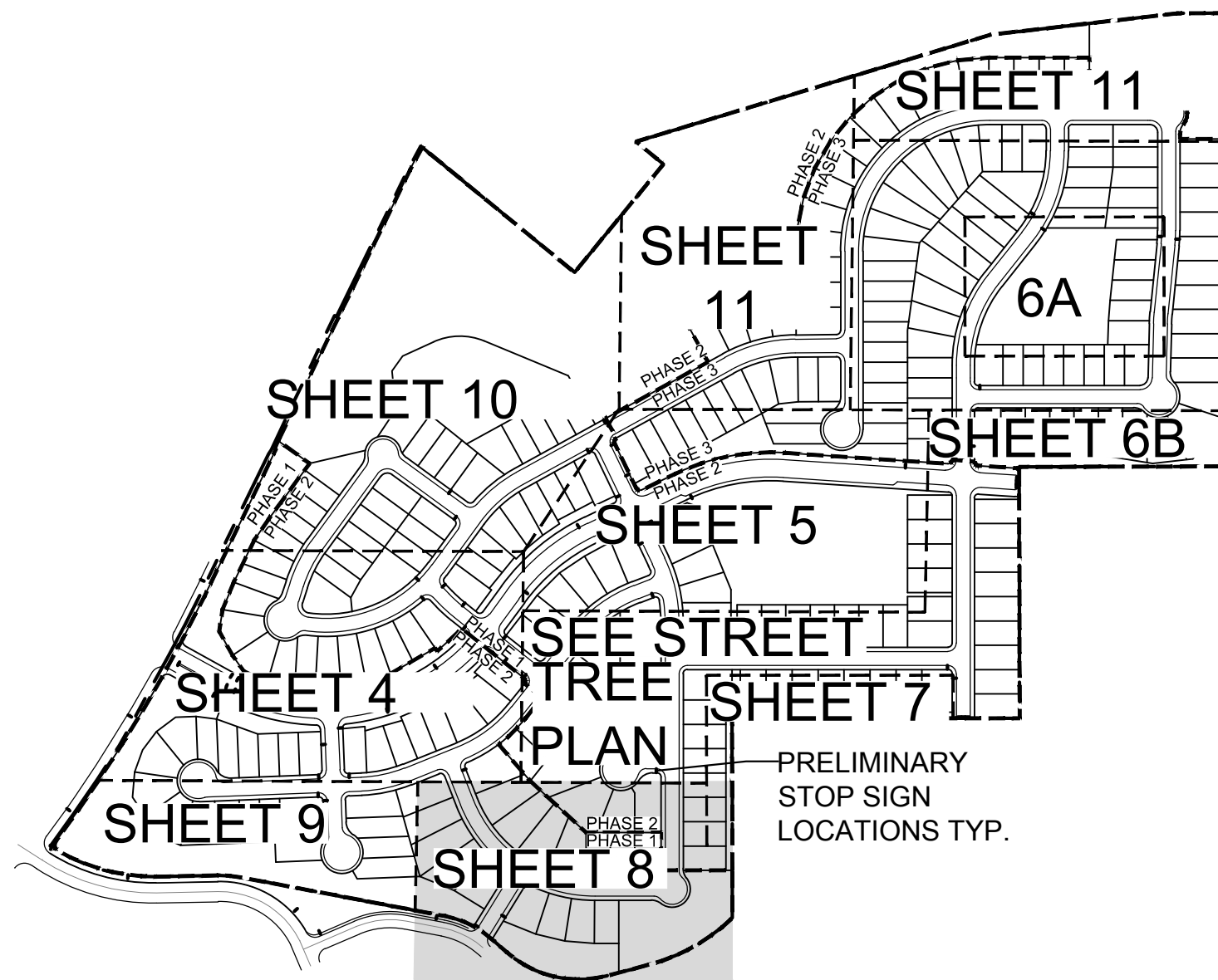
PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 7 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

Meadowlark Subdivision

Sketch / Preliminary Plan

Landscape Plan



LEGEND

	Shade Tree
	Ornamental Tree
	Evergreen Tree
	Deciduous Shrubs
	Landscape Edger
	Sod
	Native Seed
	2\"-4\" Natural Cedar Wood Mulch (Shrub Plantings)
	Concrete Paving
	Crusher Fines
	Engineered Wood Fiber Mulch

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

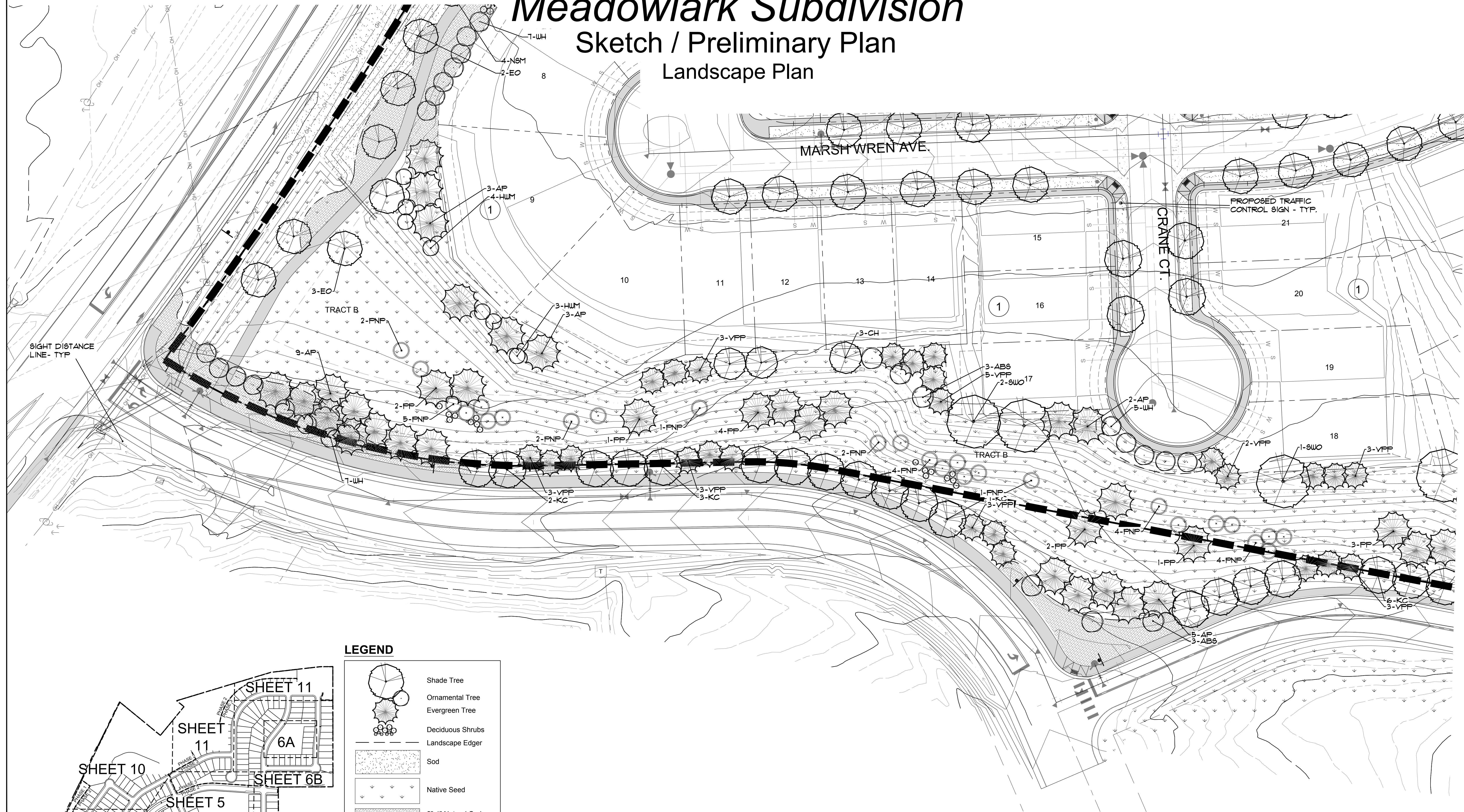
PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 8 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

Meadowlark Subdivision

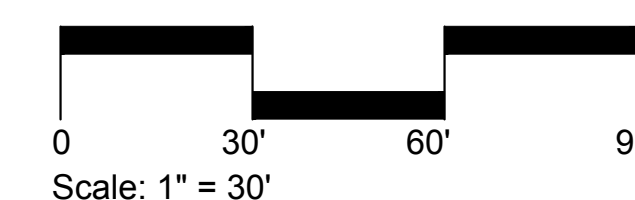
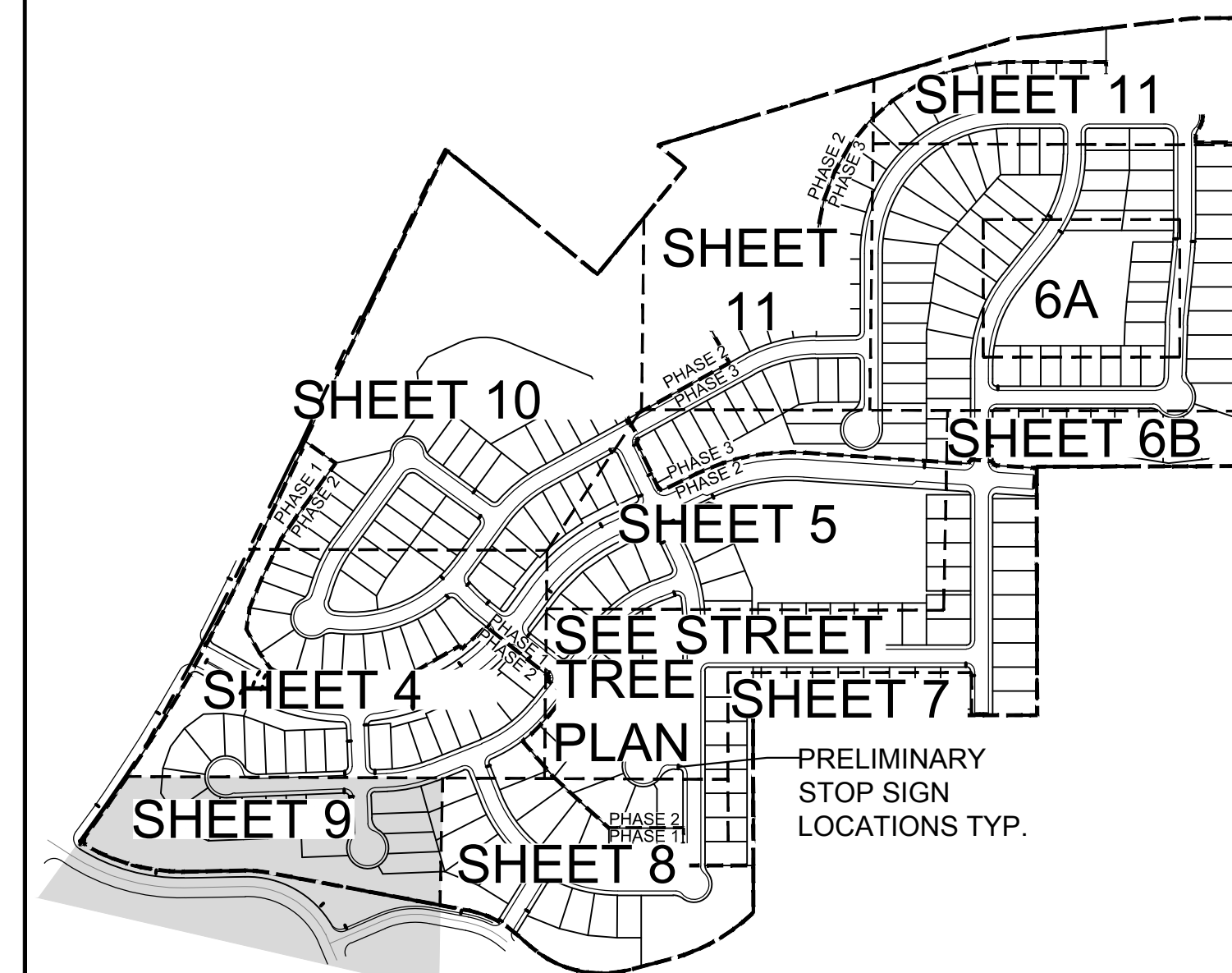
Sketch / Preliminary Plan

Landscape Plan



LEGEND

	Shade Tree
	Ornamental Tree
	Evergreen Tree
	Deciduous Shrubs
	Landscape Edger
	Sod
	Native Seed
	2"-4" Natural Cedar Wood Mulch (Shrub Plantings)
	Concrete Paving
	Crusher Fines
	Engineered Wood Fiber Mulch

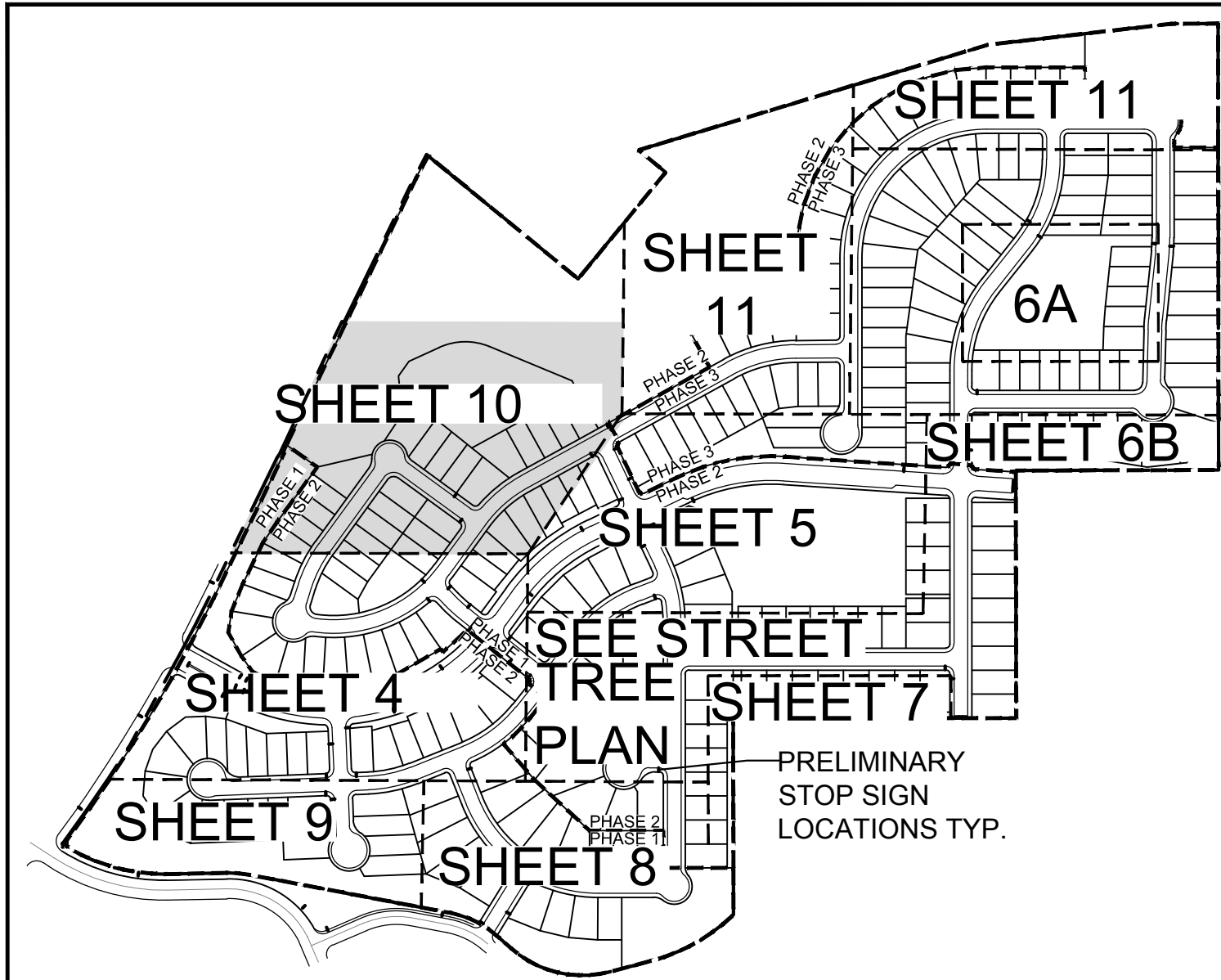


APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

LANDSCAPE PLAN
SHEET: 9 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

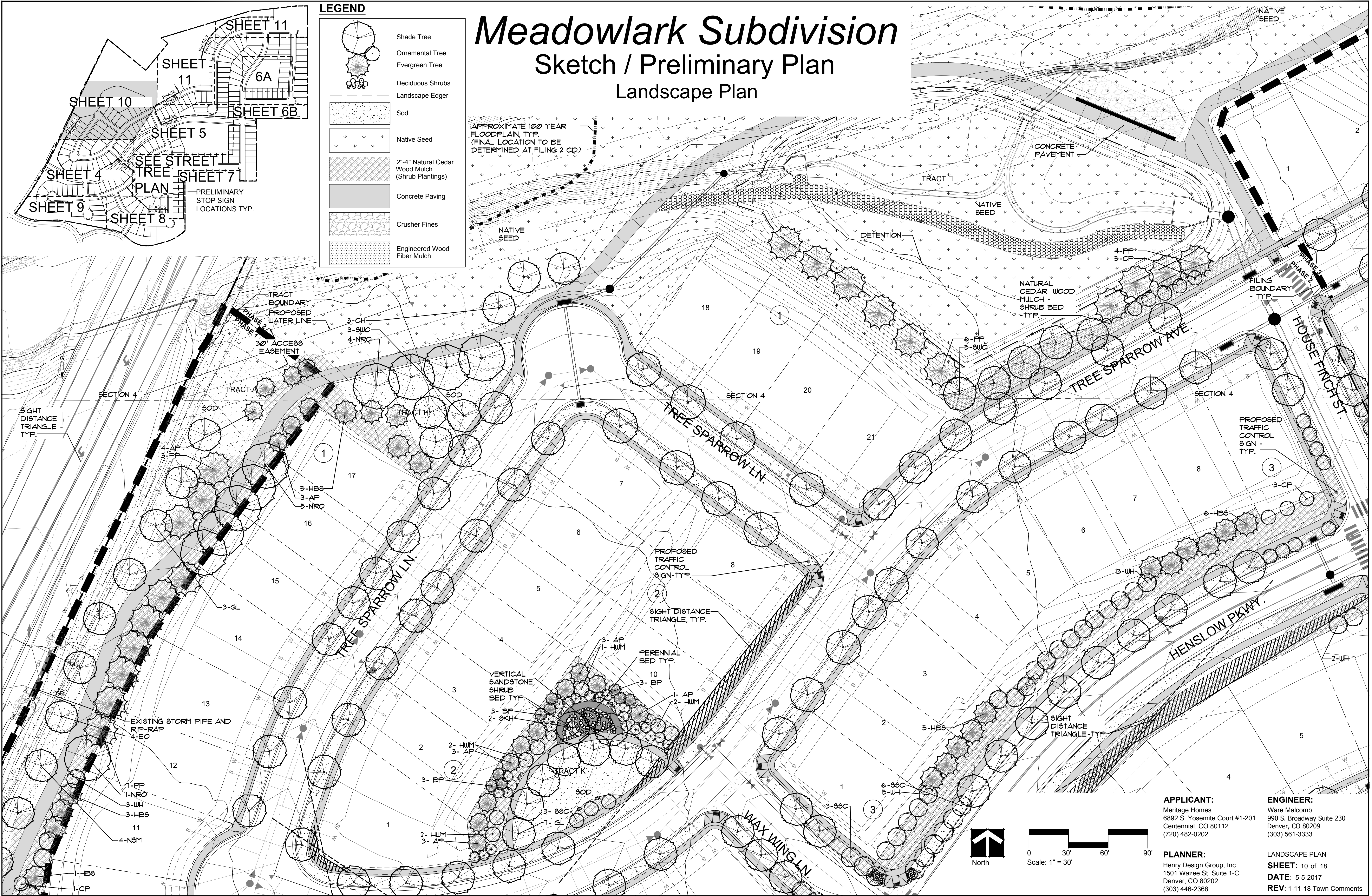


LEGEND	
	Shade Tree
	Ornamental Tree
	Evergreen Tree
	Deciduous Shrubs
	Landscape Edger
	Sod
	Native Seed
	2-4" Natural Cedar Wood Mulch (Shrub Plantings)
	Concrete Paving
	Crusher Fines
	Engineered Wood Fiber Mulch

Meadowlark Subdivision

Sketch / Preliminary Plan

Landscape Plan



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

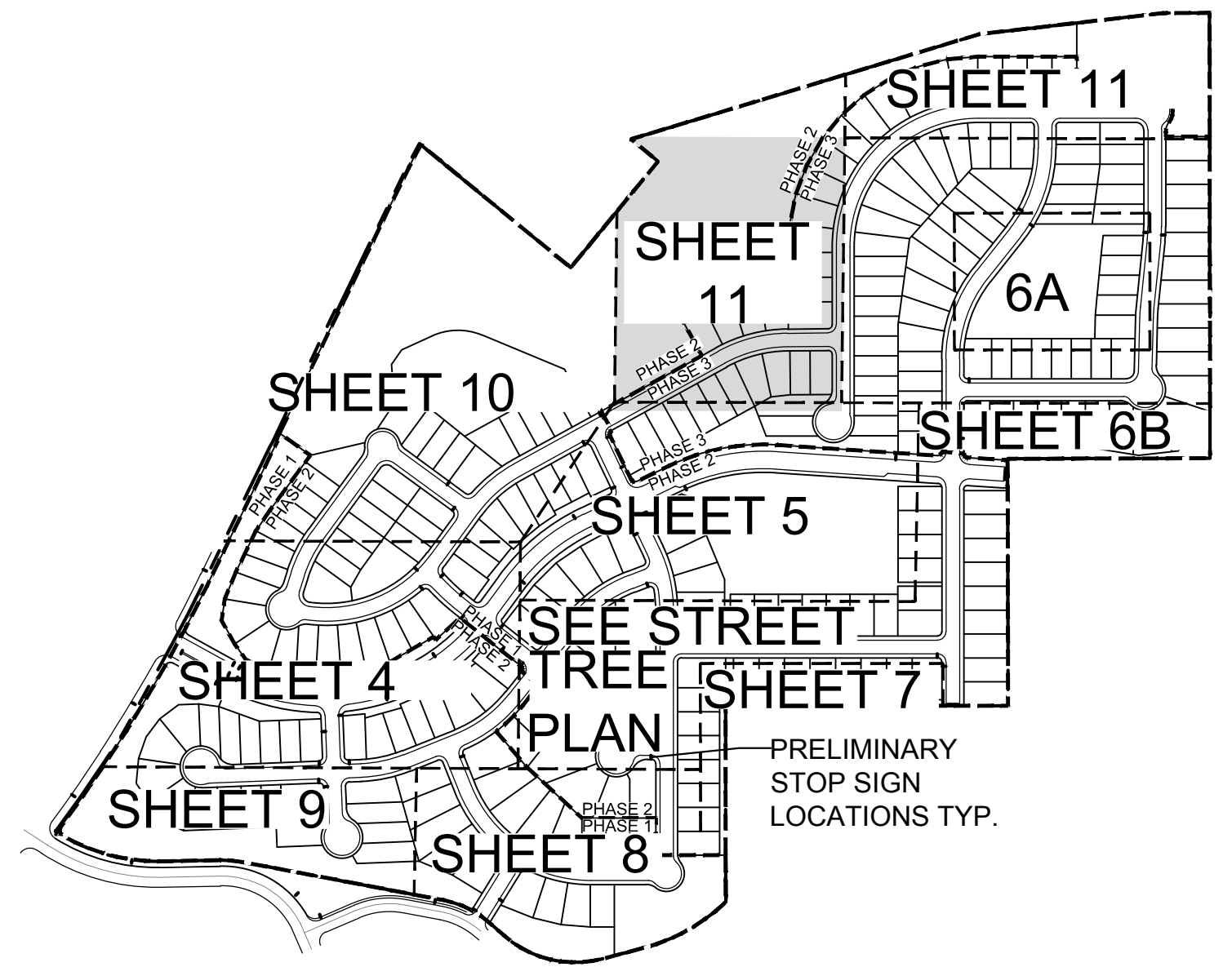
PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 10 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

Meadowlark Subdivision

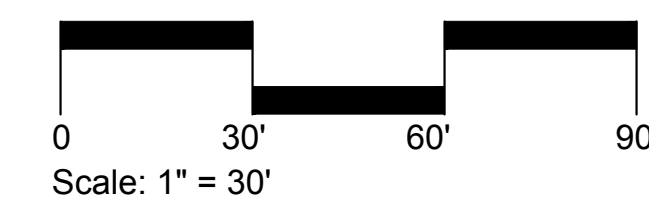
Sketch / Preliminary Plan

Landscape Plan



LEGEND

	Shade Tree
	Ornamental Tree
	Evergreen Tree
	Deciduous Shrubs
	Landscape Edger
	Sod
	Native Seed
	2"-4" Natural Cedar Wood Mulch (Shrub Plantings)
	Concrete Paving
	Crusher Fines
	Engineered Wood Fiber Mulch

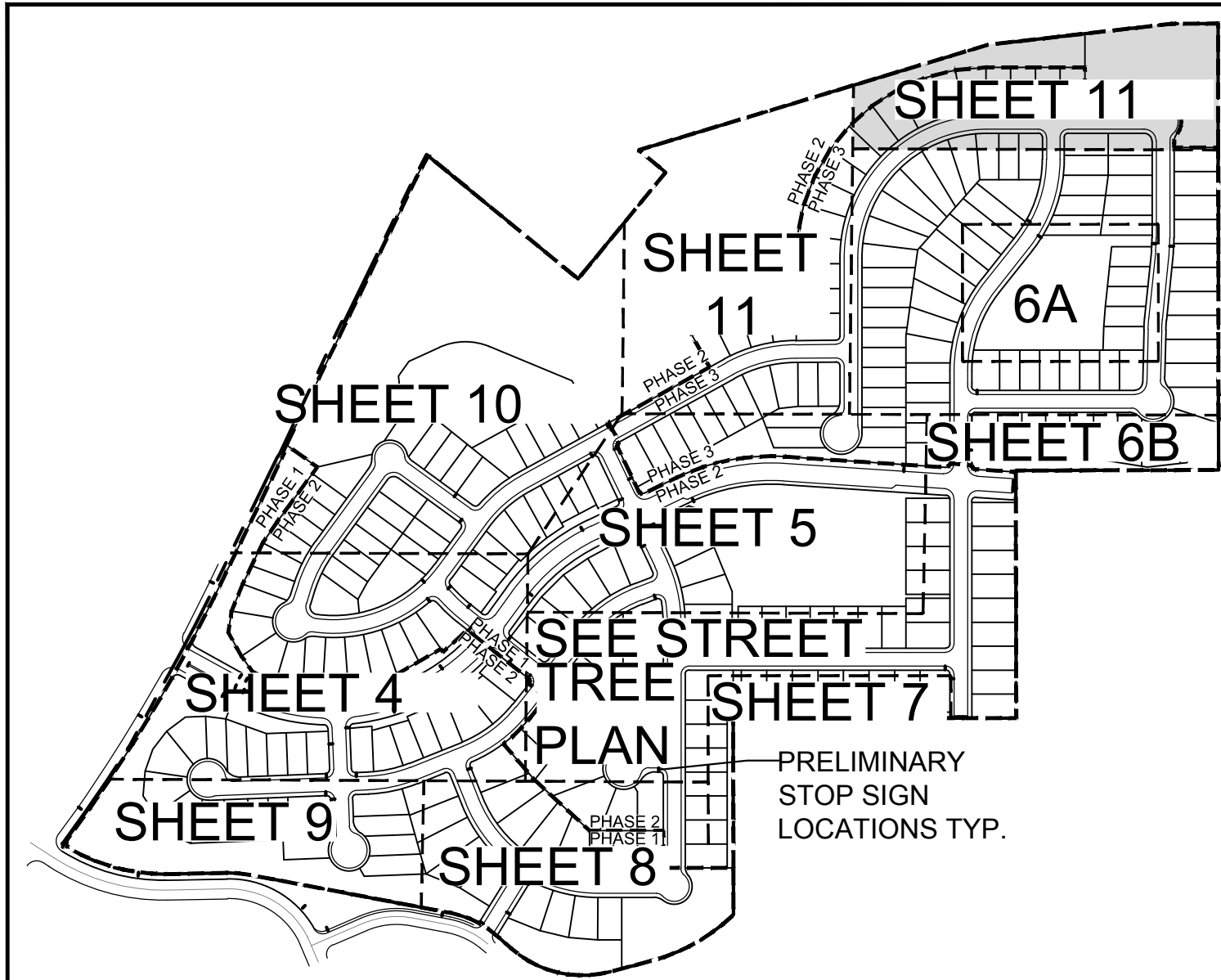


APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 11 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments



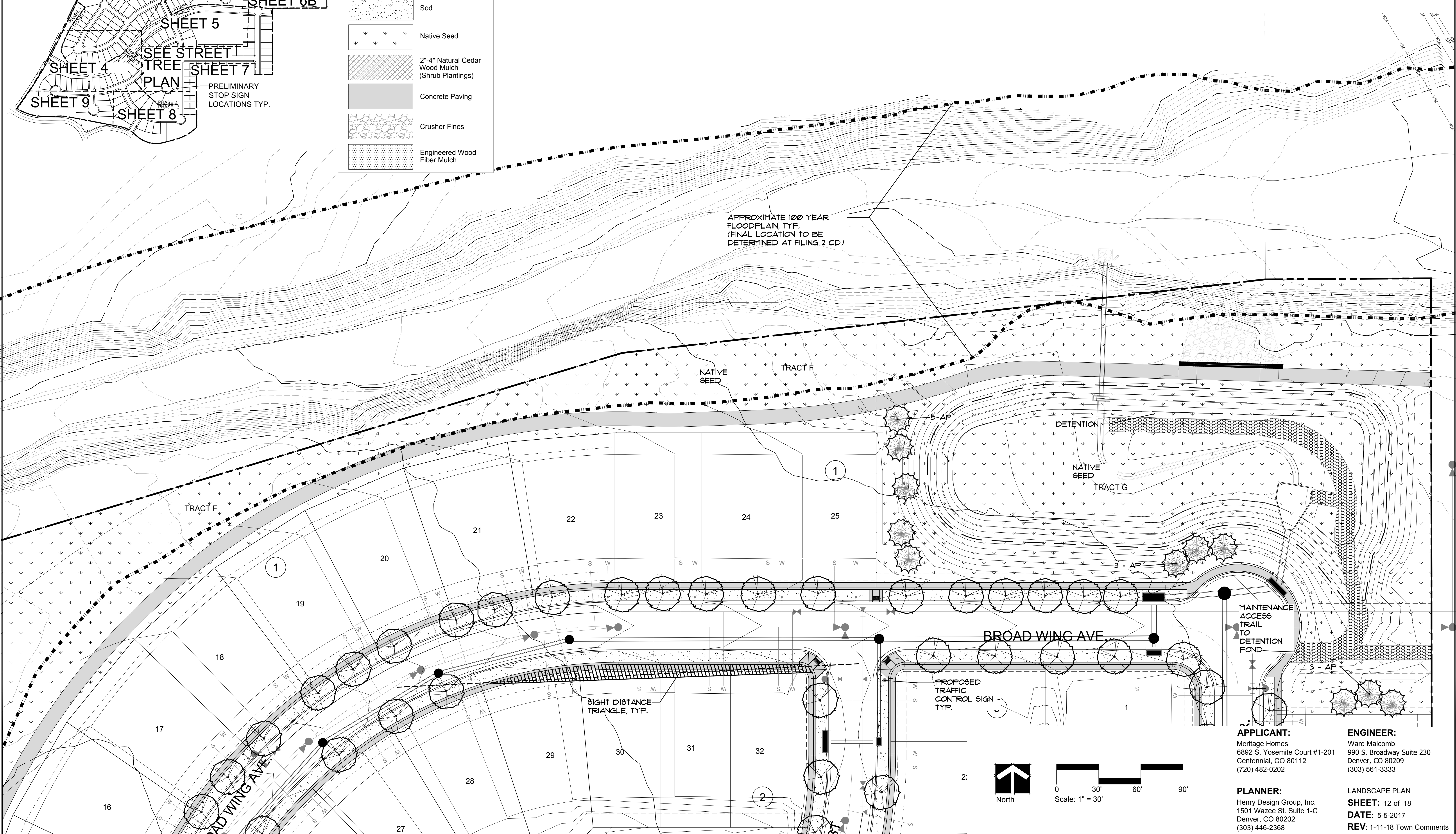
LEGEND

- Shade Tree
- Ornamental Tree
- Evergreen Tree
- Deciduous Shrubs
- Landscape Edger
- Sod
- Native Seed
- 2"-4" Natural Cedar Wood Mulch (Shrub Plantings)
- Concrete Paving
- Crusher Fines
- Engineered Wood Fiber Mulch

Meadowlark Subdivision

Sketch / Preliminary Plan

Landscape Plan



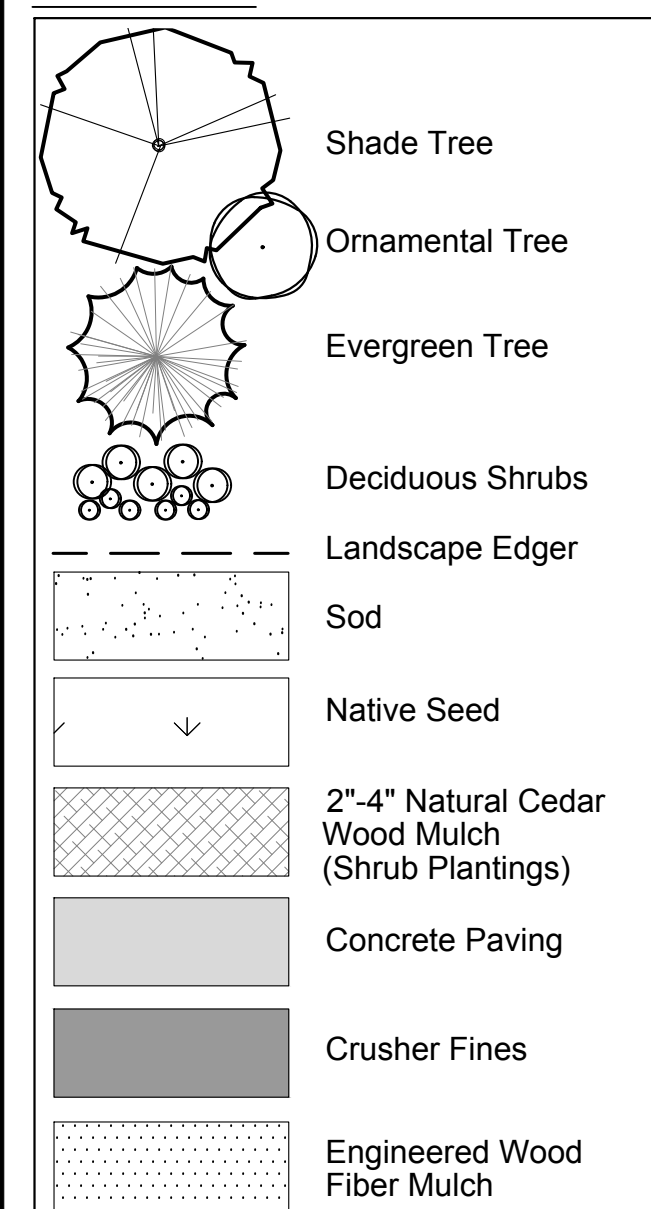
APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE PLAN
SHEET: 12 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

LEGEND



HILL SLIDE



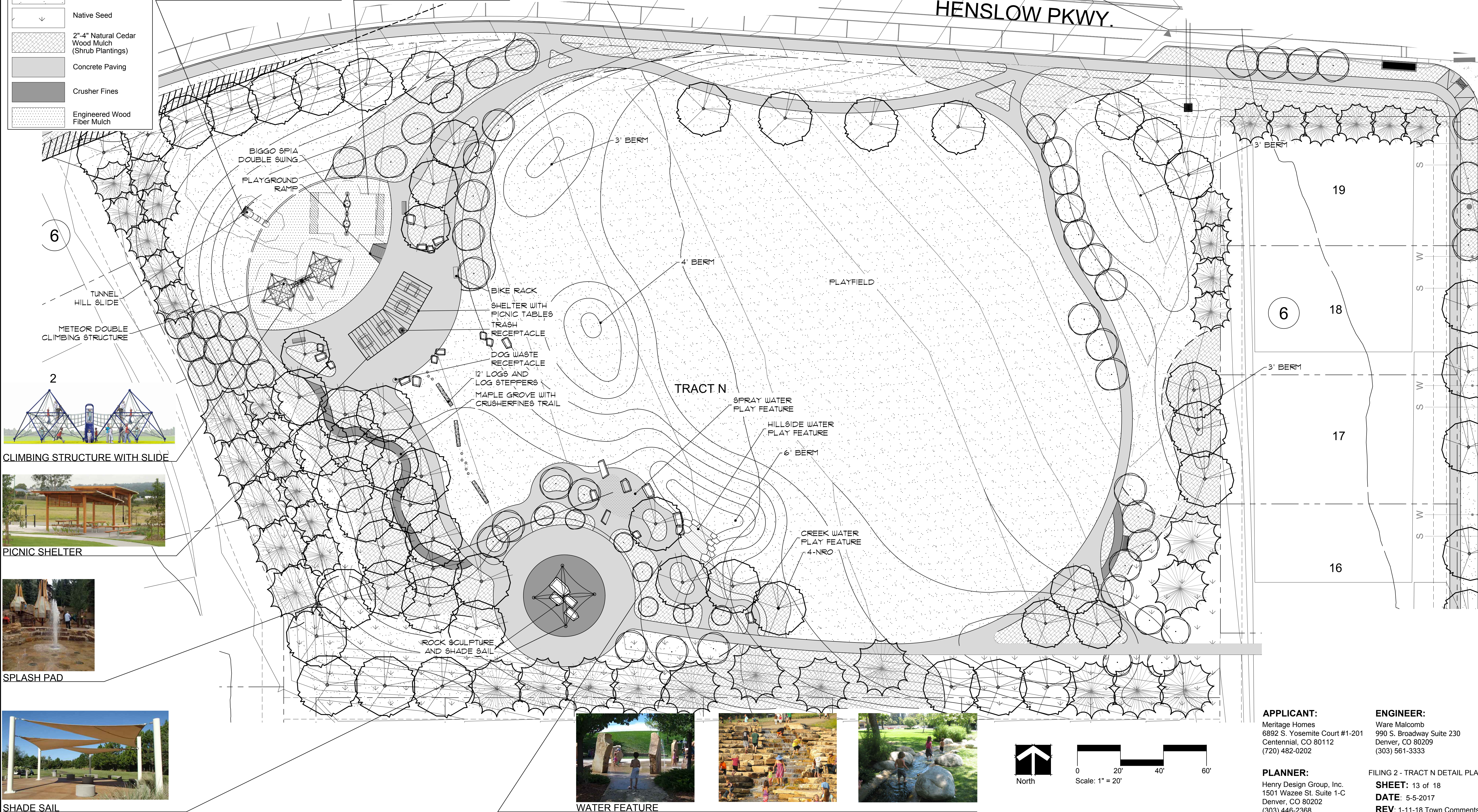
BIGGO SPIA DOUBLE SWING

Meadowlark Subdivision

Sketch / Preliminary Plan

Filing 2 - Tract N

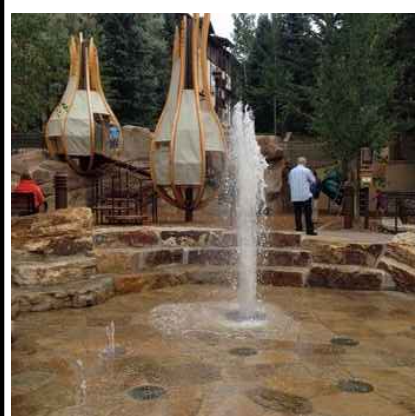
Detail Plan



CLIMBING STRUCTURE WITH SLIDE



PICNIC SHELTER



SPLASH PAD



SHADE SAIL



WATER FEATURE



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

FILING 2 - TRACT N DETAIL PLAN
SHEET: 13 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

Meadowlark Subdivision

Sketch / Preliminary Plan

Filing 3 - Tract R

Detail Plan



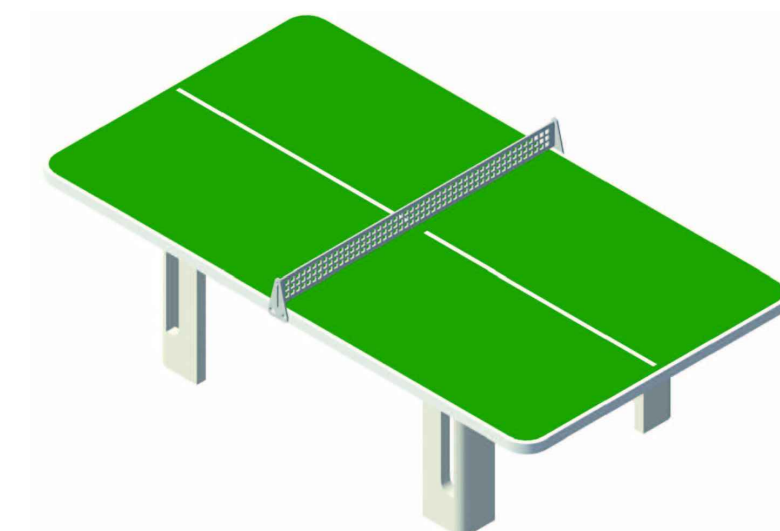
CRAWL AND STEPPING LOGS



CONCEPTUAL PICNIC SHELTER



LANDSCAPE BOULDERS



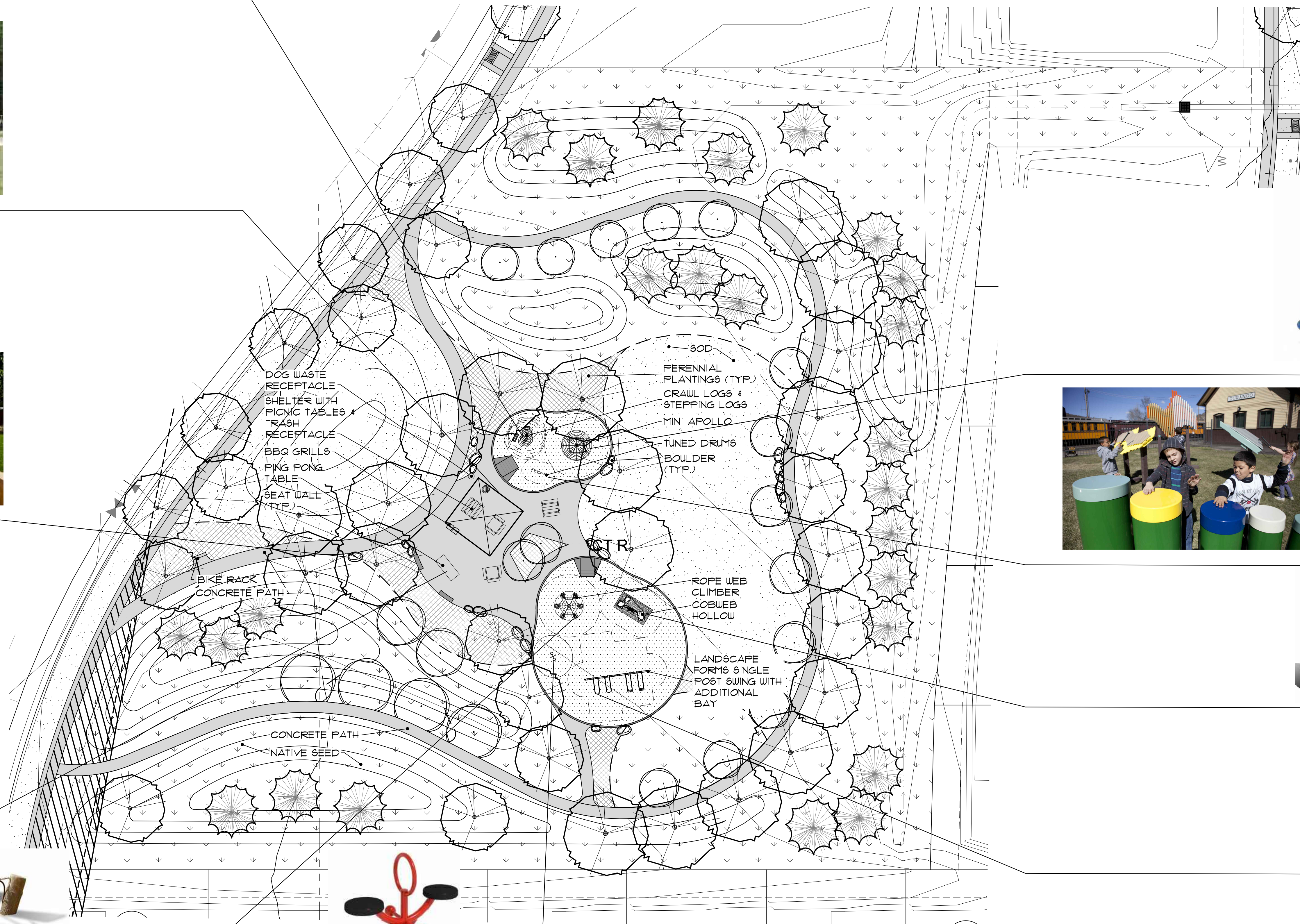
PING PONG TABLE



ROPE WEB CLIMBER



DOUBLE BOBBLE SPRING RIDER



LEGEND

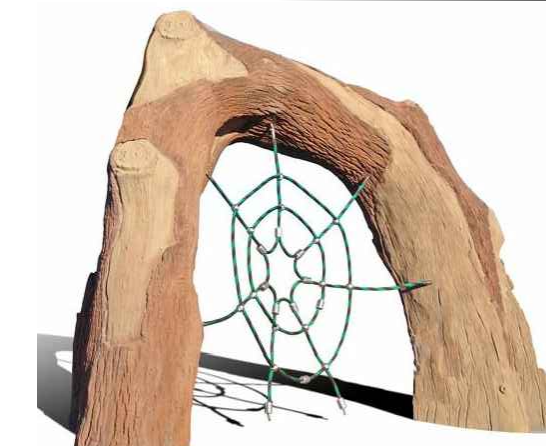
	Shade Tree
	Ornamental Tree
	Evergreen Tree
	Deciduous Shrubs
	Landscape Edger
	Sod
	Native Seed
	2\"-4\" Natural Cedar Wood Mulch (Shrub Plantings)
	Concrete Paving
	Crusher Fines
	Engineered Wood Fiber Mulch



MINI APOLLO



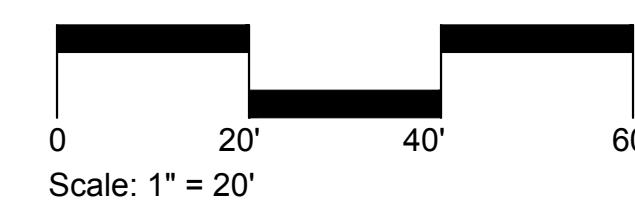
TUNED DRUMS



COBWEB HOLLOW



SWINGS



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

FILING 3-TRACT R DETAIL PLAN
SHEET: 14 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

LEGEND

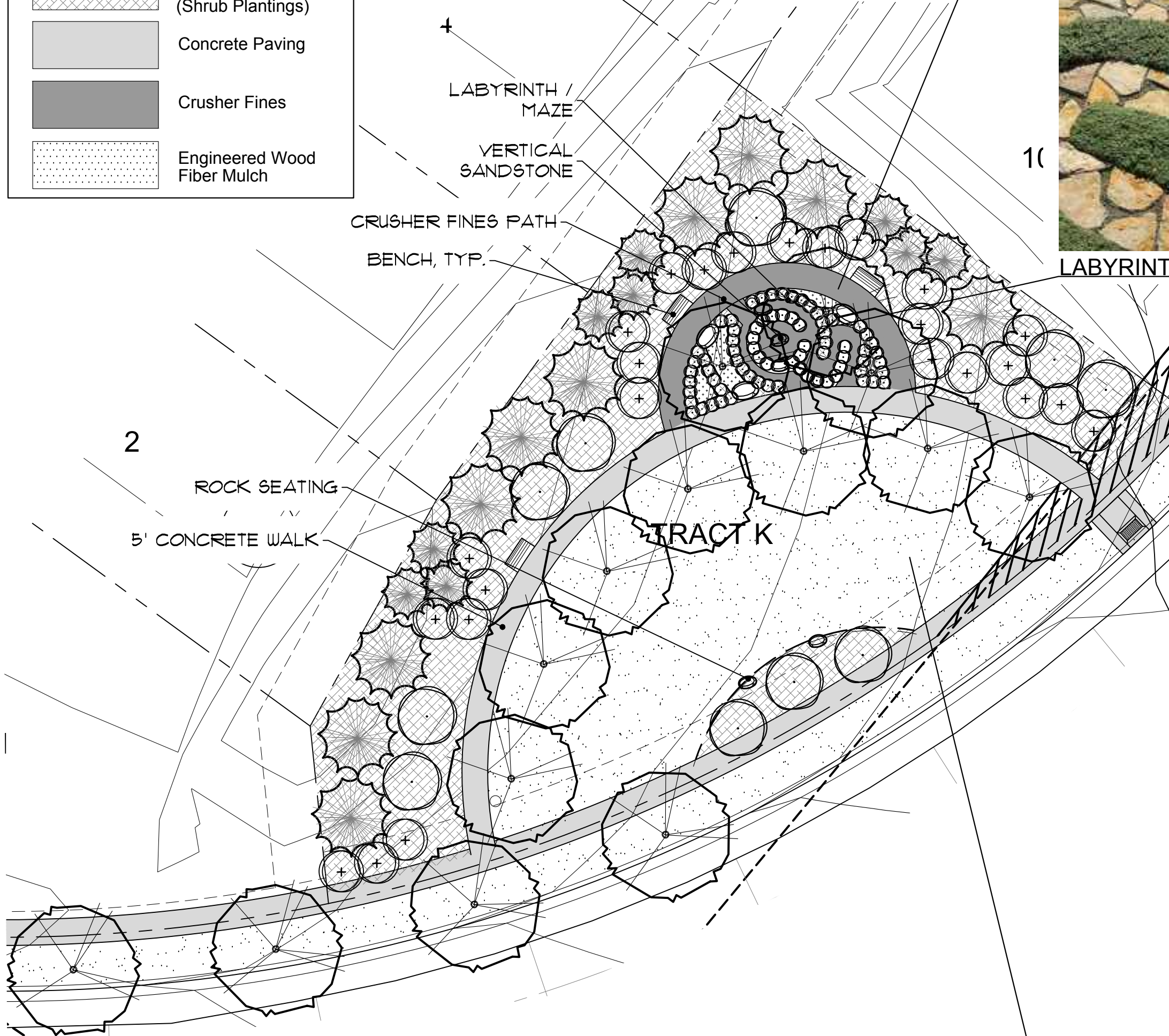
- Shade Tree
- Ornamental Tree
- Evergreen Tree
- Deciduous Shrubs
- Landscape Edger
- Sod
- Native Seed
- 2"-4" Natural Cedar Wood Mulch (Shrub Plantings)
- Concrete Paving
- Crusher Fines
- Engineered Wood Fiber Mulch



LABYRINTH / MAZE



LABYRINTH / MAZE



T-REX SPRING RIDERS

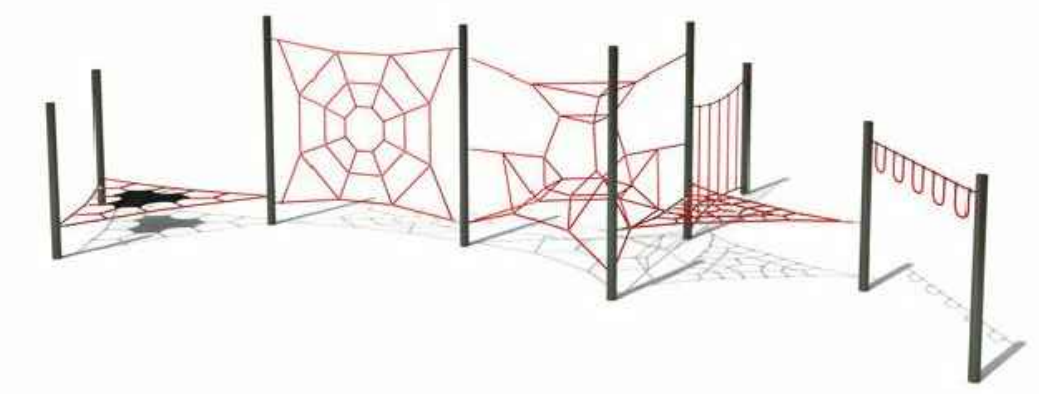
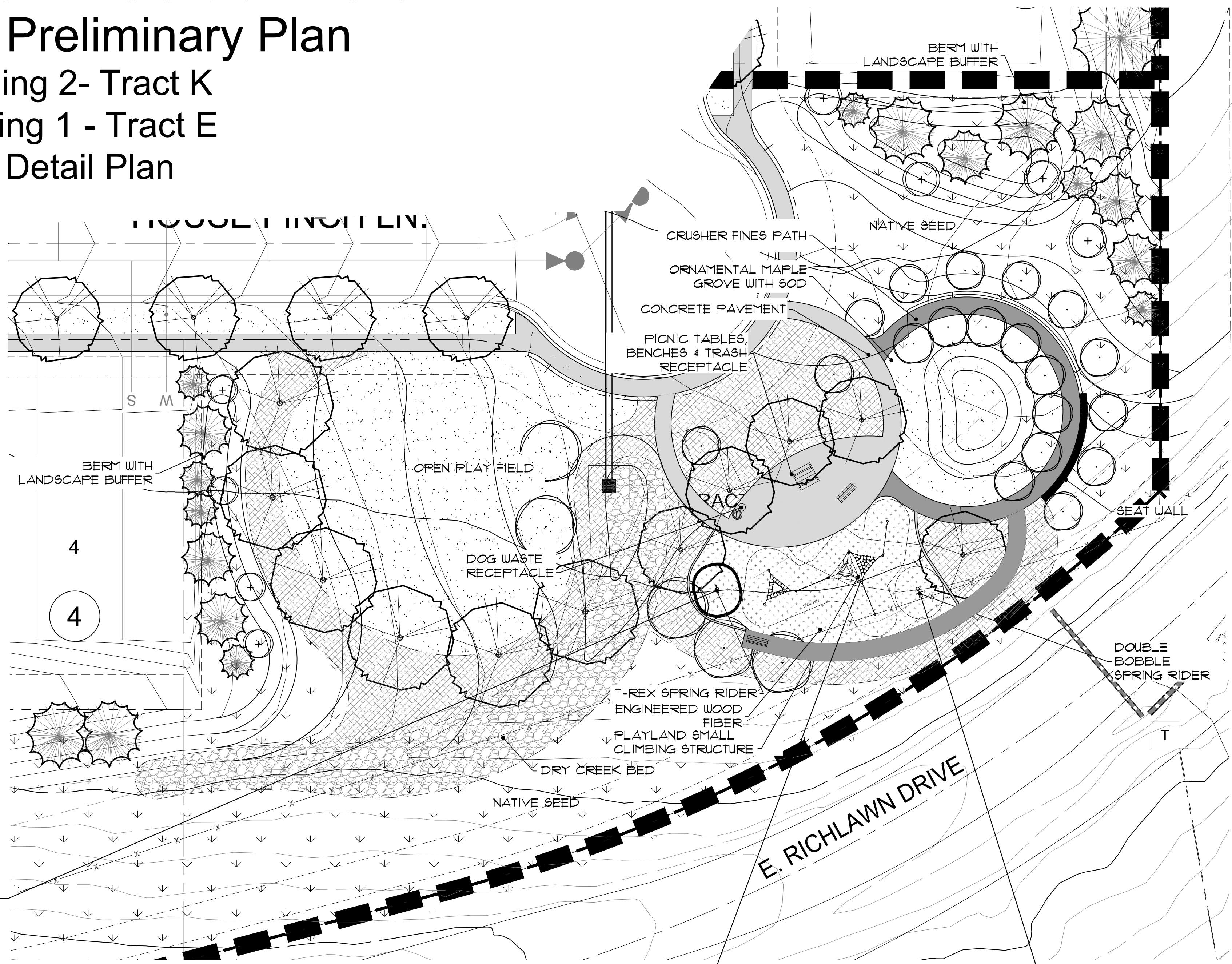
Filing 2 - Tract K



OPEN LAWN SPACE

Meadowlark Subdivision
Sketch / Preliminary Plan

Filing 2- Tract K
Filing 1 - Tract E
Detail Plan

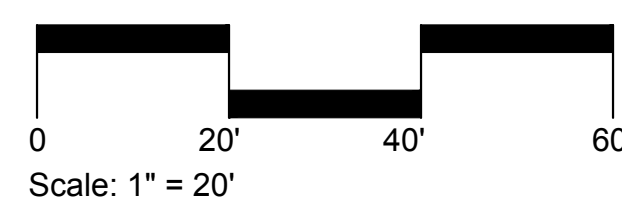
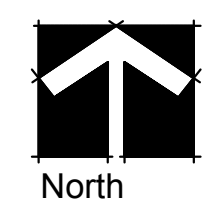


PLAYLAND SMALL ROPE CLIMBER



DOUBLE BOBBLE SPRING RIDER

Filing 1 - Tract E



APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

**FILING 2 - TRACT K,
FILING 1 - TRACT E
DETAIL PLAN
SHEET: 15 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments**

Meadowlark Subdivision

Sketch / Preliminary Plan

Plant List

PLANT LIST

QTY.	SYMBOL	COMMON NAME	LATIN NAME	SIZE	MATURE SIZE (HxW)	CONT.	WATER USE
SHADE TREES							
	CH	COMMON HACKBERRY	CELTIS OCCIDENTALIS	2.5" CAL.	55' x 45'	B4B	LOW
	EF	FRONTIER ELM	ULMUS 'FRONTIER'	2.5" CAL.	30' x 20'	B4B	MODERATE
	EO	ENGLISH OAK	QUERCUS ROBUR	2.5" CAL.	50' x 35'	B4B	MODERATE
	GL	GREENSPIRE LINDEN	TILIA CORDATA GREENSPIRE	2.5" CAL.	35' x 30'	B4B	MODERATE
	KC	KENTUCKY COFFEETREE	GYMNOCLADUS DIOICUS	2.5" CAL.	55' x 45'	B4B	LOW
	NSM	NORWEGIAN SUNSET MAPLE	ACER PLATANOIDES 'NORWEGIAN SUNSET'	2.5" CAL.	30' x 35'	B4B	MODERATE
	NRO	NORTHERN RED OAK	QUERCUS RUBRA	2.5" CAL.	50' x 35'	B4B	LOW
	SH	SHADEMASTER HONEYLOCUST	TRIACANTHOS INERMIS SHADEMASTER	2.5" CAL.	35' x 30'	B4B	LOW
	SKH	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS SKYLINE	2.5" CAL.	35' x 30'	B4B	LOW
	SWO	SWAMP WHITE OAK	QUERCUS BICOLOR	2.5" CAL.	50' x 50'	B4B	LOW
	WC	CATALPA	CATALPA SPECIOSA	2.5" CAL.	50' x 40'	B4B	LOW
ORNAMENTAL TREES							
	ABS	AUTUMN BRILLIANCE SERVICEBERRY	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	2" CAL.	15' x 15'	B4B	MODERATE
	CP	CHANTICLEER PEAR	PYRUS CALLERYANA	2" CAL.	20' x 15'	B4B	LOW
	CSD	CRIMSON SPIRE OAK	QUERCUS CRIMSON SPIRE	2" CAL.	35' x 12'	B4B	LOW
	FAM	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	2" CAL.	18' x 18'	B4B	LOW
	GRT	GOLDEN RAINTREE	KOELREUTERIA PANICULATA	2" CAL.	25' x 25'	B4B	LOW
	HUM	HOT WINGS MAPLE	ACER TATARICUM 'GARANN'	2" CAL.	20' x 20'	B4B	LOW
	JTL	JAPANESE TREE LILAC	SYRINGA RETICULATA	2" CAL.	20' x 18'	B4B	MODERATE
	PFP	PRAIRIE GEM PEAR	PYRUS USSURIENSIS 'PRAIRIE GEM'	2" CAL.	25' x 25'	B4B	LOW
	SHS	SHADBLOW SERVICEBERRY	AMELANCHIER CANADENSIS	2" CAL.	20' x 15'	B4B	LOW
	SSC	SPRING SNOW CRABAPPLE	MALUS SPRING SNOW	2" CAL.	15' x 15'	B4B	MODERATE
	WH	WASHINGTON HAWTHORN	CRATAEGUS PHAENOPYRUM	2" CAL.	20' x 18'	B4B	MODERATE
	WKH	WINTER KING HAWTHORN	CRATAEGUS VIRIDIS 'WINTER KING'	2" CAL.	18' x 18'	B4B	MODERATE
EVERGREEN TREES							
	AP	AUSTRIAN PINE	PINUS NIGRA	6'	50' x 35'	B4B	LOW
	BCP	BRISTLECONE PINE	PINUS ARISTATA	6'	30' x 30'	B4B	LOW
	HB9	HOOPSII COLORADO SPRUCE	PICEA PUNGENS 'HOOPSII'	6'	45' x 15'	B4B	MODERATE
	PNP	PINON PINE	PINUS EDULIS	6'	25' x 15'	B4B	LOW
	PP	PONDEROSA PINE	PINUS PONDEROSA	6'	10' x 35'	B4B	LOW
	VFP	VANDERWOLF'S PYRAMID PINE	PINUS FLEXILIS 'VANDERWOLF'S PYRAMID'	6'	40' x 25'	B4B	MODERATE

NATIVE SEED MIX

(SEEDING RATES: DRILLED: 25 LBS/ACRE or BROADCAST: 50 LBS/ACRE)
20% CANADA WILDRYE
15% CRESTED WHEATGRASS
15% SLENDER WHEATGRASS
10% ANNUAL RYEGRASS
10% SHEEP FESCUE
10% BIG BLUESTEM
10% SIDEOATS GRAMA
5% CANADA BLUEGRASS
5% BLUE GRAMA

PLANT LIST

QTY.	SYMBOL	COMMON NAME	LATIN NAME	MATURE SIZE (HxW)	CONT.	WATER USE
SHRUBS						
	AFL	APACHE PLUME	FALLUGIA PARADOXA	4.5' x 4.5'	5 GALLON	VERY LOW
	BB	ALTERNATE BUTTERFLY BUSH	BUDDLEJA ALTERNIFOLIA	12' x 10'	5 GALLON	MODERATE
	BBB	BLUE BUTTERFLY BUSH	BUDDLEJA DAVIDII 'ELLEN'S BLUE'	4' x 4'	5 GALLON	LOW
	BMS	BLUE MIST SPIREA	CARYOPTERIS X CLANDONENSIS	4' x 3'	5 GALLON	LOW
	BRD	BAILEY REDTUG DOGWOOD	CORNUS STOLONIFERA 'BAILEY'	8' x 8'	5 GALLON	LOW
	BRJ	BLUE RUG JUNIFER	JUIFERUS HORIZONTALIS 'WILTONII'	Ø.5' x 7'	5 GALLON	LOW
	CM	CHEYENNE MOCKORANGE	PHILADELPHUS LEUBII 'CHEYENNE'	6' x 6'	5 GALLON	LOW
	CSC	CREEPING WESTERN SAND CHERRY	PRUNUS BESSEYI PAWNEE BUTTES	3' x 3'	5 GALLON	LOW
	CWL	COMMON WHITE LILAC	SYRINGA VULGARIS ALBA	15' x 10'	5 GALLON	MODERATE
	DBC	DWARF BLACK CHOKEBERRY	ARONIA MELANOCARPA IROQUOIS BEAUTY	3' x 3'	5 GALLON	MODERATE
	DGB	DWARF GOLDEN BARBERRY	BERBERIS THUNBERGII GOLDEN NUGGET	1.5' x 1.5'	5 GALLON	MODERATE
	DRB	DWARF RABBITBRUSH	CHRYSOTHAMNUS NAUSEOSUS NAUSEOSUS	3' x 3'	5 GALLON	VERY LOW
	FRS	FILIGRAN RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA 'FILIGRAN'	3' x 3'	5 GALLON	LOW
	GC	GOLDEN CURRENT	RIBES AUREUM	6' x 6'	5 GALLON	LOW
	GLS	GRO LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	2.5' x 7'	5 GALLON	VERY LOW
	HMA	HYBRID MANZANITA	ARCTOSTAPHYLOS COLORADENSIS	1' x 5'	5 GALLON	LOW
	LB	LENA BROOM	CYTISUS X 'LENA'	2.5' x 3.5'	5 GALLON	LOW
	LDP	LODENSE PRIVET	LIGUSTRUM VULGARE 'LODENSE'	2.5' x 3.5'	5 GALLON	LOW
	LLM	LITTLE LEAF MAHOGANY	CEROCARPUS INTRICATUS	6' x 4'	5 GALLON	VERY LOW
	LFL	LEADPLANT	AMORPHA CANESCENS	3' x 2'	5 GALLON	VERY LOW
	LV	LANTANA VIBURNUM	VIBURNUM LANTANA	15' x 12'	5 GALLON	LOW
	MAN	COLORADO MANZANITA	ARCTOSTAPHYLOS X COLORADOENSIS	3' x 2'	5 GALLON	VERY LOW
	MOR	MORMON TEA	EPHEDRA EQUESETINA	4.5' x 4.5'	5 GALLON	VERY LOW
	MV	MOHICAN VIBURNUM	VIBURNUM LANTANA 'MOHICAN'	6' x 6'	5 GALLON	LOW
	PMB	PLUMBAGO	CERATOSTIGMA PLUMBAGINOIDES	1' x 1'	5 GALLON	MODERATE
	PSC	PAWNEE BUTTES SAND CHERRY	PRUNUS BESSEYI 'PAWNEE BUTTES'	1.5' x 5'	5 GALLON	VERY LOW
	ROR	ROCK SPIREA	HOLODISCUS DUMOSUS	5' x 5'	5 GALLON	LOW
	SB8	SILVER BUFFALOBERRY	SHEPHERDIA ARGENTEA	8' x 8'	5 GALLON	VERY LOW
	SC	SARGENT CRABAPPLE	MALUS SARGENTII 'TINA'	4' x 4'	5 GALLON	MODERATE
	SG8	SPANISH GOLD BROOM	CYTISUS PURGANS SPANISH GOLD	3' x 5'	5 GALLON	LOW
	SGP	SUTTERS GOLD PTENTILLA	POTENTILLA FRUTICOSA 'SUTTER'S GOLD'	1' x 3'	5 GALLON	LOW
	SOW	SOAPWEED	YUCCA FILAMENTOSA	5' x 2.5'	5 GALLON	VERY LOW
	SS	SASKATOON SERVICEBERRY	AMERLANCHIER ALNIFOLIA	5' x 5'	5 GALLON	MODERATE
	SVS	SILVER SAGE	ARTEMISIA 'POWIS CASTLE'	3' x 2'	5 GALLON	LOW
	TGR	TALL GREEN RABBITBRUSH	CHRYSOTHAMNUS NAUSEOSUS GRAVEOLENS	6' x 2'	5 GALLON	VERY LOW
	TL8	THREE LEAF SUMAC	RHUS TRILOBATA	5' x 5'	5 GALLON	VERY LOW
	TWS	TALL WESTERN SAGE	ARTEMISIA TRIDENTATA	6' x 4'	5 GALLON	VERY LOW
	WG	WALL GERMANDER	TEUCRIUM CHAMAEDRYS	1' x 2'	5 GALLON	MODERATE
	WSC	WESTERN SAND CHERRY	PRUNUS BESSEYI	5' x 5'	5 GALLON	VERY LOW
	YFC	YELLOW FLOWERING CURRANT	RIBES AUREUM	5' x 5'	5 GALLON	VERY LOW
PERENNIALS / ORNAMENTAL GRASSES						
	BAG	BLUE AVENA GRASS	HELICOTOTRICHON SEMPERVIRENS	3' x 2'	1 GALLON	LOW
	LBG	LITTLE BLUESTEM GRASS	SCHIZACHYRIUM SCOPARIUM	3' x 1.5'	1 GALLON	LOW
	MLM	MAIDEN GRASS	MISCANTHUS SINENSIS 'MORNING LIGHT'	4.5' x 4'	1 GALLON	MODERATE
	PDS	PRAIRIE DROPSEED	SPAROBULUS HETEROLEPSIS	3' x 2'	1 GALLON	LOW
	STG	SILKY THREAD GRASS	NASSELLA TENUISSIMA	1' x 2'	1 GALLON	LOW
	SWG	HEAVY METAL SWITCH GRASS	PANICUM VIRGATUM 'HEAVY METAL'	4' x 1.5'	1 GALLON	LOW
	ZG	ZEBRA GRASS	MISCANTHUS SINENSIS 'ZEBRA'	4' x 4.5'	1 GALLON	MODERATE

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

PLANT LIST
SHEET: 16 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments

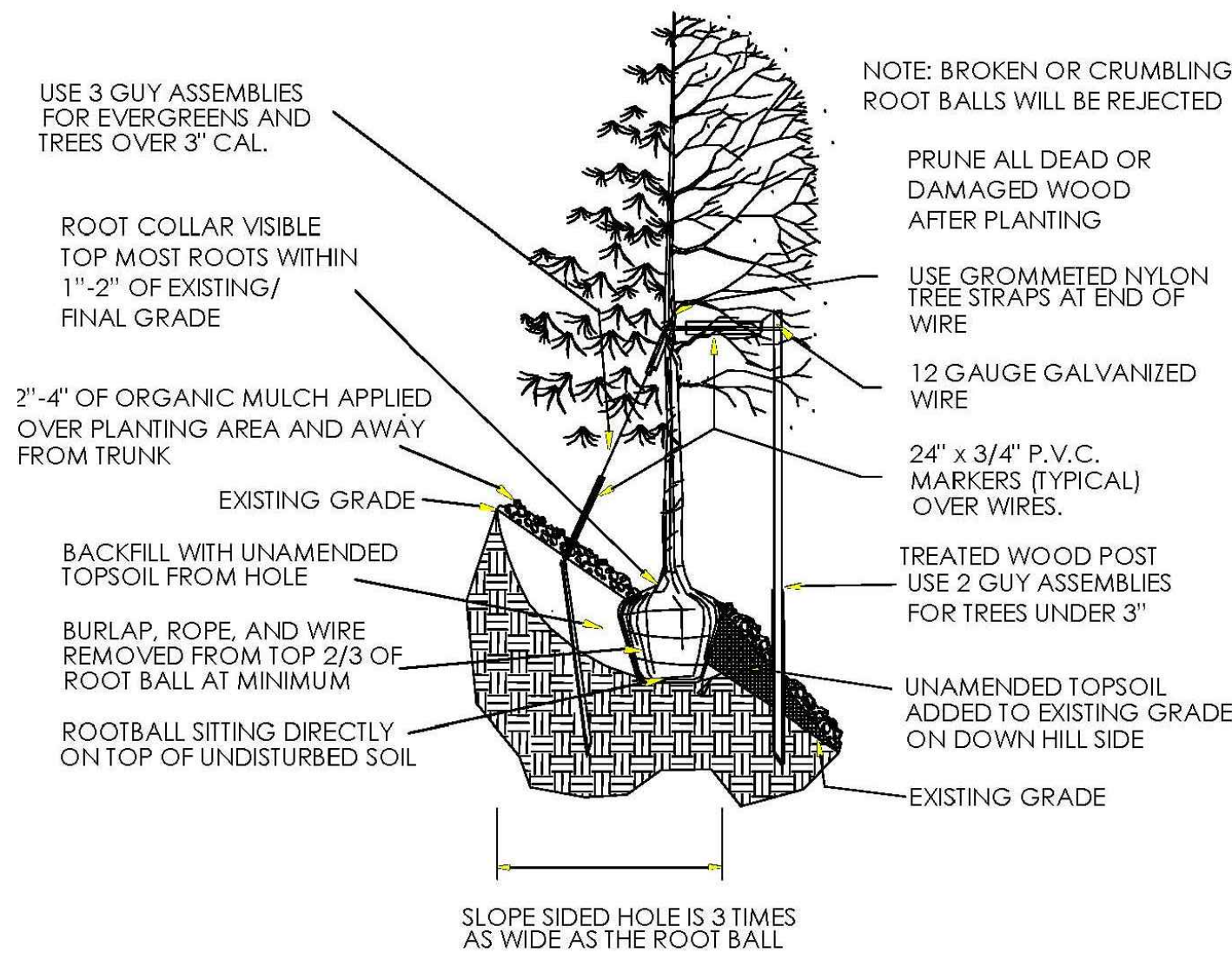
Meadowlark Subdivision

Sketch / Preliminary Plan

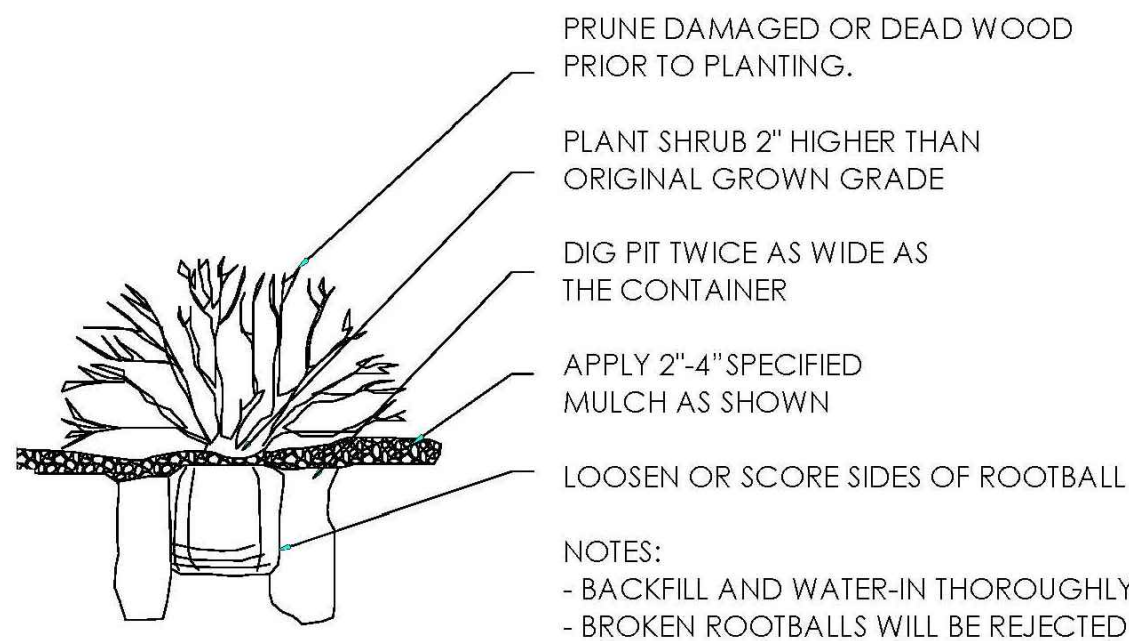
Landscape Notes

PLANTING DETAILS

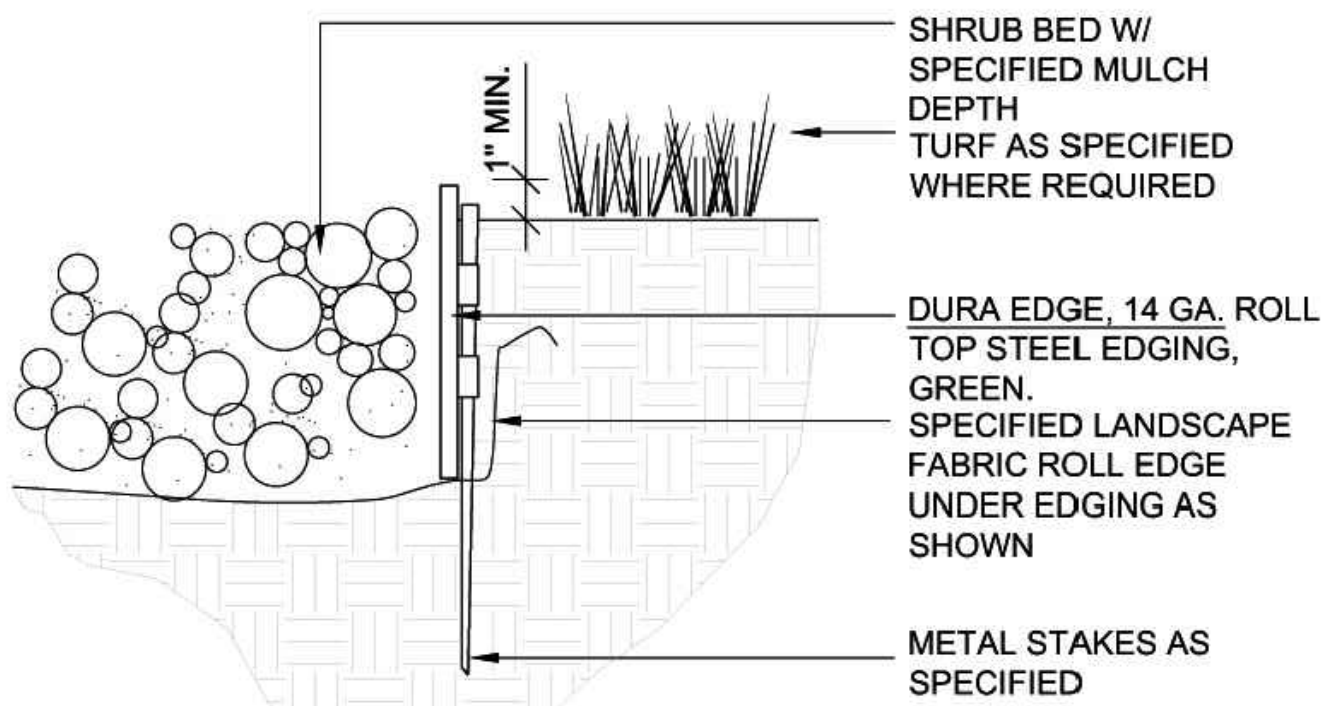
TREE PLANTING SLOPES



SHRUB PLANTING



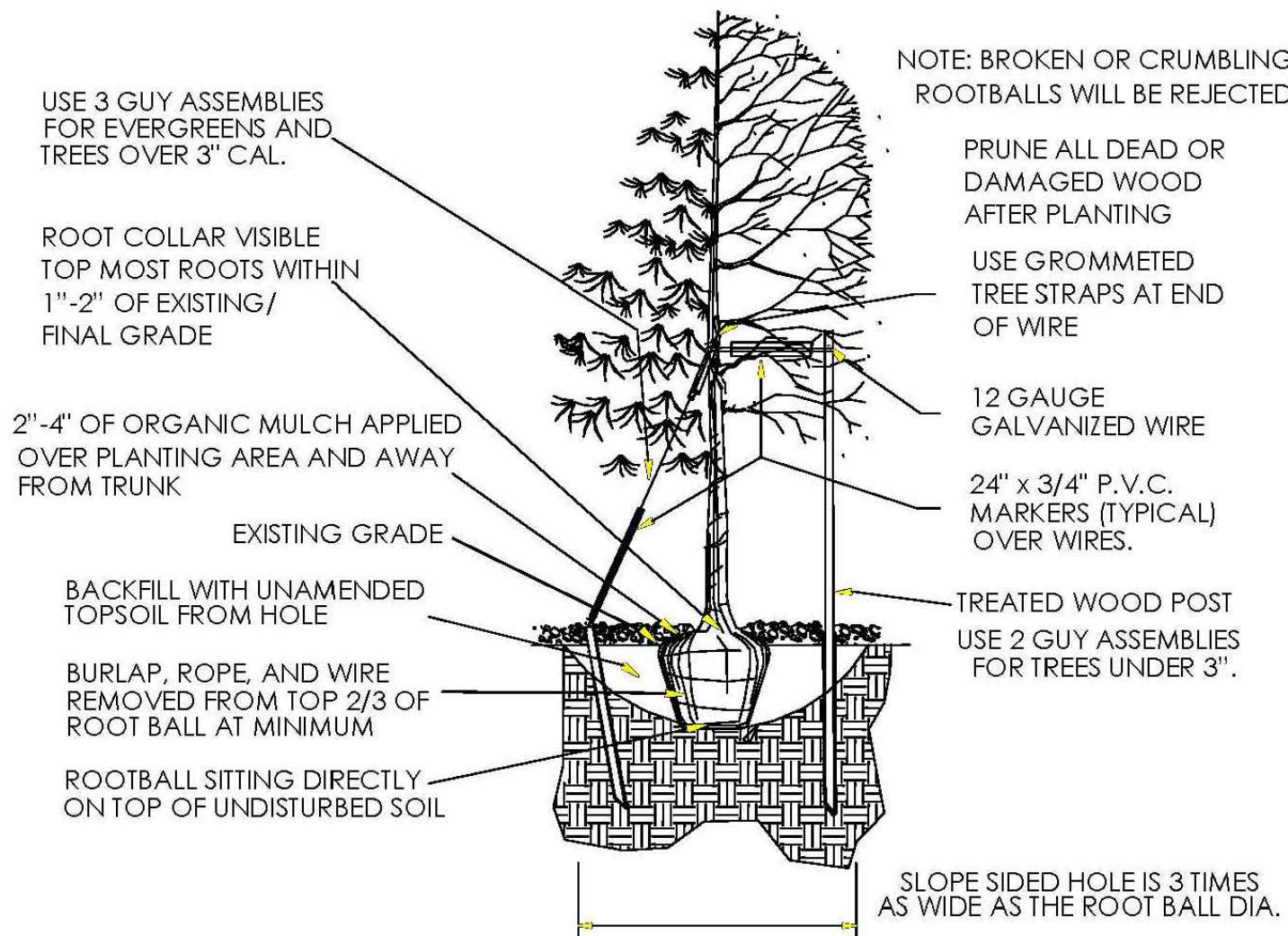
STEEL EDGING



NOTES:

1. SET ALL EDGING 1" ABOVE FINISH GRADE AS SHOWN.
2. EDGING SHALL ABUT ALL CONCRETE CURBS AND WALKS PERPENDICULAR, AND FLUSH W/ GRADES OF CONCRETE.
3. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
4. FOR PRODUCT ORDERING, DIVIDE NUMBER OF FEET NEEDED BY 9.33 TO OBTAIN THE NUMBER OF 10' PIECES NEEDED.

TOWN OF PARKER PLANTING STANDARDS



- Excavate planting holes with sloping sides. Make excavations at least three times as wide as the root ball diameter and no deeper than the distance from the top most roots in the root ball to the bottom of the root ball to allow for settling. Do not disturb soil at bottom of planting holes, but do score the sides of the planting hole. The planting area shall be loosened and aerated at least three times the diameter of the root ball. Backfill shall consist of existing on site topsoil – no amendments shall be used unless otherwise specified.
- Trees shall be planted with the root collar/flare visible above grade AND two or more structural roots located within the top 1" to 2" of the root ball/finished grade measured 3" to 4" from trunk. This includes trees that are set on slopes (see slope planting detail). Trees that do not have a visible root collar shall be rejected. Do not cover the root ball with soil.
- When root ball will remain intact, cut off bottom 1/4 of wire basket before placing tree in hole, cut off remainder of basket AFTER tree is set in hole, remove basket completely. At a minimum, the top 2/3 of the burlap and basket shall be removed from the root ball on all trees. Remove all nylon ties, twine, rope and burlap. Remove unnecessary packing material.
- Form soil into a 3" to 5" tall watering ring (saucer) around planting area. This is not necessary in irrigated turf areas. Apply 2" to 4" depth of specified mulch over planting area and inside saucers, away from trunk.
- Staking and guying of trees is optional in most planting situations. In areas of extreme winds, or on steep slopes, staking may be required to stabilize trees. Staking and guying must be removed within 1 year of planting date.
- Tree wrap is *not* to be used on any new plantings, except in late fall planting situations, and only then after consultation with the Town Arborist.
- Resetting of improperly planted trees will only be allowed if it is determined that doing so will in no way compromise the root ball, and shall only be done with approval of the Town Arborist.

LANDSCAPE NOTES

1. All landscape areas and plant material shall be watered by an automatic irrigation system. Drip irrigation is to be provided to shrub areas; turf area heads are to be installed so as to provide head to head coverage. Temporary irrigation shall be provided to native grass areas for establishment in order to assist in complying with the re-vegetation standards of the Town of Parker. Temporary irrigation for establishment of native vegetation may be installed above ground and removed immediately after establishment is complete, or in any case, no longer than one year.
2. All landscaping shall meet the requirements of the "sight visibility triangle" as defined in the Town of Parker Code.
3. Trails shall meet the requirements of the Americans with Disabilities Act.
4. All fencing shall be as indicated on the landscape plans and details.
5. All plant material shall carry a warranty for a period of not less than 1 year after acceptance of the project by the owner. Warranty shall be a one-time replacement that includes plant material and labor costs.
6. Plant species and location should follow approved plan. If site conditions or plant availability require changes to the plan, then the applicant must get approval from the Town of Parker, Community Development Department.
7. To the maximum extent feasible, topsoil that is removed during construction activity shall be conserved for later use on areas requiring revegetation and landscaping.
8. If it is determined that some trees may be relocated and a tree spade is used, it is required that holes dug with the spade be scraped down and scored with a shovel to remove the 'glaze' that is produced on the soil surface. This will prevent an interface that will impede proper root development.
9. Excavate planting holes with sloping sides. Do not disturb soil at bottom of planting holes, but do score the sides of the planting hole. Make excavations at least three times as wide as the root ball diameter and less (three to five inches) than the distance from the top most root in the root ball and the bottom of the root ball. The planting area shall be loosened and aerated at least three to five times the diameter of the root ball. Backfill shall consist of existing on site soil - no amendments shall be used unless otherwise specified.
10. Trees shall be planted with the top most root in the root ball 3" to 5" higher than the finished landscape grade. This includes trees that are set on slopes. Set root ball on undisturbed soil. Trees where the trunk flare is not visible shall be rejected. Do not cover the root ball with soil.
11. No plant material shall be planted within ten feet of any existing or proposed electrical switchgears, transformers or other electrical utility equipment. Plant material may be field adjusted to provide the 10 foot clearance and accessibility required by the utility's owner/operator.
12. Cut off bottom 1/3 of wire basket before placing tree in hole, cut off remainder of basket after tree is set in hole, remove basket completely. Remove all nylon ties, twine, rope and burlap as possible. Remove unnecessary packing material.
13. Form soil into a 3" to 5" tall watering ring (saucer) around planting area. Apply 3" to 4" depth of cedar mulch inside watering ring with weed control fabric. Weed barrier fabric shall be 2 oz. polyspun geotextile fabric secured with landscape pins. Maintain min. 24" overlap at edges.
14. Staking and guying of trees is optional in most planting situations. In areas of extreme winds, or on steep slopes, staking may be necessary to stabilize trees. Staking and guying must be removed within 1 year or less of planting date.
15. Planting beds shall be mulched with cedar mulch to a depth of 4" with filter fabric underlayment. All beds are to be contained by 4" x 14 gauge galvanized edger, Ryerson or equal. Edger is not required where bed is adjacent to curbs, walls or walks, or around tree pits.
16. Tree wrap is not to be used on any new plantings, except in late fall planting situations, and only then after consultation with the Town Arborist.
17. All relocated trees must be healthy and undamaged prior to relocation.
18. All sod areas shall be Kentucky and Texas Bluegrass hybrid mix.
19. Trees in the right-of-ways must be a minimum of 8-feet away from any water and sanitary sewer main.
20. Structural engineer shall provide footing design for any landscape structures.
21. Grading shall be smooth flowing with positive drainage away from building. The contractor is to notify the landscape architect to clarify any problems that may arise regarding drainage.
22. The contractor shall report any discrepancies in plan vs field conditions immediately to the landscape architect prior to continuing with the portion of work in question.
23. The contractor is responsible for seeding any non seeded areas disturbed during construction.
24. Maintain a minimum of three foot clearance around fire hydrants, fire department connections or other fire service equipment. No tree or shrubs will be allowed within this area.
25. The contractor is responsible for the cost to repair utilities, adjacent landscape, public and private property that is damaged by the contractor for their subcontractors during installation or during the specified maintenance period.
26. Call for utility locates prior to any excavation.
27. The contractor shall be responsible for the repair of any of their trenches or excavations that settle, including sidewalks, curbs and gutters.
28. The contractor is responsible for verifying all plant quantities.
29. All species substitutions shall be approved by the landscape architect and/or owner and the Town prior to installation. Overall plant quantities and sizing shall remain as indicated on the plant schedule. The contractor shall verify that any substituted plant species are acceptable to the local municipality or governing jurisdictions.
30. The contractor shall at all times maintain on-site, a redlined as-built copy of the approved landscape and irrigation plans and submit to the owner and landscape architect a copy of the redlined as-built set following construction completion. All modifications to site, landscape, irrigation, etc. shall be recorded on the as-built plans.

APPLICANT:

Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:

Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:

Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

LANDSCAPE NOTES

SHEET:

17 of 18

DATE:

5-5-2017

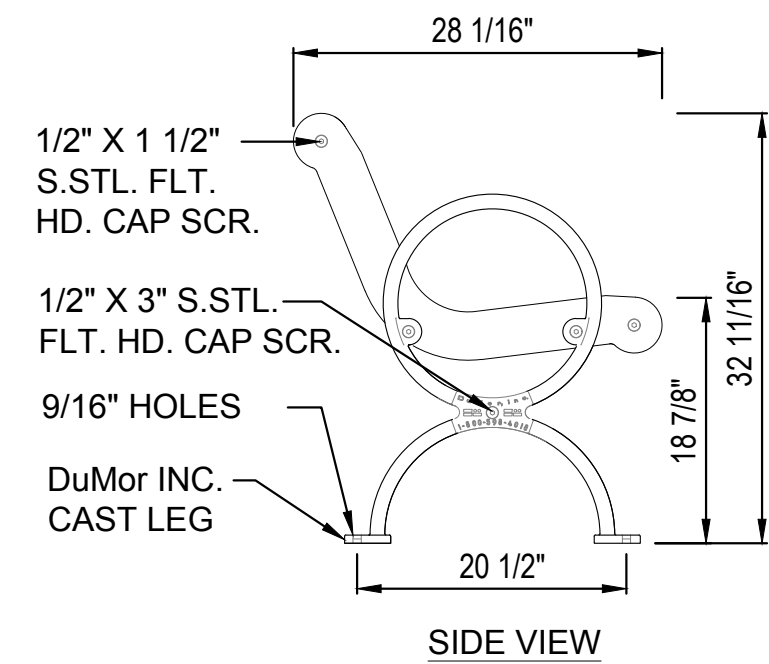
REV:

1-11-18 Town Comments

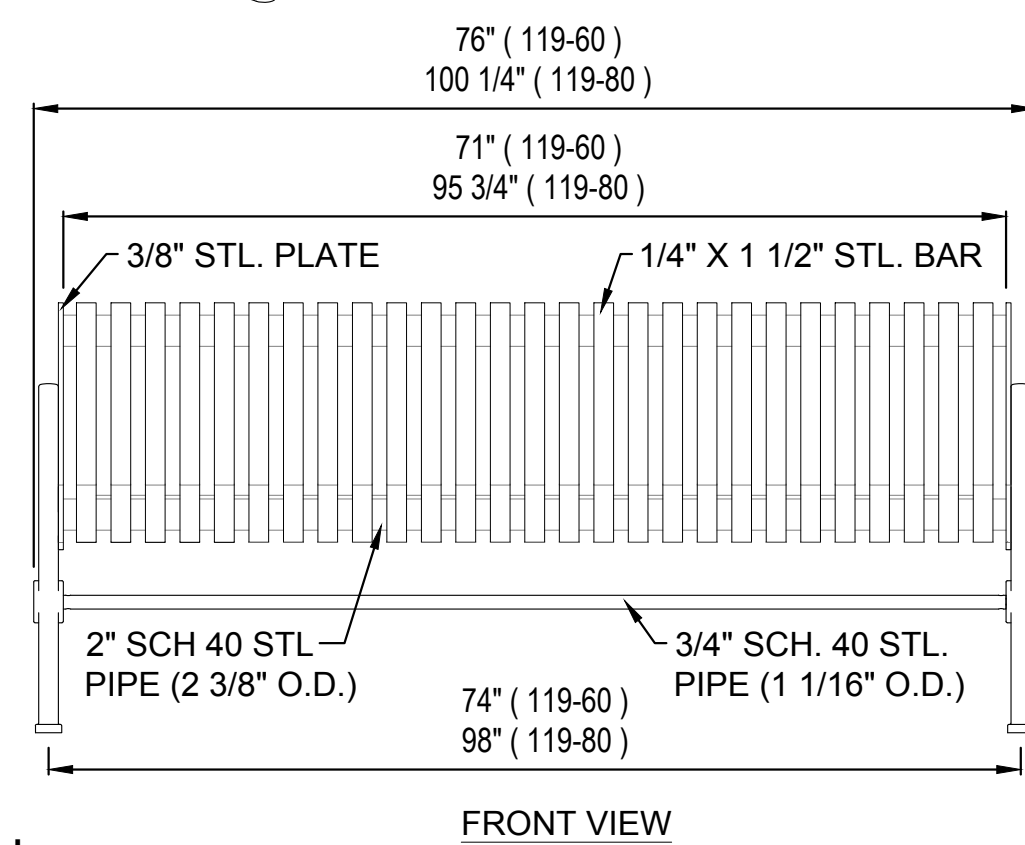
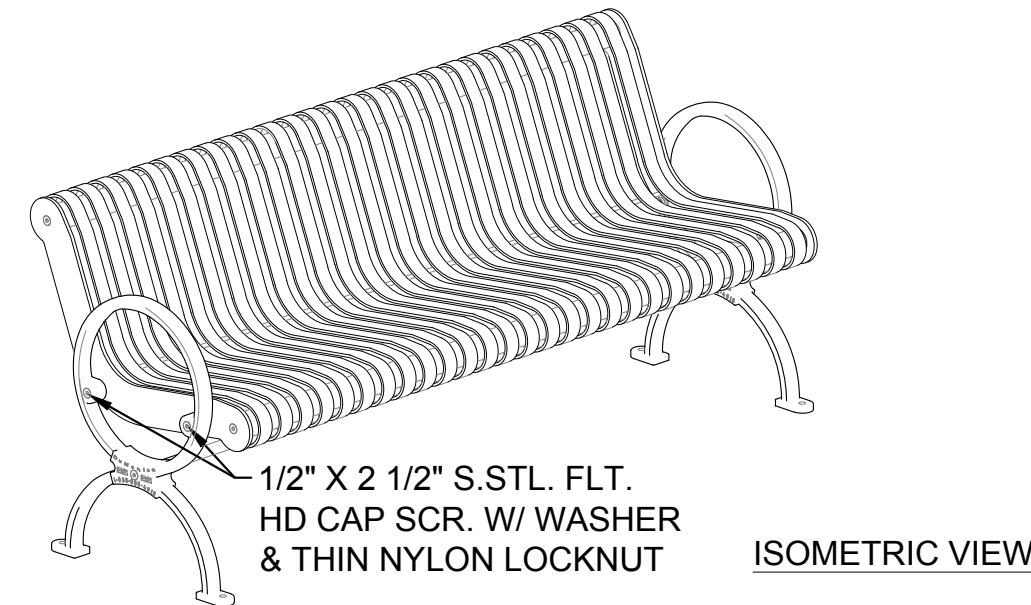
Meadowlark Subdivision

Sketch / Preliminary Plan

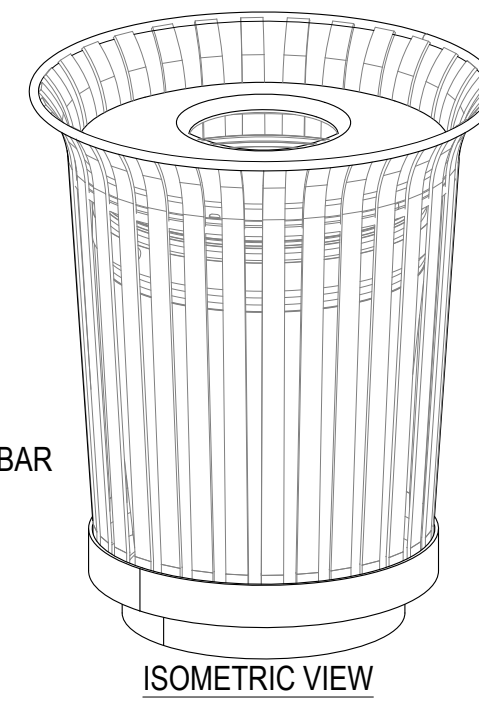
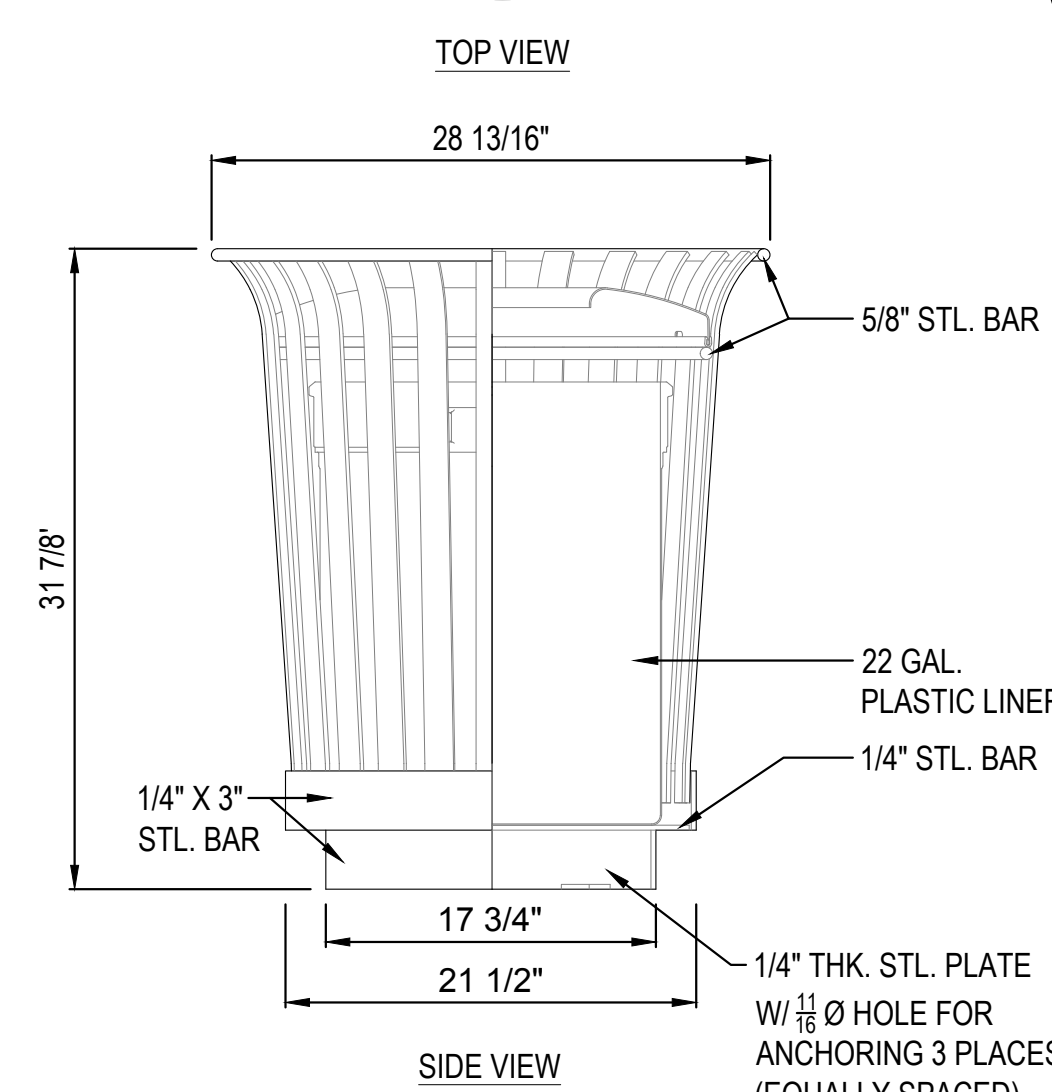
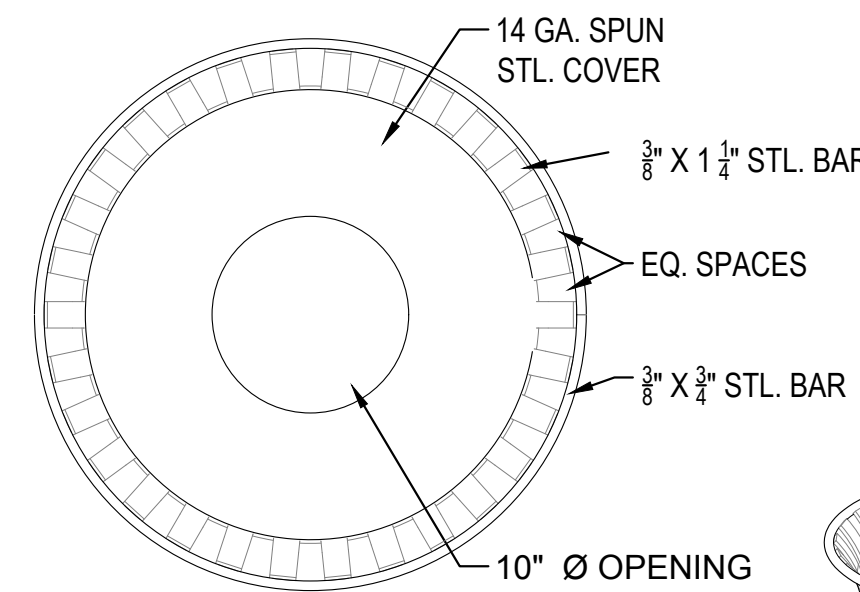
Site Details



- NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 2. DO NOT SCALE DRAWINGS.
 3. ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
 4. 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED FOR S-2 OPTION.
 5. BENCH COLOR TO BE BLACK OR APPROVED EQUAL.

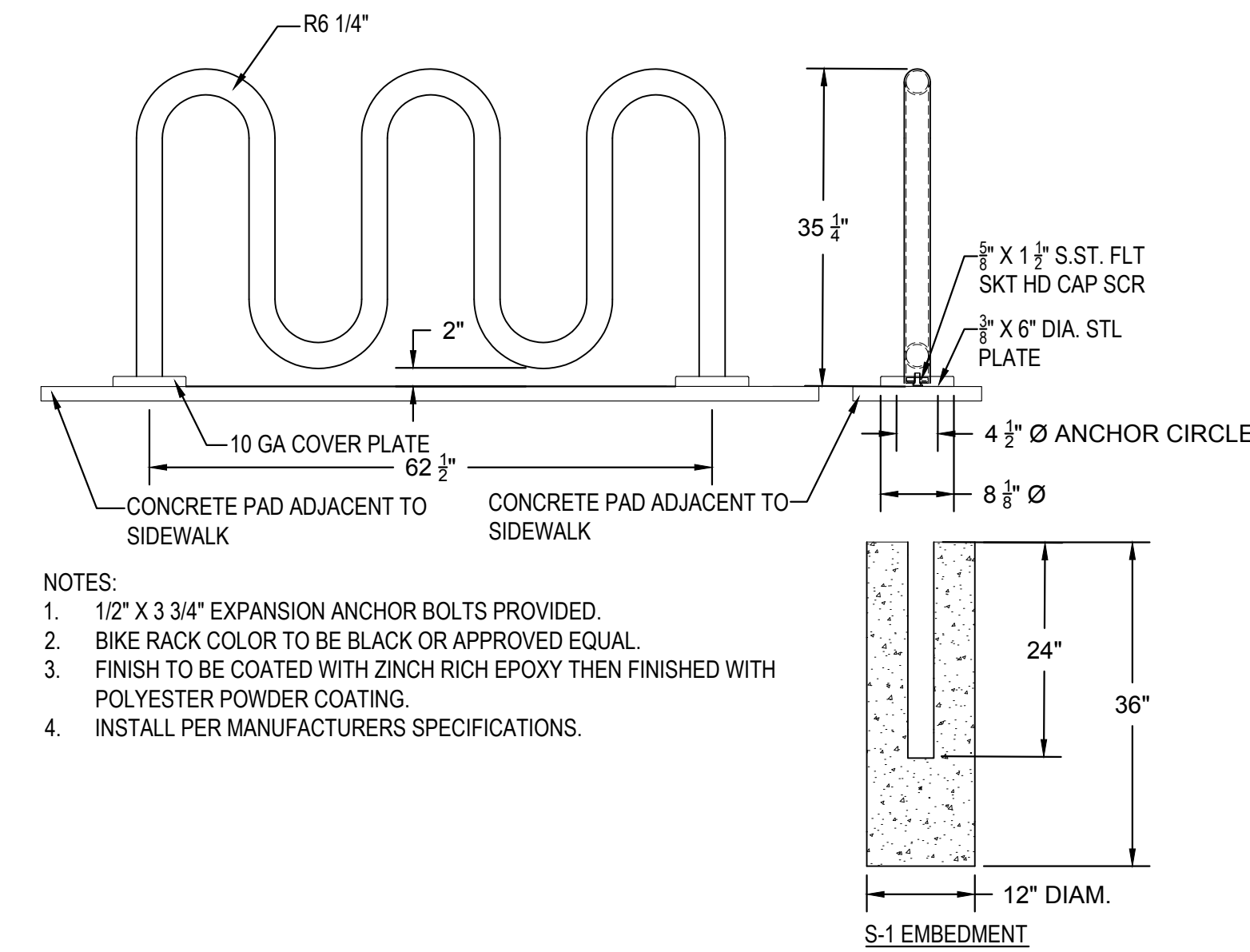


1 BENCH
L# DUMOR, INC. BENCH 119 1-800-598-4018 DUMOR.COM n.t.s.

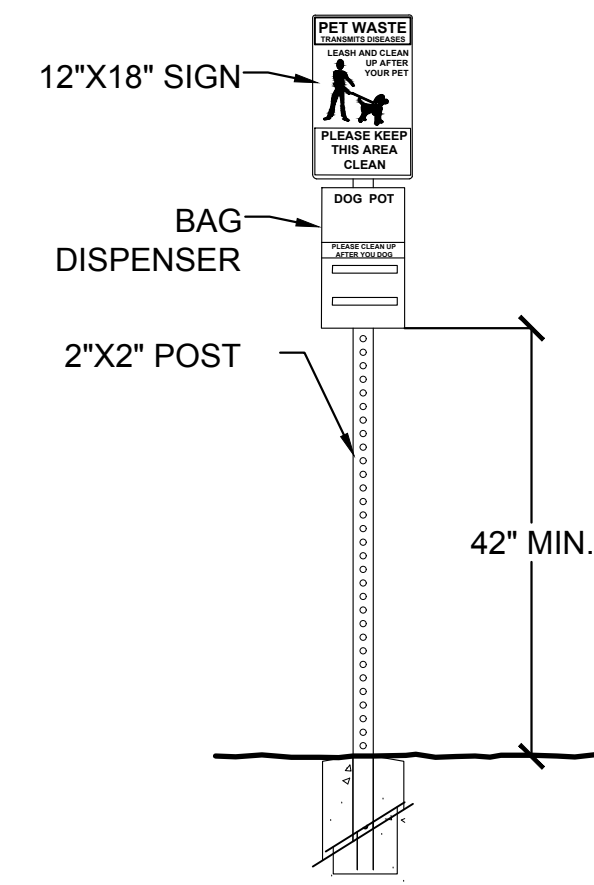


- NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 3. ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
 4. 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED
 5. RECEPTACLE FULLY ASSEMBLED AT FACTORY.
 6. RECEPTACLE TO BE BLACK OR APPROVED EQUAL.

1 WASTE RECEPTACLE
L# DUMOR, INC. 107-22 FTO TRASH RECEPTACLE 1-800-598-4018 DUMOR.COM n.t.s.

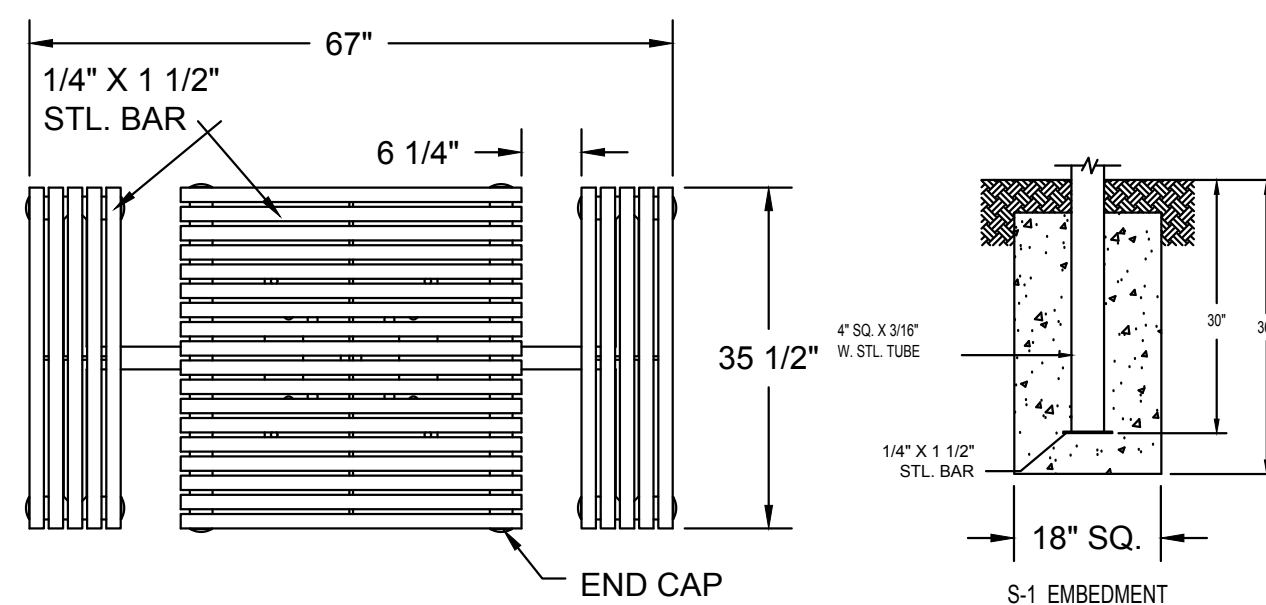


1 BIKE RACK
L# DUMOR, INC. 125-30 BIKE RACK 1-800-598-4018 DUMOR.COM n.t.s.

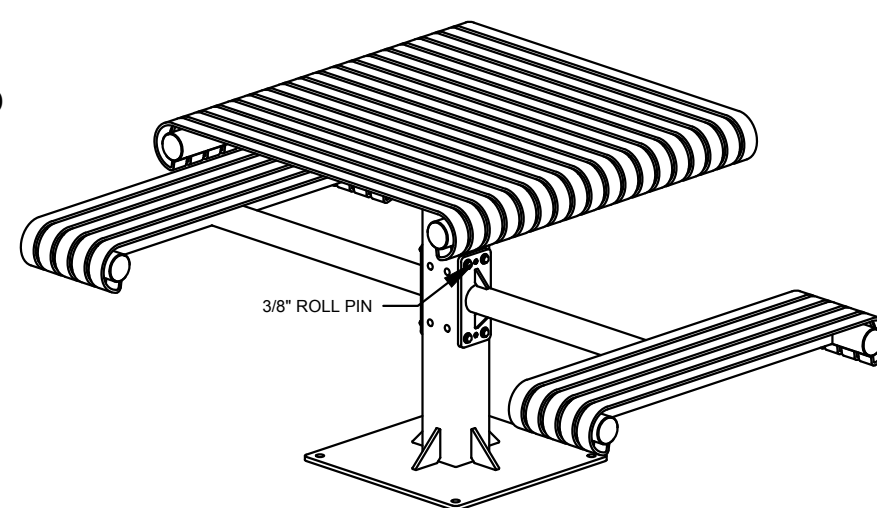


- NOTES:
1. COLOR TO BE GREEN AND WHITE.
 2. BOTTOM OF DISPENSER TO BE APPROX. 42" FROM FINISHED GRADE. POST TO BE SET IN 8" X 24" CONCRETE FOOTER.
 3. INSTALL PER MANUFACTURERS SPECIFICATIONS.

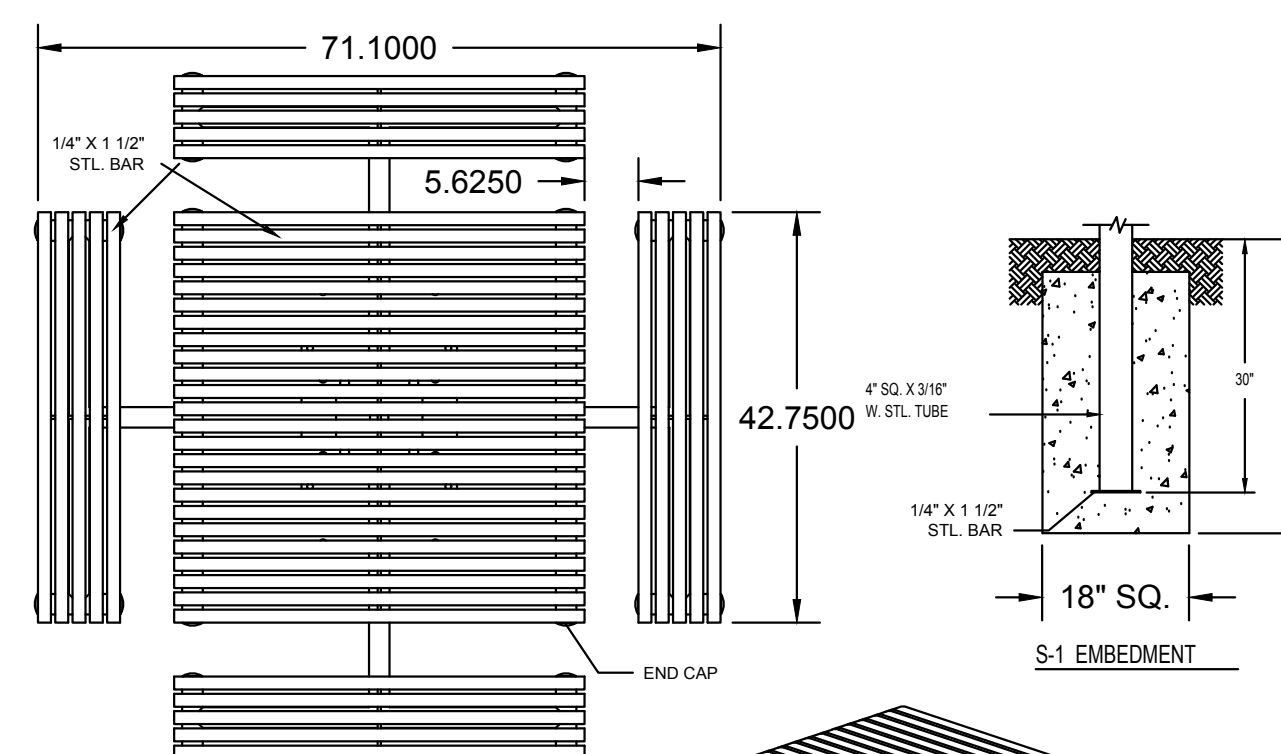
1 DOG WASTE STATION
L# BARCO PRODUCTS COMPANY BAG DISPENSER #DOG1002BG - SIGN #DOGSIGN 1-800-338-2697 n.t.s.



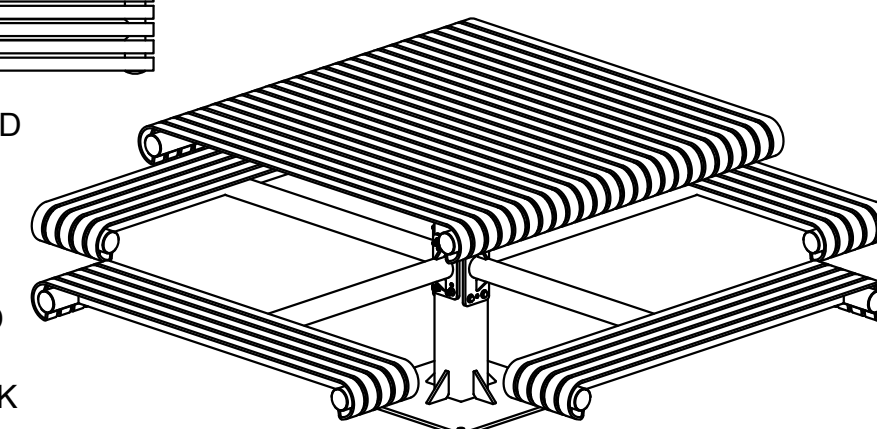
- NOTES:
1. ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED / POLYESTER POWDER COATING.
 2. 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED FOR OPTIONS S-2 AND S-4.
 3. TABLE COLOR TO BE BLACK OR APPROVED EQUAL.
 4. INSTALL TABLE PER MANUFACTURERS SPECIFICAITONS.



1 HANDICAP ACCESSIBLE PICNIC TABLE
L# DUMOR, INC. TABLE 448-32 1-800-598-4018 DUMOR.COM



- NOTES:
1. ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED / POLYESTER POWDER COATING.
 2. 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED FOR OPTIONS S-2 AND S-4.
 3. TABLE COLOR TO BE BLACK OR APPROVED EQUAL.
 4. INSTALL TABLE PER MANUFACTURERS SPECIFICAITONS.



1 PICNIC TABLE
L# DUMOR, INC. TABLE 448-44 1-800-598-4018 DUMOR.COM

APPLICANT:
Meritage Homes
6892 S. Yosemite Court #1-201
Centennial, CO 80112
(720) 482-0202

ENGINEER:
Ware Malcomb
990 S. Broadway Suite 230
Denver, CO 80209
(303) 561-3333

PLANNER:
Henry Design Group, Inc.
1501 Wazee St. Suite 1-C
Denver, CO 80202
(303) 446-2368

SITE DETAILS
SHEET: 18 of 18
DATE: 5-5-2017
REV: 1-11-18 Town Comments



Request for Town Council Action

Date: April 2, 2018

Submitted By: Stacey Nerger, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.332 - Second Reading**
A Bill for an Ordinance Rezoning Certain Property Within
the Town of Parker, Colorado, Known As Country Meadows
Square Property from PD-Planned Development to Modified
Commercial District Pursuant to the Parker Land
Development Ordinance and Amending the Zoning
Ordinance and Map to Conform Therewith

Applicant: Gene Gregory, Country Meadows
Development LLC

Location: Northwest corner of Hess Road and
Parker Road

Department: Community Development, Stacey
Nerger

Trakit No.: Z18-002

EXECUTIVE SUMMARY

The applicant, Country Meadows Development LLC, proposes to rezone the Country Meadows Square commercial properties from Country Meadows Planned Development (PD) to modified C-Commercial to bring the permitted uses in the zone district up to date. The proposed rezoning will apply to the eight commercial lots located on the northwest corner of Hess Road and Parker Road.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property was annexed into the Town in 1983 as part of the larger Country Meadows Planned Development (PD). The development of the commercial properties has occurred sporadically since 2004 due to cyclical variations in the economy and changes

in ownership. The major development milestones are as follows:

1. In 1991, the subject property was platted with the Country Meadows Subdivision as an unbuildable commercial tract.
2. In 2004, the unbuildable commercial tract was replatted into eight buildable lots with the Country Meadows Square Minor Development Plat.
3. In 2007, two site plans were approved on the property for an 11,000 square-foot Merryhill School child care center and a 4,488-square-foot Service Street automotive repair shop.
4. In 2009, a site plan was approved for a 7-Eleven convenience store and service station.
5. In 2017, two additional site plans were approved for a 6,000-square-foot dental office and a 41,000 square-foot multi-tenant commercial development with two buildings.

The current Country Meadows PD zoning for the Commercial Planning Area lists several commercial retail and restaurant uses that are permitted as a use by-right on the property. However, other compatible uses such as a brewery and kick boxing gym are not permitted by right and require the discretionary uses not itemized process for approval. The proposal to update the PD zoning with modified C-Commercial zoning will update the existing regulations to allow a greater variety of appropriate uses for the site on a by-right basis.

The proposed rezoning meets the nine criteria established by the Land Development Ordinance as discussed in the attached Planning Commission staff report.

On March 22, 2018, the Planning Commission unanimously recommended Town Council approve the rezoning request.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Vicinity Map
2. Ordinance 3.332
3. Country Meadows Square Rezone Planning Commission Staff Report

RECOMMENDED MOTION

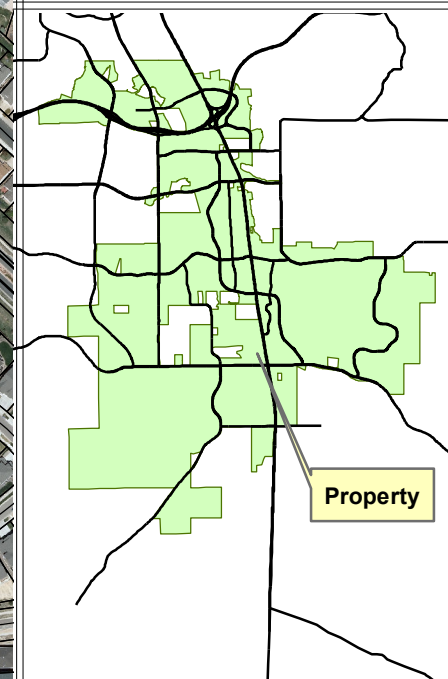
I move to approve Ordinance No. 3.332 on second reading.



PARKER
COLORADO

Country Meadows Rezoning

Rezoning
Case No. Z18-002



Legend

-  Site
-  Roads

Narrative:
Proposed rezoning from
Country Meadows
Planned Development
to Modified
C-Commercial.

Planner: Stacey Nerger
Hearing Schedules:

Planning Commission:
March 22, 2018

Town Council:
March 19, 2018 (1st Reading)
April 2, 2018 (2nd Reading)



ORDINANCE NO. 3.332, Series of 2018

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS COUNTRY MEADOWS SQUARE PROPERTY FROM PD-PLANNED DEVELOPMENT TO MODIFIED COMMERCIAL DISTRICT 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 rezoning certain property described in attached **Exhibit A**, within the Town of Parker, Colorado, to Modified Commercial, pursuant to the 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 of Section 13.04.240 of the Parker Land Development Ordinance for rezoning of the Property have been satisfied.

Section 2. The Property is hereby zoned Modified Commercial, as provided in the **Exhibit B**, which is attached hereto and incorporated by this reference. The uses permitted by right and the uses permitted by special review are specifically described in Exhibit B.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

LEGAL DESCRIPTION

Being comprised of Lots 4, 7, and 8 of Country Meadows Square, Recorded at Reception Number 2005036081, Lot 3A of the Country Meadows Square, 1st Amendment, Recorded at Reception Number 2007081575, Lot 1 of the Country Meadows Square, 2nd Amendment, Recorded at Reception Number 2008041235, and Lots 2, 5, and 6 of the Country Meadows Square, 3rd Amendment, Recorded at Reception Number 2017055076 all in the records of the Douglas County Clerk and Recorder. Situated in the Southeast Quarter of Section 27, Township 6 South, Range 66 West of the 6th P.M., Town of Parker, County of Douglas, State of Colorado.

EXHIBIT B

MODIFIED COMMERCIAL ZONING

A. Intent

Areas for businesses providing convenience retail and personal service uses. These uses have minimal wholesale activity and limited storage within the principal structure.

B. Compliance

All development within this Modified Commercial zoning district must comply with the requirements specified in Section 13.06 of the Town of Parker Land Development Ordinance, as amended by the following standards. Where the following standards vary from the Town's Land Development Ordinance, the following standards shall take precedence.

C. Uses Permitted by Right

Any use within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended, that is not specifically described in this exhibit shall be prohibited in this district.

1. Any nonresidential uses by right permitted in B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended with the following exceptions which are not permitted in this Modified Commercial zoning: public or private schools, hospitals, nursing homes, convalescent care facilities, extended stay facilities, greenhouses, public or private parking lots, or caretaker residences.
2. Auto parts stores
3. Automobile service
4. Bakeries, wholesale & retail
5. Brewery/distillery
6. Bank with drive-through
7. Car wash, automatic or coin-operated
8. Contractor's offices only, no storage of equipment or trailers
9. Convenience Store with or without gas station
10. Drive-in eating and drinking establishments
11. Indoor dog training and dog grooming
12. Nurseries (plant), wholesale and retail
13. Printing and publishing

14. Radio and television offices and studios

15. Shopping centers

16. Tire repair shops

17. Upholstery shops

D. Development Standards

1. Maximum Building Height: 45 feet

2. Minimum Front Yard Setback:

a) Parker Road – 25 feet

b) Hess Road – 25 feet

c) Drive-through – 10 feet

3. Minimum Side Yard Setback: 10 feet, except when adjoining a residential zone district, 25 feet

4. Minimum Rear Yard Setback: 10 feet, except when adjoining a residential zone district, 25 feet



Planning Commission Staff Report

Planning Commission Date: 3/22/2018

Town Council Date: 4/2/2018

Hearing Type: Public Hearing
Z18-002 COUNTRY MEADOWS SQUARE - Rezone

Location: Northwest corner of Hess Ranch and Parker Road
Country Meadows Square Lots 1 - 8

Project Planner: Stacey Nerger, Planner

Applicant: Gene Gregory, Country Meadows Development LLC
Town of Parker

Executive Summary: The applicants, Gene Gregory, Country Meadows LLC and the Town of Parker request to rezone the Country Meadows Square Lots 1 – 8, Country Meadows Planned Development, Commercial Planning Area to modified C-Commercial zoning.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the Rezoning."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council approve the Rezoning, subject to the conditions contained in this staff report."

"I move that the Planning Commission recommend that Town Council deny the Rezoning as the request does not meet the following approval criteria:"

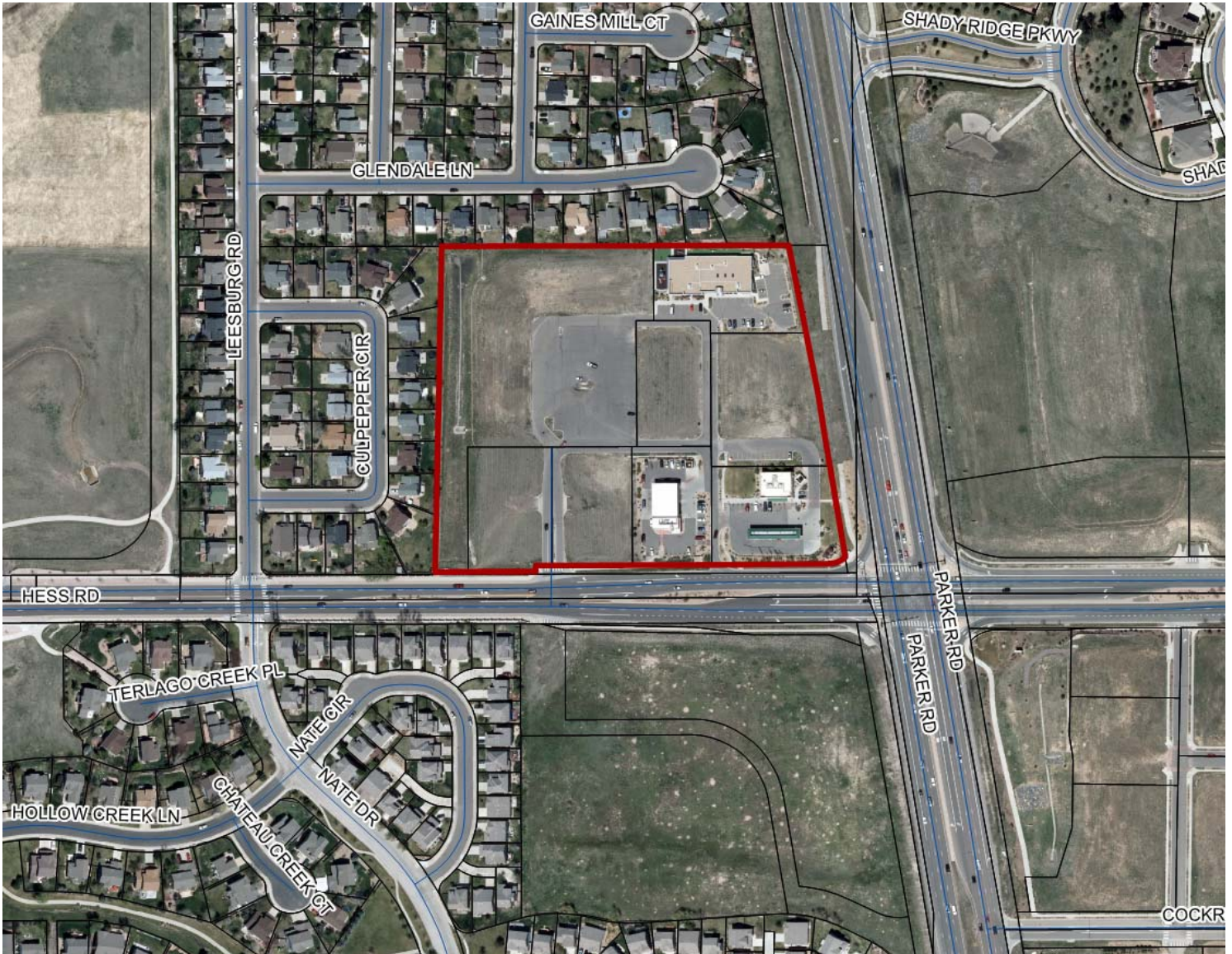
-List criteria not met (either by staff or Planning Commission)

"I move that the Planning Commission vote to continue the Rezoning to a future date."

I. BACKGROUND/DISCUSSION

The intent of this rezoning is to bring the uses permitted by right on the property up to date. The current Planned Development (PD) lists several commercial retail and restaurant uses that are permitted by right on the property, but also includes a clause which states that if the use is not specifically listed it must go through the Uses Not Itemized process. Many land uses appropriate in a Neighborhood Center are not specifically listed within the PD; therefore, these uses would require the Uses Not Itemized process and approval.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
1983	Town Council approved the Annexation and Zoning of the Country Meadows Property.
1991	Town Council approved the Country Meadows Filing No. 1 plat, which platted the commercial property as an unbuildable tract.
2004	Town Council approved the Country Meadows Square Minor Development Plat which platted the property into eight buildable lots.
2007	Planning Commission approved two site plans on the property, one for an 11,000 square-foot child care center and the second for a 4,488 square-foot Service Street Automotive Repair Shop.
2009	Planning Commission approved a site plan for the 7-Eleven convenience store.
2017	The Community Development Department administratively approved two additional site plans for the property. One for a 6,000 square-foot dental office and the second for 41,000 square-feet of commercial retail space within three multi-tenant buildings.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development		
Overlay District	N/A		
PD & Plan Area	Country Meadows Planned Development		
Master Plan Area	Neighborhood Center		
Site Acreage	10.65 acres		
Subdivision	Country Meadows Square		
Existing Use	Commercial		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Medium Density Residential	PD - Planned Development	Country Meadows, Single-Family Detached Residential
South	Neighborhood Center	PD - Planned Development	Stroh Ranch, Undeveloped Commercial
East	Neighborhood Center	PD - Planned Development	Pine Bluffs, Undeveloped Commercial
West	Medium Density Residential	PD - Planned Development	Country Meadows, Single-Family Detached Residential

IV. PARKER 2035 MASTER PLAN

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

MASTER PLAN CONSISTENCY	
Master Plan Designation	Neighborhood Center ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	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. The total Gross Leasable Area for the commercial/office components within an entire Neighborhood Center should range from a combined 50,000 to 250,000 square feet. 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	<u>Land Use 1.C</u> <u>Community Appearance and Design 2.B</u>
Staff Analysis	Staff has reviewed the proposed expansion of the allowed uses against the Town's Master Plan and determined that the proposal is consistent with the Master Plan for the existing and future uses on the property.

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	Higher density residential is appropriate within Neighborhood Centers.	None	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Allowed Uses	Convenient retail and personal/business services, grocery, small offices, recreational uses and restaurants.	Convenient retail and personal/business services, grocery, small offices, recreational uses and restaurants.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	None	35 feet	☒ Consistent

			☐ Inconsistent ☐ No Change
Staff Analysis	The Commercial Zoning was modified to meet the Town's Master Plan Goals and Strategies for Commercial Development at Neighborhood Centers within the Town. The proposed rezoning will remove the property from an outdated PD and align it with the Town's Commercial Property Vision.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The property has been developed to include two access points off Hess Road, one full-movement access and one access which is a right-in, right-out only. Internal access easements have been granted which provide public access to all lots and buildings on the property. As properties have been developed, each property has been required to construct pedestrian sidewalks along both Parker Road and Hess Road with sidewalk connections into the property to serve all lots and buildings.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant's Response

The zoning that existed in the 1980's when it was implemented does not allow for uses like Brewery's, workout centers and numerous other uses. Our new Neighborhood Center is bringing in some of these new uses that were never contemplated for use. In order to have a vibrant Neighborhood Center we want to offer as many uses as we can to the residents of Parker.

Staff Analysis

The Country Meadows PD was created in 1983 and was written to allow very specific commercial uses. As development and commercial uses have evolved over time, the PD has become too restrictive and does not respond to current economic conditions. The proposed rezoning would bring the zoning up to date as well as remove this property from the PD zoning.

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's Response

We are located on the North West corner of Hess and Parker Road and are seeing many new residential developments being built or proposed. Our center is also at the intersection of one of the busiest roads in Parker due to the newly built access to I-25 via Hess Road. We feel we will supply the needed commercial uses for the demand that is being created by the upcoming growth and take some pressure off the Mainstreet and Parker Road intersection.

Staff Analysis

The property is located at the corner of Hess Road and Parker Road, which is a busy intersection within the Town. The Town of Parker Master Plan identifies this property as a Neighborhood Center which is recommended to serve the basic needs of the surrounding residents with convenient retail and personal/business services. In addition, when the property was annexed in 1983, the property was zoned for commercial uses.

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's Response

We believe the old zoning did not contemplate the growth in Parker or the current needs of the public regarding consumption for goods and services. Also no one had any idea that Hess Road would be the new gateway to I-25.

Staff Analysis

An error has not occurred within the original zoning. The original zoning was always intended to allow commercial uses on this corner of Hess and Parker Road. The proposed rezoning would continue to allow commercial uses on the property, but would be updated to reflect the current economic environment as well as remove the outdated PD zoning.

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's Response

As stated above the new growth and access to I-25 helps relieve pressure on Parker Road and now that the economy is in a growth spurt we can expect the greater need for services at this intersection as traffic volume has grown dramatically. The opening of Hess to I-25 has allowed the population from Elbert County to shop and get services as they go through Parker expanding the sales tax base.

Staff Analysis

Commercial uses within the Town of Parker have evolved over time. The Town recently completed an amendment to the C-Commercial Zone District to update and define particular uses. The proposed rezoning will align the allowed uses on the property with the Town's vision for commercial properties.

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's Response

The Newly built Center is poised to be a very successful development. We have easy access off Hess with 2 entrances that traffic can enter going east or west on Hess. We have contributed \$85,000 towards a traffic light for the western access that we would like to see completed sooner than later.

Staff Analysis

The property was developed to include two access points from Hess Road. These two access points were evaluated within a traffic study and determined to be sufficient for the proposed commercial uses. Seven out of the eight commercial lots have approved site plans for construction of commercial buildings.

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's Response

The newly approved Neighborhood Center has already been approved and has all services from the Town approved and all improvements have been installed. This development will not include any additional service costs to the Town.

Staff Analysis

The property was annexed into the Town in 1983. The proposed rezoning would not require any additional municipal services which are not currently provided by the Town to the property.

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's Response

This center is being completed in an already approved commercial subdivision that was approved in the early 2000's and was abandoned. We are currently finishing the improvements which includes removing all the weed over growth that was there so we believe we are improving the site overall.

Staff Analysis

As development has occurred on the property over time, the developer has worked with the Town of Parker Engineering Department to ensure any environmental impacts were mitigated. The property was originally platted for development in 2004 to create the buildable commercial lots. The proposed rezoning will not change the size or overall character of the commercial area and will not create environmental impacts.

Based on this analysis, staff has determined that the request meets this criterion.

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

Applicant's Response

This proposal not only brings the property's zoning up with the rest of Parker it will also allow us to have tenants that are a benefit to this neighborhood center that will serve the needs of Parkers residents. This will bring our property up to the current standards of the towns current policies.

Staff Analysis

The Town of Parker Master Plan identifies this property as a Neighborhood Center which is recommended to serve the basic needs of the surrounding residents with convenient retail and personal/business services. The proposed rezoning of the property to the modified C-Commercial Zone District is consistent with the Town's Master Plan.

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's Response

We have gone through the site plan process, which approvals have met all requirements of the Town for the development. We also believe this center will ease some traffic concerns from the Mainstreet and Parker Road intersection as the public now has additional services available to them to the South.

Staff Analysis

The property is included within the Parker Water and Sanitation District. All construction which has occurred on the site has been reviewed and granted approval from Parker Water and Sanitation. In addition, the proposed rezoning will not change the properties designation as commercial, the proposed rezoning will only expand the permitted uses on the property.

Based on this analysis, staff has determined that the request meets this criterion.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	No Comment
Fire Life Safety	No Comment
Aztec Consultants	Approved
Parker Water and Sanitation District	Approved
Parker Building	No Comment
Douglas County Assessors	Minor errors were found on the Zoning Map. All errors have been corrected.
Xcel	Xcel has an existing high pressure natural gas transmission pipeline within the property, any construction within the Xcel right-of-way will need to be reviewed for safety standards.
IREA	Approved
CenturyLink	No Comment
Comcast	No Comment
Parker Economic Development	Approved

IX. CONCLUSION

The applicant submitted this rezoning request in order to bring the commercial zoning on the property up to date. The Town of Parker, who is also an applicant for this rezoning application, is supportive of the proposed rezoning as it will satisfy several goals of the Parker 2035 Master Plan and the Community Development Department. These goals include aligning the permitted uses with those identified by the Town as acceptable commercial uses as well as removing outdated PD zoning. Based on this information staff is recommending approval of the rezoning request.

X. RECOMMENDED CONDITIONS

None

XI. ATTACHMENTS

1. Referral Agency Comments
2. Rezoning Map

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

AZTEC CONSULTANTS

Stacey,

It looks OK to me!

Dean E. Cates, PLS



(303) 327-7512 DIRECT

(303) 483-1962 CELL

Please visit us at www.aztecconsultants.com • [disclaimer](#)

TOWN OF PARKER BUILDING

Edit Review

Z18-002

Review Type

Building 20

Reviewer

Randy Sale

Date Sent

1/29/2018

Today

Date Due

2/12/2018

Today

Status

NO COMMENT

Remarks

Date Returned

2/8/2018

Today

Add to Timesheet

+ Add Standard Notes

CENTURYLINK COMMUNICATIONS

Edit Review

Z18-002

Review Type

CenturyLink Communications 20

Reviewer

Dustin Pulciani

Date Sent

1/29/2018

Today

Date Due

2/12/2018

Today

Status

NO COMMENT

Remarks

Date Returned

2/12/2018

Today

Add to Timesheet

+ Add Standard Notes

COMCAST

No comments submitted

DOUGLAS COUNTRY ASSESSORS

Marian Woodward

**Douglas County
Assessor's Office 20**

- 1) The subtitle has numerous typos that need updating:
 - a) Country Meadows Square does not have a filing #. Please remove reference to "Filing Number One."
 - b) County Meadows Square was recorded at reception #2005036081. #326415 references a different plat and should be removed.
 - c) Country Meadows Square 1st Amd 2007081575 has an extra "5" listed. Please correct.
- 2) The legal description paragraph has the same typos that are noted above. Please revise.

2/12/2018 12:30:15 PM

ECONOMIC DEVELOPMENT

Edit Review

Z18-002

Review Type

Economic Development 20

Reviewer

Matt Carlson

Date Sent

1/29/2018

Today

Date Due

2/12/2018

Today

Status

APPROVED

Remarks

Date Returned

2/1/2018

Today

Add to Timesheet

+ Add Standard Notes

TOWN OF PARKER FIRE LIFE SAFETY

Edit Review

Z18-002

Review Type

FIRE LIFE SAFETY 20

Reviewer

Randy Capra

Date Sent

1/29/2018

Today

Date Due

2/12/2018

Today

Status

NO COMMENT

Remarks

Date Returned

2/2/2018

Today

Add to Timesheet

+

Add Standard Notes

IREA

Edit Review

Z18-002

Review Type

IREA 20

Reviewer

Brooks Kaufman

Date Sent

1/29/2018

Today

Date Due

2/12/2018

Today

Status

APPROVED

Remarks

Date Returned

2/9/2018

Today

Add to Timesheet

+ Add Standard Notes

PARKER WATER AND SANITATION

Edit Review

Z18-002

Review Type

Parker Water and Sanitation District 20

Reviewer

Drayton Sanderson

Date Sent

1/29/2018

Today

Date Due

2/12/2018

Today

Status

APPROVED

Remarks

Date Returned

1/30/2018

Today

Add to Timesheet

+ Add Standard Notes

TOWN OF PARKER PUBLIC WORKS/ENGINEERING

Edit Review

Z18-002

Review Type

PLANNED DEVELOPMENT / ZONING PLAN - PW

 Add Standard Notes

Reviewer

Alex Mestdagh

Date Sent

1/29/2018



Today

Date Due

2/12/2018



Today

Status

NO COMMENT

Remarks

Date Returned

2/15/2018



Today

Add to
Timesheet

PUBLIC SERVICE COMPANY (XCEL)

See attached letter



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

February 6, 2018

Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138

Attn: Stacey Nerger

**Re: Country Meadows Square Lots 1-8 Rezone to C-Commercial
Case # Z18-002**

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has determined an **engineering review** is necessary for the above captioned project. Public Service Company has an existing high pressure natural gas transmission pipeline and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. **PSCo is requesting that, prior to any final approval of the development plan**, it is the responsibility of the property owner/developer/contractor to contact PSCo's Encroachment Team for development plan review and execution of a License Agreement (upload all files in PDF format) at:

https://www.xcelenergy.com/working_with_us/builders/encroachment_requests

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado



Request for Town Council Action

Date: April 2, 2018

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 5.79 - Second Reading**
A Bill for an Ordinance to Amend Section 5.02.660 of the
Parker Municipal Code Concerning Public Notice of Liquor
License Applications

Department: Town Attorney, Jim Maloney

EXECUTIVE SUMMARY

State law and the Parker Municipal Code (the “Town Code”) currently require the applicant for a new liquor license to post one sign for the public hearing to be held for the new license before the Special Licensing Authority (the “Authority”). The Authority is recommending a change to the Town Code to require the posting of a public hearing notice sign at each entrance into the liquor establishment.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

State law and the Town Code require the posting of one public hearing notice sign “in one conspicuous place on the premises” not less than ten (10) days prior to the public hearing or the application for a new liquor license. The Authority recently considered a new liquor license for the Kings Soopers in Cottonwood, which has multiple entrances. King Soopers only posted one public notice sign. The Authority is concerned about the adequacy of one public notice sign and is recommending a change to the Town Code that would require a public notice sign at each public entrance.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 5.79

RECOMMENDED MOTION

I move to approve Ordinance No. 5.79 on second reading.

ORDINANCE NO. 5.79, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 5.02.660 OF THE PARKER MUNICIPAL CODE CONCERNING PUBLIC NOTICE OF LIQUOR LICENSE APPLICATIONS

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

Section 1. Section 5.02.660 of the Parker Municipal Code is amended by the addition of a new subsection (4) to read as follows:

5.02.660 Public notice.

The applicant for a liquor license shall cause to be posted and published a public notice of hearing thereon:

(1) The sign used for posting such notice shall be of cardboard material, not less than twenty-two (22) inches wide and twenty-six (26) inches high, composed of letters not less than one (1) inch in height and stating the type of license applied for, the date of the application, the date of hearing, the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a corporation, association or other organization, the sign shall contain the names and addresses of the president, vice president, secretary and manager or other managing officers.

(2) The published notice shall contain the same information as that required for signs, and shall be composed of eight-point boldface type set so as to be not less than one (1) column in width nor less than six (6) inches in length.

(3) Where the building in which the liquor is to be sold is in existence at the time of the application for the license therefor, the sign shall be placed on the premises so as to be conspicuous and plainly visible to the general public from the exterior of the building. If the building is not in existence at the time of such application, the sign shall be posted upon the premises upon which the building is to be constructed in such manner that it shall be conspicuous and plainly visible to the general public.

(4) Where the building in which the liquor is to be sold is in existence and has more than one (1) public entrance at the time of application for the license therefor, multiple signs shall be placed on the premises such that at least one (1) sign is conspicuous and plainly visible to the general public at each public entrance to the building.

Section 2. **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 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: April 2, 2018

Submitted By: Doreen Jokerst, Commander

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 5.80 - Second Reading**
A Bill for an Ordinance to Amend Chapter 7.01 of the Parker Municipal Code to Allow Traffic Direction, Regulation and Control by Appointed Special Police Officers

Department: Police Department, Doreen Jokerst

EXECUTIVE SUMMARY

This ordinance would amend Chapter 7.01 of the Parker Municipal Code to allow Special Police Officers, designated by the Chief of Police, to direct, regulate and control traffic.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Community Service Officers (CSO) are specially trained, nonsworn personnel to perform some duties that have been traditionally performed by sworn personnel. CSOs perform a wide variety of duties and activities of routine nonsworn law enforcement functions in support of the patrol divisions, which do not require arrest authority. CSOs respond to animal and code related calls for service, and report to certain types of nonemergency calls-for-service (not in progress, no viable suspect information, etc.), either by telephone or in a specially marked department vehicle.

In order for the CSOs to assist with directing, controlling and regulating traffic, Chapter 7.01 of the Parker Municipal Code needs to be amended. This amendment will authorize CSOs to respond to accidents to assist with traffic control, freeing up the police officers to render first-aid, and investigate the accident (only when CSOs are scheduled which are nonessential positions). CSOs received classroom training for directing, controlling and regulating traffic, and will partake in additional on-the-job training with a police training officer.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 5.80

RECOMMENDED MOTION

I move to approve Ordinance No. 5.80 on second reading.

ORDINANCE NO. 5.80, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 7.01 OF THE PARKER MUNICIPAL CODE TO ALLOW TRAFFIC DIRECTION, REGULATION AND CONTROL BY APPOINTED SPECIAL POLICE OFFICERS

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

Section 1. Chapter 7.01 of the Parker Municipal Code is amended by the addition of a new Section 7.01.110, which shall read as follows:

7.01.110 Traffic Control Enforcement.

(a) The authority to direct, control and regulate traffic as set forth in this Chapter and in Section 107 of the Model Traffic Code shall be exercised by the Police Department, which may include special police officers as defined herein.

(b) The Chief of Police may appoint any Police Department employee as a special police officer who may direct, control and regulate traffic as provided in this Chapter. The Police Department shall keep a correct list of all such appointed persons. Persons so appointed shall conform to and be subject to all rules and regulations governing the Police Department and to all special rules and regulations as the Chief of Police may make concerning traffic direction, control and regulation by special police officers. Special police officers shall possess only those powers, privileges and duties as specified in the letter of appointment issued by the Chief of Police, and special police officers may be removed or discharged from service at any time by the Chief of Police without cause.

Section 2. **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 3. **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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney