

TOWN OF PARKER COUNCIL AGENDA

April 19, 2021

Notes:

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

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

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

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

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

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

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

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

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

1. TOWN COUNCIL MEETING SCHEDULE

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

3. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

4. TOWN ADMINISTRATOR

- **Spring 2021 TA Report**

5. **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. Consent Agenda items discussed at study session can be viewed by clicking the following link: <https://parkerco.civicclerk.com/Web/Player.aspx?id=635&key=-1&mod=-1&mk=-1&nov=0>

A. APPROVAL OF MINUTES - April 5, 2021

B. ORDINANCE NO. 9.328 - First Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas County Concerning Lincoln Avenue (Jordan to Parker Road)

*Department: Engineering and Public Works, Bob Exstrom
Engineering and Public Works, Tom Williams*

Second Reading: May 3, 2021

C. PARKGLENN SUBDIVISION FILING NO. 3, LOT 1, BLOCK 2 - Rezone to C-Commercial District

Department: Community Development, Krista Flynt

Second Reading: May, 3, 2021

1. ORDINANCE NO. 3.38.3 - First Reading

A Bill for an Ordinance Amending Ordinance No. 3.38 by the Deletion of Certain Property (Parkglenn Subdivision Filing No. 3, Lot 1, Block 2) from the Planned Development Zoned Area Known as Parkglenn

2. ORDINANCE NO. 3.357 - First Reading

A Bill for an Ordinance Rezoning Certain Property (Parkglenn Subdivision Filing No. 3, Lot 1, Block 2) from Parkglenn Planned Development to C-Commercial District, Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

D. CONTRACTS OVER \$100,000

1. 2021 Townwide Concrete Replacement Program (CIP21-006)

Amount: \$1,107,509.31

Contractor: Stone & Concrete, Inc

*Department: Engineering and Public Works, Danny
Smith*

6. **PUBLIC HEARINGS**

PARKER HOMESTEAD FILING 1 AMD 1 TRACT A – Use by Special Review

Applicant: Mohan Muthu, Mitrah Investments and Holdings, LLC
Location: Generally located on the west side of Chambers Road north of Double Angel Road
Department: Community Development, Stacey Nerger
TRAKiT No.: Z20-012

7. **ORDINANCES**

ORDINANCE NO. 9.136.4 - Second Reading (Continued from March 22, 2021 and to be continued to June 7, 2021)

A Bill for an Ordinance to Approve the Addendum to Amended and Restated Funding Agreement By and Between the Town of Parker and the Douglas County Emergency Telephone Service Authority Concerning the Hosted 911 NICE Recording Services

Department: Town Attorney, Jamie Wynn

8. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

April 19, 2021

“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).”

1. Devolution of Public Health Order 20-36, on or around April 16, 2021; Tri-County Health Department Public Health Order Simplified COVID-19 Dial, dated April 9, 2021; and Resolution No. R-021-XXX, Board of County Commissioners of the County of Douglas, Colorado Resolution to "Opt Out" of Further Tri-County Public Health Orders Based on Current Public Health Data and State Devolution of the COVID-19 Dial, dated April 13, 2021, and Town Administrator Emergency Orders

2. House Bill 21-1252: A Bill for an Act Concerning the Ability of Voters in the Town of Parker in Douglas County to Determine Whether to be Included in the Boundaries of the Regional Transportation District



Town Administrator's Report

Spring 2021



PARKER
C O L O R A D O

Town of Parker
20120 E. Mainstreet
Parker, CO 80138

Tel: 303.841.0353

Fax: 303.805.3153

townadministrator@parkeronline.org



Communications

Department Updates

COVID-19 Resources and Information

Have questions about COVID-19 and how it impacts Parker? Visit www.ParkerOnline.org/Coronavirus for current information, resources and updates.

Citizen Survey

The Town's 2021 Citizen Survey is coming this summer! The official survey will be mailed to 3,000 randomly selected households and an online version will be available to all residents. The survey is conducted every three years to gauge resident satisfaction with Town services and amenities, as well as to ask a select number of timely policy questions. Look for more information soon!

Lucky the Leprechaun

Lucky the Leprechaun made his inaugural appearance in Parker in March!

Lucky strolled around Mainstreet on St. Patrick's Day and the following Saturday from noon to 4 p.m. While Lucky was in town, he also hid 20 shamrocks around the community at various parks, trails and Town-owned properties. Community members were invited to a game of "Seek Out the Shamrocks" and encouraged to come to Downtown Parker to find Lucky! Nearly 150 community members participated and submitted an entry via email or on the Town's Facebook page and were entered into a drawing for a prize basket courtesy of Lucky the

Town Videos

Did you have a chance to watch the State of the Town video? You can view the State of the Town video, along with our educational video series and a variety of promotional Parker videos on the Town's YouTube channel at www.YouTube.com/TownofParkerCO.

Recreation Activity Brochure

The Recreation Activity Brochure will not be produced in 2021. Please visit www.ParkerRec.com/Guide for up-to-date program information and follow Parker Parks and Recreation on Facebook, Instagram and Twitter (@ParkerRec) for updates.



Leprechaun, the Town of Parker and Xfinity.

Congratulations to Lindsay B. and her family (pictured above) for winning the prize basket!

Community Events



Fireworks on the Fourth

The Town of Parker is excited to announce that we will be welcoming our community to a Fourth of July event at Parker's Salisbury Park in 2021!

Although this event will be a bit different than our traditional Parker Stars and Stripes celebration due to the continued uncertainty with COVID restrictions, it will be a great time for the community to gather and enjoy live music, walk-around entertainment and our traditional fireworks show. The event will be shorter, but the night will be relaxing and fun!

Attendees will have three options to choose from for their fireworks viewing experience: Drive-in only in the north Salisbury parking lot, tailgating in the main polo field parking lot, or viewing from the multi-purpose field. These zones will allow us to welcome our community back to a socially distanced event, while providing the necessary event and attendance flexibility to accommodate still fluctuating health guidelines. Gates open between 7:30 and 8:30 p.m., depending on the experience you choose, and the fireworks show begins at 9:30 p.m. Entry prices will vary based on the lot chosen.

For details and tickets (available closer to the event date), visit www.ParkerOnline.org/Events.

Communications - cont'd

1st Quarter Digital Marketing Report

Social Media

The following statistics were collected from the Town of Parker's and Parker Parks and Recreation's Facebook, Twitter and Instagram accounts between Jan. 1 and March 31.

Account Followers

Town Facebook: 18,940 to 19,282; +2%
Town Twitter: 4,582 to 4,617; +1%
Town Instagram: 6,686 to 6,949; +4%
Parks and Recreation Facebook: 8,600 to 8,748; +2%
Parks and Recreation Twitter: 2,054 to 2,070; +1%
Parks and Recreation Instagram: 2,261 to 2,344; +2%

Post Engagement

(number of likes, comments, shares, link clicks)

Town Social Media Accounts: 50,933
Parks and Recreation Social Media Accounts: 11,472

Post Impressions (number of views)

Town Social Media Accounts: 786,218
Parks and Recreation Social Media Accounts: 228,936

Follow the Town of Parker (@TownofParkerCO) and Parker Parks and Recreation (@ParkerRec) with the same username on each platform.

Website Statistics

The following statistics demonstrate activity for the Town of Parker (www.ParkerOnline.org) and Parker Parks and Recreation (www.ParkerRec.com) website between Jan. 1 and March 31.

Website Visits

Town of Parker: 91,495
Parks and Recreation: 150,328

Page Views

Town of Parker: 179,615
Parks and Recreation: 249,573



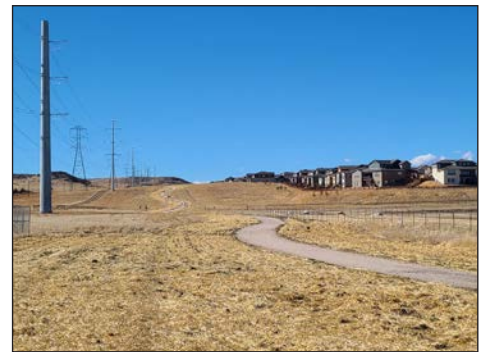
Town Facebook:
28,546 impressions; 5,038 reactions, comments and shares

Throwback Thursday: Looking east along Mainstreet in 1965



Town Facebook:
7,533 impressions; 2,850 reactions, comments and shares

March 15: An "unofficial" measurement of 15.5" from the middle of O'Brien Park. How much snow in your yard this morning, Parker?



Parks and Recreation Facebook:
7,554 impressions; 1,233 reactions, comments and shares

Progress continues for the final phase of the 28-mile East-West Regional Trail, which serves as backbone for a network of local trails throughout the south Denver Metro.



Parks and Recreation Facebook:
5,344 impressions; 459 reactions, comments and shares

Celebrate Valentine's Day and enjoy the trail safely on your own time with our Love 'em or Leave 'em Virtual Valentine's Day 5K.



Town Instagram:
365 likes

Frosty February evening



Parks and Recreation Instagram:
134 likes

We are so excited to have not one, but two members of our Parks and Recreation staff who were named @colorado.parks.and.recreation section award winners in 2020!



Community Development

Building Division Statistics - 1st Quarter 2021

Single-Family Permits: 181

\$68,147,281 Q1 valuation

181 total in 2021

\$68,147,281 total valuation

76 / \$28,079,159 End Q1 2020

Commercial Permits (New): 3

\$3,246,209 Q1 valuation

3 total in 2021

\$3,246,209 total valuation

7 / \$22,547,879 End Q1 2020

Multi-Family Permits: 0

\$0 Q1 valuation

0 apartment units in 2021

0 condo units

0 townhome units

\$0 total valuation

0 / \$0 End Q1 2020

Commercial Permits (Remodel): 189

\$3,145,489 Q1 valuation

189 total in 2021

\$3,145,489 total valuation

180 / \$2,176,113 End Q1 2020

Total Permits Valuation:

\$79,429,012 Q1

\$79,429,012 2021

Total Valuation

\$57,326,587 / End Q1 2020

Total Valuation

Other Permits: 663

\$4,835,033 Q1 valuation

663 total in 2021

\$4,835,033 total valuation

614 / \$4,523,436 End Q1 2020

Inspections: 8,578 in Q1

8,578 total in 2021

7,373 / End Q1 2020

Total Permits: 1,045 in Q1

1,045 total in 2021

877 / End Q1 2020

Planning Division

Parker's History, Natural Resources and Interpretive Signage

Did you know Parker can trace its history back to 1862? From Pine Grove to Parker, the Town has taken great pride in the past two decades to create awareness of its unique history and legacy. As you walk in the downtown area and on Parker's trail system, you will probably come across interpretive signage that highlights a Parker historic landmarked structure, a point of historical significance, or a natural/ecosystem feature. Interpretive signage enhances the visitor's experience and provides cultural and natural resource facts and awareness—as well as inspires that feeling of stewardship in our community. The Town's Community Development and Parks and Recreation staff has spent the last few years replacing several of the weathered interpretive signs around Town. We hope you stop at one of these destinations and enjoy learning about some of Parker's landmarks and special areas! Learn more about Parker's history at www.ParkerOnline.org/History.

Land Development Ordinance (LDO) Modernization Project

The Town and Denver-based consultant Clarion Associates continue work on Phase 2 of Town's Land Development Ordinance Modernization Project. The current LDO, chapter 13 of the Parker Municipal Code, was originally adopted at the time of the Town's incorporation in 1981 from Douglas County zoning, and is in need of a comprehensive update. This project began in Q4 of 2018 and is slated to be complete in a year. Due to the Covid-19 pandemic, the project has slowed over the few quarters. Phase 2 includes the actual drafting of land regulation updates to the LDO, and is occurring in three installments called 'modules'. Staff and the consultant are currently working on a draft of Module 2 – Development Standards. A public draft will be available on the project website late Q1 or early Q2.

Chambers-Hess Roads Subarea Plan Adoption

The *Chambers and Hess Road Subarea Plan* was adopted by Town Council in late 2020. The 125-acre study area is located around the intersection of Chambers Road and Hess Road and is expected to experience planned growth over the next 20 years. The Plan provides a high-level conceptual roadmap for commercial and mixed-use development, and a community gateway entry character at this intersection to the planned residential communities' south of Hess Road. The Plan will guide the implementation of the Town's community vision for managed planned growth, and establishes an appropriate balance between housing, commerce, open space, and directing neighborhood-focused commercial and mixed-use development for this area. The Chambers-Hess Roads Subarea Plan is available to view at www.ParkerOnline.org/ChambersHessPlan.

Community Development - con't

Development Review - Project Updates

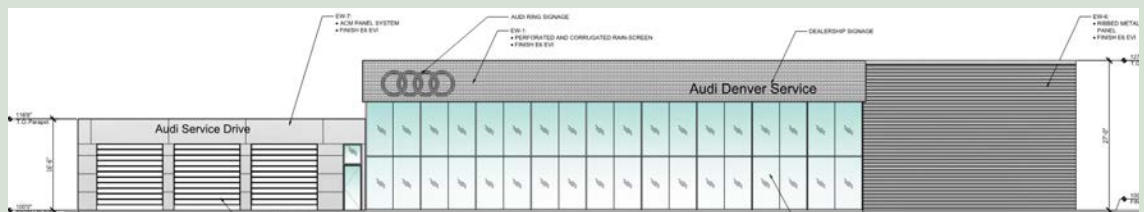
Development Projects of Interest - Under Review

See the Development Tour Map at www.ParkerOnline.org/Development for information on all projects in Town.

Project Description	Project Type	Case #
Newlin Crossing <i>* NE corner of Chambers Road and Mainstreet</i> <i>* 290 single-family lots along with parks and open space</i>	Sketch Plan Preliminary Plan	SUB20-041 SUB20-042
Parker and Pine Lane Multi-Family Development <i>* SW corner of Parker Road and Pine Lane</i> <i>* 186 multi-family housing units</i>	Site Plan	SP20-084
Olde Town/Senderos Creek North <i>* S of Mainstreet, E of Jordan Road</i> <i>* 122 townhomes along with parks</i>	Sketch Plan Preliminary Plan	SUB20-038 SUB20-039
Olde Town/Senderos Creek Office and Commercial <i>* S of Mainstreet, E of Jordan Road</i> <i>* Two 24,761 sq. ft. two-story commercial/office buildings</i>	Site Plan	SP19-131
Lincoln Professional Park (Peaslee) Commercial <i>* SE corner of Lincoln Avenue and Dransfeldt Road</i> <i>* Future commercial uses</i>	Annexation Zoning	ANX20-006 Z20-019
Clarke Commercial, Oralabs Addition <i>* N of Plaza Drive, E of Twenty Mile Road</i> <i>* 27,174 sq. ft. addition to existing Oralabs facility</i>	Site Plan	SP20-111
Crown Point Retail <i>* NE of Parker Road and E-470</i> <i>* 19,700 sq. ft multi-tenant retail building with specialty grocer</i>	Site Plan	SP20-108
Anthology North <i>* S of Hess Road, W of Motsenbocker Road</i> <i>* 496 lots, future development tracts, parks and open space on 1,099 acres</i>	Sketch Plan Preliminary Plan	SUB20-005 SUB20-006
Looking Glass (Hess Ranch) Final Plats <i>* SW of Crowfoot Valley Road and Stroh Road</i> <i>* 588 single family detached lots, along with parks, trails and open space</i>	Final Plats	SUB19-034 to 035 SUB19-041
Looking Glass (Hess Ranch) Segment 2A <i>* SW of Crowfoot Valley Road and Stroh Road</i> <i>* 905 residential lots, future development and commercial tracts, parks and open space on 342.86 acres</i>	Sketch Plan Preliminary Plan	SUB20-010 SUB20-011

Project Focus: New Audi Automobile Service Center

Currently under review on the northwest corner of Twenty Mile Road and Ponderosa Drive is a new Audi service facility. The project proposes a two-story, 43,660 square foot



Audi service building that includes administrative offices, customer

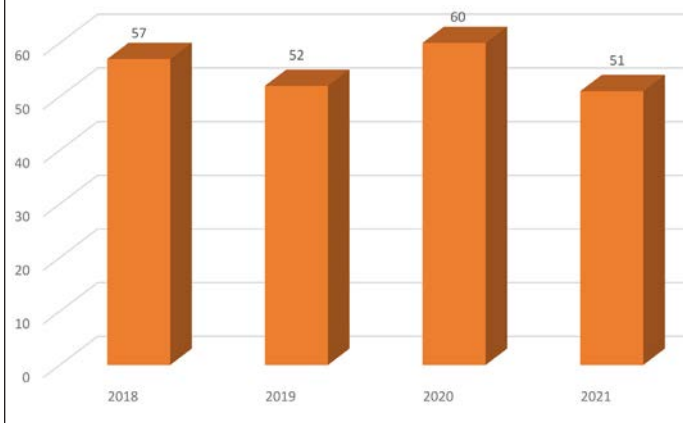
waiting area with amenities and service and repair bays.

Community Development - con't

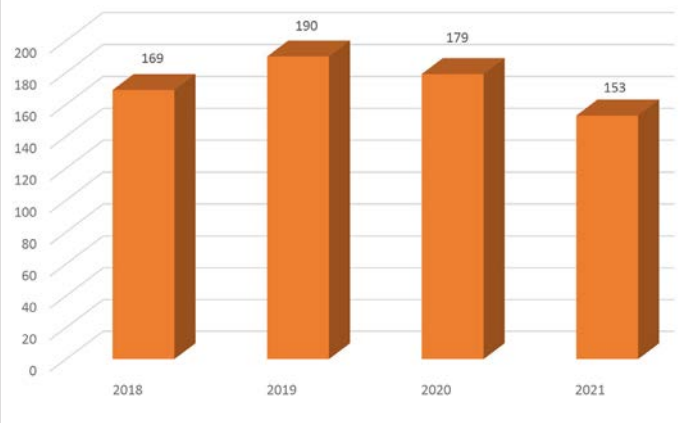
Major Administrative Approvals - 1st Quarter 2021

Proposal	Applicant	Case #	Approval Date
Meadowlark Filing No. 3 <i>* E of Crowfoot Valley Road, 1/2 mile S of Stroh Road</i> <i>* Residential development with 114 single-family homes</i>	Meritage Homes	SUB19-049	March 1
Stroh Crossing Bank of America <i>* NE corner of Parker Road and Stroh Road</i> <i>* 4,681 sq. ft. bank with drive-thru</i>	Bank of America	SP19-070	Feb. 26
New Horizon <i>* W of Newlin Gulch Blvd, S of Mainstreet</i> <i>* 19,370 sq. ft. addition to Lutheran High School</i>	Lutheran High School	SP20-070	March 9

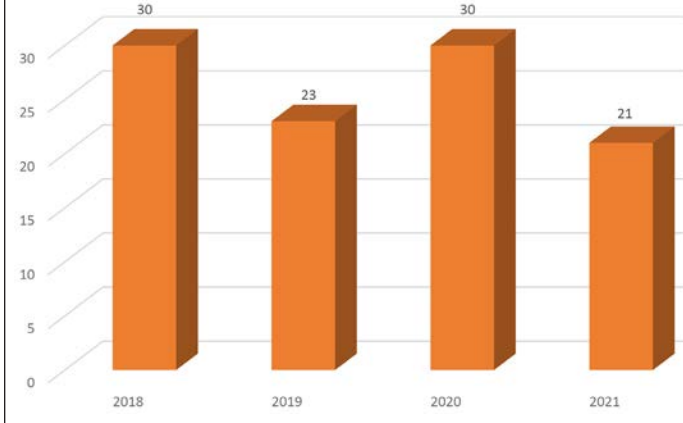
Development Review Submittals - 1st Quarter



Development Review Submittals* - Year Total



Development Review Approvals - 1st Quarter



* Figure is the annual projection for the year 2021

See the Development Tour Map at www.ParkerOnline.org/Development for information on all projects in Town.



Cultural Department

Education

- Parker Arts opened 2021 with nearly a full schedule and a handful of virtual classes and modified schedules. A total of 193 classes were offered during the winter/spring season with over 1,100 enrollments. Due to COVID restrictions, capacity was limited, classrooms were set to adhere to strict social distancing, and all class performances took place virtually. Vendors also provided virtual classes in addition to in-person classes.
- Three spring break camps were at capacity, and despite a snow-day, ended successfully with positive experiences and safe interaction for all students, parents and staff.
- Due to closures in November and December, Parker Arts and On Pointe School of Dance completed the 2020 dance semester with four virtual performances of Clara's Dream on Jan. 29 and 30. Students, parents, and staff took great precaution to keep everyone safe following Tri-County Health guidelines while Parker Arts staff purchased and became proficient in videography equipment for a dynamic virtual experience for audiences.
- Parker Arts Education reconnected with elementary schools and offered two virtual engagements for grades 3 through 5, Harriet Tubman, Straight Outta the Underground and Doktor Kaboom: It's Just Rocket Science. Communications went to Douglas County, Aurora, Cherry Creek, Jefferson County, Boulder County, Denver County and Elbert County school districts.

Development

- In Q1 2021, Parker Arts members enjoyed free monthly Zoom events, including an hour-long event with magician Shawn Preston, a cocktails and conversation hour with mixology tips and recipes, and a book talk with Lisa Schulz, author of Essential Denver. Members also enjoyed first access to purchase tickets for shows at the PACE theater this spring.
- This is the second year of support from the Colorado Creative Industries Grant.
- IREA returned as a sponsor this year and is sponsoring our Family Discovery Series.
- A new partnership was formed with the Council of Arts, Science & Culture (CASC) and Parker Arts who are working together to plan the first Parker Science Day at Discovery Park on May 23.

Concessions

- Parker Arts has established a new opportunity for pre-ordering concessions to promote contactless payment for our presented shows scheduled this spring. Each patron is able to fill out a concessions order form prior to the show date, allowing them to skip the line and pick up their waiting order upon arrival. In the future, we hope to integrate the ordering process with a new register system to make it more streamlined and customer friendly.

Facility Rentals

- We are excited to announce that we have purchased a tent for outdoor events in the Plaza space located between The Schoolhouse and Ruth Memorial Chapel. The tent will be able to host up to 200 people and will be up from Memorial Day to Labor Day.

Outreach

- In partnership with Lutheran High School and Parkside Retirement Community, we continue to offer art workshops via Zoom for senior citizens. This continues to be a very positive program with the interaction of several generations working together.

Box Office

With continuing attendance limitations and social distancing mandates in place, we essentially achieved full capacity for all of the below shows:

- The Long Run: Colorado's Tribute to The Eagles (SOLD OUT) — 140 seats
- CJRO: An Evening of Latin Jazz — 111 seats
- The Comedy Zone: Al Goodwin and James Zingelman — 105 seats
- Hazel Miller and The Collective — 129 seats



Economic Development

Supporting Parker's Business Community

As we mark the one-year anniversary of the COVID-19 shutdown, we are all taking a step back, reflecting where we stand and what holds next for our economy and community. Conditions are improving as vaccinations increase, employers are starting to hire and bring back workers, consumer confidence is on the rise, and many of our hardest-hit industries are looking to rebound from recession.

As we continue to reopen our local economy, now, more than ever, small and medium-sized businesses in our community are looking for information on how to enhance their business operations as we prepare for the "new normal" post-COVID-19. Let the Town of Parker's Economic Development Division and our partners support you through this important transition. We are here to work collaboratively with you to solve problems, connect your business to resources, and help you come back stronger! Below are several business resources you can access to help your business survive, thrive and keep you connected.

Parker Business Revolving Loan Fund

The Town of Parker, in partnership with the Colorado Enterprise Fund (CEF), has created the Parker Business Revolving Loan Fund to provide access to capital and business coaching for start-up and existing small businesses in the Town of Parker that are unable to secure traditional bank financing. Visit CEF at ColoradoEnterpriseFund.org.

Parker Area Chamber of Commerce

What they do? Help facilitate members' growth, promote the creation of new business in the Parker area, host events to the benefit of Parker's community, foster community spirit, and provide informational resources to the community. To learn more about all the wonderful resources the Chamber has to offer, visit them at www.ParkerChamber.com.

Downtown Parker Business Alliance

Downtown Parker is where business gets done. Located in the heart of our community, Downtown Parker is full of fun and excitement. From local shops selling amazing locally made products to incredible fine dining, Downtown Parker won't disappoint you and your friends. To support our local businesses and learn more about our downtown, visit www.DowntownParker.com.

Southeast Christian Church Small Business Assistance (RESTART Program)

Southeast Christian Church has a RESTART Program for small businesses that provides financial help, business advice and general assistance to get Parker businesses striving again. If you would like to be considered to be a recipient of small business assistance, please apply at www.SoutheastCC.org/Give.

Douglas County Economic Recovery Programs

To learn more all the business resources in Douglas County visit the economic recovery information for businesses page at www.douglas.co.us/douglascovid19/economic-recovery.

Hire and Recruit for Confidence with Arapahoe/Douglas Works!

Arapahoe/Douglas Works! provides a wide variety of no-cost services to help employers meet their recruitment goals and ensure a qualified workforce. Their Business Development Representatives are experienced in listening to employers' needs and providing solutions to save your organization time, money and valuable resources. Visit www.ADWorks.org for more information.

Douglas County Libraries

Douglas County Libraries holds an amazing wealth of information in starting new businesses or enhancing an existing enterprise. Whether you are looking for business planning or employee training resources – or everything between – you'll find what you need at www.DCL.org.

Aurora-South Metro Small Business Development Center (SBDC)

The Aurora-South Metro SBDC helps small businesses grow and prosper through consulting services, trainings, and connection to resources. Visit www.Aurora-SouthMetroSBDC.com for more information.

Small Business Administration (SBA)

The SBA has worked to ignite change and spark action so small businesses can confidently start, grow, expand, or recover. Visit the SBA to learn about all the COVID-19 guidance & resources at www.SBA.gov/Page/COVID-19-Guidance-Resources.



continued>>>

Economic Development - con't

Supporting Parker's Business Community (con't)

Colorado Office of Economic Development and International Trade (OEDIT)

Colorado OEDIT has created a comprehensive business resource center that includes information about various federal, state and local programs that are available to small business during the COVID-19 pandemic. Visit OEDIT.Colorado.gov/COVID19 for more information.

Colorado Loans to Increase Mainstreet Business Economic Recovery (CLIMBER) Loan Fund

The CLIMBER Loan Fund is a statewide program that will provide up to \$250 million in working capital loans to Colorado small businesses through 2023. It will promote small businesses recovery, save jobs, and help support the Colorado economy. Small businesses with five to 99 employees that were financially stable

Looking Forward

As we continue to prepare for the post COVID-19 recovery, we will look to create a forward-thinking economic development strategic plan to advance economic prosperity and resiliency in the Town of Parker.

This strategic framework will include strategies to advance primary employment, talent development, industry sector diversification, small business support, protecting and enhancing our creative economy, corridor revitalization, transportation and mobility, improving cooperation with our public and private sector partners, and tell the Town of Parker story through marketing, branding and communication.

Please reach out to Bo Martinez, the Town of Parker's Deputy Town Administrator, at bmartinez@parkeronline.org or 303.805.3164 for anything related to business and economic development.

prior to the pandemic but now need help to survive may apply for working capital loans between \$30,000 and \$500,000. Below-market interest rates and a one-year deferred

payment option make the program a secure recovery option for small businesses. Visit Climber-Colorado.com for more information.

Follow Town of Parker Economic Development

Our Economic Development Division has a strong online presence, including profiles on various social media channels. Connect with local business resources on the following platforms:

Town of Parker Website

(www.ParkerOnline.org/EconomicDevelopment)

- Visit the Economic Development Division section of the Town of Parker website for information on business resources, community and business demographics, site selection resources and more. Visitors are also encouraged to sign up for our Local Business Email Blast list for the latest news about resources that are available for our business community.

Facebook

([@ParkerEconomicDevelopment](https://www.facebook.com/ParkerEconomicDevelopment))

- Parker businesses are encouraged to follow this Facebook page for the latest breaking news and information regarding resources that are available to assist our local business community.

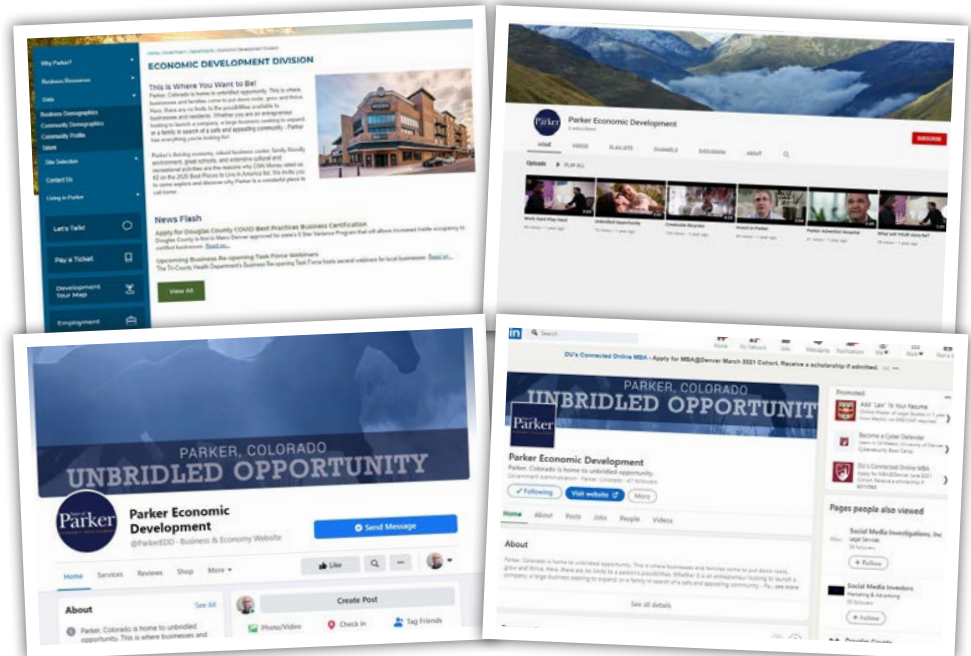
YouTube

- The Economic Development Division's YouTube page includes a variety of videos featuring success stories about businesses that have thrived by locating their operations in the Town of Parker.

LinkedIn

(www.LinkedIn.com/Company/Parker-Economic-Development)

- LinkedIn provides our Economic Development Division with a platform to advertise the Town of Parker as an appealing community to locate for businesses, both local and non-local.





Engineering and Public Works

Stormwater Capital Improvement Projects

Cherry Creek at KOA

- Channel and bank stabilization from McCabe Meadows Trailhead Parking lot to a point approximately 1,000 feet north

Construction commenced in December 2020 with completion anticipated by the end of April. Additional revegetation efforts will be employed as necessary until final stabilization and permit close-out is achieved.

Lemon Gulch at Meadowlark

- Channel and bank stabilization from Crowfoot Valley Road to the Meadowlark property boundary approximately 1,500 feet east

This fee-in-lieu improvements project has been substantially completed and is currently under revegetation monitoring. Additional revegetation efforts will be employed as necessary in the spring and beyond until permit close-out is achieved.

Lemon Gulch at Looking Glass

- Channel and bank stabilization from the Looking Glass property boundary west of Crowfoot Valley Road to a point along Lemon Gulch approximately 4,000 feet southwest

This fee-in-lieu improvements project is currently under review for permitting. Developer funding and construction is anticipated for the second quarter of 2021.

West Stroh Gulch at Anthology North

- Channel and bank stabilization from an existing drop structure immediately upstream of French Creek Loop to a point along West Stroh Gulch approximately 5,100 feet southwest

This fee-in-lieu improvements project is currently under final design and permitting with construction anticipated for the summer/fall.

Brandy Gulch at Looking Glass

- Channel and bank stabilization from the confluence point with Lemon Gulch to a point along Brandy Gulch approximately 2,700 feet west

This fee-in-lieu improvements project is currently under construction with substantial completion anticipated by the end of spring. Additional revegetation efforts will be employed as necessary in the spring and beyond until permit close-out is achieved.

Cherry Creek at Dransfeldt

- Channel and bank stabilization from PSCo transmission lines to a point approximately 2,500 feet south

This capital improvement project is within the preliminary design phase with final design anticipated through 2021 and construction anticipated for early summer of 2022.

Parks and Recreation Projects

Jordan Road Undercrossing

- Construction of an undercrossing along the East-West Regional Trail at Jordan Road

Bidding efforts are complete. Construction of Phase 1 is anticipated to start in early April. Phase 1 primarily consists of asphalt, concrete and median removals necessary for the start of the work. Upon completion of Phase 1, the contractor (HEI Civil) will begin work on the east half of the concrete box culvert and corresponding utility relocates while shifting traffic to the west lanes. Upon completion of Phase 2, work will begin on the west half of the concrete box culvert and corresponding utility relocates while shifting traffic to the east lanes. The project is anticipated to be completed in late 2021.

Green Acres Tributary at Compark Village South

- Channel and bank stabilization from a Culvert under E-470 to a point along Green Acres Tributary approximately 4,200 feet southwest

This fee-in-lieu improvements project is currently approved and funded with construction anticipated to begin in the spring once mass earthwork operations have been substantially completed by the master developer.

Jordan Tributary at Bradbury Ranch

- Channel and bank stabilization from an existing stormwater pond immediately upstream of Mainstreet to a point along Jordan Tributary approximately 3,600 feet north

This capital improvement project is within the conceptual design phase with final design anticipated to begin this spring and construction anticipated for the winter.

Engineering and Public Works - con't

Roadway Capital Improvement Projects

Cottonwood Drive Widening

- *Jordan Road to Cottonwood Way*

Construction on the project is underway. Current focus of the project is the new Cherry Creek bridge to the south of the existing Cottonwood Drive bridge. The overall project is anticipated to be completed in late 2021.

Motsenbocker/Hess Intersection Improvements

- *Improvements at the Motsenbocker/Hess intersection and widening south*

Design on the project has commenced. Construction is anticipated to begin in 2021, pending right-of-way/easement acquisitions needed for the project.

Southwest Parker Road/Mainstreet Improvements

- *Widening of turn lane at the southwest corner of Parker Road/Mainstreet*

Design on the project is substantially completed. Construction is anticipated to begin in 2021 pending right-of-way/easement acquisitions needed for the project.

Parker Road Sidewalk Project - South

- *Installation of a multi-use trail/sidewalk on the west side of Parker Road between Twenty Mile Road and Hess Road, along with a spur to the Cherry Creek Trail*

Design is underway, and the Town has received approval for partial State multi-modal funding for this project. An intergovernmental agreement was approved by Town Council in October 2020 to solidify State funding. Bidding on the project is anticipated to occur this spring with construction in the second half of 2021.

Jordan Road/Cottonwood Subdivision Mid-Block Pedestrian Crossing

- *Installation of a mast arm pedestrian hybrid beacon on Jordan Road between the Sandreed Circle and Apache Plume Drive intersections*

This new beacon is operational. Minor punch list items are being performed to clean up the project.

North Parker Road Operational Improvements

- *Traffic and multi-modal operational improvements on Parker Road between Lincoln Ave and E-470*

Project design has commenced.

Responsive Signal System Expansion

- *Installation of seven new count stations and monitoring equipment, as well as creation of new Traffic Responsive control signal programming*

Design work is complete. Staff is working with CDOT on an intergovernmental agreement for funding. Public bidding for the project is expected to be held this summer, with the system fully operational by spring 2022.

Nate' Drive Reconstruction

- *Removal and replacement of concrete surface between Hess Road and J Morgan Boulevard with composite section, including base and asphalt surface, in addition to removal and replacement of damaged curb, gutter and sidewalk*

Work on this project began in early April.

Annual Roadway Maintenance Projects

Diamond Grind and Joint Seal - 2020

- *Diamond grinding and joint sealing of the Hilltop Road concrete pavement from Parker Road to Narrow Pine Parkway*

The project is 80% complete and expected to be finished later this spring.

Roadway Resurfacing - 2021

- *Roto-milling and resurfacing Twenty Mile Road from Mainstreet to Lincoln, Lincoln Meadows Pkwy from Lincoln to Dransfeldt, and Mainstreet from Riva Ridge to east Town boundary*

This project is scheduled to begin in June.

Parking Lot Maintenance - 2021

- *Concrete repairs and asphalt preservation, Parker Police Department, Town Recreation Center, Dog Park*

This project is scheduled to begin in June.

Concrete Repair - 2021

- *Misc. sidewalk, concrete pavement and curb and gutter repairs*

This project is scheduled to begin in May.

Townwide Pavement Preservation - 2021

- *Microsurfacing, slurry seal and chip seal on local, collector and arterial streets*

This project is scheduled to begin in May.



Asphalt Rejuvenation - 2021

- *Application of asphalt rejuvenator to surface to extend pavement life, Cottonwood Highlands and Salisbury Heights*

This project is scheduled to begin in June.



Parks and Recreation

Sports

- There was a major cardiac event at the Fieldhouse on March 8 during an Adult Soccer game. The Parker Police Department was called, and Emergency Medical Services took the player in the ambulance to Parker Adventist Hospital. The Sports staff on site used the AED to deliver a shock (Paige Burkett) and performed lifesaving chest compressions (Marlene Romero, soccer official) to restart the players breathing, ultimately saving her life. Tanya Souders, Bobby Warner and Kyle Dickey were the other Sports team members on site providing critical communication. Karinne Monn, the Guest Service Representatives and the Facilities team helped direct traffic, clear the scene and meet EMS. All staff on site worked together to assure the player was cared for. The AED, compressions that were administered and quick access to EMS saved this player's life.

Kids' Zone

- Class maximums have increased from 8 to 10 and some classes have wait lists.
- Summer enrollment opened on April 1st and has been very well received. Parents are excited about the summer offerings.
- January through March Babysitting Class enrollment was around five kids, while April's class has 15 enrolled.

Day Camp

- Parker Fieldhouse Day Campers had a blast during Spring Break week. The group participated in a variety of fun games and a St. Patty's Day Craft!

Fitness and Wellness

- Todd Panik was interviewed for Community Rec Magazine about our use of virtual group fitness classes. Read the story online at www.CommunityRecMag.com/Increase-Virtual-Presence-with-Remote-Classes.

Parks

- The Parks Division begin its annual transition from Winter activities to Spring/Summer activities, including Ice Trail tear-down, planting Pansies (yep... blizzard less than 3 weeks ago!), cutting Ornamental grasses and athletic field prep for season opening.

Forestry/Open Space

- The Forestry/Open Space team began its annual transition from Winter activities to Spring/Summer activities, including seasonal preparation for upcoming Integrated Pest Management practices in the Open Spaces, as well as tree pruning activities in the Town's parks and on facility properties

Facilities

- H2O'Brien Pool season passes will be sold starting May 1.
- The Parker Recreation Center has returned to normal hours of operations:
 - * Mon.-Fri. (5 a.m.-10 p.m.)
 - * Sat.-Sun. (7 a.m.-5 p.m.)
- Fieldhouse facility rentals remain very popular.
- The Climbing Wall has been busy with drop-ins and rentals. During drop-in periods, the wall has filled to capacity 80% of the time. The Climbing Wall team has worked hard to provide the service to different members of the community.
- New rental groups include a church youth group and WarriorNow, a veteran support group.
- Skate and Climb Night enrollment increased from 46 in February to 107 in March.
- Birthday Party inquiries increased from 17 in February to 29 in March.



Ice Trail

- The Ice Trail at Discovery Park was able to operate at a limited capacity for the 2020/2021 season. Despite the capacity restrictions, many great experiences were shared through reviews and feedback. Staff provided exceptional service and helped provide a great experience through a difficult season for many.

Parks and Recreation - con't

Therapeutic Recreation/ Active Aging Adults

- In March, the Therapeutic Recreation Division was able to host a Movie Night at an AMC Theater for a private showing. Twenty lucky participants were able to join us for a safe night back at the theater for a popcorn-filled, fun, family-themed movie. It was a very successful event and received very positive reviews.



By the Numbers

Day Camp

132

Campers signed up for camp this summer. Just under 200 campers have requested to fill out their ePACT enrollment records.

Sports

297

Spring Kinder (ages 3 to 6) Sports participants.

1,491

Spring Youth Sports participants.

108

Spring Adult Sports participants.

48

Free Agents placed on Sports teams.

Discovery Park Ice Trail

14,345

Total visits for the 2020/2021 season.

Therapeutic Recreation/ Active Aging Adults

3,230

SilverSneakers and Renew Active Membership usage.

Fitness and Wellness

8,123

In-person group fitness classes offered.

418

Monthly virtual registrations.

774

Personal training sessions during this time.

Facilities

746

Memberships sold.

1,150

Renewed or restarted memberships.

Parks

*Parks and Forestry/
Open Space crews put
the following people,
hours and resources
into cleaning up the 23-
inch Xylia blizzard over
11 days, start to finish:*

21

Crew Members

3

Managers

15

Trucks

1,002

Total staff hours for final clean-up.

4

Town property sidewalks and stairs shoveled.

85, twice

Miles of Residential roadways cleared by staff (in addition to work completed by Streets Division staff).

38, 5 times

Acres of Town property grounds cleared (plazas, parking lots, driveways, etc.).

23, twice

Miles of Town trails cleared.

27

Miles of Town sidewalks cleared.

9,824,895

Cubic inches of heavy, wet snow cleared (water equivalent to 25 full H2O'Brien Pools).

Forestry/Open Space

2,500

Trees chipped during the annual Christmas Tree Recycling Program.

200

Cubic yards of chip mulch donated to local nurseries.

82

Trees planted during Fall tree planing efforts.



Parker Police



Hero of the Year

The American Red Cross awarded Officer Landon Guzzo (pictured above) the Hero of the Year Award. Landon was recognized for his life-saving efforts and was one of only six winners in Colorado and Wyoming. Landon saved five lives in his first 13 months as a solo officer, including one on his first day.

New Officers

Officers Hennager, Orjuela, and Stensvad were sworn in as the newest police officers of the Parker Police Department. Chief Tsurapas pinned the badge on each officer after they took their oath to serve the Town of Parker. Throughout the next 4-5 months, you will see our new Officers out with a Patrol Training Officer as they work towards solo status.

DUI Prevention

DUI prevention messaging and enforcement for St. Patrick's Day was a focus for the Parker Police Department. Three officers ran traffic enforcement, and there were 16 traffic stops after 4:00 p.m. We're happy to report zero DUI's.

Property and Evidence Room Accreditation

The Parker Police Department is the first law enforcement agency in North America to have a property and evidence room accredited three times by the International Association for Property and Evidence. The accreditation process is a management model and a blueprint for self-improvement, strengthening accountability within the agency and the community it serves.

Traffic Enforcement Map

Pins marking traffic stops are now being placed on the Parker Police Department's interactive traffic map on Let's Talk Parker. Placing traffic stops and traffic enforcement pins on the map will give Parker residents a better understanding of what our traffic safety efforts look like. This will also show residents how responsive we are to their requests for increased education and enforcement.

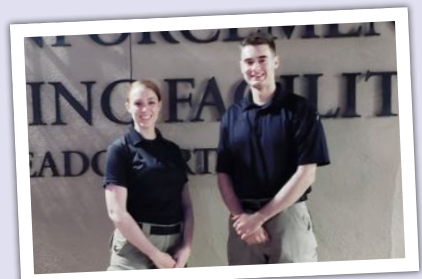
Human Trafficking Class

The Parker Police Department partnered with the Douglas County Youth Education and Safety in Schools program to present a class on human trafficking. Digital Risk and Human Trafficking was a virtual class with tips on spotting human trafficking and testimony from a victim. Resources were also provided for anyone who may know someone affected by human trafficking.

Community Outreach



- The Parker Police Department put together a video of our staff members reading a book to celebrate Reading Across America Day for Parker kids. Chief Jim Tsurapas (pictured above) led off The Book with No Pictures, and a total of 15 police department staff members participated.
- Our first-ever virtual Citizen's Police Academy is underway. The virtual Citizen's Police Academy will be 12 weeks long and highlight various PD departments and functions. We paused many community outreach programs last March due to COVID-19, and the Academy is one of the first to restart.



- Cadets Brandon Litwiller and Leslie Mattern (pictured above) are sharing a weekly update on our Facebook page from the academy. These weekly updates allow Parker residents to see the challenges and triumphs the cadets experience and humanizes our officers to the community. Sharing the 21-week academy's details with Parker residents also shows how much training goes into becoming a police officer. These posts are seen by an average of 6,000 people.



Town Clerk's Office

Statistics – 1st Quarter 2021

Community Event Permits

- 2017 Total – 68
- 2018 Total – 60
- 2019 Total – 74
- 2020 – 51 (27 withdrawn due to COVID-19)
- YTD 2021 – 11

Special Events Permits Processed (Events with Liquor)

- 2017 Total – 33
- 2018 Total – 31
- 2019 Total – 23
- 2020 – 9 (6 withdrawn due to COVID-19)
- YTD 2021 – 4

Active Liquor Licenses

- 2017 – 97
- 2018 – 107
- 2019 – 117
- 2020 – 117
- YTD 2021 – 119

Open Records Requests

- 2017 Total – 120
- 2018 Total – 119
- 2019 Total – 187
- 2020 – 194
- YTD 2021 – 33

Peddlers and Solicitors Permits

- 2017 Total – 30
- 2018 Total – 18
- 2019 Total – 21
- 2020 – 18
- YTD 2021 – 3

**TOWN OF PARKER COUNCIL
MINUTES
APRIL 5, 2021**

Mayor Jeff Toborg called the meeting to order at 4:32 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were seven (7) items. Under C.R.S. § 24-6-402(4)(b) there were three (3) items; the first was to receive legal advice on specific legal questions concerning C.R.S. Section 31-12-108, related to the annexation of real property located at the southeast corner of the intersection of Dransfeldt Road and Lincoln Avenue commonly known as the Peaslee Property (eligibility hearing process); the second item was to receive legal advice on specific legal questions concerning H.R. 1319, The American Rescue Plan Act of 2021; and the third item was to receive legal advice on specific legal questions concerning Colorado Department of Public Health and Environment Ninth Amended Public Health Order 20-36 – COVID-19 Dial, dated March 23, 2021. Under C.R.S. § 24-6-402(4)(e) there was three (3) items; the first item was concerning Sections V.C. and X. of the Consolidated Service Plan for Chambers Highpoint Metropolitan District Nos. 1 and 2, as amended, concerning an Intergovernmental District Facilities Construction and Administrative Services Agreement; the second item was the proposed amendment to Resolution No. 19-023, Series of 2019, a partial waiver to defer compliance with certain requirements for the processing of the sketch and preliminary plan for certain segments of the Anthology North property until those segments are ready for development; and the third item was the proposed amendment to Resolution No. 19-028, Series of 2019, a partial waiver to defer compliance with certain requirements for the sketch and preliminary plan for certain segments of the real property commonly known as the Hess Ranch property until those segments are ready for development. Under C.R.S. § 24-6-402(4)(a) there was one (1) item which was the Ground Lease between The Town and Parker Tennis Center, LLLP, dated October 2, 2017 (proposed site plan amendment for Parker Tennis facility).

EXECUTIVE SESSION

Todd Hendreks moved and Cheryl Poage seconded to go into Executive Session at 4:35 P.M. to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b); 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 consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a).

The motion was approved unanimously.

Cheryl Poage moved and Todd Hendreks seconded to come out of Executive Session at 5:47 P.M.

The motion was approved unanimously.

Cheryl Poage moved and Todd Hendreks seconded to recess the regular Town Council meeting until 7:00 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Toborg reconvened the meeting at 7:02 P.M. All Councilmembers were present.

The Mayor led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Senator Jim Smallwood (District 4) provided an update on various legislation in the 2021 legislative session.

PARKER CHAMBER OF COMMERCE UPDATES

Kara Massa provided an update on Chamber activities for the month.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Kris Schnell provided an update on Downtown Business Alliance activities for the month.

PUBLIC COMMENTS

None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember reported on meetings they attended since the last Town Council meeting.

Cheryl Poage asked to bring back Ordinance No. 5.59.2 concerning noise regulations for reconsideration on April 19, 2021 to reset a second reading date. After a brief discussion, Council decided to wait until June 7, 2021 to hear the ordinance on second reading.

CONSENT AGENDA

A. *APPROVAL OF MINUTES - March 22, 2021*

B. *CONTRACTS OVER \$100,000*

1. *2021 Townwide Pavement Markings-Crosswalks/Symbols (CIP21-007)*

Amount: \$176,054

Contractor: Kolbe Striping

Department: Engineering and Public Works, Spencer Raish

2. *Lemon Gulch Trail Low-Water Crossing Design Contract*

Amount: \$129,783
Contractor: Muller Engineering Company
Department: Parks, Recreation and Open Space, Dennis Trapp
Engineering and Public Works, Chris Hudson

3. *2021 Facility Master Plan*

Amount: \$330,000
Contractor: Stantec
Department: Engineering and Public Works, Jim Gilbert

C. PROCLAMATION - Building Safety Month

John Diak moved to approve Consent Agenda items 7A through 7C.

Todd Hendreks seconded the motion.

The motion was approved unanimously.

PUBLIC HEARINGS

A. LINCOLN PROFESSIONAL PARK - Annexation Eligibility Hearing

Applicant: Ryanne Sass, Plaza Street Partners
Location: Generally located on the southeast corner of Lincoln Avenue and Dransfeldt Road
Department: Community Development, Stacey Nerger
TRAKiT No.: ANX20-006

7:36 P.M.

The Lincoln Professional Park Property is located at the southeastern corner of the intersection of Lincoln Avenue and Dransfeldt Road. This property is approximately 4.4 acres in size and is undeveloped except for several dilapidated agricultural buildings. The adjacent properties and the surrounding area are located in the Town of Parker.

The applicant proposed concurrent annexation and zoning as required by the Town Land Development Ordinance and Town Charter. The proposed zoning to C-Commercial will permit future commercial development including retail, service and restaurant uses. The Lincoln Professional Park property that is proposed for annexation is located within the Town's Planning Area and identified in the 2020 Three-Mile Plan and is recommended for future annexation in the Parker 2035 Master Plan. Staff's review of the submitted annexation map indicates that the subject property satisfies the contiguity requirement of the Municipal Annexation Act of 1965 pursuant to C.R.S. § 31-12-104(a).

Applicant:

Lindsay Lyda, 950 17th Street, Suite 1600, Denver, Colorado

The applicant asked Council to approve Resolution No. 21-018 and set the annexation ordinance for public hearing on May 17, 2021.

Public Comment: None.

The Public Hearing was closed at 7:42 P.M.

RESOLUTION NO. 21-018

A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Lincoln Professional Park Property for Annexation into the Town of Parker

Todd Hendreks moved to approve Resolution No. 21-018 and set the annexation ordinance hearing for May 17, 2021.

Laura Hefta seconded the motion.

The motion was approved unanimously.

B. ROBINSON RANCH FILING 2, AMENDMENT 2, LOT 8 - Use By Special Review

Applicant: Dr. Lindsay Mamula

Location: Generally located southeast of Parker Road and Hess Road

Department: Community Development, Krista Flynt

TRAKiT No.: Z20-015

7:43 P.M.

The applicant, Lindsay Mamula of the Veterinary Center of Parker, requested a Use by Special Review (UbSR) approval for a new veterinary hospital and pet boarding facility on Lot 8 of Robinson Ranch Filing 2, Amendment 2. The subject property is zoned as part of the Robinson Ranch Planned Development (PD) and is located in Planning Area C, designated Commercial, that permits veterinary clinics and hospitals through the UbSR process.

The subject property has a total area of 1.4 acres or 61,550 square feet and is currently undeveloped. The applicant proposes to build a 22,116 square foot commercial building with a 512 square-foot outdoor pet run/relief area, parking lot and accessory improvements. The Veterinary Center of Parker is currently located in the Robinson Ranch PD within an existing multi-tenant commercial building fronting Hess Road. The proposal would enable the applicant to construct a larger building to expand their business and offer additional services such as the boarding of pets.

The subject property is located within a designated, mixed-use Neighborhood Center according to the Parker 2035 Master Plan. The proposed veterinary hospital and pet boarding facility will be located in a designated commercial Planning Area within the Robinson Ranch PD and is adjacent to existing commercial uses. Veterinary hospitals are classified as commercial services, which is consistent with General Land Use Plan recommendations in Chapter 6 of the Master Plan. The proposal is compatible with adjacent uses and is consistent with the Parker 2035 Master Plan including the Land Use Plan and Neighborhood Center designation.

Staff has reviewed the proposal against the nine (9) criteria for consideration of a UBSR application set forth in the Land Development Ordinance and has determined that the proposal meets the criteria for approval subject to the proposed conditions.

The Planning Commission unanimously recommended the approval of the Use By Special Review application at its March 25, 2021 Planning Commission meeting with conditions.

Applicant:

Dr. Lindsay Mamula -12311 Pine Bluffs Way #115, Parker, described the business model and asked Town Council to approve the Use by Special Review application.

Public Comment: None.

The Public Hearing was closed at 7:51 P.M.

John Diak moved to approve, based on staff findings, with the following conditions:

1. That the Use by Special Review materials stamped by the Community Development Department on March 25, 2021, shall be the approved Use by Special Review materials.
2. The applicant will operate the facility using fecal removal procedures on a daily basis. The applicant will ensure that fecal matter will be immediately cleaned up, disinfected with a pet safe and environmentally friendly product (for example a hydrogen peroxide-based product) and then kept in a lid sealed container. To prevent accumulation of feces on site, the feces will be frequently removed from the site by a third party.
3. Following the Use by Special Review Approval, a site plan will need to be reviewed and approved by the Community Development Department.
4. Operations of the facility will be subject to the Town's noise ordinance, as amended.
5. A building permit shall be required for any interior or exterior work completed on site.
6. This approval shall expire sixteen (16) months after the date of approval unless a building permit or grading permit has been applied for. The Community Development Director, upon written request, may grant a ninety (90) day extension.

Laura Hefta seconded the motion.

The motion was approved unanimously.

RESOLUTIONS

A. RESOLUTION NO. 21-019

A Resolution Approving the Form of Intergovernmental District Facilities Construction and Administrative Services Agreement Between Chambers Highpoint Metropolitan District No. 1 and Chambers Highpoint Metropolitan District No. 2

Department: Town Attorney, Kristin Hoffmann

Town Attorney Maloney stated for the record, "on June 15, 2020, Town Council passed a motion that disqualified Councilmember Poage from participating in public hearings that involved the consideration of residential metropolitan district service plans. The agenda item that is before you now, involves a residential metropolitan district. However, due to the fact that the current Town Council is limited to four members and the Town Charter requires four members to constitute a quorum to hold a meeting and conduct business, Councilmember Poage may vote on this matter because her participation is necessary to maintain a quorum and enable the Town Council to vote on this matter. This is what is commonly referred to as the rule of necessity."

The Deputy Town Attorney stated that the Town Council approved the Consolidated Service Plan for the Chambers Highpoint Metropolitan Districts on October 3, 2016. The Consolidated Service Plan was amended by a First Amendment to Consolidated Service Plan, which was approved by the Town Council on March 18, 2019. The districts desire to enter into the attached agreement to set forth the contractual relationship between the two districts. Under the agreement, District No. 2 will be the "Operating District" and as such will contract for and supervise the construction of the public improvements and will provide administrative services to District No. 1, as the "Financing District". The Town is not a party to the agreement. Pursuant to the Consolidated Service Plan, as amended, the agreement is subject to review and approval by the Town prior to its execution by the districts.

Public Comment: None.

Cheryl Poage moved to approve Resolution No. 21-019.

Todd Hendreks seconded the motion.

The motion was approved unanimously.

B. RESOLUTION NO. 21-020

A Resolution of the Parker Town Council Regarding the Town Council's Opposition to Proposed Colorado Senate Bill 21-062 - "Concerning Measures to Reduce Jail Populations"

Department: Town Attorney, Jamie Wynn

On February 16, 2021, Senate Bill 21-062 was introduced in the Colorado State Senate. SB21-062 is currently titled "Concerning Measures to Reduce Jail Populations." Throughout the State

of Colorado, law enforcement officials and various municipal bodies have expressed significant concerns should SB21-062 get passed. The Bill prohibits police officers from making an arrest for most crimes committed in the State of Colorado, and generally prohibits judges from issuing any type of monetary, surety, or property bond until a defendant in a criminal matter has failed to appear for court at least three times. These restrictions have a potential significant impact on the court process, the ability of any prosecutor's office to fairly prosecute a criminal matter, and also has a significant impact on victims of criminal actions. Law Enforcement throughout the State has seen a substantial increase in criminal activity, due in part to the reduction in jail populations based on the COVID-19 pandemic. There is reasonable concern that creating a permanent requirement for a reduction in jail populations will continue to have impacts on increases in criminal activity.

The majority of the Chiefs and Sheriffs in the 18th Judicial District have signed a statement in opposition to SB 21-062. Other jurisdictions have also issued statements of opposition to the Bill. Based upon discussions with Town Council, a resolution has been drafted to state Council's opposition to SB 21-062.

Public Comment: None.

Cheryl Poage moved to approve Resolution No. 21-020.

Laura Hefta seconded the motion.

The motion was approved unanimously.

ADJOURNMENT

Todd Hendreks moved to adjourn the meeting at 8:02 P.M.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

Chris Vanderpool, Deputy Town Clerk

Jeff Toborg, Mayor



Request for Town Council Action

Date: April 19, 2021

Submitted By: Bob Exstrom, Project Manager
Tom Williams, Director Eng/PW

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.328 - First Reading**
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas County Concerning Lincoln Avenue (Jordan to Parker Road)
Department: Engineering and Public Works, Bob Exstrom
Engineering and Public Works, Tom Williams

Second Reading: May 3, 2021

EXECUTIVE SUMMARY

This item is associated with an ordinance to approve an intergovernmental agreement (IGA) with Douglas County for the conceptual / preliminary design of the proposed Lincoln Avenue widening project. The IGA is needed to formalize negotiations and jointly fund the conceptual / preliminary design effort.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Lincoln Avenue was widened to its current four (4) lane configuration in 1997. However, based on traffic projections at that time, a six (6) lane (three through lanes in each direction) was anticipated in the future. Due to existing and projected traffic increases on Lincoln Avenue, the time has come for this widening to occur. The project will include widening of four (4) bridge structures with two (2) at Newlin Gulch and two (2) at Cherry Creek. This proposed roadway is an important component to the Parker area's long-term roadway transportation plan.

Douglas County has recently agreed to jointly fund the project with the Town due to the regional significance of the roadway. After several years of discussions, the Town and County are ready to move forward with the conceptual / preliminary design of this roadway widening. The Town and Douglas County have both appropriated 2021 budget at \$250,000 per entity (\$500,000 total) to fund this conceptual / preliminary design effort. Douglas County and Parker

staff have agreed to utilize each entity's on-call engineering listing to select up to six (6) professional engineering firms to prepare proposals for the conceptual / preliminary design services. The selection of a professional engineering firm will be completed via a qualification based interview selection process of the short-listed firms. The Town and Douglas County have agreed to a 50/50 split on this conceptual / preliminary engineering cost to be completed by November 30, 2022. An IGA is needed to formalize this arrangement.

FINANCIAL IMPACT

Funding has been appropriated for this conceptual / preliminary design effort in the Streets Capital Projects fund (301-4310).

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Vicinity Map
2. Ordinance No. 9.328

RECOMMENDED MOTION

I move to approve Ordinance No. 9.328 on first reading and to schedule second reading for May 3, 2021, as part of the consent agenda.

Exhibit A
Town of Parker Lincoln Avenue
Widening Vicinity Map



ORDINANCE NO. 9.328, Series of 2021

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE TOWN OF PARKER AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS REGARDING COST SHARING FOR THE LINCOLN AVENUE (JORDAN TO PARKER ROAD) PROJECT

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 by and between the Town of Parker and the Board of County Commissioners of the County of Douglas Regarding Cost Sharing for the Lincoln Avenue (Jordan to Parker Road) Project, 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 _____, 2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2021.

Jeff Toborg, 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 THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS REGARDING COST SHARING FOR LINCOLN AVENUE (JORDAN TO PARKER ROAD)

THIS INTERGOVERNMENTAL AGREEMENT (the "Agreement") is made and entered into this ____ day of _____, **2021**, by and between the Town of Parker, Colorado, a Colorado home rule municipality (the "Town"), and the Board of County Commissioners of Douglas County, Colorado (the "County"), hereinafter collectively referred to as the "Parties."

WITNESSETH:

WHEREAS, the Parties are legally empowered under Section 29-1-201, et seq., C.R.S. to enter into this Agreement; and

WHEREAS, the County and the Town desire to cooperate in advancing the design and construction associated with improving and widening Lincoln Avenue between Jordan Road and Parker Road, (the "Project"). The Lincoln Avenue widening is a critical component of the region's long-term transportation infrastructure plan and the Project will help to reduce congestion, improve safety and mobility, incident management and emergency response for residents of the Town and County. The Project limits are shown in **Exhibit A**, which is attached hereto and incorporated by this reference; and

WHEREAS, the Parties agree to advance the Project in exchange for mutual commitments of the Parties hereto; and the Parties desire to share in the cost of the Project, described herein; and

WHEREAS, the Parties agree this Agreement can be amended to further the design and construction of the Project, and

WHEREAS, the Town is responsible for managing all aspects of Project, including providing project oversight during the design, right-of-way and construction phases; and

WHEREAS, the Town is responsible for securing all funding necessary to design and construct the Project, except for the County's contribution; and

WHEREAS, the County's only responsibility is for its voluntary contribution for a portion of the Project costs as identified in **Section 3**; and

WHEREAS, the County agrees to assist the Town with the selection of the Qualified Engineer; and

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which is mutually acknowledged, the Parties hereto agree as follows:

1. Consultant Selection Process and Contracting for the Project. The Parties agree that the Town will enter into a professional services agreement with a qualified engineer to complete the Project (the "Qualified Engineer"). The Qualified Engineer shall be selected based

on the responses to a Request for Proposals (RFP) advertised by the Town and a list of consultants will be shortlisted to submit a proposal. The Parties agree to jointly select a minimum of six (6) consultants to receive an RFP, utilizing the current Douglas County Public Works Engineering Final Consultant Shortlist for 2021 through 2022 Projects under the category of Division 1 – Major Roadway. The consultant selection panel shall be equally compromised with two representatives from both Parties’ respective Public Works / Engineering Departments and the selection process will be agreed to by the Town and the County in writing. Once the Parties agree on the overall ranking of consultants submitting proposals, then the Town and County representatives will seek to finalize the scope and fee for the Project with highest-ranked consultant, and if they are unable to negotiate a mutually acceptable fee with the highest-ranked consultant then the Parties will work with the second highest-ranked consultant. Upon the selection of the Qualified Engineer, the Town shall prepare necessary Professional Service Contract(s).

2. Project Cost Estimate. The Parties have estimated and budgeted Five Hundred Thousand Dollars and No Cents (\$500,000.00) to be set aside for the initial consultant services needed to advance the design associated with the Project. The actual Parties contributions shown below, shall be based on actual Project expenditures.

3. County Contribution and Responsibilities. The County agrees to pay to the Town an amount not to exceed Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00), hereinafter referred to as the “County Contribution” for the purpose of advancing the design of the Project. The County Contribution shall be used solely for paying for a portion of the professional services performed by the Qualified Engineer. In no event will the County be liable for paying the Town any amount more than the County Contribution, including for any additional work authorized by the Town or for any unforeseen project costs or claims.

The County’s lump sum contribution is payable to the Town within forty-five (45) days after the County has received a written invoice from the Town containing a statement that the Town has awarded a professional service contract with the Qualified Engineer.

The County agrees to provide representatives from its Public Works / Engineering Department to participate in the Town design review meetings for the Project, but all Project decisions and directions to the Town’s consultants is ultimately the Town’s responsibility.

If the Town elects to unilaterally increase the Project Cost and its project budget, it may do so; provided it does not include an increase in the County Contribution. The County Contribution may not be increased without both Parties executing an amendment to this Agreement prior to any additional expenditures in which the Town wants the County to participate.

4. Town Contribution and Responsibilities. The Town shall be responsible for managing all phases of the Project, including managing the Qualified Engineer and all other aspects of the Project. Except as expressly provided in **Section 3**, (County Contribution and Responsibilities), the Town shall be responsible for all other project responsibilities and project costs, including changes to the initial scope of work or adding supplementary tasks in order to further advance the Project. The Town is responsible for completing the Project.

The Town of Parker will track Project monthly costs for the conceptual / preliminary design effort performed by the Qualified Engineer and will use this information to provide a summary of the Project costs within thirty (30) days after completion or termination of the Project or upon written request by Douglas County.

At the completion of the conceptual / preliminary design effort performed by the Qualified Engineer or termination of the Qualified Engineer, the Town will provide written notification to the County regarding any unused project funding; and the County shall be refunded fifty percent (50%) of any amount of the difference between the actual Project expenditures and the initial Project Cost Estimate of \$500,000. The Town shall refund the County within forty-five (45) days for any of the reasons stipulated above.

5. Time of Performance. Upon execution of this Agreement, the Town shall diligently pursue award of the initial contract to advance the design of the Project. Currently, the Town anticipates that the initial design will commence before **August 31, 2021** and will be substantially completed before **November 30, 2022**.

6. Remedies. The Parties hereto acknowledge and agree that each Party may exercise all rights and remedies in law or in equity, by a decree in specific performance, or such other legal or equitable relief as may be available, including a return of the funds described in **Section 3** of this Agreement in the event of a default by the other Party. In the event that the initial design contract is delayed and does not commence before **December 1, 2021**, unless an extension is agreed to in writing by both Parties prior to **December 31, 2021**, the County may terminate this Agreement and the Town will give a full refund of any County Contribution received. This Section shall survive the termination of this Agreement.

If any of the County Contribution is not used within twenty-four (24) months of being paid to the Town, then the County may request any unused portion be returned within sixty (60) days of written notice. Under this provision, any amount that the Town desires to retain (not refund to the County), shall be detailed in a written request and presented by the Town for the County's consideration, and said request should include copies of all applicable supporting documents justifying why the unused funds are still needed for additional Project costs. The County will determine in its sole discretion if the Town may retain such funds.

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

Douglas County: Douglas County
Attn: Director of Engineering Services
100 Third Street
Castle Rock, Colorado 80104

With electronic copy sent to: attorney@douglas.co.us

8. Appropriation. Pursuant to C.R.S. § 29-1-110, the financial obligations of the Town and the County contained herein which are payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted and otherwise made available.

9. No Waiver of Governmental Immunity Act. The Parties hereto understand and agree that the Parties, their Commissioners, Councilmembers, officials, officers, directors, agents and employees, are relying on, and do not waive or intend to waive by any provisions of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., or otherwise available to the County.

10. 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.

11. 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.

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

13. 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.

14. Severability. It is understood and agreed by the Parties hereto that if any part, term, or provision of this Agreement is by the courts held 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.

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

16. Entirety. This Agreement merges and supersedes all prior negotiations, representations and agreements between the Parties hereof and constitutes the entire agreement between the Parties concerning the subject matter hereof.

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

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY

Lora L. Thomas, Chair

ATTEST:

APPROVED AS TO CONTENT:

Emily Wrenn,
Clerk to the Board

Douglas J. DeBord,
County Manager

APPROVED AS TO FORM:

APPROVED AS TO FISCAL CONTENT:

Chris Pratt,
Senior Assistant County Attorney

Andrew Copland,
Director of Finance

Exhibit A
Town of Parker Lincoln Avenue
Widening Vicinity Map





Request for Town Council Action

Date: April 19, 2021

Submitted By: John Fussa, Community Development Director
Krista Flynt, Associate Planner

Reviewed By: Michelle Kivela, Town Administrator

Title: **PARKGLENN SUBDIVISION FILING NO. 3, LOT 1,
BLOCK 2 - Rezone to C-Commercial District**
Department: Community Development, Krista Flynt
Second May, 3, 2021
Reading:

EXECUTIVE SUMMARY

The applicant plans to redevelop an existing commercial property containing a service station and car wash located at the intersection of Parkglenn Way and Parker Road (north). The two (2) proposed ordinances would remove Lot 1, Block 2, of Parkglenn Subdivision Filing 3 from the Parkglenn Planned Development (PD) zone district and rezone the property to a C-Commercial District. If approved, the property owner would demolish the existing service station, retain the existing car wash and construct a new commercial building.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property is currently developed for commercial use with a service station, convenience store and accessory car wash. The applicant proposes to demolish the service station and convenience store while retaining the car wash. The Parkglenn PD zoning permits car washes as an accessory use to a service station but not as a permitted principal use on their own. The rezoning application is required to retain the car wash as a primary use because they are permitted as a use by right in the C-Commercial district.

The subject property is completely surrounded by commercial development; some of which is zoned PD and others of which are zoned C-Commercial District. The property is adjacent to Parker Road, a State highway, which provides accessibility and visibility that make it suitable for commercial use. The proposed C-Commercial District is appropriate in this regard and would support the adjacent commercial uses as well as the commercial character of the Parker Road corridor.

The Parker 2035 Master Plan identifies the subject property as being located in the Central Commercial Character Area. The Central Commercial Character Area is recommended for

retail, service and restaurant uses. The proposed rezoning will permit these uses and align development on the subject property with the Town's vision for future commercial use in this character area. As a result, the proposal to rezone the property to the C-Commercial District is consistent with the Master Plan.

Staff has reviewed the proposed rezoning for compliance with the nine (9) criteria for approval of such applications found at Section 13.04.240 of the Land Development Ordinance. We have determined that the application has satisfied the criteria for approval including consistency with the Master Plan as further described in the attached Planning Commission staff report.

The Town Council is advised that the applicant has submitted a site plan application that is being reviewed concurrently with the proposed rezoning application. The site plan would replace the service station and convenience store with a new commercial building containing a coffee shop.

The Planning Commission held a public hearing for the proposed Rezoning at their April 8, 2021 meeting and voted unanimously to approve the application.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. PC Staff Report
2. Vicinity map
3. Applicant Narrative
4. Zoning Map
5. Referral Comment
6. Ordinance 3.357
7. Ordinance 3.38.3

RECOMMENDED MOTION

I move to approve Ordinance No. 3.38.3 on first reading and to schedule second reading for May 3, 2021, as part of the consent agenda.

I move to approve Ordinance No. 3.357 on first reading and to schedule second reading for May, 3, 2021, as part of the consent agenda.



Planning Commission Staff Report

Planning Commission Date: 4/8/2021

Town Council Date: 4/19/2021

Hearing Type: Public Hearing
Z20-020 Rezone PD to C-Commercial

Location: Southeast corner of Parker Road and Parkglenn Way

Project Planner: Krista Flynt, Planner 1

Applicant: Masterworks, LLC and Wash 'N Go Colorado, LLC

Executive Summary: The applicant, Masterworks, LLC, is applying for Lot 1 Block 2 of the Parkglenn Filing 3 to be removed from the Parkglenn PD and rezoned to C-Commercial zoning.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve an ordinance to remove Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD."

AND

"I move the Planning Commission recommend Town Council approve an ordinance to rezone Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council an ordinance to remove Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD, with the following conditions:"

List proposed conditions

AND

"I move the Planning Commission recommend Town Council approve an ordinance to rezone Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial with the following conditions:"

List proposed conditions

"I move that the Planning Commission recommend that Town Council deny an ordinance to remove Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD as the request does not meet the following approval criteria:"

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

AND

“I move that the Planning Commission recommend that Town Council deny an ordinance to rezone Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial 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 removal of Lot 1, Block 2 Parkglenn Filing No. 3 from the Parkglenn PD to a future date.”

AND

“I move that the Planning Commission vote to continue the rezone of Lot 1, Block 2 Parkglenn Filing No. 3 to C-Commercial to a future date.”

I. BACKGROUND/DISCUSSION

The property is currently developed with a convenience store, gas station and accessory car wash. The applicant is proposing to demolish the convenience store and gas station while retaining the car wash. Car washes are not a use by right in the current zoning and are only allowed as accessory to gas stations. In order to have a car wash as a primary use, a rezoning is required. Car washes are a use by right in the C-Commercial district.

The applicant also has a site plan application that is being reviewed by the Town concurrently with this rezoning request. The Site Plan is proposing to replace the gas station with a new construction coffee shop. The existing car wash would remain on site.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
1984	Town Council approved the annexation and zoning to PD
1987	Parkglenn Filing 3 is platted
1991	Town Council approves the rezoning of the site to PD Commercial within the Parkglenn Planned Development Guide
1996	The site plan for the gas station and car wash currently on site is approved.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development		
Overlay District	N/A		
PD & Plan Area	Parkglenn Planned Development		
Master Plan Area	Central Commercial		
Site Acreage	.972 acres (42,322 SF)		
Subdivision	N/A		
Existing Use	Commercial		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Central Commercial	PD - Planned Development	Multitenant commercial
South	Central Commercial	PD - Planned Development	Tire Service and Auto Repair
East	Central Commercial	PD - Planned Development	Transmission & Auto Repair and Medical Offices
West	Central Commercial	C - Commercial District	Parker Road then Banks and Office Uses

IV. PARKER 2035 MASTER PLAN

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

MASTER PLAN CONSISTENCY	
Master Plan Designation	Central Commercial ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	This is the commercial core of the Town. Growth should focus on core retail, services, offices, lodging, restaurants, entertainment, and to a lesser extent, higher density residential uses. Vertical mixed use is highly encouraged where appropriate.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.C Land Use 1.H Community Appearance and Design 1.A Jobs and Economic Vitality 2
Staff Analysis	Staff has reviewed the requested Commercial zoning and change of use against the Town's Master Plan and determined that the proposal is consistent with the Master Plan Character Area designation for the property.

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	High density residential as part of a mixed-use development is appropriate.	N/A. No residential development is proposed.	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Allowed Uses	Core retail, services, offices, lodging, restaurants, and entertainment. Vertical mixed use.	An existing car wash would remain on site, a coffee shop would be constructed.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	No height/story recommendations in the Master Plan.	Maximum building height permitted is 35-feet per the “C-Commercial District”.	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	The proposed rezoning to C-Commercial will remove the property from an outdated PD and align it with the Town’s vision for commercial development within the Central Commercial Character Area.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The vehicular access to the property will not be altered with this proposed rezoning and the site plan application that accompanies it. The existing vehicular access is off a private drive that connects to Parkglenn Way. With the proposed redevelopment site plan, a sidewalk will be added along Parker Road. Pedestrian circulation from the intersection of Parker Road and Parkglenn Way up and throughout the site will be improved.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant’s Response

The existing car wash land use does not currently adhere to the Parkglenn Subdivision Filing Number 3, Development Guide and Map as a “Uses Permitted by Right”. Approval documentation of a “Special Use Permit” is not available in the Town of Parker’s planning records. Therefore, to legally document the car wash business as an allowed land use, a rezoning request to C-Commercial is needed to correct the parcel’s zoning overlay regulations.

Staff Analysis

The proposed rezoning is needed to replace the outdated PD with the Town's current C-Commercial zoning which better aligns with the Parker 2035 Master Plan.

Rezoning the property allows the existing car wash to remain with the demolition of the existing gas station – the car wash is not a use by right in the Parkglenn PD.

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 exiting service-oriented development has been in continuous operation for 24 years and has provided much needed automotive and neighborhood services to the Town of Parker's citizens. The proposed zoning revision is consistent with the existing commercial service-related operations and complies with the C-Commercial Zone District objectives and goals.

Based upon the surrounding automotive-oriented commercial businesses adjoining the subject development parcel, the existing car wash land use and proposed C-Commercial zoning classification is consistent with the original intent of the Parkglenn Development Guide and Map and shall not introduce a change in character to Parkglenn Subdivision as it currently exists. Furthermore, there are surrounding nearby food and beverage operations, classified as C-Commercial, consistent with the Town's Commercial Corridor vision.

Staff Analysis

The subject property is completely surrounded by commercial development – some of which is zoned PD and some of which is zoned C – Commercial. The Master Plan designates the area as Central Commercial, which recommends retail, service, and restaurant type uses. As well, the subject property's location along Parker Road, a State highway, is compatible and desirable for commercial uses. The subject property is suitable for C- Commercial designation and would be well situated to support its neighboring commercial uses and fill in the commercial corridor of Parker Road.

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

The request for a zone modification from Planned Development to C-Commercial is necessitated by either an entitlement inconsistency and or an error in Parkglenn Subdivision Filing Number 3, PD - Planned Development Zoning District as recorded in Ordinance 3,108 series of 1995. Because the car wash has been in continuous operation since 1997, a rezone change to C-Commercial will legally correct the parcel's zoning classification as deemed necessary to document the historical land uses.

Parker's C-Commercial zoning classification complies with the original intent of the Planned Development envisioned zoning overlay and therefore, the zone change

request to C-Commercial does not reflect a significant land use change from the original development intent. The proposed zone modification specifically adheres to the Town of Parker 2035 Municipal Code and satisfies the “Central Commercial Character Area” framework policies.

Staff Analysis

An error has not occurred within the original zoning.

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

Applicant’s Response

There have been no significant changes to the land uses types within the Parkglenn Subdivision. However, the desire by consumers to visit modern facilities with more comprehensive services has rendered the current uses significantly less viable commercially, requiring extensive upgrades to facilities and services. Additionally, newer, more modern fuel centers, C-stores, and car washes have been or are envisioned to be developed within the Central Commercial Corridor.

Staff Analysis

Since the original zoning approval in 1984, there has been significant growth and change in the area, in particular increased traffic volumes on Parker Road. These significant changes in the community and character of Parker Road have made many of the uses in the Parkglenn PD outdated. The proposed rezoning will align the existing and proposed 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

As identified in the Traffic Letter prepared by SM Rocha, the proposed development will not create any negative impacts to the existing traffic patterns and is anticipated to improve circulation on the development site.

Staff Analysis

This site and surrounding area where designed to accommodate commercial development. The existing infrastructure and circulation currently adequately served the commercial uses on the site. The internal site circulation of the new coffee shop will be reviewed for compliance as part of the site plan amendment application. No alterations to vehicular access to the site will be necessary.

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

No additional municipal services are requested over and above the current service standards, and therefore no addition cost shall be incurred to the Town of Parker.

Staff Analysis

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

The proposed land uses shall reduce and or eliminate the existing environmental impacts associated with the existing Conoco Fuel Center. The existing car wash will be upgraded to include new energy saving and environmentally friendly wash equipment and therefore improving the environment impacts to the community.

Staff Analysis

As an existing commercial site in the center of town, the proposed rezoning will not create environmental impacts. The applicant will be required to meet all federal, state and local laws requiring the removal of the existing gas tanks located on the site and clean up any site contaminants as applicable.

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

As identified in the Parker 2035 Master Plan and as shown on the General Land Use Plan map, the proposed Black Rock Coffee Bar and Wash 'N Go Express Car Wash Site Plan and Request to Rezone to C-Commercial applications are consistent with the maps, goals, and policies as follows:

- The subject development parcel is located within and adheres to the "Central Commercial Character Area Map" and addresses land use policies identified for the development of core retail and commercial service-related businesses adjacent to the Parker Road frontage.
- The proposal includes a plan for beautification of Parker Road that includes safe pedestrian access along the CDOT controlled State Highway.
- The redevelopment efforts incorporate improvements to an older commercial area as outlined in the Master Plan to make improvements to streetscapes corridors and building exterior frontages.
- The proposed redevelopment is designed in a manner that adheres to the Town's Design Standards for commercial developments and addresses building massing, form, and design to create a series of unique places that contribute to the overall character of the Town of Parker as a distinctive community.
- The development design concepts support quality appearance of the built environment as the structures age.

- Minimize negative visual impacts from parking areas adjacent to the Parker Road corridor.
- Attract and maintain a variety of employment opportunities for Parker residents.
- Encourage and support a high level of diverse, quality retail and community services, with an emphasis on local businesses that contribute to Parker's sales and property tax base so the needed infrastructure, physical amenities, services and expansion of such services are provided.
- Sustain the long-term economic well being of the Town and its citizens through redevelopment and revitalization efforts.

Staff Analysis

The Town of Parker Master Plan identifies this property as a Central Commercial Character Area – which,

“Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road and current land uses, growth in this Character Area should focus on core retail, services, offices, lodging, restaurants....”

A C – Commercial zoning designation aligns with the Master Plan's designation of the Central Commercial. By rezoning the property to C – Commercial from PD, the subject property will be able to fully and continually adhere to the goals of the Master Plan. The Town has the ability to update the definition of C – Commercial over time to guide commercial development, where the PD guide is fixed.

The proposed rezoning of the property to the modified C-Commercial Zone District is consistent with the Town's Master Plan, this alignment is further described in Section IV. above

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

Wash 'N Go of Colorado, LLC proposed redevelopment of the fuel and convenience store as a coffee shop with drive-thru will not require any additional levels of service with respect to the existing waste and sewage disposal, water, schools, parks and recreation, and other services. The existing car wash shall operate utilizing originally developed infrastructure and will likewise not require any additional service over and above the current business operation.

Staff Analysis

The proposed rezoning will not change the property's designation as commercial, the proposed rezoning will only change some of the permitted uses on the property. Existing development on the property is already served by water, waste and sewer services. All new development will be reviewed by the appropriate utility services to ensure adequate supply for the new use through the Site Plan Amendment process. The

proposed zoning will not increase the need for schools, parks, recreation, or other 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 Life Safety	Approved
Aztec Consultants	Approved
Parker Water and Sanitation District	Approved: <i>Please submit a PWSD utility plan with the site plan when ready.</i>
Public Service Company of Colorado	Advisory Comments (<i>see attachment for full comment letter</i>)
Parker Comprehensive Planning	Approved: <i>This property is located in the Central Commercial Character Area as described in the Parker 2035 Master Plan and the Master Plan General Land Use Plan. The Central Commercial Character Area recommends focusing on core retail, commercial services, lodging, restaurants and entertainment. The C-Commercial zoning aligns with the Parker 2035 Master Plan's Central Commercial Character Area.</i>
IREA	Advisory comments: <i>The existing monument and retaining wall are not permitted within the 10 foot utility easement.</i>
CenturyLink	No Comment
Comcast	No Comment

IX. CONCLUSION

The applicant submitted this rezoning request in order for the existing car wash to be allowed to continue as part of a redevelopment project. Rezoning the property from PD to C – Commercial has the added effect of satisfying several goals of the Parker 2035 Master Plan and the Community Development Department – one of which is reducing the use of PD zoning throughout the town.

Staff and the applicable referral agencies have reviewed the applicant's request to rezone the subject property. This review included staff's evaluation of the request against the Town's Master Plan and zoning criteria. After performing this analysis, staff has determined that the request meets the requirements of the Town to zone the property to C – Commercial. 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
3. Applicant's Project Narrative

Report Approved By: Bryce Matthews, Planning Manager



PARKER
COLORADO

Parkglenn Filing 3, Lot 1, Block 2

Rezoned
Case No. Z20-020



Legend

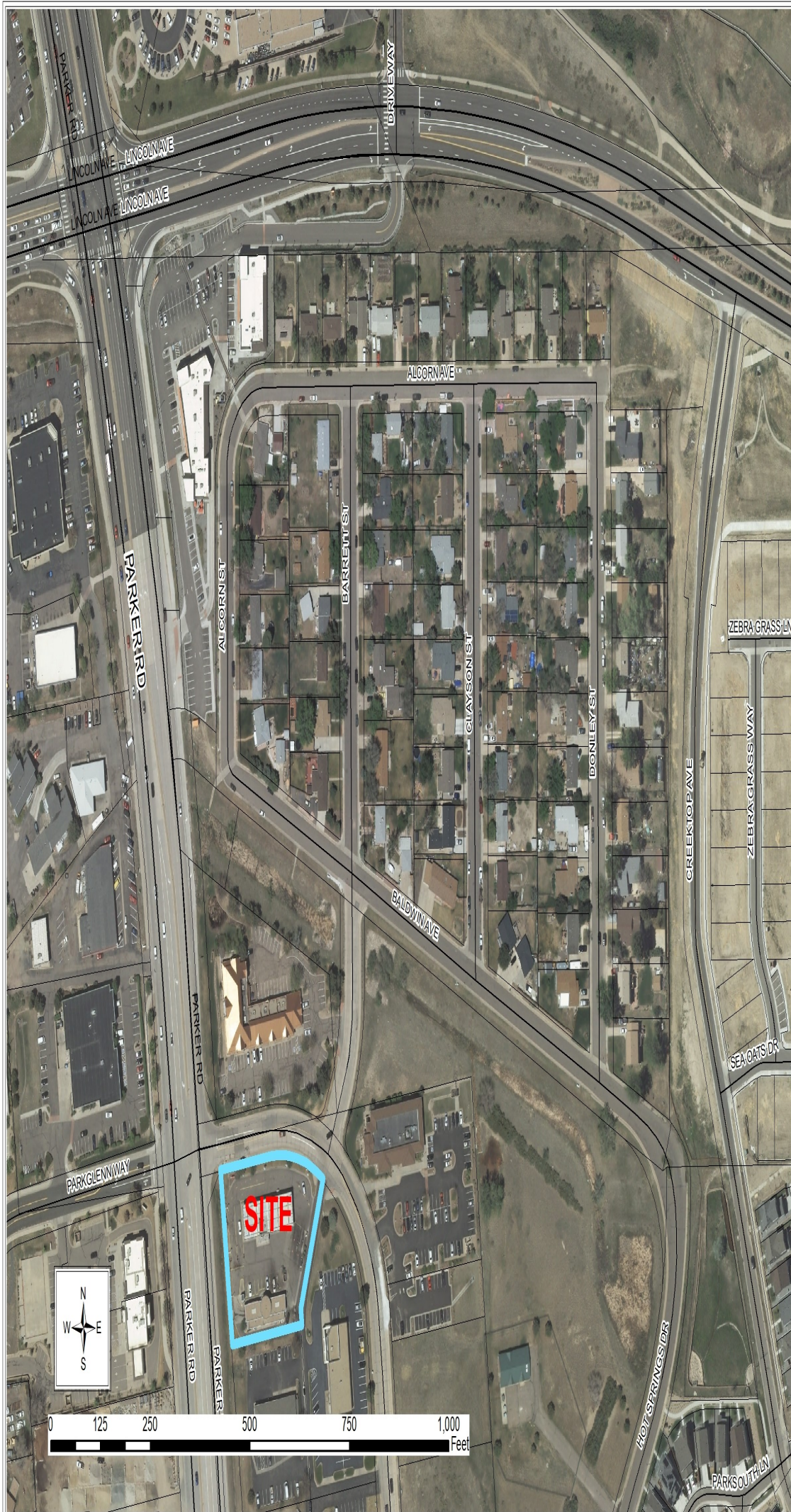
-  Site
-  Roads

Narrative:
A proposed rezoning of
Parkglenn Filing 3, Lot 1,
Block 2 from the Parkglenn
PD to C - Commercial

Planner: Krista Flynt

Town Council:
April 19, 2021

Town Council:
May 3, 2021



**REQUEST TO REZONE FROM
PLANNED DEVELOPMENT TO C-COMMERCIAL**

For

**BLACK ROCK COFFEE BAR
&
WASH 'N GO EXPRESS CAR WASH**

**10159 Parkglenn Way
Parker, Colorado**

Applicant:

Wash 'N Go Colorado, LLC
3740 Dacoro Lane
Suite 200
Castle Rock, Colorado 80109

Prepared by:

Masterworks, LLC
360 East Happy Canyon Road
Castle Rock, CO 80108

February 26, 2021

PROPOSED DEVELOPMENT

Wash ‘N Go of Colorado, LLC hereby requests a **zone modification from Planned Development to C-Commercial** for an existing commercial development located at 10159 Parkglenn Way in Parker, Colorado. The site is situated at the southeast corner of Parker Road and Parkglenn Way. The 0.9715-acres (42,322 square feet) parcel is legally described as Lot 1, Block 2, Parkglenn Subdivision Filing Number 3, situated in the Northwest ¼ Section of 15, Township 6 South, Range 66 West, Town of Parker, County of Douglas, State of Colorado.

The site is currently developed and includes an existing Conoco Fuel and Convenience Store in addition to an express tunnel car wash known as the Magic Rabbit Car Wash. The development is adjacent to the Good Year Tire Store to the south and Eagle Transmission & Auto Repair Center to the southeast.

Wash ‘N Go of Colorado is under contract to purchase the existing businesses and make significant improvements to the older commercial business in accordance with the “goals and strategies” within the Town of Parker’s 2035 Master Plan vision statement. It is the developer’s intent to eliminate the no-longer commercially viable fuel and c-store and replaced with a drive-thru coffee bar, which will function as the primary retail land use. The existing car wash facility will remain as a secondary use, which will be modernized to include automatic wash and vacuum equipment. Both businesses will operate under a single ownership entity and utility services will be shared as appropriate.

A Site Plan Amendment has been submitted concurrently with this C-Commercial Rezoning Request and follows the requirements specified in Sections 13.06 and 13.04.120 of the Town’s Zoning Land Development Ordinance in which both proposed uses are “Uses Permitted by Right”. Special attention has been given to the commercial building massing, form, and design to create a unified architectural theme of both buildings that shall contribute to the overall character enhancement of the Parker Road corridor. The site plan has been designed to cohesively address the operational, vehicular, and pedestrian access needs of each land uses. Upgrades to the overall existing site improvements, including grading, drainage and landscaping, are further defined in the Site Plan Application documents.

Redevelopment of the two land uses shall be constructed in a single improvement phase concurrently. Parker Water and Sanitation District shall continue to service the proposed land uses and the existing water and sewer taps continue to be sufficient to service the development. No significant vehicular access changes are required and or included with the proposed Site Plan Amendment.

REZONING INTENT

This Commercial (C-1) Rezoning Request has been submitted concurrently with a Site Plan Application requesting the existing Planned Development zoning be amended to C-1 Commercial. The intent of this rezoning request is to correct an inconsistency in Parkglenn Subdivision Filing Number 3, PD - Planned Development Zoning District as recorded in Ordinance 3,108 series of 1995.

Under the associated Parkglenn Development Guide and Map, the “Uses Permitted by Right” included “Convenience Store with Gas Pumps”. However, the “Car Wash” land use was not specifically listed as a use permitted by right and therefore would be categorized as a “Use Permitted by Special Review”.

Research of the historical Town of Parker Site Plan records do not provide sufficient evidence that the “Starlight Car Wash Facility with Texaco Fueling Station & Convenience Store”, which was approved in 1996 also include a request for a Special Use Permit. Construction of the fuel and convenience store, in addition to the car wash was completed in 1997 and have been in continual operation until the present date. With the exception to the development changing ownership in 2005 and the rebranding of the fuel component to Conoco, no other significant changes have been made to the overall business operations. Therefore, it has been determined that to legally correct the parcels’ zoning classification to document the historical land uses, either a PD Amendment to the Parkglenn Development Guide and Map, or a rezoning request to C-Commercial will need to be requested concurrently with a Site Plan Amendment request.

The development parcel is located within the “Central Commercial Character Area” as described in the Parker 2035 Master Plan and as shown on the General Land Use Plan map. The Master Plan’s goal and policies emphasizes that the growth within the Central Commercial Character Area with its central location and access to Parker Road, shall be focused on the development of commercial land uses including retail, community services, offices, lodging, restaurant, and entertainment land uses. The existing car wash is consistent with criteria identified in the General Land Use Plan for “Central Commercial Character Area”.

Parker’s Municipal Zoning Code/Land Use Ordinance, Section 13.04.120 pertaining to C-Commercial land uses identifies “Drive-in eating and drinking establishments” and “Car Wash, automatic or coin-operated” as “Uses Permitted by Right”. Therefore, the zone modification request from Planned Development to C-Commercial is the most logical and appropriate method for documenting the historical car wash land use.

APPROVAL CONSIDERATIONS

In accordance with Town of Parker’s Municipal Code, the Black Rock Coffee Bar and Wash ‘N Go Express Car Wash Site Plan and Request to Rezone to C-Commercial applications adhere to the 9 Approval Considerations referenced in Section 13.04.240(f)1-9 as follows:

1. A need exists for the rezoning proposal.

The existing car wash land use does not currently adhere to the Parkglenn Subdivision Filing Number 3, Development Guide and Map as a “Uses Permitted by Right”. Approval documentation of a “Special Use Permit” is not available in the Town of Parker’s planning records. Therefore, to legally document the car wash business as an allowed land use, a rezoning request to C-Commercial is needed to correct the parcel’s zoning overlay regulations.

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

The exiting service-oriented development has been in continuous operation for 24 years and has provided much needed automotive and neighborhood services to the Town of Parker's citizens. The proposed zoning revision is consistent with the existing commercial service-related operations and complies with the C-Commercial Zone District objectives and goals.

Based upon the surrounding automotive-oriented commercial businesses adjoining the subject development parcel, the existing car wash land use and proposed C-Commercial zoning classification is consistent with the original intent of the Parkglenn Development Guide and Map and shall not introduce a change in character to Parkglenn Subdivision as it currently exists. Furthermore, there are surrounding nearby food and beverage operations, classified as C-Commercial, consistent with the Town's Commercial Corridor vision.

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

The request for a **zone modification from Planned Development to C-Commercial** is necessitated by either an entitlement inconsistency and or an error in Parkglenn Subdivision Filing Number 3, PD - Planned Development Zoning District as recorded in Ordinance 3,108 series of 1995. Because the car wash has been in continuous operation since 1997, a rezone change to C-Commercial will legally correct the parcel's zoning classification as deemed necessary to document the historical land uses.

Parker's C-Commercial zoning classification complies with the original intent of the Planned Development envisioned zoning overlay and therefore, the zone change request to C-Commercial does not reflect a significant land use change from the original development intent. The proposed zone modification specifically adheres to the Town of Parker 2035 Municipal Code and satisfies the "Central Commercial Character Area" framework policies.

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

There have been no significant changes to the land uses types within the Parkglenn Subdivision. However, the desire by consumers to visit modern facilities with more comprehensive services has rendered the current uses significantly less viable commercially, requiring extensive upgrades to facilities and services. Additionally, newer, more modern fuel centers, C-stores, and car washes have been or are envisioned to be developed within the Central Commercial Corridor.

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

As identified in the Traffic Letter prepared by SM Rocha, the proposed development will not create any negative impacts to the existing traffic patterns and is anticipated to improve circulation on the development site.

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

No additional municipal services are requested over and above the current service standards, and therefore no addition cost shall be incurred to the Town of Parker.

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

The proposed land uses shall reduce and or eliminate the existing environmental impacts associated with the existing Conoco Fuel Center. The existing car wash will be upgraded to include new energy saving and environmentally friendly wash equipment and therefore improving the environment impacts to the community.

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

As identified in the Parker 2035 Master Plan and as shown on the General Land Use Plan map, the proposed Black Rock Coffee Bar and Wash 'N Go Express Car Wash Site Plan and Request to Rezone to C-Commercial applications are consistent with the maps, goals, and policies as follows:

- The subject development parcel is located within and adheres to the “Central Commercial Character Area Map” and addresses land use policies identified for the development of core retail and commercial service-related businesses adjacent to the Parker Road frontage.
- The proposal includes a plan for beautification of Parker Road that includes safe pedestrian access along the CDOT controlled State Highway.
- The redevelopment efforts incorporate improvements to an older commercial area as outlined in the Master Plan to make improvements to streetscapes corridors and building exterior frontages.
- The proposed redevelopment is designed in a manner that adheres to the Town’s Design Standards for commercial developments and addresses building massing, form, and design to create a series of unique places that contribute to the overall character of the Town of Parker as a distinctive community.
- The development design concepts support quality appearance of the built environment as the structures age.
- Minimize negative visual impacts from parking areas adjacent to the Parker Road corridor.
- Attract and maintain a variety of employment opportunities for Parker residents.
- Encourage and support a high level of diverse, quality retail and community services, with an emphasis on local businesses that contribute to Parker’s sales and property tax base so the needed infrastructure, physical amenities, service s and expansion of such services are provided.
- Sustain the long-term economic well being of the Town and its citizens through redevelopment and revitalization efforts.

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.

Wash ‘N Go of Colorado, LLC proposed redevelopment of the fuel and convenience store as a coffee shop with drive-thru will not require any additional levels of service with respect to the existing waste and sewage disposal, water, schools, parks and recreation, and other services. The existing car wash shall operate utilizing originally developed infrastructure and will likewise not require any additional service over and above the current business operation.

CONCLUSION

The request to rezone from Planned Development to C-Commercial is consistent with the Town of Parker’s 2035 Comprehensive Master Plan and General Land Use Plan and Map. The proposed Black Rock Coffee Bar and Wash ‘N Go Express Car Wash are land uses “Permitted by Right” within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended.

The subject development parcel is located within the “Central Commercial Character Area” and supports core retail and commercial services as specified in the Town’s Master Plan goals and policies.

This request to rezone will clarify unknown Parkglenn PD discussions regarding the historical car wash use on the property.

Parker’s Zoning/Land Use Ordinance, Section 13.04.120 for “C-Commercial” land uses identifies “Drive-in eating and drinking establishments” and “Car Wash, automatic or coin-operated” as “Uses Permitted by Right”. Therefore, the zone modification request from Planned Development to C-Commercial is the most logical and legal method for documenting the historical car wash land use.

No significant changes shall be required to Town of Parker’s Comprehensive Plan and or Municipal Codes.

ZONING MAP
BLACK ROCK COFFEE BAR & WASH 'N GO EXPRESS CAR WASH
C-COMMERCIAL ZONING FROM PLANNED DEVELOPMENT

LOT 1, BLOCK 2, PARKGLENN SUBDIVISION FILING NO. 3
SITUATED IN THE NORTHWEST 1/4 OF SECTION 15, T6S, R66W OF THE 6TH PM
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

LEGEND:

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PROPERTY LINE

- - -

EXISTING LOT LINE

- - -

EXISTING EASEMENT

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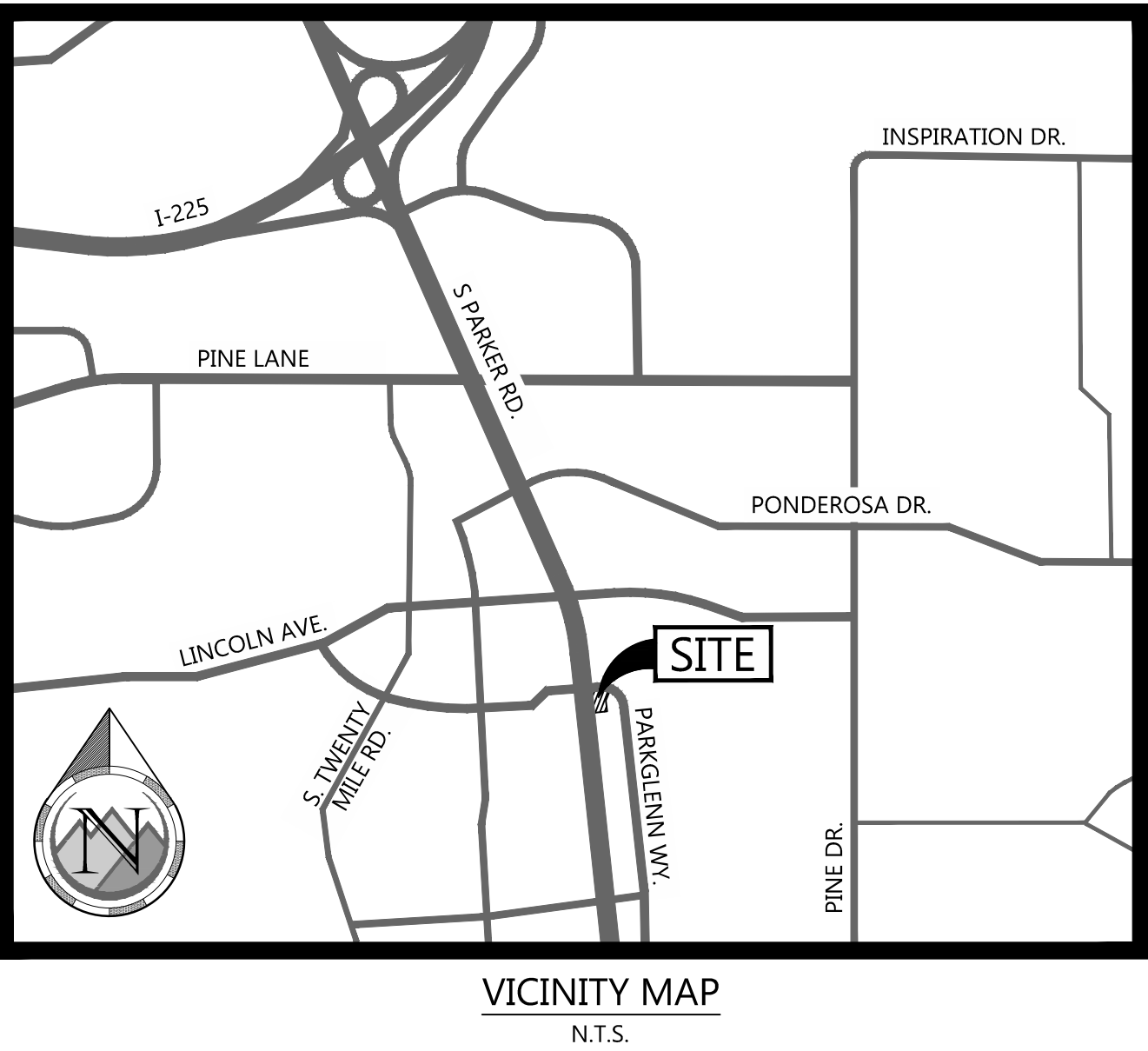
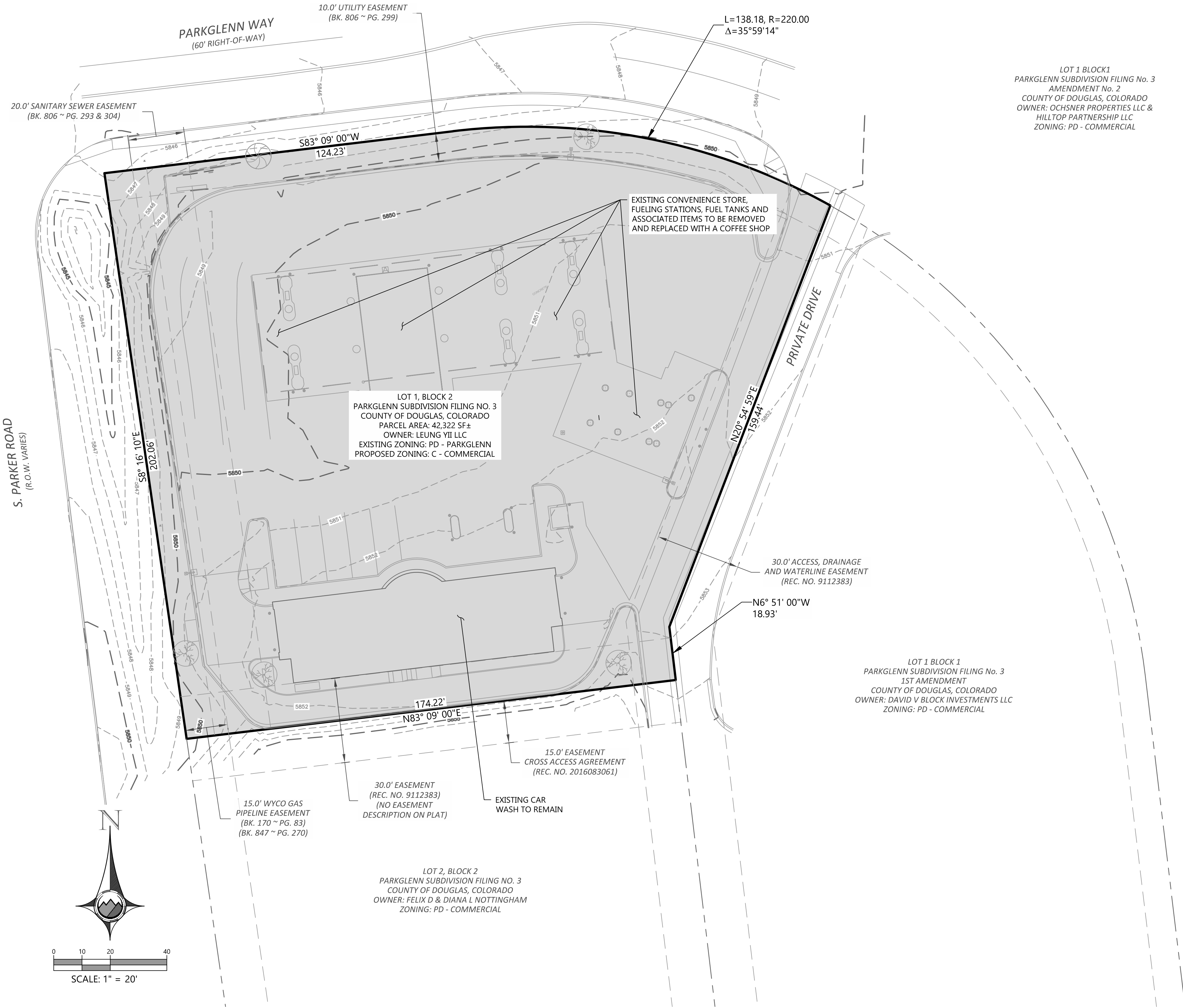
LOT FOR REZONE

LEGAL DESCRIPTION:
LOT 1, BLOCK 2, PARKGLENN SUBDIVISION FILING NO. 3
TOWN OF PARKER, STATE OF COLORADO.

BASIS OF BEARINGS:
BEARINGS ARE BASED ON THE WEST LINE OF LOT 1,
BLOCK 2, PARKGLENN SUBDIVISION FILING NO. 3
BEARING N08°16'10"W AS REFERENCED ON SAID PLAT,
REC. NO 199112383

OWNER
WASH 'N GO OF COLORADO, LLC
3740 DACORO LANE, SUITE 200
CASTLE ROCK, CO 80109
303-809-7766
JODY NEWTON

ENGINEER
PROOF CIVIL
800 W 8TH AVENUE STE 104
DENVER, CO 80204
303.325.5709
TODD LYON



REVISIONS			
NO.	DATE	DESCRIPTION	
1	07/28/2021	RESPONSE TO COMMENTS	
FOR AND ON BEHALF OF PROOF CIVIL CO.			

ZONING MAP	
BLACK ROCK COFFEE SHOP & WASH 'N GO EXPRESS CAR WASH	COLORADO
10159 PARKGLENN WAY	PARKER



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

January 19, 2021

Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138

Attn: Krista Flynt

Re: Parkglenn F3 L1 B2 PD to C-Commercial Rezone, Case # Z20-020

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Parkglenn F3 L1 B2 PD to C-Commercial Rezone**. Please be advised that Public Service Company has existing natural gas distribution facilities within the areas indicated in this proposed rezone along the southeasterly property line. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

ORDINANCE NO. 3.357, Series of 2021

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY (PARKGLENN SUBDIVISION FILING NO. 3, LOT 1, BLOCK 2) FROM PARKGLENN PLANNED DEVELOPMENT TO C-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 amending the zoning for Lot 1, Block 2, Parkglenn Subdivision Filing No. 3 (the "Property"), from Parkglenn Planned Development to C-Commercial District, pursuant to the Town of Parker Land Development Ordinance.

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

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

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

e. The requirements contained in Section 13.04.240(b) of the Parker Land Development Code are satisfied for rezoning the Property to C-Commercial District.

Section 2. The Property is hereby zoned C-Commercial District.

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 _____,
2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

ORDINANCE NO. 3.38.3, Series of 2021

TITLE: A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3.38 BY THE DELETION OF CERTAIN PROPERTY (PARKGLENN SUBDIVISION FILING NO. 3, LOT 1, BLOCK 2) FROM THE PLANNED DEVELOPMENT ZONED AREA KNOWN AS PARKGLENN

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

Section 1. Finding of Fact.

- a. Application has been made for rezoning Lot 1, Block 2, Parkglenn Subdivision Filing No. 3, which was zoned Parkglenn Planned Development, pursuant to Town of Parker Ordinance No. 3.38 (the "Property"), to C-Commercial District.
- b. Public notice has been given of such rezoning by publication on the Town of Parker's website, at least fifteen (15) days before the public hearing of such rezoning.
- 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 to C-Commercial District have been satisfied.

Section 2. The Property is hereby deleted from the Parkglenn Planned Development, as described in Town of Parker Ordinance No. 3.38, and is rezoned as more particularly set forth in Ordinance No. 3.357, approved concurrently herewith.

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 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 _____, 2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: April 19, 2021

Submitted By: Danny Smith, Operations Manager, Streets & Stormwater Maintenance

Reviewed By: Michelle Kivela, Town Administrator

Title: **2021 Townwide Concrete Replacement Program (CIP21-006)**
Amount: \$1,107,509.31
Contractor: Stone & Concrete, Inc
Department: Engineering and Public Works, Danny Smith

EXECUTIVE SUMMARY

This item is to award a contractor agreement to Stone & Concrete, Inc., for the 2021 Townwide Concrete Replacement Program (CIP21-006) in the amount of \$1,107,509.31. The Town of Parker needs to maintain and update the roadway network through annual contracted maintenance programs.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker publicly opened competitive bids on March 26, 2021, for the 2021 Townwide Concrete Replacement Program (CIP21-006). This program includes removing and replacing damaged and outdated concrete infrastructure on Town owned and operated streets, in addition, the program includes replacing damaged concrete for the Parks, Open Space, and Stormwater divisions.

The Town received five (5) sealed bids from contractors with Stone & Concrete Inc., being the lowest responsible bidder. Stone & Concrete Inc., has performed as prime contractor and completed projects in the past with the Town of Parker. Therefore, Town staff recommends moving forward with this contract award.

The bid results were as follows:

1. Concrete Express, Inc: \$1,632,774.50
2. Silva Construction, Inc: \$1,216,048.00
3. SaBells Civil and Landscape, Inc \$1,208,701.00
4. Chatos Concrete LLC: \$1,197,521.00

5. Stone & Concrete, Inc: \$1,107,509.31

Engineers estimate: \$1,425,838.00

FINANCIAL IMPACT

Funding for this program has been appropriated in the Engineering and Public Works / Streets Division repair and maintenance (R&M) general fund account (101-4310).

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



SUPPORT AN
ACTIVE COMMUNITY

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation as past of the consent agenda.



Request for Town Council Action

Date: April 19, 2021

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

Reviewed By: Michelle Kivela, Town Administrator

Title: **PARKER HOMESTEAD FILING 1 AMD 1 TRACT A – Use by Special Review**

Applicant: Mohan Muthu, Mitrah Investments and Holdings, LLC

Location: Generally located on the west side of Chambers Road north of Double Angel Road

Department: Community Development, Stacey Nerger

TRAKiT No.: Z20-012

EXECUTIVE SUMMARY

The applicant, Mitrah Investments and Holdings, LLC, is requesting Use by Special Review approval to permit a convenience store and gasoline service station in Parker Homestead which is also known as Heirloom. The site is currently undeveloped and is located at the southwest corner of the intersection of Chambers Road and Double Angel Road.

STAFF RECOMMENDATION

Approve with Conditions

BACKGROUND/DISCUSSION

The subject property is 1.3 acres in total area and is located in the Parker Homestead Planned Development (PD) zone district within the Mixed Use Neighborhood Center Planning Area (PA-1) at the southwest corner of Chambers Road and Double Angel Road. The PD zoning allows convenience stores with gasoline pumps as a Use by Special Review (UbSR) within PA-1. The applicant is proposing to construct a convenience store with gasoline service station on proposed Lot 1 of the Parker Homestead Filing No. 1, 2nd Amendment Plat.

The Land Development Ordinance (LDO) incorporates the UbSR process for certain uses in zoning districts that require additional review because they have the potential to generate nuisance impacts upon adjacent properties and/or the surrounding area. The UbSR process addresses those uses with potential impacts that require additional review beyond those uses that are permitted on a by-right basis within a zoning district. A UbSR application is a discretionary

request made by an applicant that is subject to the nine (9) criteria for approval found at Section 13.04.200 of the LDO. Additional information and a detailed discussion of the nine (9) criteria for approval may be found in the attached Planning Commission staff report.

The proposed convenience store and gasoline service station will bring additional commercial services to the western-central section of Parker where there are few such options. The potential nuisance impacts created by the proposed development may be addressed by additional buffering and screening including enhanced landscaping along the western and southern property lines to help mitigate the impact to nearby residential uses. The applicant has indicated that all local, State and Federal requirements for gasoline service stations will be satisfied. Staff has reviewed the information provided by the applicant for the UbSR application and has determined that the proposal satisfies the nine (9) criteria for approval set forth in the LDO including consistency with the Parker 2035 Master Plan.

The Town Council is advised that the UbSR application would allow the proposed convenience store with gasoline service station use if approved, but does not include the actual development plan with site plan details. The review of these details would occur during a future site plan application and building permit review process.

The Planning Commission held a public hearing for the proposed UbSR application at their April 8, 2021 meeting and voted unanimously to approved the application.

If Town Council approves the UbSR application, the applicant will submit a site plan application at a future date.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



**ENHANCE ECONOMIC
VITALITY**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Planning Commission Staff Report
2. Vicinity Map
3. Applicant UBSR Narrative
4. Applicant UBSR Exhibit

RECOMMENDED MOTION

I move to approve, based on staff findings, with the following four (4) conditions contained in the staff report.

1. That the Use by Special Review materials submitted to the Community Development Department on March 15, 2021, shall be the approved Use by Special Review materials.

2. The applicant shall provide buffering along the south and west property lines that is above the minimum requirements within the Town of Parker Land Development Ordinance. The required enhanced buffering will mitigate potential impacts and be reviewed and approved through the Site Plan process.
3. The Replat to create Lot 1 shall be recorded prior to the approval of the required Site Plan application.
4. This approval shall expire twelve (12) months after the date of approval unless the property owner submits a complete application to the Town for a building permit to construct the project. The Community Development Director, upon written request, may grant a ninety-(90) day extension if necessary.



Planning Commission Staff Report

Planning Commission Date: 4/8/2021

Town Council Date: 4/19/2021

Hearing Type: Public Hearing
Parker Homestead Filing No. 1 Amendment No. 1
Tract A– Use by Special Review
TRAKiT No.: Z20-012

Location: Generally located west of Chambers Road and north of Double Angel Road

Project Planner: Stacey Nerger, Planner

Applicant: Mohan Muthu, Mitrah Investments and Holdings, LLC

Executive Summary: The applicant, Mitrah Investments and Holdings, LLC, is requesting a use by special review to allow for a gas station in Parker Homestead, also known as Heirloom. The site is located on the west side of Chambers Road north of Double Angel Road

Staff Recommendation: Approval with Conditions

RECOMMENDED MOTIONS

“I move the Planning Commission recommend Town Council approve the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review to allow for a gas station subject to the four (4) conditions contained in staff’s report:”

1. That the Use by Special Review materials submitted to the Community Development Department on March 15, 2021 shall be the approved Use by Special Review materials.
2. The applicant shall provide buffering along the south and west property lines, that is above the minimum requirements within the Town of Parker Land Development Ordinance. Required enhanced buffering will be reviewed and approved through the Site Plan process.
3. The Replat to create Lot 1 shall be recorded prior to approval of a Site Plan approval.

4. This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review.”

“I move the Planning Commission recommend Town Council deny the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review:”

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

“I move the Planning Commission vote to continue the Parker Homestead Filing No. 1 Amendment No. 1 Tract A Use by Special Review to a future date.”

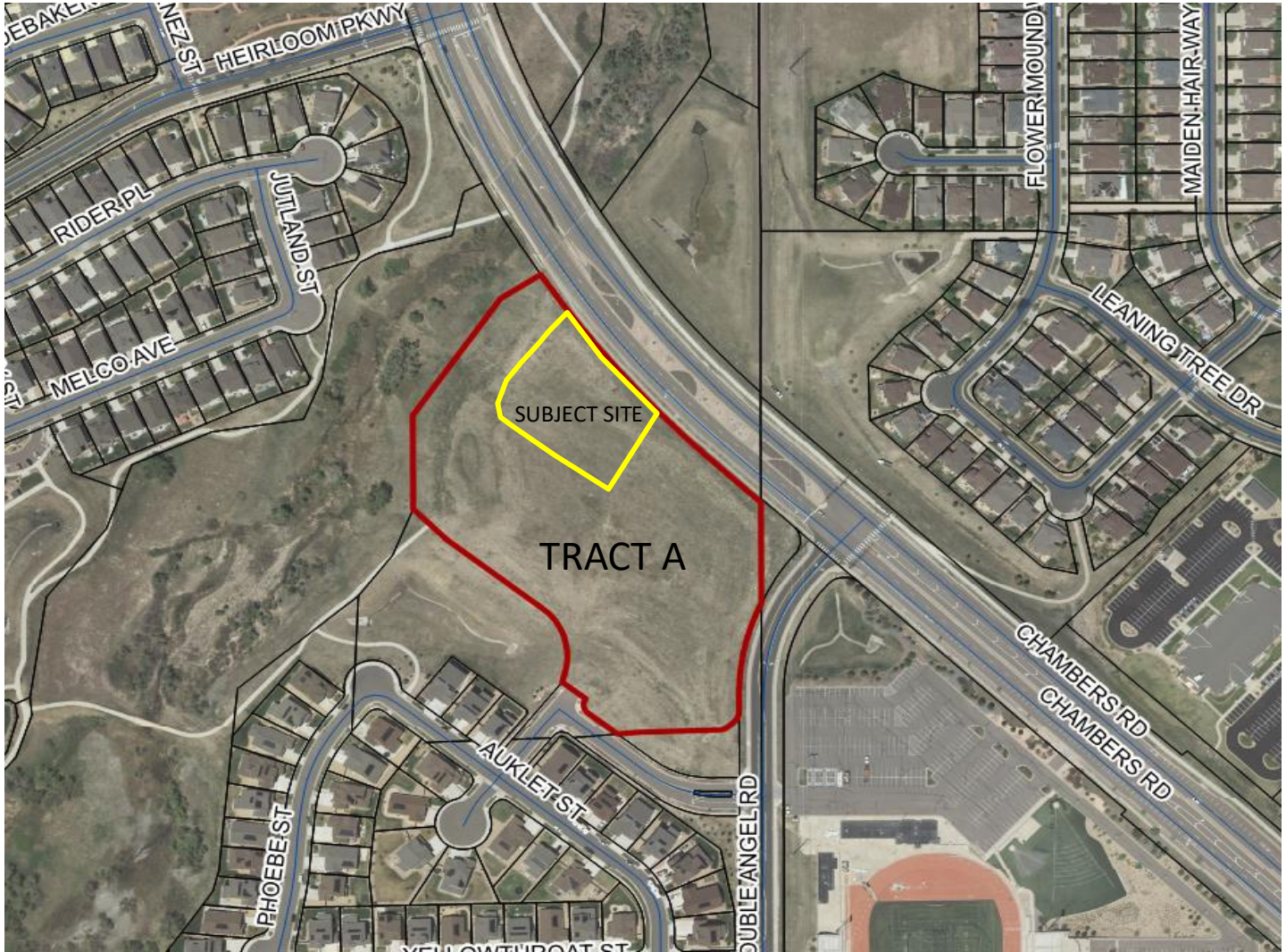
I. BACKGROUND/DISCUSSION

The applicant is requesting a Use by Special Review to allow for a gas station to be located on the property. The subject site is located within the Mixed Use Neighborhood Center Planning Area of the Parker Homestead Planned Development at the southwest corner of Chambers Road and Double Angle Road. A convenience store with gasoline pumps is listed as a Use by Special Review within the Planned Development zoning. The applicant is proposing to construct a gas station convenience store on approximately 1.67 acres on proposed Lot 1 of the Parker Homestead Filing No. 1, 2nd Amendment Plat.

Uses by Special Review are established in zone districts when a proposed use may present external impacts that require additional review beyond those uses that are considered uses-by-right within a zone district. The request for a Use by Special Review is a discretionary request made by a private property owner or applicant. The Use by Special Review is to determine whether or not the requested use meets or can meet, subject to conditions, the nine approval criteria set forth in the Land Development Ordinance and outlined in Section VII of this staff report.

A Use by Special Review does not include the review of specific development standards or construction standards. The review of those items occurs during the site plan and building permit processes.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
2010	Town Council approved the annexation of the subject property.
2011	The current Parker Homestead Development Plan was approved by Town Council.
2012	The Second Amendment to the Parker Homestead Development Guide was approved by Town Council.
2013	The Parker Homestead Filing #1 1 st Amendment plat was recorded.

2019	Parker Homestead Filing #1 2 nd Amendment Replat was submitted to the Town. The property owner submitted a Replat to plat Tract A into five commercial lots and one tract. This application is still under review.
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CURRENT SITE DATA

Existing Zoning	PD - Planned Development		
Overlay District	N/A		
PD & Plan Area	Parker Homestead – Planning Area 1 (Mixed-Use Neighborhood Center)		
Master Plan Area	Neighborhood Center		
Site Acreage	1.67 acres		
Subdivision	Parker Homestead Filing #1 1 st Amendment		
Existing Use	Undeveloped		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Neighborhood Center	PD - Planned Development	Open Space/Drainage
South	Neighborhood Center	PD - Planned Development	Vacant Commercial Land, Echo Park Stadium and Single-Family Detached Homes
East	Low Density Residential	PD - Planned Development	Chambers Road and Single-Family Detached Homes
West	Low Density Residential	PD - Planned Development	Vacant Commercial Land, Drainage and Single-Family Detached Homes

III. 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	<u>Neighborhood Centers:</u> Serve the basic needs of the surrounding residents. Typical uses include convenient retail and personal/business services usually anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also permitted. 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	Land Use 1.C Land Use 1.E Jobs and Economic Vitality 2.A Transportation 2.B
Inconsistent Goals/Strategies	None
Staff Analysis	The subject property falls within a Neighborhood Center as identified in the Town's General Land Use Plan. Within the description of this designation, commercial uses are specifically identified as appropriate uses. • Land Use 1.C: The request would expand the Town's economic base in an area that is designated for commercial uses and zoned for commercial uses. • Land Use 1.E: There would be an adequate transition from the proposed use to different land uses through drainage facilities, open space, rights-of-way and increased buffering techniques. • Jobs and Economic Vitality 2.A: The request would provide for expanded commercial activities in an area designated as a Neighborhood Center. • Transportation 2.B: The transportation systems that would serve this proposal are either in place or can be constructed to adequately serve the proposal. The proposed use of a gas station and convenience store is consistent with the Parker 2035 Master Plan General Land Use Plan and the goals and strategies of the Plan.

IV. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Site Plan/UBSR/Sketch/Prelim Plan/MDP)			
Provisions	Existing/Required	Proposed	Analysis
Setbacks	Chambers Road – 75’ Double Angel Road – 20’ Newlin Gulch Flooplain – 20’ South property line – 20’ Internal public streets – 15’ Internal private drives – 10’ Adjacent to residential – 25’	Setbacks will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Density	N/A	The request is for commercial development.	☐ Consistent ☐ Inconsistent ☒ N/A
Height/Stories	35’	Building height will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Size	None.	Compliance for lot size is reviewed with the subdivision application.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Coverage	None.	Compliance for lot coverage is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	Compliance for landscape requirements is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Off-Street Parking	Title 13.06.050	Compliance for parking is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	The specific details related to the development of the property are not a part of the Use by Special Review, but will be reviewed during the site plan and subdivision applications if the Use by Special Review is approved. The proposed site is large enough and regular shaped as to allow for a gas and convenience store to be constructed that meets the zoning and Development Design Standards requirements.		

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The commercial property in the Parker Homestead development will be served by the existing Pelican Street on the south side of the site. This roadway and associated access

was intended for, and constructed to serve, both the residential and the commercial components of this Planning Area when the residential uses were constructed. The property owner is proposing to construct a private spine roadway that will connect Double Angel Road to Chambers Road with a second private roadway connecting Pelican Street to the spine roadway. These proposed private roadways will provide Lot 1 (subject property) with access.

VI. APPROVAL CRITERIA

Title 13.04.200.b. Criteria for approval for Uses Permitted by Special Review:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhoods.

Applicant analysis and findings:

- 1) The UBSR proposed development will match all of Town of Parker's requirements on Architecture, Site Planning, Landscaping, and other characteristics required by the Town of Parker for this development to be in harmony with and compatible with the character of the surrounding areas and neighborhood.

- 2) **UBSR Site Location:**

This UBSR site of about 1.67 acres of retail uses is located on and a part of the 10 acres designated for retail uses in the Parker Homestead Development Guide. Specifically, this proposed 1.67 acres is located at the north end of this site, next to Chambers Rd and north of Double Angel Rd. The location for this UBSR proposed 1.67 acres is shown on the attached "Conceptual Site Plan – Lot 1" dated Jan 2021.

- 3) **Closer Convenience Shopping Alternatives:**

The surrounding neighborhood of newer homes has now matured sufficiently to support closer convenience shopping alternatives than are currently available to these neighbors. The proposed gasoline pumps as part of the convenience store, and car wash will bring these everyday consumer items closer to serve the needs of the surrounding homes, the church, and those attending the ball fields activities along Double Angel Rd. As examples, the closest existing shopping conveniences for these neighbors are:

- 4.6 miles round trip to obtain milk, bread, and other essential food and consumer items;
- 4.6 miles round trip to the closest gas station;
- 7.0 miles round trip to the closest car wash;

Source: Google Maps

Detailed information on these and other shopping conveniences are listed in the attached "Exhibit C - Distances to Closest Shopping Conveniences" located at the end of this application.

- 4) **Proposed Gasoline Pumps with Convenience Store:**

Mitrah proposes to build, own, and operate the below listed convenience stores. Their permitted use status is also listed next to each use:

- ❖ 2,500 +/- SF Convenience Store. This use is permitted by the Development Guide.
- ❖ Gasoline Pumps are permitted as a part of the proposed Convenience Store per the Development Guide. In addition, the gasoline pumps require a UBSR (Use By Special Review) approval which is the subject of this application.
- ❖ 860 +/- SF Single Bay Car Wash with automatic closing doors on front and back. The car wash is permitted as an “accessory building” to the Convenience Store per the Development Guide.
- ❖ 2,500 +/- SF Package Liquor Store. This use is permitted by the Development Guide.

Staff analysis and findings:

The subject property is located at the intersection of Chambers Road and Double Angel Road. Existing land uses in the vicinity of this intersection include single-family homes, drainage and open space amenities, a church, Echo Park stadium and Double Angel ballpark. The existing character of the area is a mix of uses, including sporting related uses that accommodate hundreds of people at a time. The addition of a gas station would add to the mix of uses in the area and would provide an additional service use to the surrounding neighborhood. The proposed site for the convenience store with gasoline pumps is not located directly adjacent to residential uses.

The applicant will be required to submit a Site Plan application for the development of the gas station at this location. The Site Plan shall include

Therefore, staff has determined that this criterion can be satisfied.

2. Will be consistent with the Town Master Plan.

Applicant analysis and findings:

- 1) The Master Plan “reflects the Parker area residents’ and business owners’ values and These proposed business uses are consistent with Parker’s “2035 Master Plan” updated December 3, 2018, which designates this commercial site as a “Neighborhood Commercial Center”. This site is shown in the Master Plan in Figure “6B: GENERAL LAND USE PLAN” on page 49.
- 2) The gasoline pumps are a part of the proposed convenience store, which meets the stated objectives of the Town of Parker’s Master Plan for a “Neighborhood Commercial Center”, which states the following and applies to these proposed businesses:

Town of Parker’s Master Plan page 59 states:

A Neighborhood Commercial Center “...should be planned to serve the basic needs of the surrounding residents. Typical uses ... include convenient retail and personal/business services, generally anchored by a grocery store. Other

compatible uses such as small offices, recreational uses and restaurants are also permitted.”

Staff analysis and findings:

The Town’s Master Plan depicts this area as being located within the Neighborhood Center Character Area which is intended to include uses that serve the basic needs of the surrounding residents. The proposed convenience store with gasoline pumps is a service that is not located within the surrounding area. As outlined in the applicant’s narrative the closest existing gas station is more than 4.5 miles away.

Compliance with the Parker 2035 Master Plan is further described in Section III. Parker 2035 Master Plan located above in this report.

Therefore, staff has determined that this criterion can be satisfied.

3. Will not result in an over-intensive use of land.

Applicant analysis and findings:

This UBSR proposal will not result in an over-intensive use of land as this UBSR proposal uses about 1.3 acres broken down into about 10% of Building footprint, about 60% of Driveways and Parking, and about 30% of Landscaping and walks. Below is the breakdown:

- Building Land Area: 5,864 SF; 10.2 % of Total
- Drive Aisles and Parking: 34,350 SF; 59.9 %
- Landscape and walks: 17,177 SF; 29.9%
- Total: 57,391 SF; 100% (1.3 Acres)**

The above figures are located on the attached “Conceptual Site Plan – Lot 1” dated Jan 2021, which is submitted as a separate exhibit to this UBSR application.

In addition, the following considerations are planned in this UBSR development:

- 1) Parking: The proposed gasoline pumps as part of the proposed convenience store will have sufficient onsite parking to meet the Town of Parker’s requirements.
- 2) Landscaping: The gasoline pumps as a part of the convenience store will be built with a 75-foot buffer separating it from the adjacent Chambers Rd. This buffer along with the balance of this site will be designed by a professional landscaping contractor to meet the Town of Parker’s landscape design requirements. An emphasis for low-water-use plants will be used as much as possible and that the Town of Parker approves.
- 3) Lighting: The gasoline pumps as a part of the convenience store will have directional lighting fixtures that are shading equipped to focus lighting downward on the site to minimize “nuisance lighting” from the site, and that meet Parker’s lighting requirements.

- 4) Traffic Flow: The gasoline pumps as a part of the convenience store will be served by an interior road to allow internal auto traffic circulation between stores and to minimize the traffic impact to Chambers Rd and Double Angel Rd. Also, the gasoline pumps are located deliberately far enough away from the Chambers Rd entrance to generate easy in-and-out traffic flow at the Chambers entrance.

Staff analysis and findings:

The proposed use was anticipated within the developments initial traffic study for the property and the anticipated amount of daily trip utilizing the gas station are in line with the original study. A detailed site plan has not been submitted for this application in order to evaluate the development requirements for the property. However, the applicant has indicated an ability to meet the necessary development requirements for setbacks, landscaping and parking.

Therefore, staff has determined that this criterion can be satisfied.

4. Will not have a material adverse effect on community capital improvement programs.

Applicant analysis and findings:

This UBSR proposed development will not impact capital improvement programs.

Staff analysis and findings:

It is not anticipated that the existing roadway network around the subject property will be unable to handle the additional traffic generated by the gas station use at this location. The Replat application being reviewed concurrently with this application will construct the private access road necessary to support the commercial lots. There are existing drainage improvements in place to handle developed storm water flows.

Therefore, staff has determined that this criterion can be satisfied.

5. Will not require a level of community facilities and services greater than that which is available.

Applicant analysis and findings:

The site will require a curb cut on Chambers Road and another on Double Angel Rd. These curb cuts will be installed and paid for by the master developer. The new Neighborhood Shopping Center will be built with commercial quality materials that do not require any unusual fire or police protection. Landscaping will be installed to beautify this location while placing an emphasis on water conservation by selecting low water consuming plant materials wherever possible and as allowed.

Utilities and Town of Parker Services: The gasoline pumps as a part of the convenience store will be built to meet the Town of Parker's and utilities companies' design requirements and materials selections to efficiently use the public services (water, sewer, electric, gas, fire department, and police services).

Staff analysis and findings:

The applicant's request will not require a level of community facilities and services greater than that which is available.

Therefore, staff has determined that this criterion can be satisfied.

6. Will not result in undue traffic congestion or traffic hazards.

Applicant analysis and findings:

This UBSR proposal will not result in undue traffic congestion or traffic hazards.

In 2011 a master traffic study was performed for the entire Parker Homestead Community. The title of this master traffic study is:

“Parker Homestead Traffic Impact Analysis” dated February 2011 and revised in May 2011, prepared by David Evans and Associates. Hereafter referred to as the “Original Traffic Study”. The Original Traffic Study was performed for the entire Parker Homestead development, which included 370 residential units and a small land area of 10 acres for retail uses.

This UBSR proposal is consistent with the 10 acres for retail uses in the Original Traffic Study for the following reasons:

- 1) **Same Retail Land Uses:** This UBSR proposal contains retail uses which are consistent with the 10 acres of retail uses envisioned by the Original Traffic Study (Figure 3 on page 14 of the 102-page study). This UBSR proposal is for the following retail uses: convenience store with fuel pumps, car wash, and liquor store - located on about 1.3 acres.
- 2) **Same Retail Location:** This UBSR proposal of about 1.3 acres of retail uses are a part of the 10 acres shown in the Original Traffic Study. Also, this UBSR proposed 1.3 acres is in the same location as in the Original Traffic Study (Figure 3 on page 14 of the 102-page Study). The location for this UBSR proposed 1.3 acres is shown on the attached “Conceptual Site Plan – Lot 1” dated Jan 2021.
- 3) **Consistent Traffic Volumes:** This UBSR proposal is estimated to project traffic volumes to/from this commercial site that are about the same as those in the Original Traffic Study.

In 2018 an updated traffic analysis was performed for these 10 acres of retail uses. The updated study is titled “Parker Homestead Commercial Traffic Analysis” dated Oct 2018 (hereafter referred to as “2018 Traffic Update”) prepared by David Evans and Associates - the same company who prepared the Original Traffic Study in 2011.

The Original Traffic Study assumed 10 acres of general retail for this site. However, the 2018 Traffic Update assumed a more specific mix of retail uses for this site in its statement below, which appears on page 3 of the 20-page update:

“The commercial development is expected to include a gun range, a convenience store with gas, and two buildings of neighborhood retail.”

Table 1 below compares the Daily Traffic Volumes during Peak Hours between these two traffic studies. In summary, the Total (In/Out) AM Peak Daily Traffic volume at this 10-acre site is about the same in both studies: 197 trips in the Original compared to 187 trips in the Update. However, the 2018 Study Update projects substantially less traffic (217 fewer peak trips daily) in the Total (In/Out) PM Peak Daily traffic volume: 527 trips in the Original compared to 316 trips in the Update.

Table 1: Compare Peak Traffic in Both Studies from this 10-Acre Commercial Site

ITEM	2011 Original Traffic Study*	2018 Traffic Update**	Difference
1. <u>AM</u> PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	191	187	About the same
2. <u>PM</u> PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	527	316	217 fewer peak daily trips in the 2018 Traffic Update

* 2011 Original Traffic Study: Listed in Table 1 on page 15 of the 102-page study, prepared by David Evans and Associates.

** 2018 Traffic Update: Listed in Table 2 on page 3 of the 20-page update, prepared by David Evans and Associates – the same company prepared the Original Traffic Study.

- **Site's Interior Road Design Reduces Traffic Impact on Chambers Rd & Double Angel Rd:** This 10-acre site has 3 access points. One on Chambers Rd and two more on Double Angel Rd. These three access points are connected by an internal road that allows customers to drive between these various retail shops on this internal road. This interior road should reduce the traffic impact along Chambers Rd and along Double Angel Rd.

Staff analysis and findings:

The applicant has provided a traffic analysis that shows consistency with the assumptions of the Master Traffic Analysis that was approved with the original zoning and platting entitlement process. The associated anticipated trips generated by the proposal are within the limits contemplated with the Master Traffic Analysis. An updated traffic study will be required to be submitted as part of the site plan for this property.

Therefore, staff has determined that this criterion can be satisfied.

7. Will not cause significant air, water, or noise pollution.

Applicant analysis and findings:

This UBSR proposal will be designed to meet the Town of Parker's design requirements, which address the concerns of air, water, nuisance lighting, and noise pollution. It is noteworthy that there is a significant distance from Chambers Rd to the nearest homes to the southwest which is over 640 feet – the equivalent of two football field lengths. This significant distance should serve as a buffer to those residences from noise emanating from the new Neighborhood Shopping Center.

The gasoline pumps have three (3) major safety features built into them, including:

- 1) Double-wall underground fuel tanks. This double wall tank design is made of state approved safety materials and is equipped with continuous leak-monitoring sensors. The sensors automatically detect any leakage in the empty space between the two tank walls and automatically sounds an audible alarm as well as an electronic alarm to the computer monitoring equipment in the convenience store. In addition, the gasoline pumps are professionally inspected annually and must pass the annual Colorado state safety mandated inspection requirements.
- 2) Break-away fuel hoses. In the event a driver inadvertently drives away with the fuel hose still attached to his/her car, the fuel hose is designed to automatically disconnect from the fuel pump. In such event, the gasoline pump automatically shuts off the flow of gasoline to prevent a fuel spill after such hose disconnection.
- 3) Gasoline Vapors Capture System: Gasoline vapors are recovered in 2 ways. First, modern automobiles have built-in "Onboard Refueling Vapor Recovery" (ORVR), which is an emissions control system that captures fuel vapors from the gas tank during refueling and operation. ORVR systems have helped reduce refueling emissions from escaping the tank and have proven to be highly effective. Second, the tanker truck that delivers the fuel to the underground tanks at a gas station are required by the State to have two hoses. One to deliver the fuel to the tanks. The second to recover the vapors from the underground tank as the liquid gasoline displaces the vapors. The vapors are then captured by the tanker truck. The law also requires this special equipment on the tanker truck to be inspected annually to verify it is operating safely.

Source: Colorado Air Pollution Control Division.

Staff analysis and findings:

The applicant will be required to meet all state and federal requirements for the installation of the underground gas tanks along with annual monitoring of the ground water and soils. The Town will review and require the applicant to install all necessary improvements to the site to limit any contamination directly to Newlin Gulch.

Therefore, staff has determined that this criterion can be satisfied.

8. Will be adequately landscaped, buffered and screened.

Applicant analysis and findings:

This UBSR proposal will be designed by professional architects to meet the Town of Parker's requirements. All HVAC equipment will be screened to meet Town of Parker's requirements. The landscaping will be designed by a professional landscape architect to meet the Town of Parker's landscape design requirements. An emphasis will be placed on selecting plant materials that minimize water consumption and to the degree acceptable to the Town of Parker.

The gasoline pumps and canopy are located along Chambers Rd and will have a 75-foot buffer between the gasoline pumps and Chambers Rd. No building structures will be built in this buffer.

Staff analysis and findings:

A detailed site plan has not been submitted for the application in order to evaluate the development requirements for the subject property. However, the applicant has indicated an ability to meet the necessary development requirements should the requested Use by Special Review be approved. Additionally, staff is recommending a condition of approval for the applicant to provide additional buffering along the west and south property lines to help screen the use from the existing residential properties. The final buffering will be determined at the time of the site plan application.

Therefore, staff has determined that this criterion can be satisfied.

9. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town.

Applicant analysis and findings:

This UBSR proposal will use professional architects, and site planner who are conversant with the Town of Parker's requirements to be sensitive to the health, safety, or welfare of the present or future inhabitants of the Town of Parker.

In addition, as discussed in "Criteria 7" above the gasoline pumps are specifically designed and annually inspected as mandated by the State of Colorado to provide for the health, safety, and welfare of the public.

Staff analysis and findings:

The request will not be detrimental to the health, safety or welfare of current or future Parker residents. The subject property is zoned for commercial uses and will be developed with commercial uses. The proposed gas station will be required to meet all Town, State and Federal regulations and guidelines. In addition, the applicant will be required to meet all requirements for site layout, landscaping, parking, lighting, drainage and circulation of the Town Land Development Ordinance.

Therefore, staff has determined that this criterion can be satisfied.

VII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments - UBSR
Parker Comprehensive Planning	The property falls within the Neighborhood Center Character Area. A gas stations are not uncommon and shall be subject to mitigation of lighting, traffic, noise and smells
Parker Public Works/ Engineering	Daily trips proposed by the gas station are in line with the original traffic study. A full traffic study will be reviewed as part of the Site Plan.
Parker Building	Approved
Fire Life Safety	Approved
Douglas County School District	No Comment
Newlin Meadows HOA	No Comment
Parker Homestead HOA	No Comment
Parker Water and Sanitation District	Approved for zoning only
IREA	Approved
PSCO/Xcel	Public Service Company has existing electric transmission lines and associated land rights as shown within this property. Any activity will require Public Service Company approval.
CenturyLink	No Comment
Comcast	No Comment

VIII. CONCLUSION

The proposed gas station will bring an added service to this area of Parker. The impacts created by the proposed gas station can be mitigated by enhanced landscaping and or buffering the proposed use along the western and southern property lines to help screen the proposal from the existing residential uses. All local, State and Federal requirements for gas stations will be satisfied. After evaluating the information provided by the applicant for a Use by Special Review staff has determined that the requested use meets the nine approval criteria set forth in the Land Development Ordinance and outlined in Section VII of this staff report.

IX. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission recommend that the Town Council approve the Parker Homestead Filing No. 1, 1st Amendment Tract A Use by Special Review to allow a convenience store with gasoline pumps, subject to the conditions below:

1. That the Use by Special Review materials submitted to the Community Development Department on March 15, 2021 shall be the approved Use by Special Review materials.
2. The applicant shall work with Town staff during the site plan application review process to ensure that buffering along the south and west property lines, above the minimum requirements, within the Town of Parker Land Development Ordinance shall be provided.
3. The Replat to create Lot 1 shall be recorded prior to approval of a Site Plan approval.
4. This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

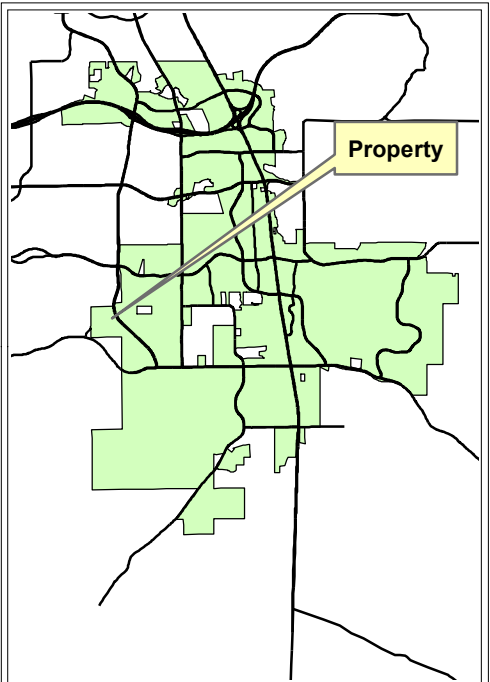
X. ATTACHMENTS

1. Use by Special Review Narrative
2. Use by Special Review Exhibit
3. Referral Comments

Report Approved By: Bryce Matthews, Planning Manager

Parker Homestead Filing No. 1, 1st Amendment Tract A
Use by Special Review

Use by Special Review
Case No. Z20-012



Legend

-  Site
-  Roads

Narrative:
Proposed Use by Special Review to allow a Convenience Store with gasoline pumps on the property.

Planner: Stacey Nerger
Hearing Schedules:

Planning Commission:
April 8, 2021

Town Council:
April 19, 2021



Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
Mohan Muthu, Manager (303) 949-4831
mohanmuthu@yahoo.com
17050 Mainstreet, Parker, CO 80134

August 25, 2020

Use By Special Review Application

The proposed businesses of the convenience store with gas, car wash, and liquor store are permitted uses by the “Parker Homestead - Development Guide (1st Amendment)” recorded in Douglas County on Sep 9, 2011 (Development Guide) for this site. These business uses are permitted in “Sec. 1-30 Uses Permitted” of the Development Guide. The gasoline pumps are permitted as they are a part of the proposed convenience store. The gasoline pumps are specifically permitted in the Development Guide’s “Sec. 1-40 Uses Permitted By Special Review”. The gasoline pumps require a Use By Special Review (“UBSR”) approval, which is the subject of this UBSR application.

Town of Parker: Uses Permitted by Special Review Criteria

Below are listed the Town of Parker’s nine (9) criteria as listed in section 13.04.200 – Uses permitted by special review for approval:

“(b) Criteria for approval. The Town Council may approve a use by special review subject to reasonable conditions which include, but are not limited to, the requirements that the proposed use:

- (1) Will be in harmony and compatible with the character of the surrounding areas and neighborhood;*
- (2) Will be consistent with the Town Master Plan;*
- (3) Will not result in an over-intensive use of land;*
- (4) Will not have a material adverse effect on community capital improvement programs;*
- (5) Will not require a level of community facilities and services greater than that which is available;*
- (6) Will not result in undue traffic congestion or traffic hazards;*
- (7) Will not cause significant air, water or noise pollution;*
- (8) Will be adequately landscaped, buffered and screened; and*
- (9) Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town.”*

Responses to these UBSR Criteria:

Below are responses to the Town of Parker’s nine (9) UBSR “Criteria” as they apply to the proposed gasoline pumps which are a part of the proposed convenience store:

Criteria 1: Will be in harmony and compatible with the character of the surrounding areas and neighborhood

- 1) The UBSR proposed development will match all of Town of Parker’s requirements on Architecture, Site Planning, Landscaping, and other characteristics required by the Town of Parker for this development to be in harmony with and compatible with the character of the surrounding areas and neighborhood.

Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

2) UBSR Site Location:

This UBSR site of about 1.3 acres of retail uses is located on and a part of the 10 acres designated for retail uses in the Parker Homestead Development Guide. Specifically, this proposed 1.3 acres is located at the north end of this site, next to Chambers Rd and north of Double Angel Rd. The location for this UBSR proposed 1.3 acres is shown on the attached “Conceptual Site Plan – Lot 1” dated Jan 2021.

3) Closer Convenience Shopping Alternatives:

The surrounding neighborhood of newer homes has now matured sufficiently to support closer convenience shopping alternatives than are currently available to these neighbors. The proposed gasoline pumps as part of the convenience store, and car wash will bring these everyday consumer items closer to serve the needs of the surrounding homes, the church, and those attending the ball fields activities along Double Angel Rd. As examples, the closest existing shopping conveniences for these neighbors are:

- 4.6 miles round trip to obtain milk, bread, and other essential food and consumer items;
- 4.6 miles round trip to the closest gas station;
- 7.0 miles round trip to the closest car wash;

Source: Google Maps

Detailed information on these and other shopping conveniences are listed in the attached “Exhibit C - Distances to Closest Shopping Conveniences” located at the end of this application.

4) Proposed Gasoline Pumps with Convenience Store:

Mitrah proposes to build, own, and operate the below listed convenience stores. Their permitted use status is also listed next to each use:

- ❖ 2,500 +/- SF Convenience Store. This use is permitted by the Development Guide.
- ❖ Gasoline Pumps are permitted as a part of the proposed Convenience Store per the Development Guide. In addition, the gasoline pumps require a UBSR (Use By Special Review) approval which is the subject of this application.
- ❖ 860 +/- SF Single Bay Car Wash with automatic closing doors on front and back. The car wash is permitted as an “accessory building” to the Convenience Store per the Development Guide.
- ❖ 2,500 +/- SF Package Liquor Store. This use is permitted by the Development Guide.

Criteria 2: Will be consistent with the Town Master Plan

- 1) These proposed business uses are consistent with Parker’s “2035 Master Plan” updated December 3, 2018, which designates this commercial site as a “Neighborhood Commercial Center”. This site is shown in the Master Plan in Figure “6B: GENERAL LAND USE PLAN” on page 49.

Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

- 2) The gasoline pumps are a part of the proposed convenience store, which meets the stated objectives of the Town of Parker’s Master Plan for a “Neighborhood Commercial Center”, which states the following and applies to these proposed businesses:

Town of Parker’s Master Plan page 59 states:

A Neighborhood Commercial Center “...should be planned to serve the basic needs of the surrounding residents. Typical uses ... include convenient retail and personal/business services, generally anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also permitted.”

Criteria 3: Will not result in an over-intensive use of land

This UBSR proposal will not result in an over-intensive use of land as this UBSR proposal uses about 1.3 acres broken down into about 10% of Building footprint, about 60% of Driveways and Parking, and about 30% of Landscaping and walks. Below is the breakdown:

• Building Land Area:	5,864 SF; 10.2 % of Total
• Drive Aisles and Parking:	34,350 SF; 59.9 %
• <u>Landscape and walks:</u>	<u>17,177 SF; 29.9%</u>
Total:	57,391 SF; 100% (1.3 Acres)

The above figures are located on the attached “Conceptual Site Plan – Lot 1” dated Jan 2021, which is submitted as a separate exhibit to this UBSR application.

In addition, the following considerations are planned in this UBSR development:

- 1) **Parking:** The proposed gasoline pumps as part of the proposed convenience store will have sufficient onsite parking to meet the Town of Parker’s requirements.
- 2) **Landscaping:** The gasoline pumps as a part of the convenience store will be built with a 75-foot buffer separating it from the adjacent Chambers Rd. This buffer along with the balance of this site will be designed by a professional landscaping contractor to meet the Town of Parker’s landscape design requirements. An emphasis for low-water-use plants will be used as much as possible and that the Town of Parker approves.
- 3) **Lighting:** The gasoline pumps as a part of the convenience store will have directional lighting fixtures that are shading equipped to focus lighting downward on the site to minimize “nuisance lighting” from the site, and that meet Parker’s lighting requirements.
- 4) **Traffic Flow:** The gasoline pumps as a part of the convenience store will be served by an interior road to allow internal auto traffic circulation between stores and to minimize the traffic impact to Chambers Rd and Double Angel Rd. Also, the gasoline pumps are located deliberately far enough away from the Chambers Rd entrance to generate easy in-and-out traffic flow at the Chambers entrance.

Use By Special Review Application

Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

Criteria 4: Will not have a material adverse effect on community capital improvement programs

This UBSR proposed development will not impact capital improvement programs.

Criteria 5: Will not require a level of community facilities and services greater than that which is available

The site will require a curb cut on Chambers Road and another on Double Angel Rd. These curb cuts will be installed and paid for by the master developer. The new Neighborhood Shopping Center will be built with commercial quality materials that do not require any unusual fire or police protection. Landscaping will be installed to beautify this location while placing an emphasis on water conservation by selecting low water consuming plant materials wherever possible and as allowed.

Utilities and Town of Parker Services: The gasoline pumps as a part of the convenience store will be built to meet the Town of Parker's and utilities companies' design requirements and materials selections to efficiently use the public services (water, sewer, electric, gas, fire department, and police services).

Criteria 6: Will not result in undue traffic congestion or traffic hazards

This UBSR proposal will not result in undue traffic congestion or traffic hazards.

In 2011 a master traffic study was performed for the entire Parker Homestead Community. The title of this master traffic study is:

“Parker Homestead Traffic Impact Analysis” dated February 2011 and revised in May 2011, prepared by David Evans and Associates. Hereafter referred to as the “Original Traffic Study”. The Original Traffic Study was performed for the entire Parker Homestead development, which included 370 residential units and a small land area of 10 acres for retail uses.

This UBSR proposal is consistent with the 10 acres for retail uses in the Original Traffic Study for the following reasons:

- 1) **Same Retail Land Uses:** This UBSR proposal contains retail uses which are consistent with the 10 acres of retail uses envisioned by the Original Traffic Study (Figure 3 on page 14 of the 102-page study). This UBSR proposal is for the following retail uses: convenience store with fuel pumps, car wash, and liquor store - located on about 1.3 acres.
- 2) **Same Retail Location:** This UBSR proposal of about 1.3 acres of retail uses are a part of the 10 acres shown in the Original Traffic Study. Also, this UBSR proposed 1.3 acres is in the same location as in the Original Traffic Study (Figure 3 on page 14 of the 102-page Study). The location for this UBSR proposed 1.3 acres is shown on the attached “Conceptual Site Plan – Lot 1” dated Jan 2021.

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17050 Mainstreet, Parker, CO 80134

- 3) **Consistent Traffic Volumes:** This UBSR proposal is estimated to project traffic volumes to/from this commercial site that are about the same as those in the Original Traffic Study.

In 2018 an updated traffic analysis was performed for these 10 acres of retail uses. The updated study is titled “Parker Homestead Commercial Traffic Analysis” dated Oct 2018 (hereafter referred to as “2018 Traffic Update”) prepared by David Evans and Associates - the same company who prepared the Original Traffic Study in 2011.

The Original Traffic Study assumed 10 acres of general retail for this site. However, the 2018 Traffic Update assumed a more specific mix of retail uses for this site in its statement below, which appears on page 3 of the 20-page update:

“The commercial development is expected to include a gun range, a convenience store with gas, and two buildings of neighborhood retail.”

Table 1 below compares the Daily Traffic Volumes during Peak Hours between these two traffic studies. In summary, the Total (In/Out) AM Peak Daily Traffic volume at this 10-acre site is about the same in both studies: 197 trips in the Original compared to 187 trips in the Update. However, the 2018 Study Update projects substantially less traffic (217 fewer peak trips daily) in the Total (In/Out) PM Peak Daily traffic volume: 527 trips in the Original compared to 316 trips in the Update.

Table 1: Compare Peak Traffic in Both Studies from this 10-Acre Commercial Site

ITEM	2011 Original Traffic Study*	2018 Traffic Update**	Difference
1. <u>AM</u> PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	191	187	About the same
2. <u>PM</u> PEAK HOURS – TOTAL (IN/OUT) DAILY TRIPS:	527	316	217 fewer peak daily trips in the 2018 Traffic Update

* 2011 Original Traffic Study: Listed in Table 1 on page 15 of the 102-page study, prepared by David Evans and Associates.

** 2018 Traffic Update: Listed in Table 2 on page 3 of the 20-page update, prepared by David Evans and Associates – the same company prepared the Original Traffic Study.

- **Site’s Interior Road Design Reduces Traffic Impact on Chambers Rd & Double Angel Rd:**
This 10-acre site has 3 access points. One on Chambers Rd and two more on Double Angel Rd.

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Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

These three access points are connected by an internal road that allows customers to drive between these various retail shops on this internal road. This interior road should reduce the traffic impact along Chambers Rd and along Double Angel Rd.

Criteria 7: Will not cause significant air, water, or noise pollution

This UBSR proposal will be designed to meet the Town of Parker's design requirements, which address the concerns of air, water, nuisance lighting, and noise pollution. It is noteworthy that there is a significant distance from Chambers Rd to the nearest homes to the southwest which is over 640 feet – the equivalent of two football field lengths. This significant distance should serve as a buffer to those residences from noise emanating from the new Neighborhood Shopping Center.

The gasoline pumps have three (3) major safety features built into them, including:

- 1) Double-wall underground fuel tanks. This double wall tank design is made of state approved safety materials and is equipped with continuous leak-monitoring sensors. The sensors automatically detect any leakage in the empty space between the two tank walls and automatically sounds an audible alarm as well as an electronic alarm to the computer monitoring equipment in the convenience store. In addition, the gasoline pumps are professionally inspected annually and must pass the annual Colorado state safety mandated inspection requirements.
- 2) Break-away fuel hoses. In the event a driver inadvertently drives away with the fuel hose still attached to his/her car, the fuel hose is designed to automatically disconnect from the fuel pump. In such event, the gasoline pump automatically shuts off the flow of gasoline to prevent a fuel spill after such hose disconnection.
- 3) Gasoline Vapors Capture System: Gasoline vapors are recovered in 2 ways. First, modern automobiles have built-in "Onboard Refueling Vapor Recovery" (ORVR), which is an emissions control system that captures fuel vapors from the gas tank during refueling and operation. ORVR systems have helped reduce refueling emissions from escaping the tank and have proven to be highly effective. Second, the tanker truck that delivers the fuel to the underground tanks at a gas station are required by the State to have two hoses. One to deliver the fuel to the tanks. The second to recover the vapors from the underground tank as the liquid gasoline displaces the vapors. The vapors are then captured by the tanker truck. The law also requires this special equipment on the tanker truck to be inspected annually to verify it is operating safely.

Source: Colorado Air Pollution Control Division.

Criteria 8: Will be adequately landscaped, buffered and screened

This UBSR proposal will be designed by professional architects to meet the Town of Parker's requirements. All HVAC equipment will be screened to meet Town of Parker's requirements. The landscaping will be designed by a professional landscape architect to meet the Town of Parker's landscape design requirements.

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An emphasis will be placed on selecting plant materials that minimize water consumption and to the degree acceptable to the Town of Parker.

The gasoline pumps and canopy are located along Chambers Rd and will have a 75-foot buffer between the gasoline pumps and Chambers Rd. No building structures will be built in this buffer.

Criteria 9: Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town

This UBSR proposal will use professional architects, and site planner who are conversant with the Town of Parker's requirements to be sensitive to the health, safety, or welfare of the present or future inhabitants of the Town of Parker.

In addition, as discussed in "Criteria 7" above the gasoline pumps are specifically designed and annually inspected as mandated by the State of Colorado to provide for the health, safety, and welfare of the public.

Exhibit C - Distances to Closest Shopping Conveniences

Below is a list of the closest shopping conveniences currently available to the neighbors. The posted distances are the round-trip driving miles to each convenience shop's location from the proposed Neighborhood Shopping Center location at Chambers Rd and Double Angel Rd, Parker.

- **Nearest food or convenience store is 4.6 miles round-trip**
 - Closest: 4.6 miles round trip. TSquare Convenience Store, 17050 Mainstreet, Parker. Owned and Operated by Mitrah.
 - 2nd Closest: 7.0 miles round trip. 7-Eleven Convenience Store, 12285 S Parker Rd, Parker
- **Nearest gas station is 4.6 miles round-trip**
 - Closest: 4.6 miles round trip. Phillips 66 Gas Station, 17050 Mainstreet, Parker. Owned and Operated by Mitrah.
 - 2nd Closest: 7.0 miles round trip. Conoco Gas Station, 12285 S Parker Rd, Parker
- **Nearest car wash facility is 7.0 miles round-trip**
 - Closest: 7.0 miles round trip. Car Wash USA Express, 16941 Lincoln Ave, Parker
 - 2nd Closest: 7.2 miles round trip. Lucky Dog Car and Pet Wash, 10003 Jordan Rd, Parker
- **Nearest liquor store is 4.6 miles round-trip**
 - Closest: 4.6 miles round trip. Wild Yankee Liquors, 17002 Mainstreet, Parker
 - 2nd Closest: 6.6 miles round trip. Keystone Liquors, 16522 Keystone Blvd D, Parker
- **Nearest pizza shop is 4.2 miles round-trip**
 - Closest: 4.2 miles round trip. Little Caesars Pizza, 17002 Mainstreet, Parker
 - 2nd Closest: 6.6 miles round trip. Lil' Ricci's Pizza, 16526 Keystone Blvd, Parker

Use By Special Review Application

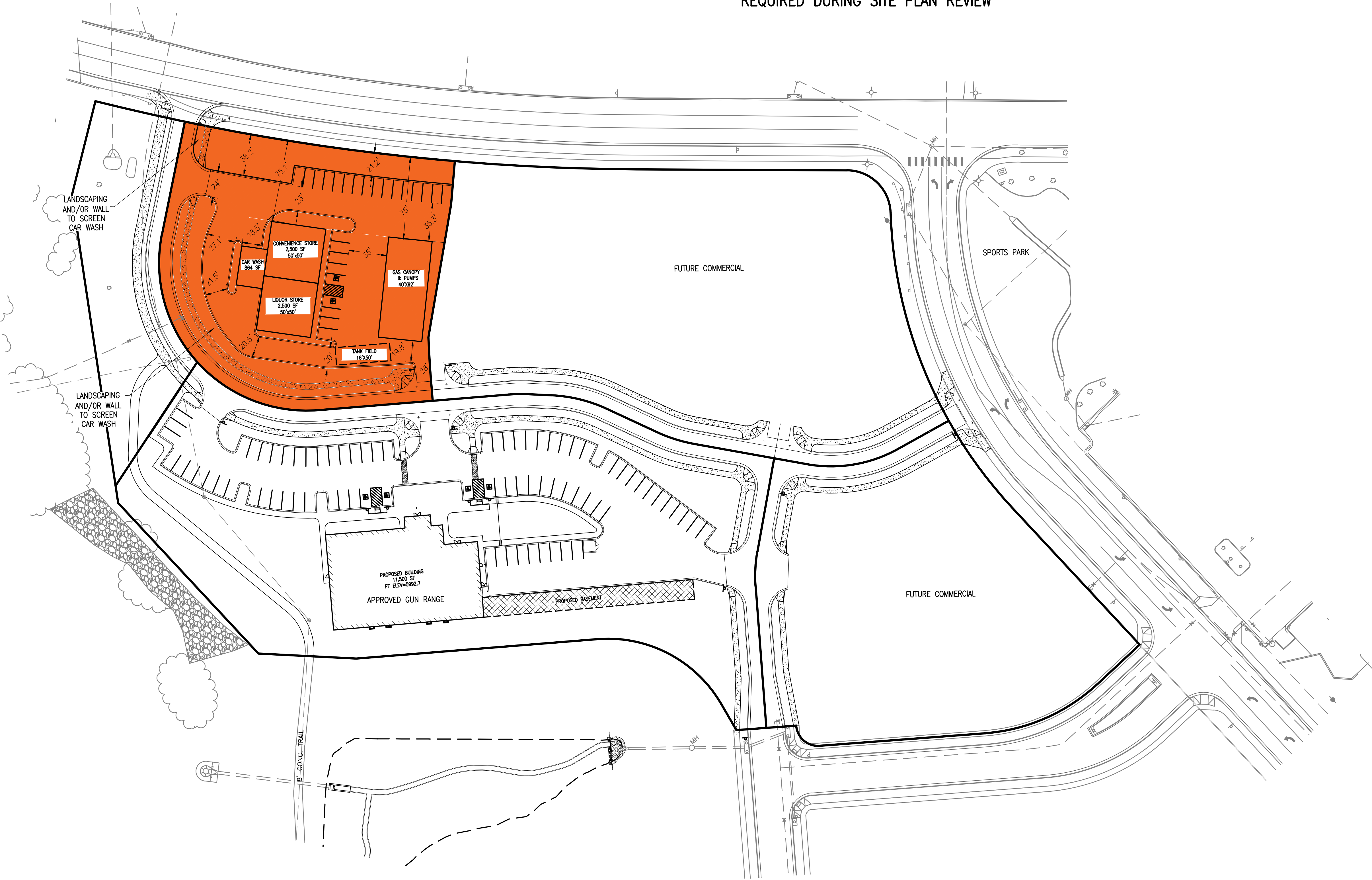
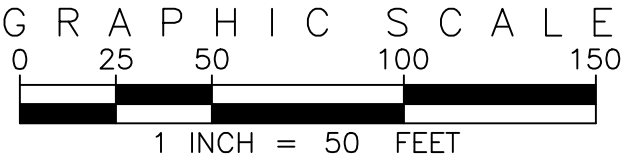
Mitrah Investments & Holdings, LLC (Mitrah)
17050 Mainstreet, Parker, CO 80134

- **Nearest fast food is 6.4 miles round-trip**
 - Closest: 6.4 miles round trip. Culver's, 18561 Mainstreet, Parker
 - 2nd Closest: 6.6 miles round trip. Sonic Drive-in, 16538 Keystone Blvd Lot 2b, Parker
- **Nearest bank is 6.8 miles round-trip**
 - Closest: 6.8 miles round trip. First Bank, 16530 Keystone Blvd, Parker
 - 2nd Closest: 7.0 miles round trip. Community Banks of Colorado, 18601 Mainstreet, Parker
- **Nearest coffee shop is 7.0 miles round-trip**
 - Closest: 7.0 miles round trip. Starbucks, 17051 Lincoln Ave, Parker
 - 2nd Closest: 7.0 miles round trip. Starbucks, 11150 S Twenty Mile Rd, Parker

End of application

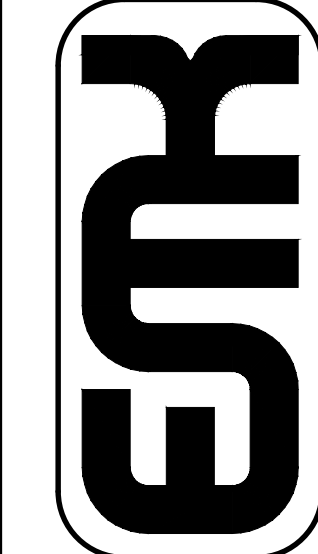
CONCEPTUAL SITE PLAN — LOT 1

CHANGES AND MODIFICATIONS MAY BE
REQUIRED DURING SITE PLAN REVIEW



LOT 1 LAND USE	
DESCRIPTION	AREA
BUILDING	5,864 SF
DRIVE AISLES AND PARKING	34,350 SF
LANDSCAPE AND WALK	17,177 SF
TOTAL	57,391 SF

EMK CONSULTANTS, INC.
LAND DEVELOPMENT
ENGINEERING & SURVEYING
7006 SOUTH ALTON WAY, BLDG. F
CENTENNIAL, COLORADO 80112-2019
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(303)694-1150



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DESIGNED BY:		DRAWN BY:		CHECKED BY:		APPROVED BY:	
JW		BEU		ERM		ERM	
NO.		DESCRIPTION		DATE		BY	

PARKER HOMESTEAD FILING NO 1
1ST AMENDMENT—TRACT A

DATE: JAN 18, 2021
JOB NO: 13200.00

SCALE
HORIZONTAL 1"=50'
VERTICAL N/A

1 of 1



Request for Town Council Action

Date: April 19, 2021

Submitted By: Jamie Wynn, Assistant Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.136.4 - Second Reading (Continued from March 22, 2021 and to be continued to June 7, 2021)**
A Bill for an Ordinance to Approve the Addendum to Amended and Restated Funding Agreement By and Between the Town of Parker and the Douglas County Emergency Telephone Service Authority Concerning the Hosted 911 NICE Recording Services
Department: Town Attorney, Jamie Wynn

EXECUTIVE SUMMARY

The Town of Parker entered into an Agreement with the Douglas County Emergency Telephone Service Authority ("The Authority") to participate in the Emergency Telephone Service / E911 system. The current Agreement includes a provision requiring an Addendum to be executed by both parties for any additional "Authority Funded Improvements." The Authority agreed to fund a Hosted 911 NICE Recorder for use by the Town of Parker, and this Addendum memorializes that agreement.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In 2007, the Town of Parker approved the Funding Agreement with the Douglas County Emergency Telephone Service Authority ("The Authority") agreeing to participate in the Emergency Telephone Service / E911 system. The 2007 Agreement was amended in 2011 ("Amended Agreement") and approved and signed by the Town of Parker. The 2011 Amended Agreement included Exhibit B, which was a blank form addendum, for the parties to complete and sign upon The Authority approving any additional "Authority Funded Improvements."

In 2013, both parties signed an Addendum to amend the term "Authority Funded Improvements" to include services purchased by The Authority for use by the Town. In 2017, the Town approved and signed an Addendum as provided for in Exhibit B to the Amended Agreement for purchase of equipment and other improvements for use by the Town. In 2018, a third Addendum was provided for review and signature by the Town of Parker. The 2018 Addendum provided that The Authority will "appropriate and budget the Funds . . . and deliver the Funds on behalf of the Public Agency directly to the Vendor in a timely manner" for the

purchase of a "Venture Technologies - NICE Recorder." There is no financial obligation to the Town of Parker based on this Addendum and the system is being used by Parker 911. The Addendum is a formality to incorporate the updated funded improvements and the financial obligation of The Authority into the Amended Agreement.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 9.136.4

RECOMMENDED MOTION

I move to continue Ordinance No. 9.134.4 to June 7, 2021, for second reading.

ORDINANCE NO. 9.136.4, Series of 2021

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE ADDENDUM TO AMENDED AND RESTATED FUNDING AGREEMENT BY AND BETWEEN THE TOWN OF PARKER AND THE DOUGLAS COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY CONCERNING THE HOSTED 911 NICE RECORDING SERVICES

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 Addendum to Amended and Restated Funding Agreement by and between the Town of Parker and the Douglas County Emergency Telephone Service Authority concerning the Hosted 911 NICE Recording Services, 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 _____, 2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2021.

Jeff Toborg, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

ADDENDUM TO AMENDED AND RESTATED FUNDING AGREEMENT

_____, 2021

THIS ADDENDUM TO AMENDED AND RESTATED FUNDING AGREEMENT ("Addendum") is made by and between Town of Parker (for the Parker Police Department), hereinafter referred to as "the Public Agency," and the Douglas County Emergency Telephone Service Authority, hereinafter referred to as "the Authority" (the Public Agency and the Authority being referred to individually as "Party" or jointly as "Parties").

In consideration of the mutual covenants, agreements and conditions hereinafter specified, the receipt and sufficiency of which are hereby acknowledged, the Public Agency and the Authority hereby modify the Amended and Restated Funding Agreement as follows:

The Authority shall provide \$297,435.90 (the "Funds") for the purchase of the following equipment, facilities and/or improvements for use by the Public Agency: A fully hosted Venture Technologies, Inc., dba ConvergeOne, Inc.-NICE Recorder for Hosted 911 NICE Recording Services (collectively, the "Additional Authority Funded Improvements").

The Additional Authority Funded Improvements shall be subject to the terms and conditions of the Amended and Restated Funding Agreement, in addition to the following conditions, requirements and/or restrictions: NONE.

The Authority has appropriated and budgeted the Funds for the fiscal year(s) of the purchase and has sufficient funds currently available to pay the vendor of the Additional Authority Funded Improvements (the "Vendor"). The Authority shall deliver the Funds on behalf of the Public Agency directly to the Vendor in a timely manner. All expenditures made by the Authority shall be subject to the Public Agency's procurement policies.

The Parties expressly intend and agree that this Addendum is hereby incorporated into the Amended and Restated Funding Agreement and the terms herein shall modify and control the terms in the Amended and Restated Funding Agreement. Any inconsistency between the terms of this Addendum and the terms of the Amended and Restated Funding Agreement shall be resolved in favor of the terms contained in this Addendum.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties have executed this Addendum to be effective as of the most recent date set forth below.

Public Agency: Town of Parker

By: _____
Jeff Toborg, Mayor
_____, 2021 (Date)

ATTEST:

Carol Baumgartner, Town Clerk

**Venture Technologies, Inc., dba ConvergeOne,
Inc.**

By: _____
_____(Name)
_____(Title)
_____(Date)

ATTEST:

_____(Name)
_____(Title)

**Authority: DOUGLAS COUNTY
EMERGENCY TELEPHONE SERVICE
AUTHORITY**

By: _____
Tim Gorman, President
_____, 2021 (Date)

ATTEST:

_____(Title)