

TOWN OF PARKER COUNCIL AGENDA
April 16, 2018

Notes:

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

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

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

1. **TOWN COUNCIL MEETING SCHEDULE**

A. **5:30 P.M. – Call to Order Town Council Meeting and Roll Call**

B. **Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**

C. **Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. **SPECIAL PRESENTATIONS**

3. **PARKER CHAMBER OF COMMERCE UPDATES**

4. **PUBLIC COMMENTS**

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

6. **CONSENT AGENDA**

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

A. *APPROVAL OF MINUTES - April 2, 2018 and April 9, 2018*

B. *THIRD AMENDMENT TO SUBDIVISION AGREEMENT FOR PINE BLUFFS FILING NO. 4*

Department: Engineering/Public Works, Alex Mestdagh

C. *HARVIE PROPERTY - Annexation and Zoning*

Applicant: Town of Parker
Location: Generally located north of Mainstreet at Canterbury Parkway
Department: Community Development, Mary Munekata
Parks, Recreation and Open Space, Dennis Trapp
Trakit No. ANX17-003 & Z17-017
Second Reading: May 7, 2018

- (1) *ORDINANCE NO. 2.60 - First Reading*
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Town Harvie Open Space Property
- (2) *ORDINANCE NO. 3.334 First Reading*
A Bill for an Ordinance Zoning Certain Property within the Town of Parker, Colorado, Known as the Town Harvie Open Space Property to OS-Open Space District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

D. *ORDINANCE NO. 1.507.2 – First Reading*
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Rhonda Willey
Second Reading: May 7, 2018

E. *ORDINANCE NO. 4.53.7 - First Reading*
A Bill for an Ordinance to Amend Subsection 10.09.010(a) of the Parker Municipal Code Concerning the Roadway Design and Construction Criteria Manual

Department: Engineering/Public Works, Alex Mestdagh
Second Reading: May 7, 2018

F. *ORDINANCE NO. 9.275 - First Reading*
A Bill for an Ordinance to Approve the Snow Removal Intergovernmental Agreement By and Between the Town of Parker, Colorado and the Board of County Commissioners of the County of Douglas

Department: Engineering/Public Works, Danny Smith
Second Reading: May 7, 2018

G. *ORDINANCE NO. 9.269.1 - First Reading*
A Bill for an Ordinance Approving the Amendment to Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Lemon Gulch Downstream of Crowfoot Valley Road Town of Parker (Agreement No. 17-06.08A, Project No. 106741) By and Between Urban Drainage and Flood Control District and the Town of Parker

Department: Engineering/Public Works, Jacob James
Second Reading: May 7, 2018

- H. *ORDINANCE NO. 1.512 - First Reading*
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Tract D, Reata West Filing No. 1

Department: Engineering/Public Works, Alex Mestdagh
Second Reading: May 7, 2018

- I. *RESOLUTION NO. 18-037*
A Resolution Accepting the Conveyance of a Drainage Easement from Lincoln Parker Auto, LLC, for Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment

Department: Engineering/Public Works, Alex Mestdagh

- J. *CONTRACTS OVER \$100,000*

1. *2018 Townwide Concrete Replacement Program (CIP-005)*

Amount: \$796,302.00
Contractor: Noraa Concrete
Department: Public Works and Engineering, John Mounier
Danny Smith, Streets Manager

2. *2018 Townwide Pavement Markings - Crosswalk/Symbols Project (CIP 18-008)*

Amount: \$169,659.85
Contractor: Colorado Barricade
Department: Public Works and Engineering, Dave Aden

- K. *PROCLAMATION - Kids to Parks Day -- May 19, 2018*

Department: Town Council

7. **TOWN ADMINISTRATOR**

8. **PUBLIC HEARINGS**

GRASSLANDS/PRAIRIE TRAIL - Annexation and Zoning

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

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

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

TRAKiT No.: ANX18-001

- (A) **RESOLUTION NO. 18-032**
A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Grasslands/Prairie Trail Property for Annexation into the Town of Parker
- (B) **ORDINANCE NO. 2.259 - Second Reading**
A Bill for an Emergency Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Grasslands/Prairie Trail Property in Douglas County
- (C) **ORDINANCE NO. 3.333 - Second Reading**
A Bill for an Emergency Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Grasslands/Prairie Trail Property to PD-Planned Development District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith
- (D) **ANNEXATION AGREEMENT**

9. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

April 16, 2018

"To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)."

1. Proposed Bargain and Sale Deed from Douglas County concerning reversionary interest in the Parker Senior Center Property
2. Request to vacate a portion of Sun Way

"To hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b)."

3. Colorado Revised Statute Section 31-12-114 concerning conflicting claims by two or more municipalities and Town of Parker Annexation Case No. ANX18-001
4. *Town of Parker v. Oltmann, et al*, Douglas County District Court

**TOWN OF PARKER COUNCIL
MINUTES
APRIL 2, 2018**

Mayor Mike Waid called the meeting to order at 5:35 p.m. All Councilmembers were present except Josh Martin.

Jim Maloney announced the topics for the Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(e) there were two (2) items; the proposed amendments to the Cottonwood Highlands Annexation Agreement concerning road improvements; and the proposed Kime Annexation and related access. Under C.R.S. § 24-6-402(4)(b) there was one (1) item which was Sections 13.02.010, 13.04.240(b), 13.04.250 of the Parker Municipal Code and Resolution No. 18-036, Series of 2018 concerning applicants.

EXECUTIVE SESSION

Amy Holland moved and Debbie Lewis seconded to go into Executive Session at 5:40 p.m. to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), and to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to adjourn the Executive Session at 6:35 p.m.

The motion was approved unanimously.

John Diak moved and Amy Holland seconded to recess the regular Town Council meeting at 6:35 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7 p.m.

Boy Scout Troop 868 led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

A. Eagle Scout Jett Hicken Recognition

Richard Forester, 22846 Hale Avenue, recognized Eagle Scout Jett Hicken for his work at the Senior Center renovating the restrooms.

B. Storm Ready-National Weather Service

Commander Doreen Jokerst introduced Greg Thornton, Town of Parker Emergency Preparedness Coordinator and Greg Hanson of 15486 W. 72nd Pl., Arvada, CO, with the National Weather Service. Greg Hanson presented the Town with a Storm Ready sign for good emergency and weather practices.

PARKER CHAMBER OF COMMERCE UPDATES – None.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Shelley Mango with the Downtown Business Alliance congratulated Josh Rivero and his wife for being in business on Mainstreet for the last 10 years. She reported that the Alliance's website would be live by May 1, 2018. She also reported the Creative District Committee would be partnering with the Parker Artists Guild for the "1st Friday Art Walks." She announced that someone on the Government Action Committee would be reaching out to various Town departments to introduce themselves as a point of contact to the Alliance. Shelley reported the next Alliance meeting will be held on April 11 and Weldy Feazell will be the speaker.

PUBLIC COMMENTS

Kura Storjev, 10150 Granite Hill Dr., Unincorporated Douglas County, spoke regarding plastic bags and the abundance of them and the effect they have on our environment. She would like Council to consider placing a ban on plastic bags in the community.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. *APPROVAL OF MINUTES - March 19, 2018*

B. *GRASSLANDS/PRAIRIE TRAIL ANNEXATION AND ZONING*

<i>Applicant:</i>	<i>ABMAR Grasslands, LLC Charter Communications Holding Company, LLC M&P Enterprises, LLC Woodspear Prairie Trail, LLC Town of Parker Community Development Department (as to zoning)</i>
<i>Location:</i>	<i>Generally bound by the county line between Douglas County and Arapahoe County, Upland Drive, Prairie Trail Drive and Compark Boulevard</i>
<i>Department:</i>	<i>Community Development, Paul Workman Community Development, Stacey Nerger</i>
<i>TRAKiT No.:</i>	<i>ANX18-001</i>
<i>Second Reading:</i>	<i>April 16, 2018</i>

- (1) *ORDINANCE NO. 2.259 - First Reading*
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Grasslands/Prairie Trail Property in Douglas County
- (2) *ORDINANCE NO. 3.333 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Grasslands/Prairie Trail Property to PD-Planned Development District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith
- C. *ORDINANCE NO. 9.273 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and Parker Water and Sanitation District Regarding Public Improvements Security
 Department: Engineering/Public Works, Chris Hudson
 Second Reading: May 7, 2018
- D. *ORDINANCE NO. 9.274 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and Cottonwood Water and Sanitation District Regarding Public Improvements Security
 Department: Engineering and Public Works, Chris Hudson
 Second Reading: May 7, 2018
- E. *ORDINANCE NO. 1.511 - First Reading*
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Lot 2A, Twenty Mile Industrial Park Subdivision Filing No. 2, 1st Amendment
 Department: Engineering/Public Works, Alex Mestdagh
 Second Reading: May 7, 2018
- F. *RESOLUTION NO. 18-033*
A Resolution Setting the Date for Consideration of the Annexation Ordinance for the Town Harvie Open Space Property for Second Reading on May 7, 2018
 Department: Community Development, Mary Munekata
 Parks, Recreation and Open Space, Dennis Trapp
 Trakit No.: ANX17-003
- G. *RESOLUTION NO. 18-029*
A Resolution to Appoint Members to the Investment Advisory Committee
 Department: Finance, Mary Lou Brown

H. RESOLUTION NO. 18-036

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

Department: Town Attorney, Jim Maloney

Amy Holland moved to approve Consent Agenda Items 7A through 7H.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

PUBLIC HEARINGS

A. MEADOWLARK - Annexation and Zoning

Applicant: Henry Design Group for Meritage Homes

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

Department: Community Development, Ryan McGee

TRAKiT No.: ANX16-004 & Z16-020

(1) ORDINANCE NO. 2.258 - Second Reading

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

(2) ORDINANCE NO. 3.325 - Second Reading

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

(3) ANNEXATION AGREEMENT

(4) SKETCH AND PRELIMINARY PLAN

7:30 PM

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

open space consistent with the Master Plan. Meritage Homes plans to subdivide the 90-acre parcel through Sketch Plan and Preliminary Plans into 267 single-family lots and dedicate park and open space lands at a future date.

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

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

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

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

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

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

The Applicants were present and provided a brief presentation of the proposed development. Brian Connolly with Otten, Johnson, Robinson, Neff, and Ragonetti Law Firm, 950 17th Street #1600, Denver, representing Meritage Homes introduced Mr. Cross.

Richard Cross - 6892 S. Yosemite Ct, Centennial, talked about the Meritage Homes Company. He stated Meritage Homes has been working on the project for the last two years. They have held neighborhood outreach/input meetings throughout the process. They worked to address issues with Parker Water and Sanitation District. They have also worked to address the challenges of this property such as the connection to Richlawn Drive on the south, the waterline down Crowfoot Valley Road, the Lemon Gulch improvements, and the community benefits such as trails, parks, and cash in lieu for school dedications.

Mr. Connolly addressed the approval criteria by stating there is a need for single family homes, adequate traffic circulation exists pushing traffic to Crowfoot Valley Road. The Applicant will pay for traffic light. They completed a Phase 1 Environmental Site

Assessment. No environmental contamination on the site was found. The development will create regional amenities for the area. The development is consistent with the Town's Master Plan.

Public Comment

Wanda Wilson, 7600 N. Crowfoot Valley Road, Unincorporated Douglas County, stated she is not in favor of the development. She requested that a thorough environmental hazard study be conducted as there is trash and chemicals buried on the site.

Loren Bankston, 5892 E. Richlawn Drive, Unincorporated Douglas County, he is not in favor of the development. He asked that the whole road be paved not just a section of the road. He worries about light pollution as well as noise pollution. He added that the wildlife will be impacted. He commented that the Town is growing way too fast.

Carl Wilson, 7600 N. Crowfoot Valley Road, Unincorporated Douglas County, stated he is not in favor of the development. He stated there is trash and chemicals buried on the site. He stated there is no flood control in the area. Concerning the IGA with Douglas County, he stated the land use of this project does not conform to the agreement. The area is a wildlife corridor and the Division of Wildlife should be made aware so the Division can provide input and approval on the development.

Sharon Lours, 7151 Richlawn Drive, Unincorporated Douglas County, stated she is not in favor of the project. She explained that her neighborhood is very low density with only 14 homes. She stated that the wells in the neighborhood will be impacted by this development causing the homeowners to have to drill deeper for an adequate water supply which will be very costly. She was concerned about the traffic that this development will bring to the area.

Jennifer Vancoaten, 5760 Richlawn Lane, Unincorporated Douglas County, stated she is not in favor of the proposed development. She stated she has animals and the traffic pattern will be an issue for hay trucks being able to get in and out of the area to deliver hay. She added there needs to be more of a buffer between the 14 homes and the development.

James Shadler, 5828 Richlawn Dr., Unincorporated Douglas County, stated he is not in favor of the development. He stated the area is growing too fast. The Town should be proactive and not reactive. He asked what is going to happen when homeowners from this development complain about the animal smell in the area. He added that water is a big concern for him.

There was no one else from the public to comment. The Mayor closed public comments at 8:11 p.m.

Josh Rivero asked about the right-in-right-out access. Staff stated the right-in-right-out access would address any safety issues on the stretch of road.

The Applicant responded that Parker Water and Sanitation District is not putting a well on the site, the existing well will be plugged and the development will be provided with water from the Reuter-Hess Reservoir.

Debbie Lewis asked about the paving of Richlawn Drive. She stated that it would be nice if the developer would follow through on its commitment to pave the whole road. She added that the environmental issues are concerning.

The Applicant responded by explaining the horse owners did not want the whole road paved as it causes issues with the horses feet when walking on a hard surface. He also added that Lemon Gulch is being used as a wildlife corridor. The Division of Wildlife did not have comments regarding the proposed development. The environmental study looked at aerial photos to see what environmental changes have been made. The Applicant will address any contamination issues.

Debbie Lewis asked about the timeframe for a study to be completed. Mr. Connelly responded that it would take six to eight weeks.

Joshua Rivero asked about the connection to Highway 83 (Parker Road) and if that access came to fruition could the Richlawn access be vacated. Staff responded in the affirmative.

Joshua Rivero stated he would like to add a condition to go further with the environmental study. He suggested that the Applicant do a Phase 2 Environmental Analysis before the first final plat is approved.

Joshua Rivero moved to approve Ordinance No. 2.258 on second reading.

John Diak seconded the motion.

The vote was 4 to 1 in favor with Debbie Lewis voting no.

The motion passed.

Joshua Rivero moved to approve Ordinance No. 3.325 on second reading.

John Diak seconded the motion.

The vote was 4 to 1 in favor with Debbie Lewis voting no.

The motion passed.

Joshua Rivero moved to approve the Annexation Agreement for Meadowlark based on staff findings.

John Diak seconded the motion.

The vote was 4 to 1 in favor with Debbie Lewis voting no.

The motion passed.

Joshua Rivero moved that Town Council approve the Sketch and Preliminary Plans, subject to the four (4) conditions contained in the staff report and an additional condition (Item E) requiring the Applicant to complete a Phase 2 Environmental Analysis prior to the first final plat approval.

A. Meritage Homes shall construct a pedestrian connection from the Trails at Crowfoot development (south of this property) to their development as required by the Annexation Agreement.

B. All Final Plats and Landscape Plans must be substantially similar in design and layout and the inclusion of amenities to this Sketch and Preliminary Plans, as determined by Town staff.

C. Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.

D. The applicant shall meet required setbacks and zoning within the Planned Development Guide.

E. The applicant shall complete a Phase 2 Environmental Analysis before the first final plat is approved.

John Diak seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 3.332 - Second Reading

A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known As Country Meadows Square Property from PD-Planned Development to Modified Commercial District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

Applicant: Gene Gregory, Country Meadows Development LLC

Location: Northwest corner of Hess Road and Parker Road

Department: Community Development, Stacey Nerger

Trakit No.: Z18-002

8:28 PM

The subject property was annexed into the Town in 1983 as part of the larger Country Meadows Planned Development (PD). The development of the commercial properties has occurred sporadically since 2004 due to cyclical variations in the economy and changes in ownership. The major development milestones are as follows:

1. In 1991, the subject property was platted with the Country Meadows Subdivision as an unbuildable commercial tract.

2. In 2004, the unbuildable commercial tract was replatted into eight buildable lots with the Country Meadows Square Minor Development Plat.
3. In 2007, two site plans were approved on the property for an 11,000 square-foot Merryhill School child care center and a 4,488-square-foot Service Street automotive repair shop.
4. In 2009, a site plan was approved for a 7-Eleven convenience store and service station.
5. In 2017, two additional site plans were approved for a 6,000-square-foot dental office and a 41,000 square-foot multi-tenant commercial development with two buildings.

The current Country Meadows PD zoning for the Commercial Planning Area lists several commercial retail and restaurant uses that are permitted as a use by-right on the property. However, other compatible uses such as a brewery and kick boxing gym are not permitted by right and require the discretionary uses not itemized process for approval. The proposal to update the PD zoning with modified C-Commercial zoning will update the existing regulations to allow a greater variety of appropriate uses for the site on a by-right basis.

The proposed rezoning meets the nine criteria established by the Land Development Ordinance as discussed in the Planning Commission staff report.

On March 22, 2018, the Planning Commission unanimously recommended Town Council approve the rezoning request.

The Applicant, Gene Gregory, 367 Sandy Hollow, Franktown, was present and spoke. He stated the site was built in two phases. He is trying to get the property leased out and needed to get the zoning addressed for certain uses.

Public Comment

Lynette Clifford, 19660 Culpepper Circle, Parker, stated she is against the rezoning. She stated she was concerned about the odor from the brewery and the increased traffic the center will bring to the area.

Aaron Murphy, 23744 E. Mississippi Cir, Aurora, owner of Welcome Home Brewery, responded that the odor will not be an issue as they are very small and the air will be recirculated through the HVAC system. To address the noise issue, he stated that a brewery cannot sell after midnight. He will be closing his venue at 10 p.m. on week nights and 11 p.m. on the weekends. He encouraged everyone to bring their family as it is part of the brewery culture.

There was no one else to comment, the Mayor closed the Public Hearing at 8:40 p.m.

Debbie Lewis asked about the traffic. Staff confirmed that there are two entrances and one exit.

John Diak asked if the entrances and exit satisfy the fire and safety requirements. Staff confirmed that it meets fire and safety requirements.

John Diak moved to approve Ordinance No. 3.332 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 5.79 - Second Reading

A Bill for an Ordinance to Amend Section 5.02.660 of the Parker Municipal Code Concerning Public Notice of Liquor License Applications

Department: Town Attorney, Jim Maloney

State law and the Parker Municipal Code (the “Town Code”) currently require the applicant for a new liquor license to post one sign for the public hearing to be held for the new license before the Special Licensing Authority (the “Authority”). The Authority is recommending a change to the Town Code to require the posting of a public hearing notice sign at each entrance into the liquor establishment.

Public Comment – None.

Debbie Lewis moved to approve Ordinance No. 5.79 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.80 - Second Reading

A Bill for an Ordinance to Amend Chapter 7.01 of the Parker Municipal Code to Allow Traffic Direction, Regulation and Control by Appointed Special Police Officers

Department: Police Department, Doreen Jokerst

The proposed Ordinance would amend Chapter 7.01 of the Parker Municipal Code to allow Special Police Officers, designated by the Chief of Police, to direct, regulate and control traffic.

Public Comment – None.

Amy Holland moved to approve Ordinance No. 5.80 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 8:51 p.m.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor

Prepared by: Chris Vanderpool, Deputy Town Clerk

TOWN OF PARKER
TOWN COUNCIL SPECIAL MEETING
April 9, 2018

Mayor Mike Waid called the meeting to order at 8:03 p.m. Councilmember Debbie Lewis was absent.

Town Attorney Jim Maloney announced that the topic for discussion in Executive Session was one (1) item under C.R.S. § 24-6-402(4)(b) to receive legal advice on specific legal questions on Colorado Revised Statute Section 31-12-114 concerning conflicting claims by two or more municipalities and Town of Parker Annexation Case No. AX18-001.

EXECUTIVE SESSION

Amy Holland moved and Josh Rivero seconded to go into Executive Session at 8:04 P.M. to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Josh Martin moved and Josh Rivero seconded to come out of Executive Session at 8:23 p.m.

The motion was approved unanimously.

Renee Williams moved and Josh Rivero seconded to adjourn the Special Meeting at 8:25 p.m.

The motion was approved unanimously.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor



Request for Town Council Action

Date: April 16, 2018
Submitted By: Alex Mestdagh, Engineering Service Manager
Reviewed By: Michelle Kivela, Town Administrator
Title: **THIRD AMENDMENT TO SUBDIVISION AGREEMENT
FOR PINE BLUFFS FILING NO. 4**

Department: **Engineering/Public Works, Alex
Mestdagh**

EXECUTIVE SUMMARY

This item accompanies a proposed amendment to the Subdivision Improvements Agreement for Pine Bluffs Filing No. 4. This amendment addresses recently approved revisions to the public improvements for this development and the associated completion date for the improvements.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Pine Bluffs Filing No. 4 development is located at the northeast corner Parker Road and Hess Road and is zoned for commercial development. The Town and developer entered into the original Subdivision Improvement Agreement (SIA) for the development in 2006 in conjunction with the approval of the of the associated plat and construction plans.

The project ultimately did not move forward at that time, and two amendments to the SIA were approved in 2009 and 2012 to extend the completion date for the public improvements. The public improvements were not completed by the date specified in the 2012 amendment, and the development has been in default of their agreement since August 2014.

The developer now intends to move forward with development of the site and has submitted and gained approval for revised construction plans and a replat of the property. In order to bring the development out of default, a third amendment to the SIA has been prepared. This amendment proposes the following revisions to the agreement:

- Removes a provision from the original SIA allowing the developer to take an access to

the property from an adjacent roadway, Crooked Pine Circle. An alternate access concept has been agreed to by the Town, developer, and adjacent residential HOA that eliminates the need for this provision.

-Replaces the original Public Improvements Cost Estimate associated with the 2006 construction plans with a replacement exhibit reflecting the current construction plans.

-Revises the completion date for the public improvements to June 30, 2019.

Approval of this amendment would allow the developer to move forward with the new plans for the development. If this amendment is denied, the developer would be forced to cure the default in accordance with the original agreement.

FINANCIAL IMPACT

Per Town policies, the public improvements will be financially secured with the Town and will be subject to a two-year warranty period to help ensure deficiencies are identified and corrected. Following the warranty period, the Town will accept maintenance responsibility for the public improvements.

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



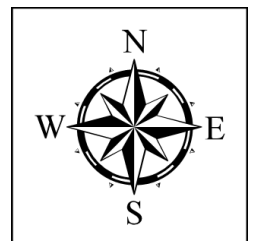
DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Vicinity Map
2. Subdivision Improvement Agreement Amendment

RECOMMENDED MOTION

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



**THIRD AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT
Pine Bluffs Filing No. 4**

THIS THIRD AMENDMENT is made and entered into this ____ day of _____, 2018, by and between the Town of Parker, a Colorado home rule municipal corporation (the "Town"), and Mustang Development Company, Inc. (the "Developer").

RECITALS:

A. The Town and the Developer entered into the Subdivision Improvements Agreement Pine Bluffs Filing No. 4, on May 15, 2006 (the "Agreement").

B. The Town and the Developer entered into the First Amendment to Subdivision Improvements Agreement Pine Bluffs Filing No. 4, on June 8, 2009 (the "First Amendment").

C. The Town and the Developer entered into the Second Amendment to Subdivision Improvements Agreement Pine Bluffs Filing No. 4, on June 12, 2012 (the "Second Amendment").

D. The Developer desires to amend Paragraphs 4.e), 7 and 9 of the Agreement to change the date for the completion of the Public Improvements to June 30, 2019, and to reflect the new Public Improvements associated with Pine Bluffs Filing No. 4, First Amendment plat, approved by Town Council on March 6, 2018.

AGREEMENT

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

Section 1. Paragraph 4.e) is hereby deleted in its entirety and is of no force or effect.

Section 2. Paragraph 7 of the Agreement is amended to provide as follows:

7. Public Improvements and Warranty. All drainage structures, paved streets, including sidewalk, curb, gutter and slope easements, and necessary appurtenances, as shown on the subdivision plat and the associated construction documents (the "Public Improvements"), as approved by the Director of Engineering/Public Works of the Town, shall be installed and completed at the expense of the Developer, and dedicated and/or conveyed to the Town. The Public Improvements required by this Agreement and shown on the final subdivision plat submittal, as well as associated construction documents approved by the Director of Engineering/Public Works of the Town and the costs of these Public Improvements, are set forth in **Replacement Exhibit C**, attached hereto and incorporated herein (hereinafter referred to as "Exhibit C"). All Public Improvements covered by this Agreement shall be made in accordance with the

subdivision plat and associated construction documents drawn according to regulations and construction standards for such improvements and approved by the Director of Engineering/Public Works of the Town.

The Developer shall warrant any and all Public Improvements, which are conveyed to the Town, pursuant to this Agreement, for a period of two (2) years from the date the Town's Director of Engineering/Public Works grants probationary acceptance of the Public Improvements, as approved by the Town. The warranty period shall extend to the date final acceptance is granted in writing by the Town's Director of Engineering/Public Works. The Developer shall be responsible for scheduling the necessary inspections for probationary and final acceptance. Specifically, but not by way of limitation, the Developer shall warrant the following:

- a) That the title conveyed shall be marketable and its transfer rightful;
- b) Any and all facilities conveyed shall be free from any security interest or other lien or encumbrance; and
- c) Any and all facilities so conveyed shall be free of defects in materials or workmanship for a period of two (2) years, as stated above.

The Town will accept for maintenance all Public Improvements after the warranty period has expired, provided all warranty work has been completed. The Town shall accept for snow removal purposes only all dedicated public streets after probationary acceptance has been granted in writing by the Director of Engineering/Public Works.

Section 3. Paragraph 9 of the Agreement is amended to provide as follows:

9. Completion of Public Improvements. The obligations of the Developer provided for in paragraph 7 of this Agreement, including the inspections hereof, shall be performed on or before June 30, 2019, and proper application for acceptance of the Public Improvements shall be made on or before such date. Upon completion of construction by the Developer of such Public Improvements, the Town's Director of Engineering/Public Works or his designee shall inspect the improvements and certify with specificity their conformity or lack thereof to the Town's specifications. The Developer shall make all corrections necessary to bring the improvements into conformity with the Town's specifications. Once approved by the Town's Director of Engineering/Public Works, the Town shall accept said improvements upon conveyance, pursuant to paragraph 11; provided, however, the Town shall not be obligated to accept the Public Improvements until the actual costs described in paragraphs 3.a. and b. of this Agreement are paid in full by the Developer.

Section 4. The Town and the Developer acknowledge and agree that the Agreement has not been amended, except as provided in the First Amendment, Second Amendment and this Third Amendment to the Agreement.

WHEREFORE, the parties hereto have executed this Third Amendment on the day and year first above written.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

**DEVELOPER: MUSTANG DEVELOPMENT
COMPANY, INC.**

By: _____
Walter A. Koelbel, Jr., President

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Walter A. Koelbel, Jr., as President of Mustang Development Company, Inc.

My commission expires: _____.

SEAL

Notary Public

OPINION OF PROBABLE CONSTRUCTION COSTS

REG Job # 170201 Date: March 23, 2018

Pine Bluffs Filing No. 4, 1st Amendment

DEMOLITION/REMOVAL

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
Remove Curb and Gutter	605	LF	\$18.00	\$10,890.00
Remove Sidewalk	340	SY	\$16.00	\$5,440.00
Remove Inlet	0	EA	\$1,000.00	\$0.00
Remove Signs (Salvage for reuse)	2	EA	\$100.00	\$200.00
Removal Asphalt	370	SY	\$35.00	\$12,950.00
				\$0.00
DEMOLITION/REMOVAL SUBTOTAL				\$29,480.00

ROADWAYS

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
SITE				
Subgrade Prep	3900	SY	\$10.00	\$39,000.00
HBP Grade S (7" Thick)	1500	TN	\$115.00	\$172,500.00
Curb and Gutter 6" Vertical w/ 2' Pan	540	LF	\$21.00	\$11,340.00
Curb and Gutter 4" Mountable w/ 1' Pan	25	LF	\$25.00	\$625.00
7' Concrete Walk	50	SY	\$90.00	\$4,500.00
Curb Ramps-with truncated domes	12	SY	\$150.00	\$1,800.00
Truncated Domes	12	SF	\$10.00	\$120.00
Reset signs - New Post	2	EA	\$100.00	\$200.00
Street Signs with post	5	EA	\$250.00	\$1,250.00
Crosswalks-Painted	1	GAL	\$70.00	\$70.00
SITE SUBTOTAL				\$231,405.00

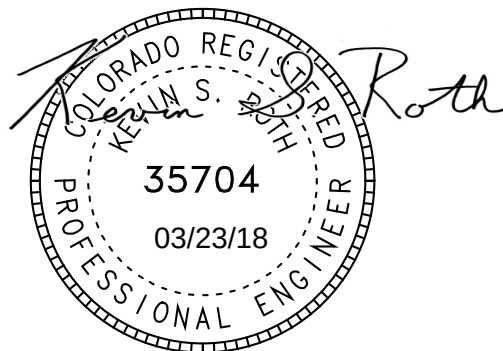
UTILITIES

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
WATER				
SANITARY				
Adjust Manhole	0	EA	\$500.00	\$0.00
STORM				
36" RCP	562	LF	\$95.00	\$53,390.00
42" RCP	552	LF	\$105.00	\$57,960.00
MH- 4' DIA	1	EA	\$3,000.00	\$3,000.00
MH- 5' DIA	3	EA	\$3,750.00	\$11,250.00
MH- 6' DIA	6	EA	\$4,750.00	\$28,500.00
MH- Boxbase (81" x 81")	3	EA	\$5,500.00	\$16,500.00
Inlet Type R (5')	5	EA	\$4,000.00	\$20,000.00
Inlet Type R (10')	1	EA	\$5,250.00	\$5,250.00
Inlet Type R (MODIFIED)	2	EA	\$5,250.00	\$10,500.00
Inlet Type 13	2	EA	\$4,000.00	\$8,000.00
18" FES	2	EA	\$1,250.00	\$2,500.00

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
Adjust Manhole	1	EA	\$500.00	\$500.00
UTILITIES SUBTOTAL				\$217,350.00
POND				
ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
Remove - Concrete Access	144	SY	\$15.00	\$2,160.00
Earthwork (onsite)	150	CY	\$2.00	\$300.00
Concrete Forebay Extension	30	CY	\$200.00	\$6,000.00
Retaining Wall- Concrete	840	SF (face)	\$90.00	\$75,600.00
Rip Rap Type M-Soil	170	CY	\$50.00	\$8,500.00
Type 1 Bedding	43	CY	\$50.00	\$2,150.00
Concrete Paving - Type B (6")	108	SY	\$90.00	\$9,720.00
EARTHWORK SUBTOTAL				\$101,970.00
SUB TOTAL DEMOLITION, ROADWAYS, UTILITIES, EARTHWORK				\$580,205.00
CONSTRUCTION CONTINGENCY (10%)				\$58,020.50
MOBILIZATION (5%)				\$29,010.25
SURVEYING (3%)				\$17,406.15
CONSTRUCTION MANAGEMENT AND MATERIALS TESTING (12%)				\$69,624.60
PUBLIC IMPROVEMENT TOTAL				\$754,266.50
SECURITY AT 110%				\$829,693.15

Notes:

Dry Utility relocations and construction not included in this estimate





Request for Town Council Action

Date: April 16, 2018

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

Reviewed By: Michelle Kivela, Town Administrator

Title: **HARVIE PROPERTY - Annexation and Zoning**

Applicant: Town of Parker

Location: Generally located north of Mainstreet
at Canterbury Parkway

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

Trakit No. ANX17-003 & Z17-017

Second Reading: May 7, 2018

- (1) **ORDINANCE NO. 2.60 - First Reading**
**A Bill for an Ordinance Approving and Accomplishing
the Annexation of Contiguous Unincorporated
Territory Known as the Town Harvie Open Space
Property**
- (2) **ORDINANCE NO. 3.334 First Reading**
**A Bill for an Ordinance Zoning Certain Property
within the Town of Parker, Colorado, Known as the
Town Harvie Open Space Property to OS-Open Space
District Pursuant to the Town of Parker Land
Development Ordinance and Amending the Zoning
Ordinance and Map to Conform Therewith**

EXECUTIVE SUMMARY

The Town of Parker proposes to annex and zone 71.45 acres of land known as the Harvie Open

Space that is currently located in Douglas County. The subject property is owned by the Town and is located within the Town's Urban Growth Area. The proposal to annex and zone the property is therefore consistent with the Parker 2035 Master Plan. The proposed Open Space (OS) zoning would allow limited recreational use in the future and preserve the property in an undeveloped state as required by conservation easement.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Harvie Open Space is located on the east side of Parker immediately north of the intersection of Mainstreet and Canterbury Parkway. Douglas County, the previous owner of the property, contacted Parker in 2013 about transferring ownership from the County to the Town since it is distant from their primary service area and is located adjacent to the Town boundary. The Town Council supported the transfer of the property and it was conveyed to the Town in late 2016.

The property is located within the Town's Urban Growth Area and meets the statutory requirements for annexation including but not limited to contiguity.

The proposed OS zoning meets the nine criteria as defined in the Land Development Ordinance.

Planning Commission will hold a public hearing on April 26, 2018, and make a recommendation to Town Council.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



SUPPORT AN
ACTIVE COMMUNITY

ATTACHMENTS

1. Vicinity Map
2. Annexation Map
3. Ordinance No. 2.260
4. Ordinance No. 3.334

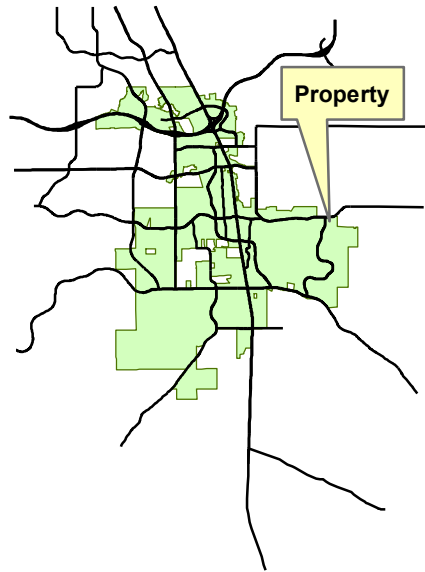
RECOMMENDED MOTION

(1) I move to approve Ordinance No. 2.60 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

(2) I move to approve Ordinance No. 3.334 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

Harvie Open Space Annexation & Rezoning

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



Legend

- Site
- Roads

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

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

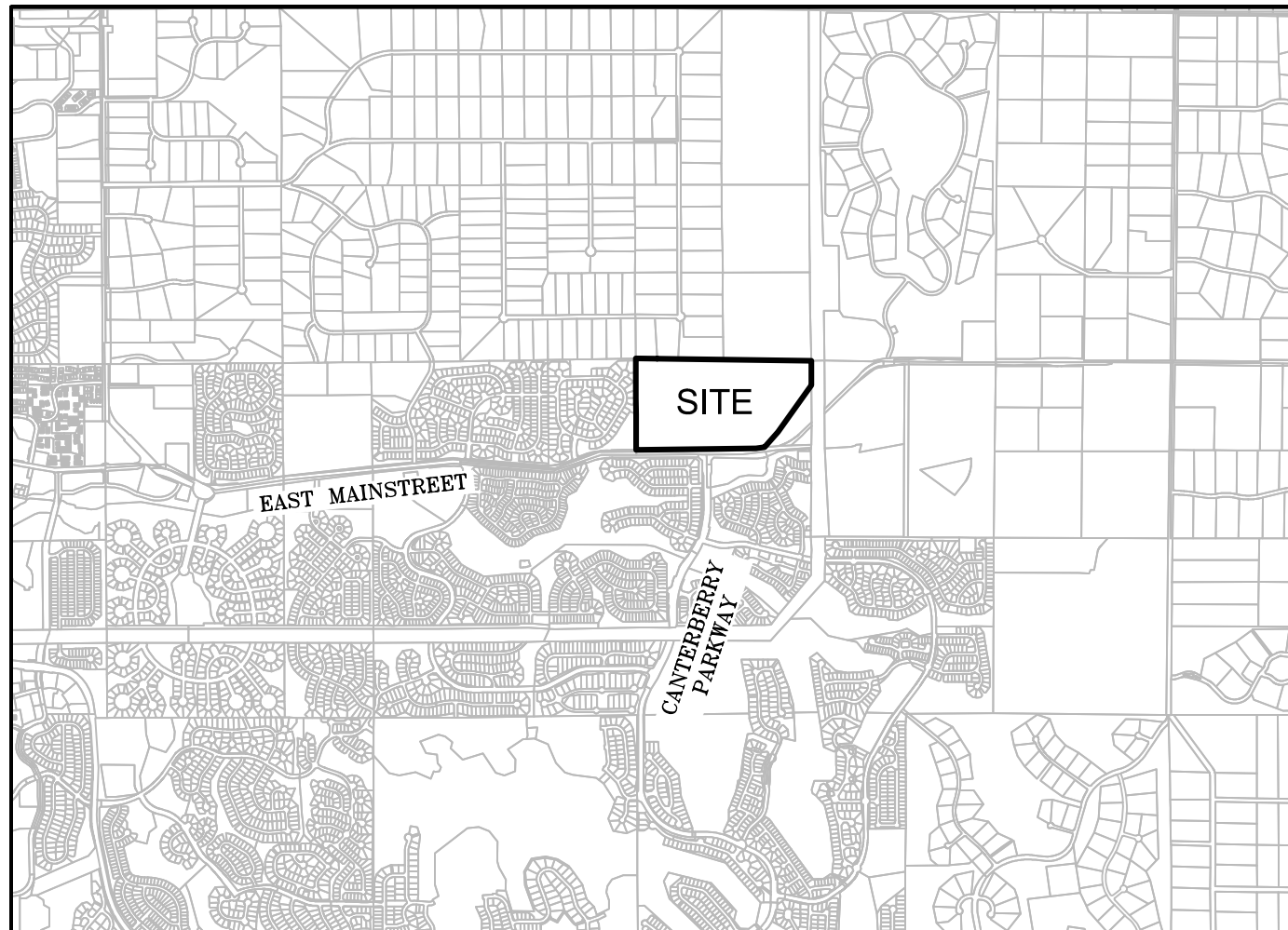
Town Council:
April 16, 2018 (1st Reading)
May 7, 2018 (2nd Reading)



RAY J. HARVIE ANNEXATION MAP

TO THE TOWN OF PARKER

LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
COUNTY OF DOUGLAS, STATE OF COLORADO



VICINITY MAP
SCALE: 1" = 2000

LEGAL DESCRIPTION

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

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 24

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

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

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

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

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

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

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

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

NOTES

1. BASIS OF BEARINGS: THE BEARINGS SHOWN HEREON ARE BASED UPON THE WEST LINE OF THE N¹/₂ OF THE NE 1/4 OF SECTION 24, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AS SHOWN HEREON, AND BEARING NORTH 00°13'38" WEST, GRID BEARINGS, COLORADO COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.
2. DISTANCES ON THIS PLAT ARE GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
3. THIS ANNEXATION MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
4. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

OWNER

TOWN OF PARKER
20120 EAST MAINSTREET
PARKER, CO 80138

CONTIGUITY

TOTAL PERIMETER = 7364.08'
CONTIGUOUS PERIMETER = 3193.37' (43%)
1/6 PERIMETER = 1227.35'
TOTAL AREA = 71.459 ACRES±

SURVEYOR'S CERTIFICATE

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



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 2256
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____ 20____ A.D., AT _____ A.M./P.M. AND WAS RECORDED AT _____

RECEPTION NO. _____

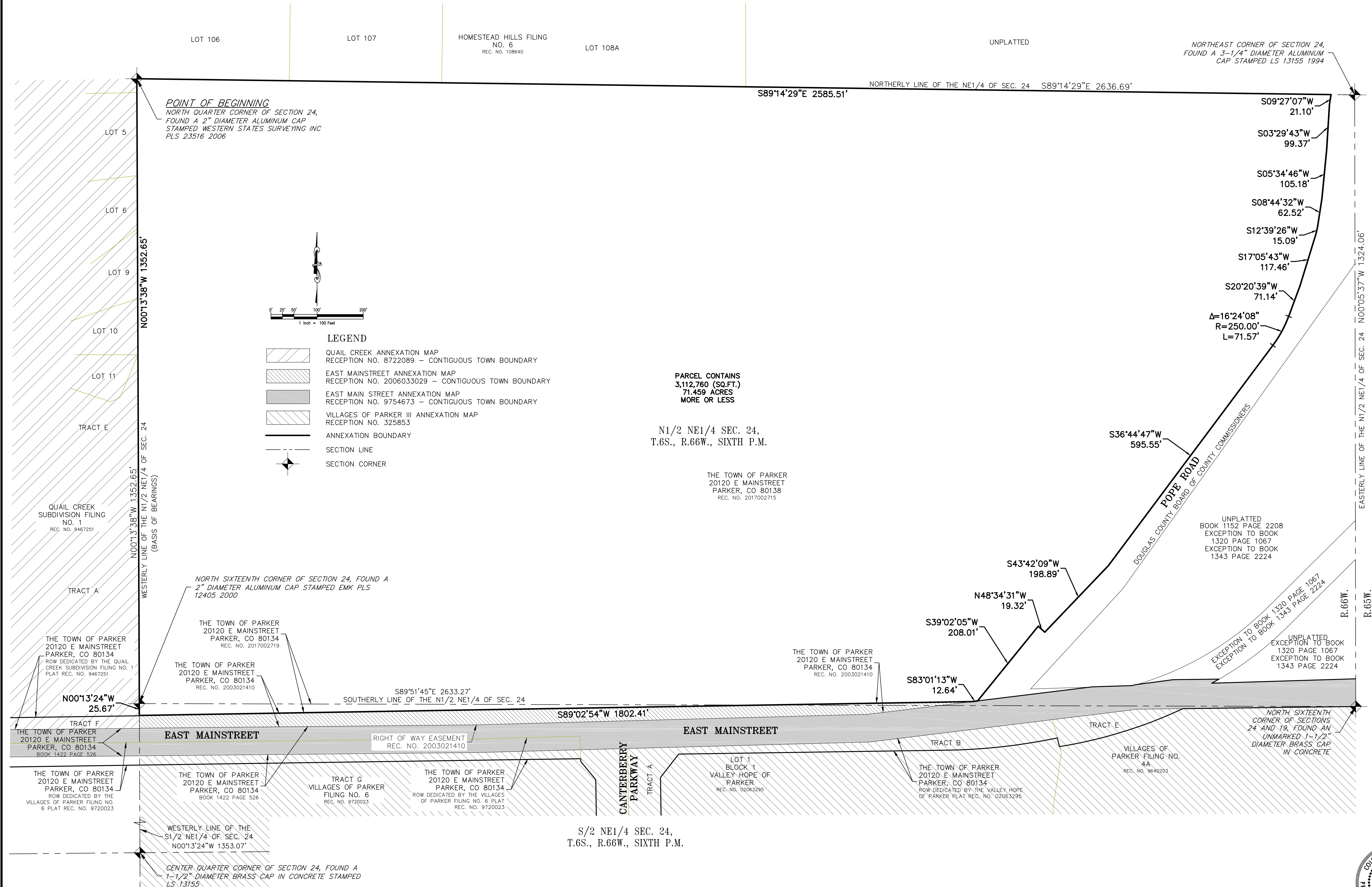
COUNTY CLERK AND RECORDER

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RAY J. HARVIE ANNEXATION MAP

TO THE TOWN OF PARKER

LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO



SCALE
1"=100'

DATE
DEC 04/03/2017

REVISION DESCRIPTION

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

AZTEC
CONSULTANTS, INC.

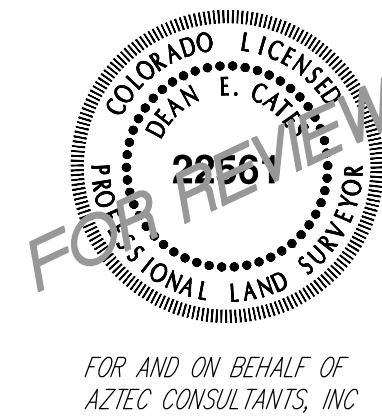
HARVIE ANNEXATION MAP
TOWN OF PARKER
DOUGLAS COUNTY, COLORADO

PREPARED FOR
THE TOWN OF PARKER
20120 EAST MAINSTREET, PARKER, CO 80138

SHEET
2

OF 2 SHEETS

24917-03
JOB NO.



FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

ORDINANCE NO. 2.260, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE TOWN HARVIE OPEN SPACE PROPERTY

WHEREAS, the property described in attached **Exhibit A**, being in the County of Douglas, State of Colorado, is owned solely by the Town of Parker and is not solely a public street or right-of-way;

WHEREAS, the Town Council of the Town of Parker, Colorado, as required by law, determined the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of that property described in attached Exhibit A, and concerning the conformance of the proposed annexation to the applicable law in the annexation policy of the Town of Parker, Colorado.

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

Section 1. The annexation by and to the Town of Parker, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker, and therefore, the said annexation is hereby approved and made effective.

Section 2. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the Municipal Laws of the State of Colorado pertaining to towns and to all ordinances, resolutions, rules and regulations of the Town of Parker.

Section 3. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Parker will serve the best interests of the Town of Parker and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the Town of Parker, Colorado.

Section 4. The Town Clerk shall file for recording three (3) certified copies of the Annexation Ordinance and three (3) certified copies of the Annexation Map with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 5. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 6. 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 7. This Annexation shall become effective within ten (10) days of the publication date of this Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Annexation Ordinance.

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

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

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 24;

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

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

1. SOUTH 09°27'07" WEST, A DISTANCE OF 21.10 FEET;
2. SOUTH 03°29'43" WEST, A DISTANCE OF 99.37 FEET;
3. SOUTH 05°34'46" WEST, A DISTANCE OF 105.18 FEET;
4. SOUTH 08°44'32" WEST, A DISTANCE OF 62.52 FEET;
5. SOUTH 12°39'26" WEST, A DISTANCE OF 15.09 FEET;
6. SOUTH 17°05'43" WEST, A DISTANCE OF 117.46 FEET;
7. SOUTH 20°20'39" WEST, A DISTANCE OF 71.14 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 250.00 FEET;
8. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°24'08", AN ARC LENGTH OF 71.57 FEET;
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10. SOUTH 43°42'09" WEST, A DISTANCE OF 198.89 FEET;
11. NORTH 48°34'31" WEST, A DISTANCE OF 19.32 FEET;
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THENCE ALONG SAID NORTHERLY LINE SOUTH 83°01'13" WEST, A DISTANCE OF 12.64 FEET TO THE NORTHERLY LINE OF EAST MAINSTREET RECORDED AT RECEPTION NO. 2003021410 IN SAID RECORDS;

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

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

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

ORDINANCE NO. 3.334, Series of 2018

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE TOWN HARVIE OPEN SPACE PROPERTY TO OS-OPEN SPACE DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

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

Section 1. Finding of Fact.

a. Application has been made for zoning certain property described in attached **Exhibit A** within the Town of Parker, Colorado, as OS-Open Space District pursuant to the Town of Parker Land Development Ordinance.

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

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

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

e. The requirements of Section 13.04.240 of the Parker Municipal Code have been satisfied.

Section 2. The Property is hereby zoned OS-Open Space District as provided in the Town of Parker Land Development Ordinance.

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

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

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

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

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

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

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

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 24;

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

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

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

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

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

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

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

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



Request for Town Council Action

Date: April 16, 2018

Submitted By: Mary Lou Brown, Finance Director
Rhonda Willey, Accounting Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.507.2 – First Reading**
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Rhonda Willey
Second Reading: May 7, 2018

EXECUTIVE SUMMARY

The purpose of this budget revision is to reduce budgeted 2018 expenditures and revenues based on the reduction of sales tax revenue in the General Fund.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The purpose of this budget revision is to reduce the 2018 budget appropriation for expenditures and revenues due to the decrease in projected sales tax revenue. The total revision also includes a transfer from the Information Technology Fund (IT Fund) to the funds that it services to reduce the accumulated fund balance in the IT fund.

The revision also includes a correction of Ordinance 1.507.1. It included a transfer from the IT Fund that was miscalculated and the budgeted transfer will be reversed to reflect the accurate reduction of the fund balance.

The summary and detail list of items can be found in Exhibit A attached to the budget Ordinance.

FINANCIAL IMPACT

The total impact of this budget revision is as follows:

General Fund reduce expenditures by \$2,101,891 and reduce revenue by \$2,076,048 for a net revision of a \$25,843 reduction.

Cultural Fund reduce expenditures and revenue by \$228.00.

Recreation Fund reduce expenditures by \$4,222 and increase revenue by \$74,820 for a net decrease of \$79,042.

Stormwater Fund reduce expenditures by \$11,585 and increase revenue by \$10,360 for a net decrease of \$21,945.

Fleet Services Fund reduce expenditures by \$120,000 and decrease revenue by \$225,283 for a net increase of \$105,283.

Information Technology Fund increase expenditures by \$719,425.

Facility Services Fund decrease expenditure by \$8,779 and decrease revenue by \$4,000 for a net decrease of \$4,779.

STRATEGIC GOAL(S)



**SUPPORT AN
ACTIVE COMMUNITY**



**FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT**



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**



**ENHANCE ECONOMIC
VITALITY**



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Ordinance No. 1.507.2

RECOMMENDED MOTION

I move to approve Ordinance No 1.507.2 on first reading as part of consent agenda and schedule a second reading and public hearing for Monday, May 7, 2018 at 7:00 p.m.

ORDINANCE NO. 1.507.2, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2018 REVISED BUDGET FOR THE TOWN OF PARKER AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that Town Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget revisions are open for inspection by the public at the Town Hall.

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

Section 1. The 2018 Revised Budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

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

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Town of Parker

2018 Revised Budget

April 16, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>General Fund</u>		
Beginning fund balance		\$ 17,377,112
Revenue		55,924,284
Revenue revision	<u>(3,118,548)</u>	<u>(3,118,548)</u>
Total revised revenue		52,805,736
Total available		<u>70,182,848</u>
Expenditures		57,758,840
Supplemental appropriation	<u>(2,101,891)</u>	<u>(2,101,891)</u>
Total expenditure revision		<u>(2,101,891)</u>
Total revised expenditures		<u>55,656,949</u>
Ending fund balance		<u><u>\$ 14,525,899</u></u>
<u>Cultural Fund</u>		
Beginning fund balance		\$ 1,085,196
Revenue		5,859,963
Revenue revision	<u>(44,728)</u>	<u>(44,728)</u>
Total revised revenue		<u>5,815,235</u>
Total available		<u>6,900,431</u>
Expenditures		6,420,808
Supplemental appropriation	<u>(228)</u>	<u>(228)</u>
Total expenditure revisions		<u>(228)</u>
Total revised expenditures		<u>6,420,580</u>
Ending fund balance		<u><u>\$ 479,851</u></u>

Town of Parker

2018 Revised Budget

April 16, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Recreation Fund</u>		
Beginning fund balance		\$ 2,001,448
Revenue		8,278,600
Revenue revision	(55,180)	(55,180)
Total revised revenue		8,223,420
Total available		10,224,868
Expenditures		9,007,135
Supplemental appropriation	(4,222)	(4,222)
Total expenditure revisions		
Total revised expenditures		9,002,913
Ending fund balance		\$ 1,221,955
<u>Stormwater Utility Fund</u>		
Beginning fund balance		\$ 4,378,130
Revenue		3,751,000
Revenue revision	(7,640)	(7,640)
Total revised revenue		3,743,360
Total available		8,121,490
Expenditures		4,080,927
Supplemental appropriation	(11,585)	(11,585)
Total expenditure revisions		
Total revised expenditures		4,069,342
Ending fund balance		\$ 4,052,148

Town of Parker

2018 Revised Budget

April 16, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Fleet Services Fund</u>		
Beginning fund balance		\$ 281,259
Revenue		2,549,400
Revenue revision	(240,283)	(240,283)
Total revised revenue		2,309,117
Total available		2,590,376
Expenditures		2,419,216
Supplemental appropriation	(120,000)	
Total expenditure revisions		(120,000)
Total revised expenditures		2,299,216
Ending fund balance		\$ 291,160
<u>Information Technology Fund</u>		
Beginning fund balance		\$ 2,060,074
Revenue		4,149,002
Revenue revision	-	-
Total revised revenue		4,149,002
Total available		6,209,076
Expenditures		5,114,587
Supplemental appropriation	(530,575)	
Total expenditure revisions		(530,575)
Total revised expenditures		4,584,012
Ending fund balance		\$ 1,625,064

Town of Parker

2018 Revised Budget

April 16, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Facility Services Fund</u>		
Beginning fund balance		\$ 42,789
Revenue		991,800
Revenue revision	<u>(4,000)</u>	<u>(4,000)</u>
Total revised revenue		<u>987,800</u>
Total available		<u>1,030,589</u>
Expenditures		990,700
Supplemental appropriation	(8,779)	
Total expenditure revisions		<u>(8,779)</u>
Total revised expenditures		<u>981,921</u>
Ending fund balance		<u><u>\$ 48,668</u></u>

Town of Parker
Summary of Revisions to 2018 Budget
4/16/2018

Exhibit A

	Supplemental Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ (2,101,891)	\$ (2,076,048)	\$ (25,843)
Cultural Fund	(228)	(228)	-
Recreation Fund	(4,222)	74,820	(79,042)
Stormwater Fund	(11,585)	10,360	(21,945)
Fleet Services Fund	(120,000)	(225,283)	105,283
Information Technology Fund	719,425	-	719,425
Facility Services Fund	(8,779)	(4,000)	(4,779)
Total all funds	\$ (1,527,280)	\$ (2,220,379)	\$ 693,099

Reverse Ordinance 1.507.1 Technology Management Transfer

	Supplemental Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ -	\$ (1,042,500)	\$ 1,042,500
Cultural Fund	-	(44,500)	44,500
Recreation Fund	-	(130,000)	130,000
Stormwater Fund	-	(18,000)	18,000
Fleet Services Fund	-	(15,000)	15,000
Information Technology Fund	(1,250,000)	-	(1,250,000)
Total all funds	\$ (1,250,000)	\$ (1,250,000)	\$ -

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

4/16/2018

Expenditures**General Fund**

Remove two Court Part time positions salary and taxes	(73,500)
Addition of one full time - Municipal Court Clerk - salary and benefits	64,000
Salary savings for vacancies held open for partial year	(249,039)
Supplies accounts to reflect 2017 spending and other miscellaneous cuts	(115,750)
Professional services reduced to reflect 2017 spending	(98,110)
Reduce professional services for Parks maintenance	(87,000)
Reduced spending on Town branding efforts	(43,250)
Delay Public Works projects - bridge repair, concrete repair, street resurfacing	(400,000)
Reduce professional services for Traffic Services department	(24,600)
Reduce Police liability insurance budget to actual	(5,000)
Snow removal supplies and services - reduction reflects warm dry start to 2018	(70,000)
Reduce Land Development Code update to reflect contract	(75,000)
Reduce Police records management software and AV equipment upgrade budgets to reflect contracts	(135,000)
Delay Economic Development strategic plan and reduced scope for retail study	(60,000)
Reuction to Small Business Assistance program	(15,000)
Reduce holiday lighting and décor	(15,800)
Eliminate shade structurrs at Discovery Park	(30,000)
Master Plans	
Eliminate Facility Master Plan	(99,000)
Eliminate 2018 spending on Downtown Parking Plan	(25,000)
Land Use Analysis delayed	(25,000)
Transportation Master Plan implementation delayed	(37,000)
Eliminate police administration vehicle purchase	(35,000)
Reduced transfer to Fleet Fund	(213,802)
Reduced transfer to Facilities Fund	(3,200)
Reduce transfer to Cultural Fund	(230,840)

Total General Fund expenditure supplemental revision

(2,101,891)**Cultural Fund**

Reduced transfer to Fleet Fund	(28)
Reduce transfer to Facilities internal service fund	(200)

Total Cultural Fund expenditure supplemental revision

(228)

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

4/16/2018

Recreation Fund

Reduced transfer to Fleet Fund (3,622)

Reduce transfer to Facilities internal service fund (600)

Total Recreation Fund expenditure supplemental revision (4,222)**Stormwater Utility Fund**

Reduced transfer to Fleet Fund (11,585)

Total Stormwater Utility Fund expenditure supplemental revision (11,585)**Technology Services Fund**

Transfer to various funds 719,425

Total Technology Services Fund expenditure supplemental revision 719,425**Fleet Service Fund**

Repair and maintenance reduction (20,000)

Fleet replacement reduction to reflect contracted purchase prices (100,000)

Total Fleet Services Fund expenditure supplemental revision (120,000)**Facility Service Fund**

Reduction in supplies (3,900)

Reduced transfer to Fleet Fund (4,879)

Total Facility Services Fund expenditure supplemental revision (8,779)

Total expenditure supplemental revision (1,527,280)

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

4/16/2018

Revenues**General Fund**

Sales Tax Revenue reduction	(2,689,398)
Event Sponsorship	13,350
Transfer from Technology Management Fund	600,000

<i>Total General Fund revenue supplemental revision</i>	<u>(2,076,048)</u>
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Cultural Fund

Ticket Revenue budget correction	205,000
Transfer from Technology Management Fund	25,612
Reduced transfer from General Fund	(230,840)

<i>Total Cultural Fund revenue supplemental revision</i>	<u>(228)</u>
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Recreation Fund

Transfer from Technology Management Fund	74,820
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<i>Total Recreation Fund revenue supplemental revision</i>	<u>74,820</u>
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Stormwater Utility Fund

Transfer from Technology Management Fund	10,360
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<i>Total Stormwater Utility Fund revenue supplemental revision</i>	<u>10,360</u>
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Fleet Service Fund

Transfer from Technology Management Fund	8,633
Reduction in transfer from Cultural Fund	(28)
Reduction in transfer from Recreation Fund	(3,622)
Reduction in transfer from Stormwater Fund	(11,585)
Reduction in transfer from Facilities Fund	(4,879)
Reduction in transfer from General Fund	(213,802)

<i>Total Fleet Services Fund revenue supplemental revision</i>	<u>(225,283)</u>
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Town of Parker

Exhibit A

Detail of Supplemental Revisions to 2018 Budget

4/16/2018

Facility Service Fund

Reduction in transfer from General Fund	(3,200)
Reduction in transfer from Cultural Fund	(200)
Reduction in transfer from Recreation Fund	(600)

<i>Total Facility Services Fund revenue supplemental revision</i>	(4,000)
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<i>Total revenue supplemental revision</i>	(2,220,379)
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Town of Parker
Detail of Reversal of Ordinance 1.507.1 Technology Management
4/16/2018

Exhibit A

Expenditures

General Fund

Technology Services Fund

Transfer to various funds - reverse Ordinance 1.507.1 transfer (1,250,000)

Total Technology Services Fund expenditure supplemental revision **(1,250,000)**

Revenues

General Fund

Transfer from Technology Management Fund - reverse Ordinance 1.507.1 transfer (1,042,500)

Total General Fund revenue supplemental revision **(1,042,500)**

Cultural Fund

Transfer from Technology Management Fund - reverse Ordinance 1.507.1 transfer (44,500)

Total Cultural Fund revenue supplemental revision **(44,500)**

Recreation Fund

Transfer from Technology Management Fund - reverse Ordinance 1.507.1 transfer (130,000)

Total Recreation Fund revenue supplemental revision **(130,000)**

Stormwater Utility Fund

Transfer from Technology Management Fund - reverse Ordinance 1.507.1 transfer (18,000)

Total Stormwater Utility Fund revenue supplemental revision **(18,000)**

Fleet Service Fund

Transfer from Technology Management Fund - reverse Ordinance 1.507.1 transfer (15,000)

Total Fleet Services Fund revenue supplemental revision **(15,000)**

Total revenue supplemental revision **(1,250,000)**



Request for Town Council Action

Date: April 16, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.53.7 - First Reading**
A Bill for an Ordinance to Amend Subsection 10.09.010(a) of the Parker Municipal Code Concerning the Roadway Design and Construction Criteria Manual

Department: Engineering/Public Works, Alex Mestdagh

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

The Engineering Department has prepared a revision to the Town's Roadway Design and Construction Criteria Manual ("Manual"). The main purpose of this revision is to update the Town's criteria for the design of roadway pavement sections, while other miscellaneous changes are also included in the proposed revision.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Town Council originally adopted the Manual in 1994, which has been revised four times, most recently in 2015. The Manual sets minimum standards and criteria for all public roads that are constructed in the Town of Parker.

The most significant change proposed with this revision involves the Town's criteria for the design of roadway pavement sections. This criteria was last updated in 2012, and currently provides developers with the option of constructing either full-depth or composite pavement sections on public roadways. A full-depth pavement section consists of asphalt or concrete pavement above compacted soils, while a composite section includes an additional layer of aggregate base course between the pavement and soil. This proposed criteria revision would require that all public roadways be constructed with a composite pavement section.

This change is proposed with the goal of reducing the Town's long-term maintenance expenses associated with new roadways; composite pavement sections have been shown to exhibit increased longevity and performance when compared to full-depth sections. Under the current criteria, the majority of new roads are constructed as full-depth as these sections cost approximately 10% less than composite section.

It has become increasingly common for public entities to require that roadway pavement sections include an aggregate base layer. Staff has also brought this proposed revision before the Development Liason Committee (a group of local developers who provide the Town with feedback on related issues) and received positive feedback from that group.

A copy of the revised Manual is available for review at the Town Clerk's Office and on the Town's eTrakit site within project record DCU17-003. A summary of the proposed changes has also been attached this memo.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance No. 4.53.7
2. Summary of Changes

RECOMMENDED MOTION

I move to approve Ordinance No. 4.53.7 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

ORDINANCE NO. 4.53.7, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SUBSECTION 10.09.010(a) OF THE PARKER MUNICIPAL CODE CONCERNING THE ROADWAY DESIGN AND CONSTRUCTION CRITERIA MANUAL

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

Section 1. Subsection 10.09.010(a) of the Parker Municipal Code is amended to read as follows:

10.09.010 Adoption of standards by reference.

(a) The Town of Parker, Colorado, Roadway Design and Construction Criteria Manual, as revised ~~July, 2015~~ **May 2018** (the "Manual"), and prepared by the Town, is hereby adopted by reference as if set forth herein.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

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

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Town of Parker
Roadway Design and Construction Criteria Manual
Summary of May 2018 Revision and Technical Addendum

Section Reference	Summary of Change(s)
<u>Overall</u>	
All	✓ Revised references to Public Works Department and Public Works Director to Engineering/Public Works Department and Director of Engineering/Public Works.
<u>Section 2</u>	
2.1.9	✓ Revised wording to reflect recent changes to review timeframes.
2.1.13	✓ Revised references to mylar construction plan sets to reflect electronic Record Sets, and made corresponding revisions to the construction plan approval process.
2.3	✓ Removed reference to mylar construction plans.
<u>Section 3</u>	
3.1	✓ Revised references to mylar construction plan sets to reflect electronic Record Sets, and made corresponding revisions to the construction plan layout.
3.3	✓ Added additional detail to the definition of private improvements.
<u>Section 4</u>	
4.1.2.2	✓ Revised incorrect reference to required right-of-way width for Principal Arterial to match standard section.
4.1.3.4	✓ Increased maximum cul-de-sac length.
Table 4-1	✓ Revised Arterial right-of-way requirements to match other references in the manual.
4.2.1.6	✓ Revised criteria for subdivisions requiring two points of access to match Fire/Life Safety criteria.
4.2.2.1	✓ Increased minimum non-residential driveway width and added criteria for a one-way driveway.
4.2.2.2	✓ Added requirement to provide intersection sight distance along private roads from intersections with public roadways.
Table 4-3	✓ Reduced minimum intersection spacing for non-residential and local roadways to 170 feet. ✓ Clarified the last row under "Roadway Classification" to read "Residential & Non-Residential Locals".
<u>Section 6</u>	
All	✓ Section has been revised to reflect current industry standards. Key points include: ✓ All public roadways will be required to use a composite pavement section including aggregate base under pavement. ✓ A default pavement section has been established for use Residential Local roadways. If specific soil conditions are met onsite, Developers will have the option of using this section without performing a pavement design. ✓ Designs will use AASHTO design procedures for flexible pavements.
<u>Sections 10 and 11</u>	
	✓ Added requirement for a video inspection of new storm sewer construction to be provided as part of acceptance procedure
<u>Appendix A – Standard Details</u>	
Detail #3	✓ Added detail for monolithic curb, gutter, and sidewalk.
Details #5, 6, 7	✓ Revised to require monolithic curb, gutter and sidewalk.
Details #12, 13, 14	✓ Revised details to show the required bike lanes.
Details #12, 13, 14	✓ Added note clarifying that traffic signal easements may be required and intersections.
Detail #15	✓ Added requirement for landing slope, and revised to require cast-in-place detectable warning.
Detail #26	✓ Added note requiring recompaction per Town standards under the limits of patching.
Detail #27	✓ Minor clarifications
Detail #28	✓ Added notes regarding type, location, and size of joints in the cover material.
Detail #33	✓ Revised to use the new Town logo.
New	✓ Added a detail for the Town's standard manhole cover.



Request for Town Council Action

Date: April 16, 2018

Submitted By: Danny Smith, Streets Manager
Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.275 - First Reading**
A Bill for an Ordinance to Approve the Snow Removal
Intergovernmental Agreement By and Between the Town of
Parker, Colorado and the Board of County Commissioners of
the County of Douglas

Department: Engineering/Public Works, Danny
Smith

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

Approval of a five (5) year Intergovernmental Agreement (IGA) between the Town of Parker and Douglas County regarding snow removal in and around the Parker area. The current Intergovernmental Agreement expires on May 1, 2018, and a replacement agreement is needed to formalize the snow removal arrangement.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In late-2012, Town staff was approached by Douglas County staff regarding completing an IGA related to snow removal. Due to the current annexation limits of the Town and the networks of roadways, there are several Douglas County owned roadways that the Town snowplows and vice versa. Prior to 2013, the details of this arrangement were handled by an annual “handshake” coordination meeting. The first formal five (5) year IGA was adopted in June of 2013 and is set to expire May 2018. The proposed ordinance will replace the previous IGA. The IGA can be amended as needed to reflect changes due to new agreements or annexations. The IGA provides for the Town of Parker to remove snow from 5.39 lane-miles of Douglas County streets while Douglas County removes snow from 5.26 lane-miles of Town of Parker streets. The agreement intentionally does not obligate either agency to a specific methodology

or frequency, only requiring that each agency follow its own snow removal policy. The IGA does not stipulate post snow removal street cleaning. The IGA increases the efficiency of resources for both governmental agencies by eliminating the need for each to "dead head" routes or double back to provide snow removal services, reducing travel times and eliminating unnecessary turning movements, thus reducing the potential for traffic accidents or damage.

FINANCIAL IMPACT

There are not financial impacts to either party.

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. IGA for Snow Removal

RECOMMENDED MOTION

I move to approve Ordinance No. 9.275 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

SNOW REMOVAL INTERGOVERNMENTAL AGREEMENT

**by and between
THE TOWN OF PARKER, COLORADO
and
THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS**

THIS SNOW REMOVAL INTERGOVERNMENTAL AGREEMENT (“Agreement”) dated this ____ day of _____, 2018, by and between the Town of Parker, Colorado, (the “Town”) and the Board of County Commissioners of the County of Douglas (the “County”) (collectively, the “Parties”).

RECITALS

WHEREAS, pursuant to Colorado Constitution Article XIV, Section 18(2)(a), and Section 29-1-202, C.R.S., the Town and the County may cooperate or contract with each other to provide any function, service, or facility lawfully authorized to each; and

WHEREAS, the Town and the County will benefit from maintenance activities that cross-jurisdictional boundaries.

NOW, THEREFORE, it is hereby mutually agreed as follows:

AGREEMENT

1. **COUNTY SERVICES.** The County shall perform snow removal services within the jurisdictional boundaries of the Town consistent with expectations as set forth in **Exhibit A**, attached hereto and incorporated herein.

A. The County shall perform snow removal on the roadways as depicted on the maps included in **Exhibit B**, attached hereto and incorporated herein. The County shall perform snow removal consistent with current County roadway maintenance and snow removal procedures and prioritization schedules.

B. The County shall follow all applicable statutes, rules, and regulations of the State of Colorado, and all policies, procedures, resolutions, and ordinances of the County relating to the subject matter of this Agreement.

2. **TOWN SERVICES.** The Town shall perform snow removal services on roads outside the jurisdictional boundaries of the Town consistent with expectations as set forth in Exhibit A.

A. The Town shall perform snow removal on the County roadway(s) as depicted on the maps included in Exhibit B. The Town shall perform snow removal consistent with current Town roadway maintenance and snow removal procedures and prioritization schedules.

B. The Town shall follow all applicable statutes, rules, and regulations of the State of Colorado, and all policies, procedures, resolutions, and ordinances of the Town relating to the subject matter of this Agreement.

3. TERM OF AGREEMENT. The term of this Agreement shall commence on the date of this Agreement, and shall continue in full force and effect up to and including May 1, 2023, upon which date this Agreement shall expire, unless otherwise agreed in writing either by amendment to this Agreement or by the Parties executing a new Agreement. Any amendments or changes shall be agreed to in writing. Either Party may terminate this Agreement unilaterally, with or without cause, by giving the other Party thirty (30) days' prior written notice of the termination.

4. COST. Both parties agree to the terms of this Agreement without reimbursement or compensation, unless otherwise agreed to in writing.

5. SUBSEQUENT ANNEXATIONS. In the event that the Town annexes additional property subsequent to the execution of this Agreement, both Parties shall continue with the terms of this Agreement, including the responsibilities as defined on Exhibit A, until such time as both Parties mutually agree to an amended document that incorporates the changes in jurisdictional boundaries. The County reserves the right to refuse to provide services to the annexed property.

6. INDEPENDENT CONTRACTOR. The Town and the County function as independent contractors, and nothing herein contained shall constitute or designate the employees of the Town or County as employees of the Town or the County.

7. ADDITIONAL SERVICES. In the event the Town or the County desire services in addition to the Services defined in this Agreement, the Town or the County may make a written request, which will then be addressed and resolved with reasonable promptness and on mutually acceptable terms between the Parties. Such resolution shall be in writing.

8. EACH PARTY RESPONSIBLE FOR ITS OWN ACTIONS. In any action by any third party brought against either Party in connection with the provision of the Services under this Agreement, neither Party shall be liable for the acts or omissions of the other and each Party shall bear its own costs with respect to the defense thereof. Nothing in this Agreement is intended to make either Party liable for, in any way, the real or personal property of the other Party, and neither Party shall be liable for the real or personal property of the other for any reason.

9. ENTIRE AGREEMENT. This Agreement constitutes the entire Agreement between the Parties hereto relating to the work specified in Exhibit A and as illustrated in Exhibit B and **Exhibits B-1 through B-12**, attached hereto and incorporated herein, and sets forth the rights, duties, and obligations of each to the other as of the effective date hereof. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. This Agreement may not be modified except, by a writing executed by both the Town and the County.

10. BINDING AGREEMENT. This Agreement shall inure to and be binding upon the successors and assigns of the Parties hereto.

11. ASSIGNMENT. The Town and the County shall not have the right or power to assign or delegate its duties under this Agreement without the express prior written consent of the appropriate counterpart in this agreement. Any attempt by the either of the Parties to assign this Agreement without such consent shall be null and void.

12. NO WAIVER. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other of the provisions of this Agreement, nor shall such waiver constitute a continuing waiver, unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.

13. CONTROLLING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, and venue for any legal proceedings shall be in the Douglas County District Court.

14. NOTICES. Except as otherwise provided herein, all notices or payments required to be given under this Agreement shall be in writing and shall be hand delivered or sent by first class mail postage prepaid, to the following addresses:

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

With a copy to: Town of Parker
Attn: Town Attorney
20120 E. Mainstreet
Parker, CO 80138

Douglas County: Douglas County Public Works Operations
Attn: Manager
P.O. Box 1390
Castle Rock, CO 80109

With a copy to: Douglas County Attorney
100 Third Street
Castle Rock, CO 80104

All notices or documents delivered or required to be delivered under the provisions of this Agreement shall be deemed received one (1) day after hand delivery or three (3) days after mailing. Either Party, by written notice so provided, may change the address to which future notices shall be sent.

15. NO WAIVER OF GOVERNMENTAL IMMUNITY. The Parties hereto understand and agree that the Town and the County, and each of their commissioners, 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 (the "CGIA"), §§ 24-10-101 to 120, C.R.S., or otherwise available to the Town or the County. To the extent the CGIA

imposes varying obligations or contains different waivers of immunity for Towns and Counties, both the Town and the County agree that each will remain liable for its independent obligations under the CGIA whether due to acts or omissions or property interests, and neither Party shall be the agent of the other or liable for the obligations of the other under the provisions of the CGIA.

16. 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 County and Town, 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.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first above written which shall hereafter be deemed to have an effective date of May 1, 2018. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

Approved as to Legal Form:

James S. Maloney, Town Attorney

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO**

By: _____
Douglas J. Debord, County Manager

ATTEST:

Meghan McCann, Deputy Clerk

Approved as to Legal Form:

Lance J. Ingalls, County Attorney

EXHIBIT A

SERVICES TO BE PROVIDED

Under this Agreement, the County and the Town shall provide the following services: Snow removal for the identified roadways within the County and the Town, as they existed as of May 1, 2018. Lanes and roads added after this effective date are not covered under this Agreement.

The Services that the County and the Town will perform include and are limited to:

1. Snow removal; and
2. Chemical treatment for snow and/or ice (at the discretion of the Parties).

All work shall be consistent with the Parties' written snow removal procedures.

In its sole discretion, but consistent with the snow removal practice for urban arterial roadways set forth in their respective regulations and practices, the County and the Town will use a liquid deicing product and granular soluble deicing products where possible to avoid residue from sanding.

Sweeping of aggregate products is not part of this Agreement and may be performed by the Parties at their discretion.

Exhibit B

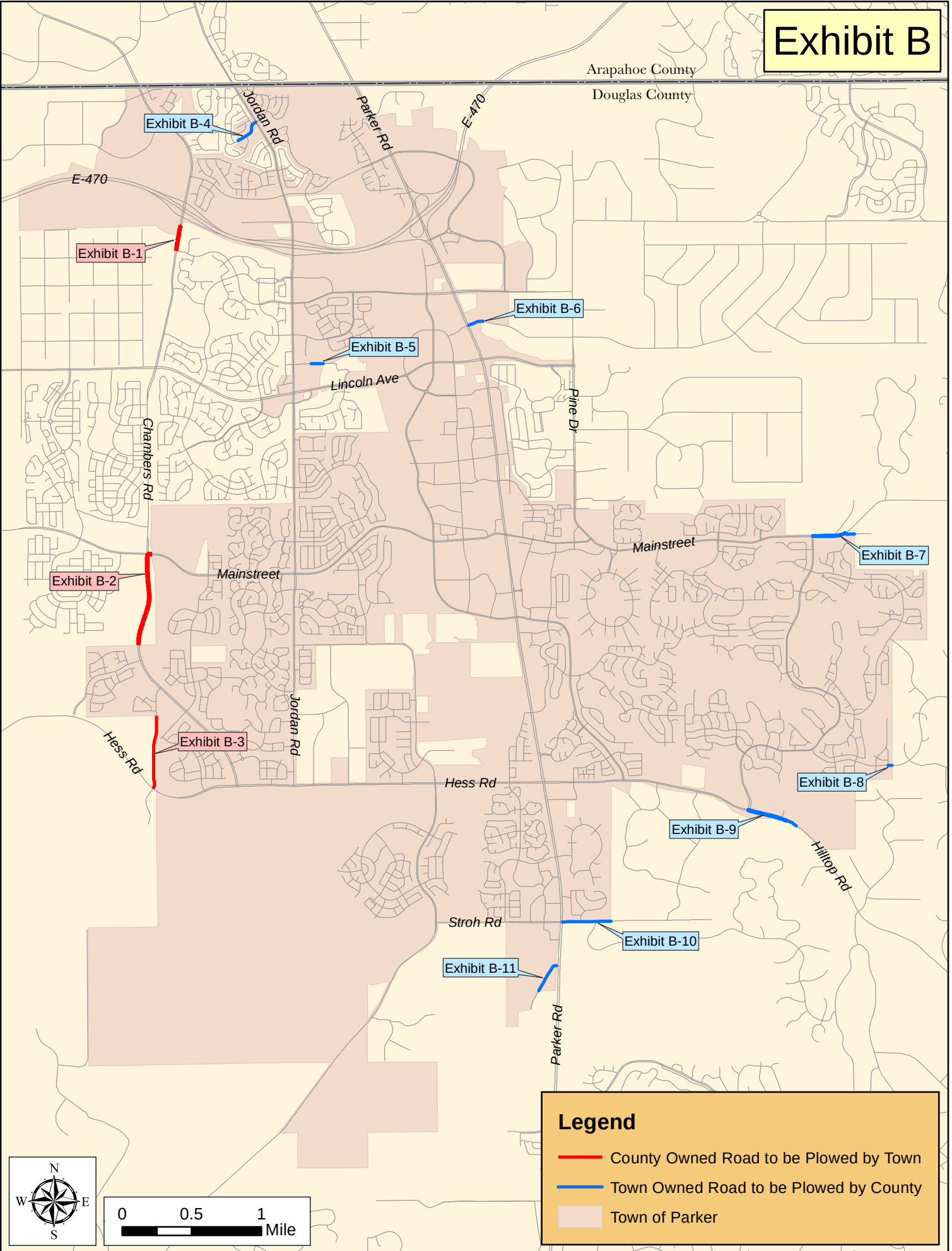


Exhibit B-1



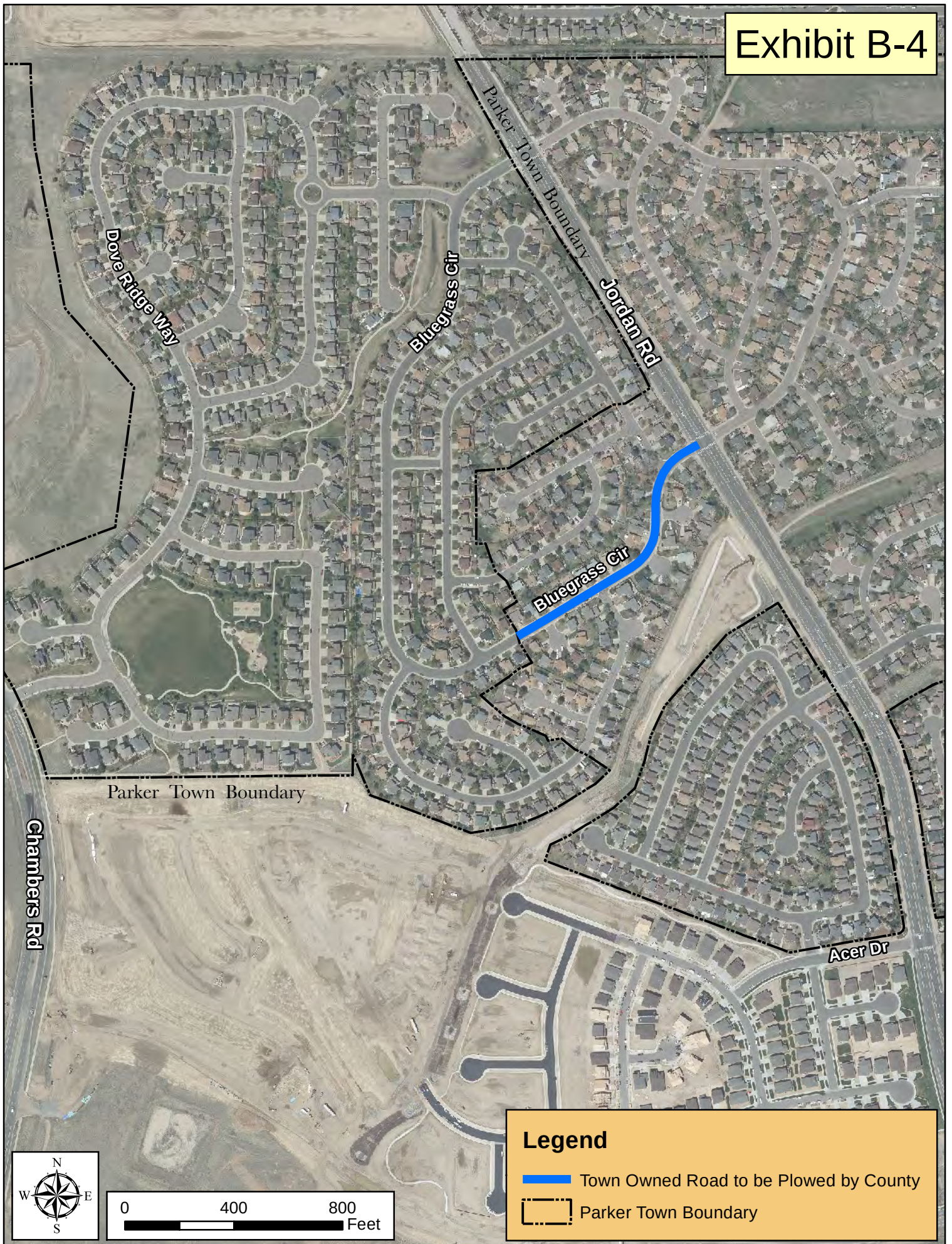
Legend

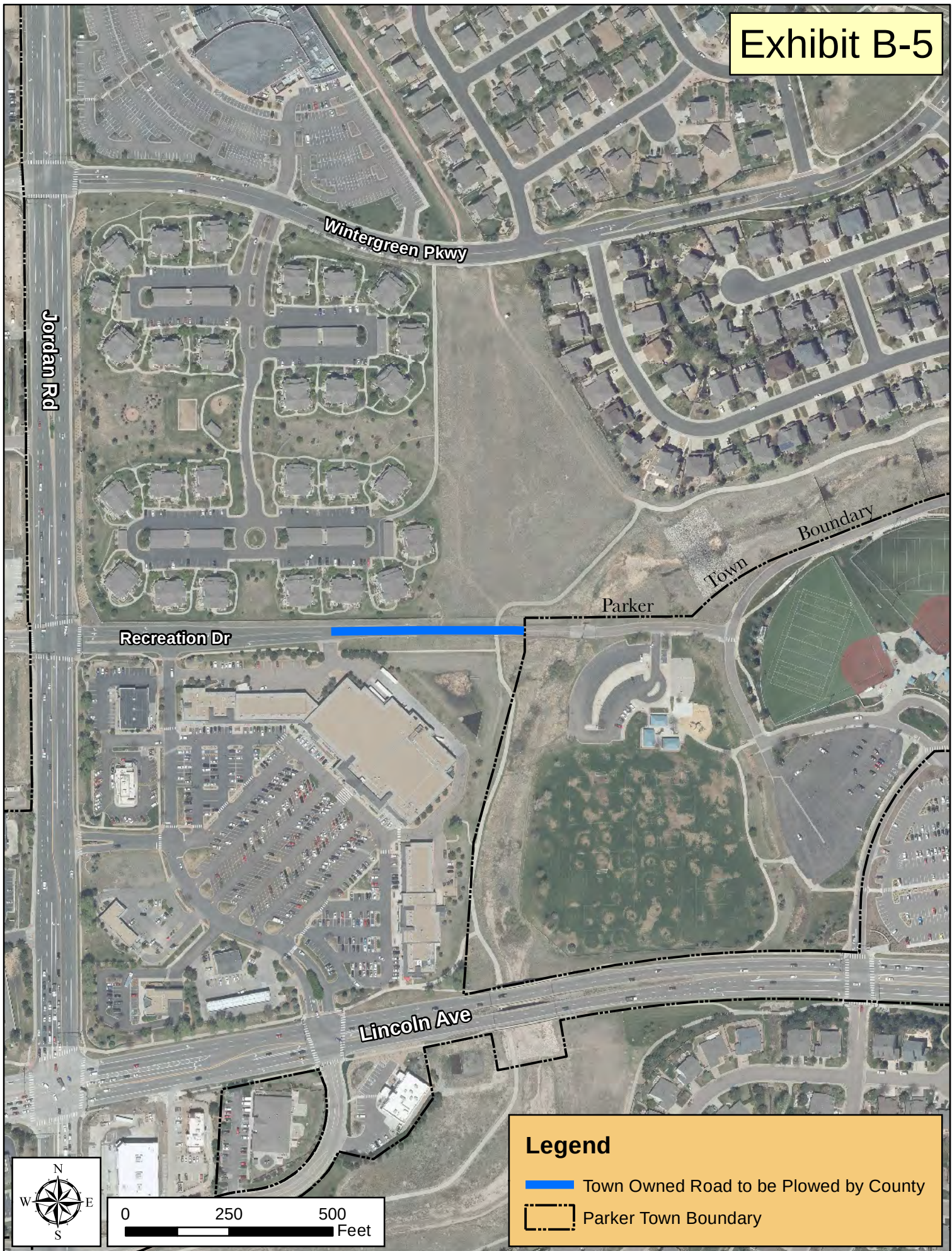
-  County Owned Road to be Plowed by Town
-  Parker Town Boundary





Exhibit B-4





Legend

- Town Owned Road to be Plowed by County
- Parker Town Boundary

Exhibit B-6



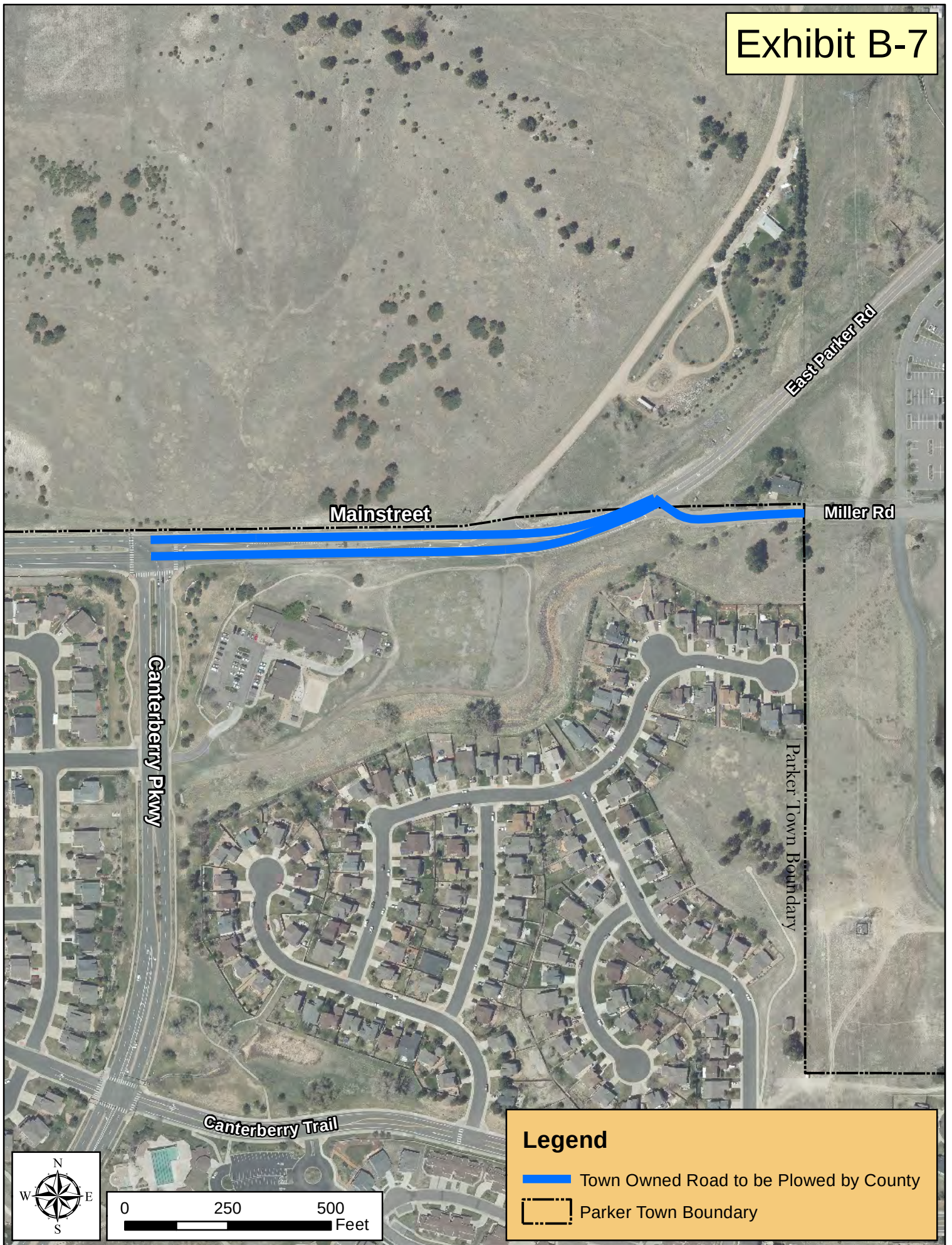






Exhibit B-10







Request for Town Council Action

Date: April 16, 2018

Submitted By: Jacob James, Stormwater Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.269.1 - First Reading**
A Bill for an Ordinance Approving the Amendment to
Agreement Regarding Design and Construction of Drainage
and Flood Control Improvements for Lemon Gulch
Downstream of Crowfoot Valley Road Town of Parker
(Agreement No. 17-06.08A, Project No. 106741) By and
Between Urban Drainage and Flood Control District and the
Town of Parker

Department: Engineering/Public Works, Jacob
James

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

This amendment to the previous agreement (No. 17-06.08A) is for the Urban Drainage and Flood Control District to contribute additional funding to the project. The previous contribution from Meritage Homes is considered the Town's match.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town and Urban Drainage previously executed an intergovernmental agreement to fund the design of Lemon Gulch through a contribution received from Meritage Homes. The previous agreement was approved by Town Council by Ordinance No. 9.269 on September 5, 2017.

The Town and District have determined a benefit to expand preliminary design efforts to upstream and downstream of the Meadowlark reach to help inform the design through this reach. The District has agreed to fund this effort and is contributing an additional \$100,000 to the project. The Town is not contributing any funds with this amendment as the contribution from Meritage Homes is considered the funding match.

Once the design is complete, this agreement is anticipated to be amended to include an additional contribution from Meritage Homes for the construction of the improvements.

FINANCIAL IMPACT

None. This amendment is to allow additional funds to be provided by the Urban Drainage and Flood Control District only.

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 9.269.1

RECOMMENDED MOTION

I move to approve Ordinance No. 9.269.1 on first reading and to schedule second reading for May, 7, 2018, as part of the consent agenda.

ORDINANCE NO. 9.269.1, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING THE AMENDMENT TO AGREEMENT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR LEMON GULCH DOWNSTREAM OF CROWFOOT VALLEY ROAD TOWN OF PARKER (AGREEMENT NO. 17-06.08A, PROJECT NO. 106741) BY AND BETWEEN URBAN DRAINAGE AND FLOOD CONTROL DISTRICT AND THE TOWN OF PARKER

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 Amendment to Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Lemon Gulch Downstream of Crowfoot Valley Road Town of Parker (Agreement No. 17-06.08A, Project No. 106741) by and between Urban Drainage and Flood Control District and the Town of Parker, 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 _____, 2017.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2017.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

AMENDMENT TO
AGREEMENT REGARDING
DESIGN AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
LEMON GULCH DOWNSTREAM OF CROWFOOT VALLEY ROAD
TOWN OF PARKER

Agreement No. 17-06.08A
Project No. 106741

THIS AGREEMENT, dated _____, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT (hereinafter called "DISTRICT") and TOWN OF PARKER (hereinafter called "TOWN") and collectively known as "PARTIES";

WITNESSETH:

WHEREAS, PARTIES have entered into "Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Lemon Gulch downstream of Crowfoot Valley Road, Town of Parker" (Agreement No. 17-06.08) dated October 2, 2017; and

WHEREAS, PARTIES now desire to proceed to final design and construction; and

WHEREAS, PARTIES desire to increase the level of funding by \$100,000; and

WHEREAS, DISTRICT's Board of Directors has authorized additional DISTRICT financial participation for PROJECT (Resolution No. _____, Series of 2018); and

WHEREAS, the Town Council of TOWN and the Board of Directors of DISTRICT have authorized, by appropriation or resolution, all of PROJECT costs of the respective PARTIES; and

WHEREAS, PROJECT includes Lemon Gulch from Crowfoot Valley Road to approximately 3,500 feet downstream, as shown on Exhibit A.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. Paragraph 4. PROJECT COSTS AND ALLOCATION OF COSTS is deleted and replaced as follows:
 4. PROJECT COSTS AND ALLOCATION OF COSTS
 - A. PARTIES agree that for the purposes of this Agreement PROJECT costs shall consist of and be limited to the following:
 1. Final design services;
 2. Construction of improvements;
 3. Contingencies mutually agreeable to PARTIES.
 - B. It is understood that PROJECT costs as defined above are not to exceed \$360,423 without amendment to this Agreement.

PROJECT costs for the various elements of the effort are estimated as follows:

<u>ITEM</u>	<u>AS AMENDED</u>	<u>ORIGINAL</u>
1. Final Design	\$ 275,423	\$ 260,423
2. Construction	\$ 85,000	\$
3. Contingency	\$	\$
Grand Total	\$ 360,423	\$ 260,423

This breakdown of costs is for estimating purposes only. Costs may vary between the various elements of the effort without amendment to this Agreement provided the total expenditures do not exceed the maximum contribution by all PARTIES plus accrued interest.

- C. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

	<u>Percentage Share</u>	<u>Previously Contributed</u>	<u>Additional Contribution</u>	<u>Maximum Contribution</u>
DISTRICT	41.60%	\$ 50,000	\$100,000	\$150,000
TOWN	58.40%	\$210,423	\$ -0-	\$210,423
TOTAL	100.00%	\$260,423	\$100,000	\$360,423

2. Paragraph 5. MANAGEMENT OF FINANCES is deleted and replaced as follows:

5. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal or other sources of funding without limitation and without prior Board approval.

Payment of each party's full share (TOWN - \$210,423 DISTRICT - \$150,000) shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to TOWN of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares; or at TOWN request, TOWN share of remaining monies shall be transferred to another special fund held by DISTRICT.

3. All other terms and conditions of Agreement No. 17-06.08 shall remain in full force and effect.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year first above written.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

By_____

Name Ken A. MacKenzie

Title Executive Director

Checked By

TOWN OF PARKER

By_____

Mike Waid

(SEAL)

ATTEST:

Title Mayor

Date_____

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

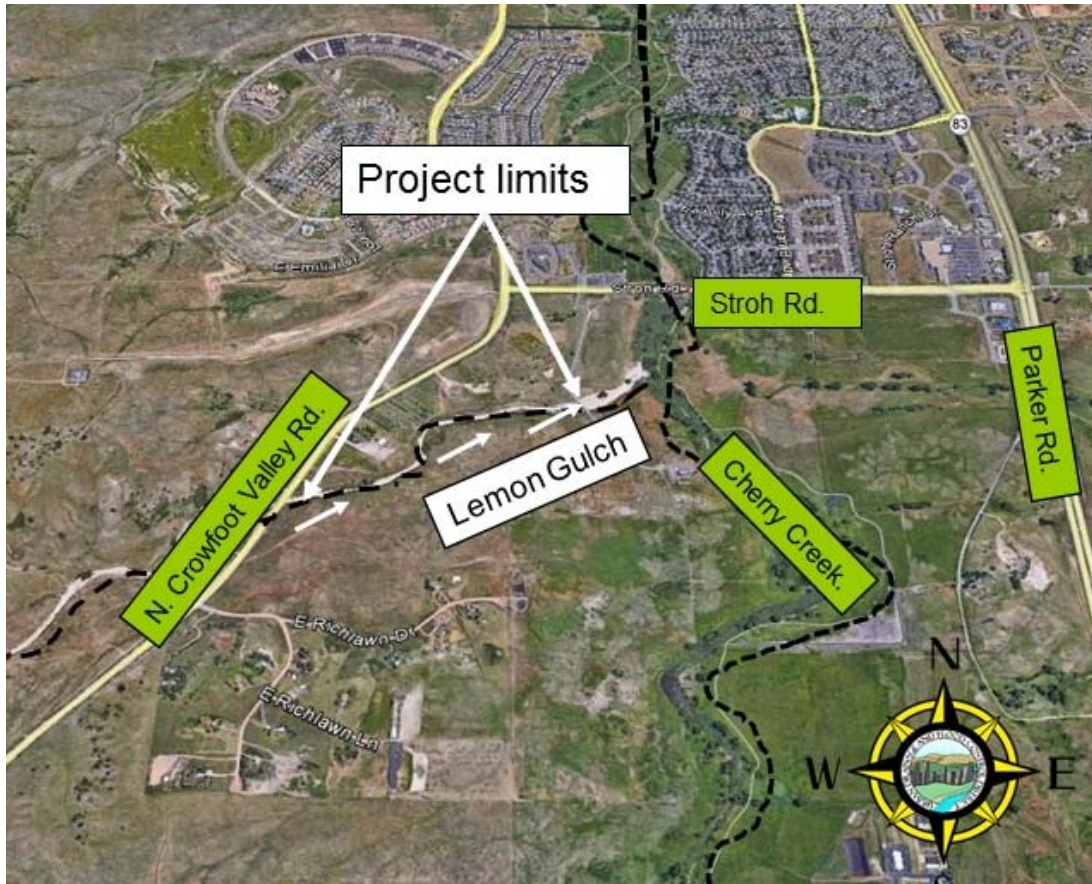
James S. Maloney, Town Attorney

AGREEMENT REGARDING
DESIGN AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
LEMON GULCH DOWNSTREAM OF CROWFOOT VALLEY ROAD
TOWN OF PARKER

Agreement No. 17-06.08A

Project No. 106741

Exhibit A





Request for Town Council Action

Date: April 16, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.512 - First Reading**
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Tract D, Reata West Filing No. 1

Department: Engineering/Public Works, Alex Mestdagh

Second Reading: May 7, 2018

EXECUTIVE SUMMARY

This item accompanies an ordinance proposing to convey an easement to Parker Water and Sanitation District (PWSD) on a Town-owned parcel, Tract D, Reata West Filing No. 1. This easement is being requested to allow for the installation of a waterline that will initially serve the Cielo Development in unincorporated Douglas County and will eventually serve the adjacent Town property and other developments south of this area.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Cielo is a residential development proposed in unincorporated Douglas County, located directly south of the Town boundary, east of Crowfoot Valley Road and west of Cherry Creek. This development is proposed to be provided with water and sewer service by PWSD, and to do so the developer must construct a water main from the intersection of Stroh Road and J Morgan Boulevard to their site. The proposed alignment for this water main crosses several properties, including two Town-owned parcels located south of the Reata West development and between Cherry Creek and Parker Road.

In 2017, the Town Council approved a request that an easement be dedicated to PWSD for this project across one of these parcels, located south of Kinney Creek. At that time, Tract D was owned by the developer of the Reata West property, and the Cielo developer was engaged in

negotiations regarding this property to obtain a similar easement across the parcel. However, before that easement could be finalized, development on the Reata West property triggered an annexation condition that required the parcel to be dedicated to the Town as open space.

With the parcel now under Town ownership, the Cielo developer is requesting that a 30-foot-wide easement be dedicated across the property to allow the construction of this waterline. The Engineering Department has reviewed and approved the proposed alignment for this waterline which has been shifted east to avoid conflicts with the future bridge associated with the J Morgan Boulevard extension. The section of the waterline under Kinney Creek will be bored underground, minimizing the disturbance within the open space and drainageway.

This line will provide water service to any future development on Town property south of Kinney Creek. The developer is required to construct a 12" waterline to serve their development, but has agreed to construct the portion from Stroh Road through the Town property as a 16" line to accommodate the needs of any future use on the Town property.

The developer is required to obtain the necessary grading and right-of-way permits for this work, and is required to restore all areas disturbed with this work. The developer will also be required to finalize all necessary development approvals from Douglas County, PWSD, and the Town prior to commencing this work.

FINANCIAL IMPACT

This waterline is proposed to be constructed at no cost to the Town. In lieu of direct payment for this easement, the developer has agreed to increase the size of the waterline through the Town property to accommodate any future use proposed on the property. Granting this easement and allowing construction of the waterline will also save the Town the considerable cost of running a waterline to this property.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance 1.512
2. Vicinity Map
3. Easement Location Exhibit

RECOMMENDED MOTION

I move to approve Ordinance No. 1.512 on first reading and to schedule second reading for May 7, 2018, as part of the consent agenda.

ORDINANCE NO. 1.512, Series of 2018

TITLE: A BILL FOR AN ORDINANCE CONVEYING CERTAIN REAL PROPERTY BY EASEMENT TO PARKER WATER AND SANITATION DISTRICT FOR TRACT D, REATA WEST FILING NO. 1

WHEREAS, the Town Council of the Town of Parker desires to convey certain real property to Parker Water and Sanitation District for Tract D, Reata West Filing No. 1; and

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

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

Section 1. The Town Council of the Town of Parker hereby approves the Water Pipeline Easement Agreement by the Town of Parker conveying certain property to Parker Water and Sanitation District for Tract D, Reata West Filing No. 1, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Easement Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

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

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

EASEMENT AGREEMENT

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

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

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

NOW, THEREFORE, for the consideration of Ten Dollars (\$10.00) paid to Grantor by Grantee, and for the additional consideration of the performance by the parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance and removal of the water main required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's construction, reconstruction, operation, maintenance and removal of the water main.
2. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor and its successors and assigns as follows:

(A) Grantee shall protect the Easement Property and the adjacent lands of Grantor over which Grantee has rights of ingress and egress from damage caused in whole or in part by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands, including, but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements situate therein or thereon, and shall keep all of such property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense;

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

(C) Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants, as defined by the Clean Water Act and any amendments thereto, to be dumped, spilled, released, permanently stored, or deposited on, over or beneath the Easement Property. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water main shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

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

4. Grantor's Covenants. Grantor covenants and agrees that during the term of this Easement Agreement it shall not plant within or allow to grow into the Easement Property any trees, bushes or other planted material that would interfere with the Grantee's use of the Easement Property, and that it shall not construct any buildings or other improvements within, over or upon the Easement Property without the prior written permission of the Grantee.

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

6. Miscellaneous.

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

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

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

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

Town of Parker, Colorado

ATTEST:

Parker Water & Sanitation District

ATTEST:

By: _____
Maleia Good

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

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

My commission expires: _____

WITNESS my hand and official seal.

Notary Public

[illegible]

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

My commission expires: _____

WITNESS my hand and official seal.

Notary Public

EXHIBIT "A"

30' WATERLINE EASEMENT

A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, ALSO BEING A PORTION OF TRACT D, REATA WEST FILING NO. 1 AS RECORDED UNDER RECEPTION NO. 2005095115 IN THE OFFICE OF THE DOUGLAS COUNTY CLERK AND RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTH QUARTER CORNER BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED "1986 PLS 29761" AND AT THE CENTER CORNER BY A FOUND 3-1/4" ALUMINUM CAP ON A 2-3/8" IRON PIPE STAMPED "1988 PLS 23053", ASSUMED TO BEAR S0°23'07"E, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT SAID NORTH QUARTER CORNER;

THENCE S02°36'55"E, A DISTANCE OF 1028.43 FEET TO THE NORTHWEST CORNER OF SAID TRACT D, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF SAID TRACT D THE FOLLOWING TWO (2) COURSES:

1. S69°02'30"E, A DISTANCE OF 22.11 FEET;
2. N89°33'58"E, A DISTANCE OF 9.41 FEET;

THENCE DEPARTING SAID NORTH LINE S0°23'11"E, A DISTANCE OF 331.24 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT D;

THENCE ALONG SAID SOUTH LINE S89°04'44"W, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT D;

THENCE ALONG THE WEST LINE OF SAID TRACT D N00°23'11"W, A DISTANCE OF 339.56 FEET TO THE POINT OF BEGINNING;

CONTAINING 10,024 SQUARE FEET OR 0.23 ACRE, MORE OR LESS.



SHAWN D. CLARKE, PLS
COLORADO REG. NO. 38016
FOR AND ON BEHALF OF
ATWELL, LLC

OFFSITE WATERLINE EASEMENT

NE 1/4 SEC. 3
T7S, R66W, 6TH P.M.
DOUGLAS COUNTY
COLORADO

Date: 11/02/17
Drawn: TWK
Checked: SDC
Job No.: 16000498

Sheet
1
of
2



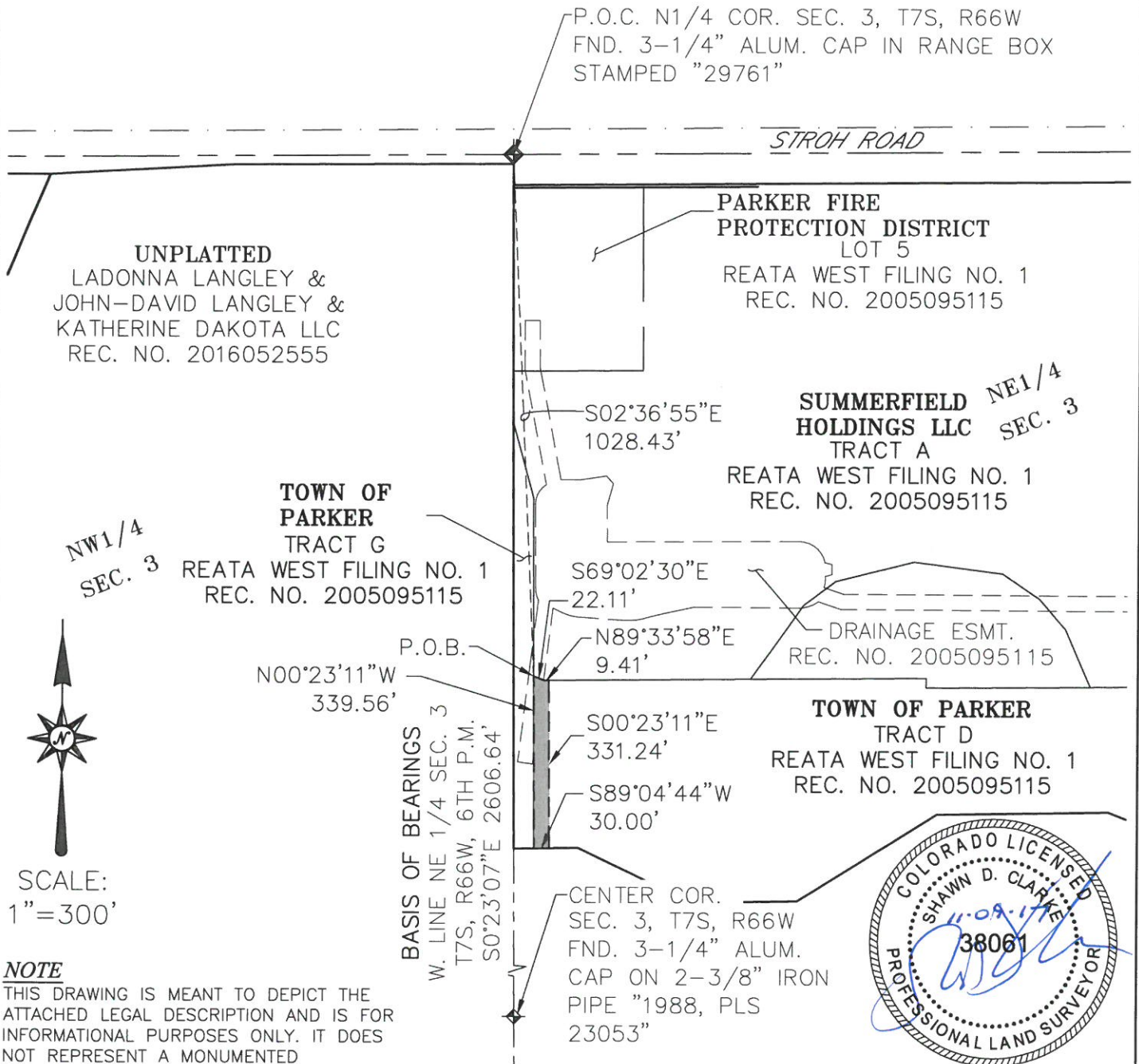
ATWELL

866.850.4200 www.atwell-group.com

143 UNION BOULEVARD, SUITE 700
LAKEWOOD, CO 80228
303.462.1100

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
PART OF THE NE 1/4 OF SECTION 3, T7S, R66W, 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

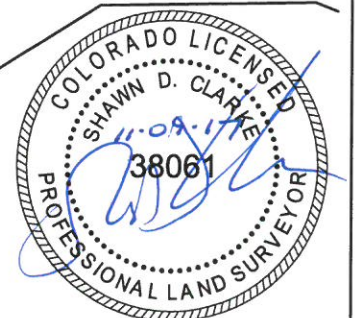
K:\16000498\DWG\Survey\Offsite Water Line Design Survey\ESMTS\16000498 OFFSITE WATER LINE ESMT-SUMMERFIELD REV 09-14-17.dwg, SUMMERFIELD NORTH

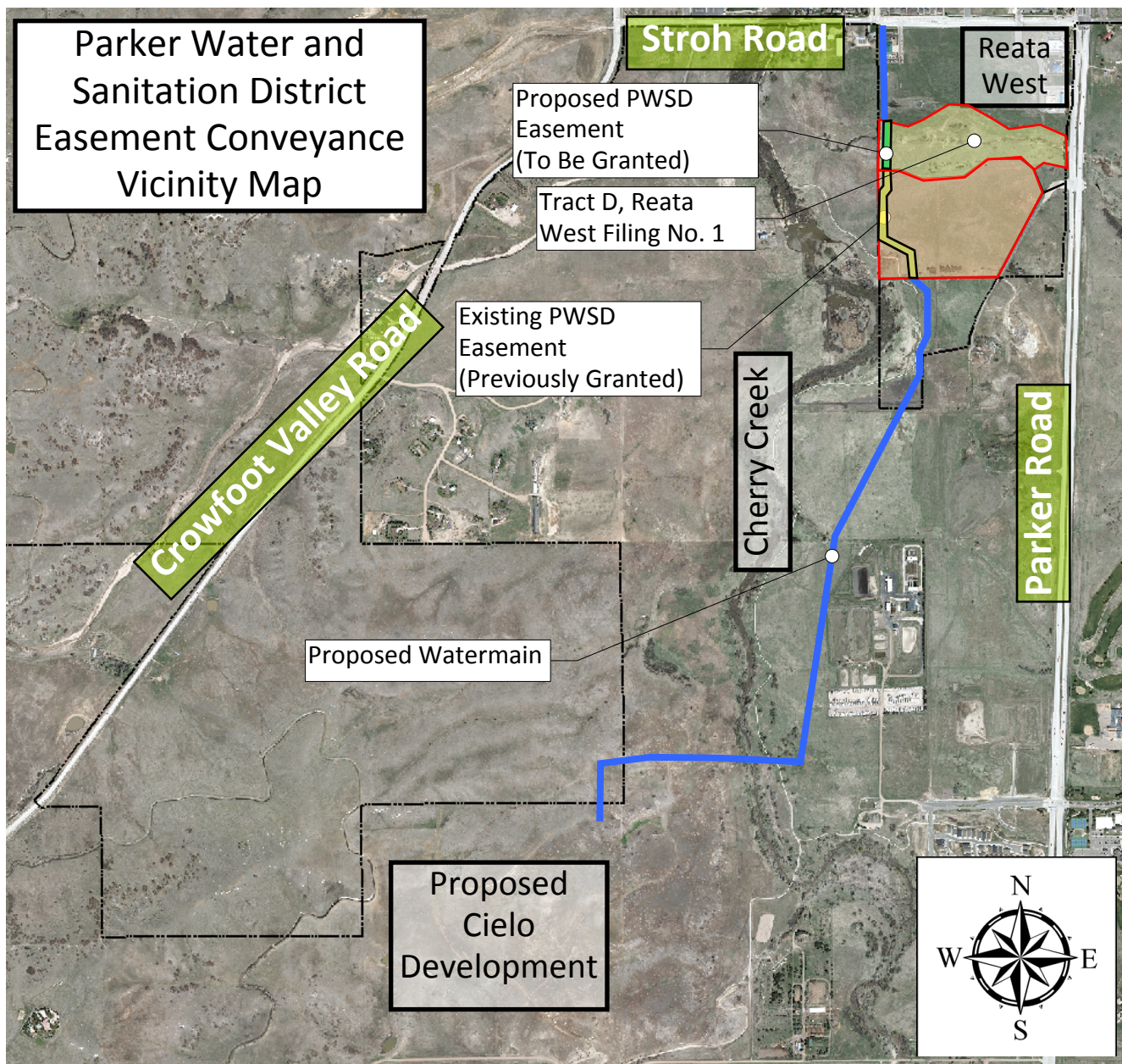


OFFSITE WATERLINE EASEMENT		
NE 1/4 SEC. 3	Date: 09/14/2017	Sheet 2
T7S, R66W, 6TH P.M.	Drawn: TWK	of 2
DOUGLAS COUNTY	Checked: SDC	
COLORADO	Job No.: 16000498	



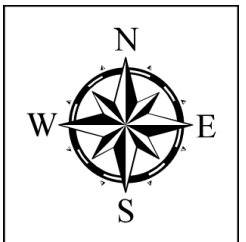
ATWELL
 866.850.4200 www.atwell-group.com
 143 UNION BOULEVARD, SUITE 700
 LAKEWOOD, CO 80228
 303.462.1100







Parker Water and
Sanitation District
Easement Conveyance
Easement Location





Request for Town Council Action

Date: April 16, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-037**
A Resolution Accepting the Conveyance of a Drainage Easement from Lincoln Parker Auto, LLC, for Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment

Department: **Engineering/Public Works, Alex Mestdagh**

EXECUTIVE SUMMARY

This item accompanies a resolution accepting conveyance of a drainage easement covering offsite drainage improvements proposed with the Site Plan for Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town's stormwater criterion requires that drainage easements be dedicated over all public storm drainage facilities located on private property. The drainage easements are necessary to ensure the long-term operation and maintenance of drainage infrastructure to minimize flooding and protect the quality of stormwater runoff.

The Engineering Department has reviewed and approved the construction drawings for the drainage facilities associated with an approved Site Plan for Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment. Since the property was not replatted with this Site Plan, the easements need to be dedicated by a separate instrument.

FINANCIAL IMPACT

Drainage improvements proposed within the easement will be the maintenance responsibility of the property owner.

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Vicinity Map
2. Resolution 18-037

RECOMMENDED MOTION

I move to approve Resolution No. 18-037.

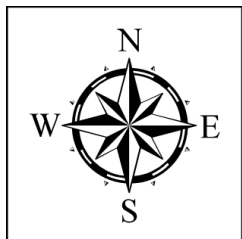


Drainage Easement
(To Be Accepted)

Ponderosa Drive

CarMax

Lincoln Avenue



Drainage Easement
Acceptance
Vicinity Map

RESOLUTION NO. 18-037, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A DRAINAGE EASEMENT FROM LINCOLN PARKER AUTO, LLC, FOR LOT 1B, BLOCK 2, PARKER AUTO PLAZA FILING NO. 2, 3RD AMENDMENT

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

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

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

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

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of certain property interests for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities from Parker Auto, LLC, for Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment, as provided in the Drainage Easement Agreement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

DRAINAGE EASEMENT AGREEMENT

THIS DRAINAGE EASEMENT AGREEMENT (the "Easement Agreement") is dated this _____ day of _____, 2018, by Lincoln Parker Auto, LLC, a Colorado limited liability corporation, having an address at 1416 Cactus Rose Circle, Castle Rock, Colorado 80104 ("Grantor"), and the Town of Parker, a Colorado home rule municipality, having an address of 20120 East Mainstreet, Parker, Colorado 80138 ("Grantee").

WHEREAS, Grantee desires to acquire an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities on and through the property more particularly described and depicted in **Exhibit A and Exhibit B** (collectively referred to as the "Easement Property"), attached hereto and incorporated herein by this reference; and

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

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

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

2. Unencumbered Title. Grantor warrants that the Easement Property granted herein is granted free and clear of all liens and encumbrances.

3. Operation and Maintenance.

a. The operation and maintenance of the drainage facilities described herein and located within the Easement Property shall be the responsibility of the Grantor; provided, however, that Grantee shall have the right to maintain the Easement Property in the event Grantee, in its sole discretion, determines to enter the Easement Property for the operation and/or maintenance of the Easement Property as set forth in subsection b. hereinbelow. The Grantor acknowledges and agrees that the Grantee has the right to enter the Easement Property to maintain and operate the

drainage facilities covered by Chapter 4.08 of the Parker Municipal Code or to maintain and operate the drainage facilities in the manner described herein.

b. If Grantor fails to adequately maintain the drainage facilities located within the Easement Property, and within fourteen (14) days after the date of written notice from Grantee, fails to correct the maintenance problem, or fails to begin to clean, cure or correct such problem within fourteen (14) days if such problem cannot be reasonably cleaned, cured or corrected within fourteen (14) days, and fails to diligently prosecute such cleaning, cure or correction to completion, then Grantee may do so as provided herein. Notwithstanding the foregoing, Grantee may, in the event of an emergency, as determined by Grantee in its sole discretion, clean, cure or correct any damage caused by Grantor's failure to adequately maintain the drainage facilities located within the Easement Property. The Grantor shall reimburse the Grantee for the cost of such maintenance to the extent that (i) the drainage facilities and/or the type of maintenance performed by Grantee are not covered by Chapter 4.08 of the Parker Municipal Code, as amended, or (ii) if the drainage facilities and/or the type of maintenance performed by the Grantee is covered by Chapter 4.08 of the Parker Municipal Code, as amended, and the Grantee determines in its sole discretion that there are not sufficient funds available for such maintenance. If Grantor fails to reimburse Grantee for the cost of such maintenance, within thirty (30) days after receipt of an invoice from Grantee describing the corrective or maintenance action taken, the unpaid amount shall constitute a lien on the Easement Property until paid in full, with priority over all other liens, except general tax liens, which liens shall be certified to the County Treasurer and collected in the same manner as other taxes are collected. Grantor further agrees that Grantee may also pursue any and all other remedies available at law or in equity.

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

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

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

b. Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act,

and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by Grantor.

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

7. Miscellaneous.

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

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

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

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

GRANTOR: LINCOLN PARKER AUTO, LLC,
a Colorado limited liability company

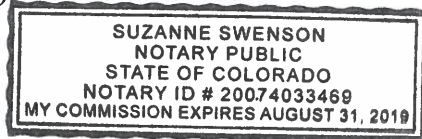
William Pfister
By: William Pfister, Manager

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 30th day of March, 2018, by William Pfister, as Manager, of Lincoln Parker Auto, LLC, a Colorado limited liability company.

My commission expires: 8.31.2019

(S E A L)



[Signature]
Notary Public

GRANTEE: TOWN OF PARKER

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

Exhibit "A"
Drainage Easement

Legal Description:

A parcel of land situated in the Southeast $\frac{1}{4}$ of Section 9, Township 6 South, Range 66 West of the 6th Principal Meridian, being a part of Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment as recorded in the office of the Clerk & Recorder of Douglas County September 30, 2015 at Reception No. 2015070814, Town of Parker, County of Douglas, State of Colorado, more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 1B, said point lying on the Westerly Right-of-Way Line of Ponderosa Drive;

Thence along a Curve to the left along said Westerly Right-of-Way Line whose chord bears S22°23'58"W a distance of 110.53 feet, said Curve having a central angle of 08°59'32", a radius of 705.00 feet, an arc length of 110.64 feet to the **Point of Beginning**;

Thence continuing along a curve to the left along said Westerly Right-of-Way Line whose chord bears S17°36'28"W a distance of 8.09 feet, said Curve having a central angle of 00°39'28", a radius of 705.00 feet, an arc length of 8.09 feet;

Thence S17°14'44"W continuing along said Westerly Right-of-Way Line a distance of 110.89 feet;

Thence S58°52'04"W a distance of 64.06 feet;

Thence S86°31'38"E a distance of 43.81 feet to a point on said Westerly Right-of-Way Line;

Thence S17°14'44"W along said Westerly Right-of-Way Line a distance of 30.89 feet;

Thence N86°31'38"W a distance of 92.80 feet to the Easterly Line of Tract A, Parker Auto Plaza Filing No. 2;

Thence along a non-tangent Curve to the left along said Easterly Line whose chord bears N11°58'28"E a distance of 30.33 feet, said Curve having a central angle of 07°29'48", a radius of 232.00 feet, an arc length of 30.35 feet;

Thence S86°31'38"E non-tangent to the last described Curve a distance of 7.84 feet;

Thence N58°52'04"E a distance of 92.67 feet;

Thence N17°14'44"E a distance of 96.93 feet;

Thence N25°47'37"W a distance of 117.09 feet to a point on the Easterly Line of said Tract A;

Thence along a Curve to the left along said Easterly Line whose chord bears N07°00'19"E a distance of 46.15 feet, said Curve having a central angle of 15°25'13", a radius of 172.00 feet, an arc length of 46.29 feet;

Thence S25°47'37"E a distance of 163.98 feet to the **Point of Beginning**.

Parcel Contains (10,806 Square Feet) 0.2481 Acres.

Date Prepared: December 14, 2017

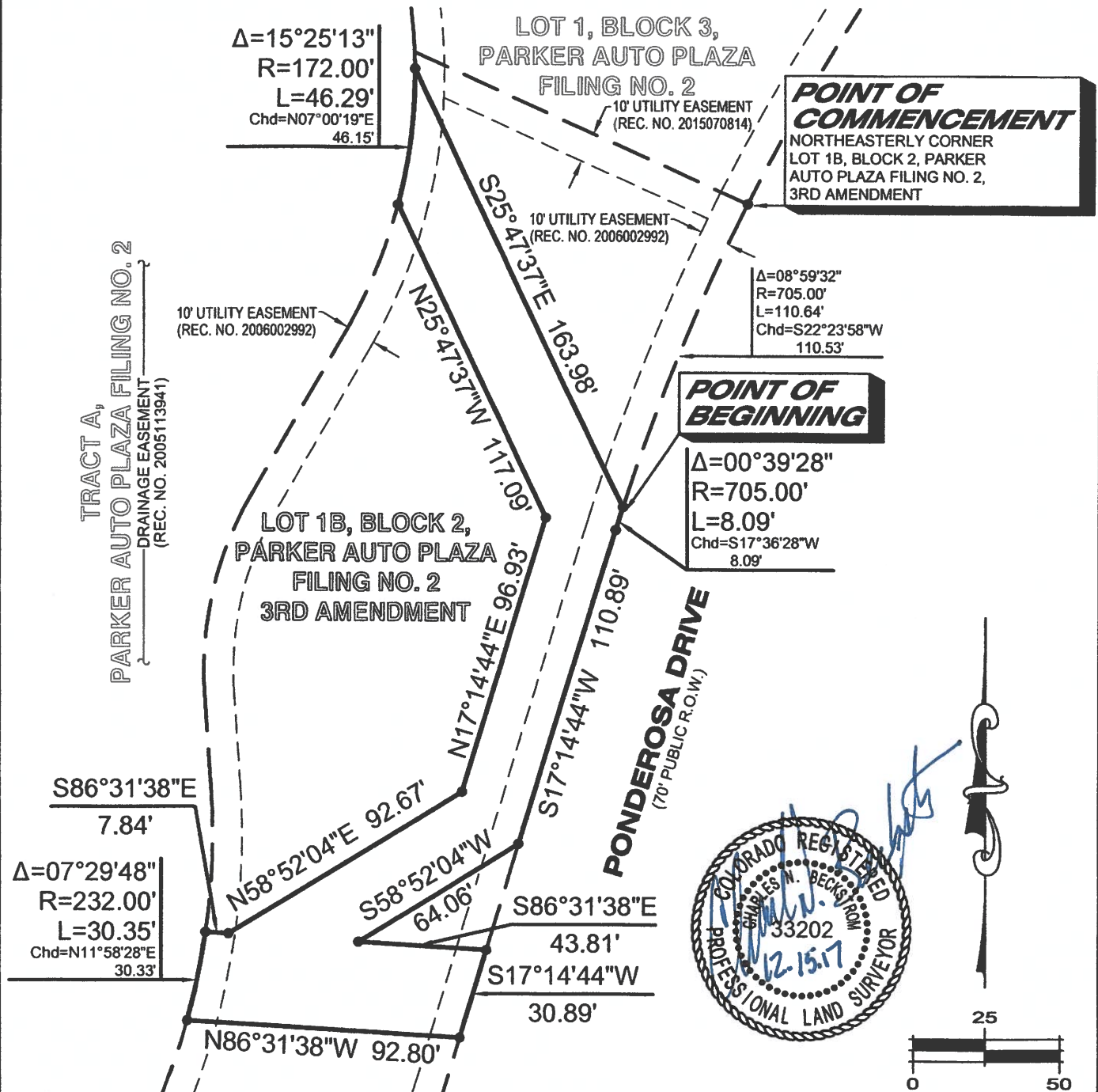
Date Of Last Revision:

Prepared By: Charles N. Beckstrom, PLS No. 33202

For And On Behalf Of
Engineering Service Company
14190 East Evans Avenue
Aurora, Colorado 80014
Phone: (303) 337-1393



ILLUSTRATION FOR "EXHIBIT A"



ESC
ENGINEERING
SERVICE
COMPANY

14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481

PARCEL CONTAINS
10,806 SQUARE FEET
0.2481 ACRES

TOWN OF PARKER

Drawn By: SAM	Checked By: SAM	Project No.: 960.002	Date: 12/14/2017
Scale: 1"=50'		File Name: N:\P\p18227 Ponderosa Dr, Parker\	

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

DRAINAGE EASEMENT

A PART OF LOT 1B, BLOCK 2, PARKER AUTO PLAZA
FILING NO. 2, 3RD AMENDMENT
SITUATED IN THE SE 1/4 OF SECTION 9,
TOWNSHIP 6 SOUTH, RANGE 66 WEST, OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

Exhibit "B"
Drainage Easement

Legal Description:

A parcel of land situated in the Southeast $\frac{1}{4}$ of Section 9, Township 6 South, Range 66 West of the 6th Principal Meridian, being a part of Lot 1B, Block 2, Parker Auto Plaza Filing No. 2, 3rd Amendment as recorded in the office of the Clerk & Recorder of Douglas County September 30, 2015 at Reception No. 2015070814, Town of Parker, County of Douglas, State of Colorado, more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 1B, said point lying on the Westerly Right-of-Way Line of Ponderosa Drive;

Thence along a Curve to the left along said Westerly Right-of-Way Line whose chord bears S22°04'14"W a distance of 118.60 feet, said Curve having a central angle of 09°39'00", a radius of 705.00 feet, an arc length of 118.74 feet;

Thence S17°14'44"W continuing along said Westerly Right-of-Way Line a distance of 246.39 feet to the **Point of Beginning**;

Thence S17°14'44"W continuing along said Westerly Right-of-Way Line a distance of 25.00 feet;

Thence N72°30'17"W a distance of 98.90 feet to a point on the Easterly Line of Tract A, Parker Auto Plaza Filing No. 2;

Thence along a non-tangent Curve to the left along said Easterly Line whose chord bears N29°57'28"E a distance of 25.60 feet, said Curve having a central angle of 06°19'35", a radius of 232.00 feet, an arc length of 25.62 feet;

Thence S72°30'17"E non-tangent to the last described Curve a distance of 93.27 feet to the **Point of Beginning**.

Parcel Contains (2,396 Square Feet) 0.0550 Acres.

Date Prepared: December 14, 2017

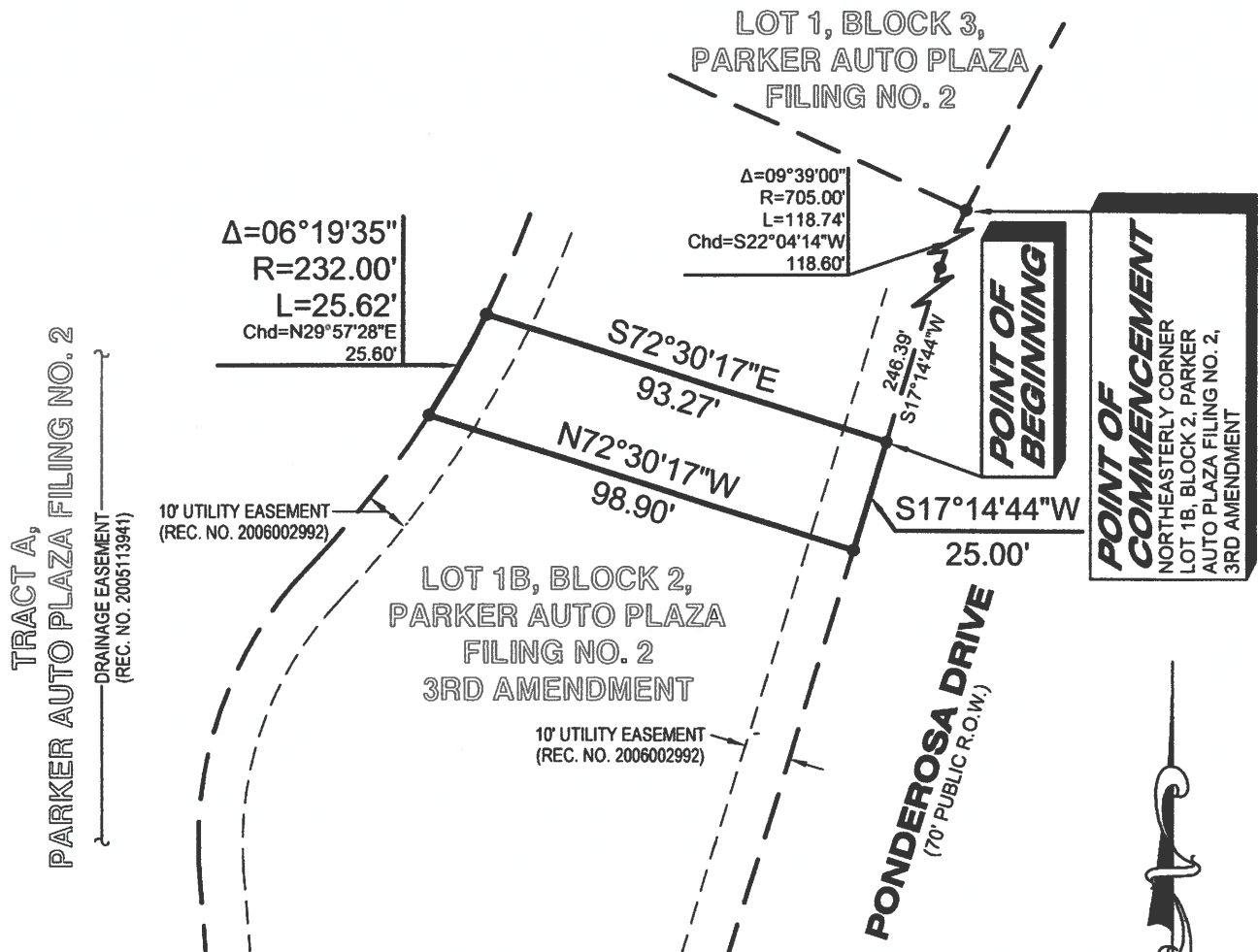
Date Of Last Revision:

Prepared By: Charles N. Beckstrom, PLS No. 33202

For And On Behalf Of
Engineering Service Company
14190 East Evans Avenue
Aurora, Colorado 80014
Phone: (303) 337-1393

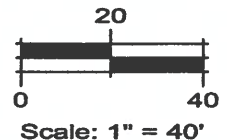


ILLUSTRATION FOR "EXHIBIT B"



ESC
ENGINEERING
SERVICE
COMPANY

14190 East Evans Avenue
Aurora, Colorado 80014
P 303.337.1393 | F 303.337.7481



PARCEL CONTAINS
2,396 SQUARE FEET
0.0550 ACRES

TOWN OF PARKER

Drawn By: SAM	Checked By: SAM	Project No.: 960.002	Date: 12/14/2017
Scale: 1"=40'			
File Name: N:\P\18227 Ponderosa Dr, Parker\			

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

DRAINAGE EASEMENT

A PART OF LOT 1B, BLOCK 2, PARKER AUTO PLAZA
FILING NO. 2, 3RD AMENDMENT
SITUATED IN THE SE 1/4 OF SECTION 9,
TOWNSHIP 6 SOUTH, RANGE 66 WEST, OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO



Request for Town Council Action

Date: April 16, 2018

Submitted By: John Mounier, Associate Project Manager
Danny Smith, Streets Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: 2018 Townwide Concrete Replacement Program (CIP-005)

Amount: \$796,302.00

Contractor: Noraa Concrete

Department: Public Works and Engineering, John Mounier
Danny Smith, Streets Manager

EXECUTIVE SUMMARY

Award of a trade contractor agreement with Noraa Concrete, for the 2018 Townwide Concrete Replacement Program in the amount of \$796,302.00. The Town of Parker needs to maintain, update and enhance the roadway network through annual maintenance programs.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker publically opened competitive bids on March 27, 2018, for the 2018 Townwide Concrete Replacement Program (CIP 18-005). This program includes removing and replacing concrete roadway and sidewalk infrastructure in the Challenger, Hidden River, Regency and Villages of Parker subdivisions and also includes work on Hilltop Road, Motsenbocker, and Mainstreet. Updating several curb ramps and pedestrian crossings will also be incorporated within the limits of this program.

Included with the project is work for the Parks and Recreation Department at several Town owned parks and the trails. A sidewalk gap on Jordan Road south of Cottonwood Drive will be eliminated with this project as well.

The Town of Parker received four (4) sealed bids from contractors, with Noraa Concrete being the lowest responsible bidder. Noraa Concrete has performed as a prime contractor and

completed several projects in the past with the Town of Parker with good results. Therefore, Town staff recommends moving forward with this contract award. The bids were as follows:

- 1) Noraa Concrete - \$796,302.00
- 2) Silva Construction - \$819,025.00
- 3) PLM Asphalt & Concrete - \$852,395.30
- 4) Jalisco International - \$989,953.00
- Engineer's Estimate - \$771,756.00

FINANCIAL IMPACT

Funding for this program has been appropriated in the Public Works/Streets Division repair and maintenance (R&M) accounts.

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 a part of the consent agenda.



Request for Town Council Action

Date: April 16, 2018
Submitted By: Dave Aden, Traffic Engineer
Reviewed By: Michelle Kivela, Town Administrator
Title: **2018 Townwide Pavement Markings - Crosswalk/Symbols Project (CIP 18-008)**

Amount: \$169,659.85
Contractor: Colorado Barricade
Department: Public Works and Engineering, Dave Aden

EXECUTIVE SUMMARY

Award of a trade contractor agreement with Colorado Barricade, for the 2018 Townwide Pavement Markings - Crosswalk/Symbols project (CIP18-008) for \$169,659.85. The Town of Parker needs to maintain and enhance the roadway pavement markings through annual maintenance projects.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On an annual basis, the Town of Parker updates/replaces the crosswalk and symbols pavement markings on those streets that show the most wear. The Town's crosswalk and symbols pavement markings inventory includes, but is not limited to, crosswalk bars, lane use arrows and bike symbols. These pavement markings require annual maintenance to ensure their quality and retro-reflectivity due to damage from vehicle tire wear and environmental damage (sun and weather).

The Town specifies thermoplastic and plastic pavement marking materials for crosswalks and symbols due to its superior durability over paint. Installation requires specialty equipment the Town does not possess due to the high capital expense. Therefore, the Town bids this work through qualified area contractors.

Staff identified the roadway segments that required this maintenance and estimated the areas requiring maintenance. These quantities were used as a basis for the public bid process.

The Town publicly opened bids on April 4, 2018. Four (4) contractors submitted bids with Colorado Barricade being the lowest responsible bidder at \$169,659.85. Colorado Barricade has completed several prior annual crosswalk/symbols projects for the Town with the most recent on being in 2016. These prior projects were completed for the Town with satisfactory results. Therefore, Town staff recommends award of this contract.

The bids the Town received were as follows:

Colorado Barricade - \$169,659.85
Kolbe Striping - \$172,540.50
American Striping - \$177,678.00
RoadSafe Traffic - \$184,481.25
Engineer's Estimate - \$178,000

FINANCIAL IMPACT

Funding for the annual striping contract is part of the approved 2018 Budget under Traffic Services in the general fund (101-4312).

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

None

RECOMMENDED MOTION

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

PROCLAMATION

WHEREAS, May 19th, 2018 is the eighth Kids to Parks Day organized and launched by the National Park Trust, held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

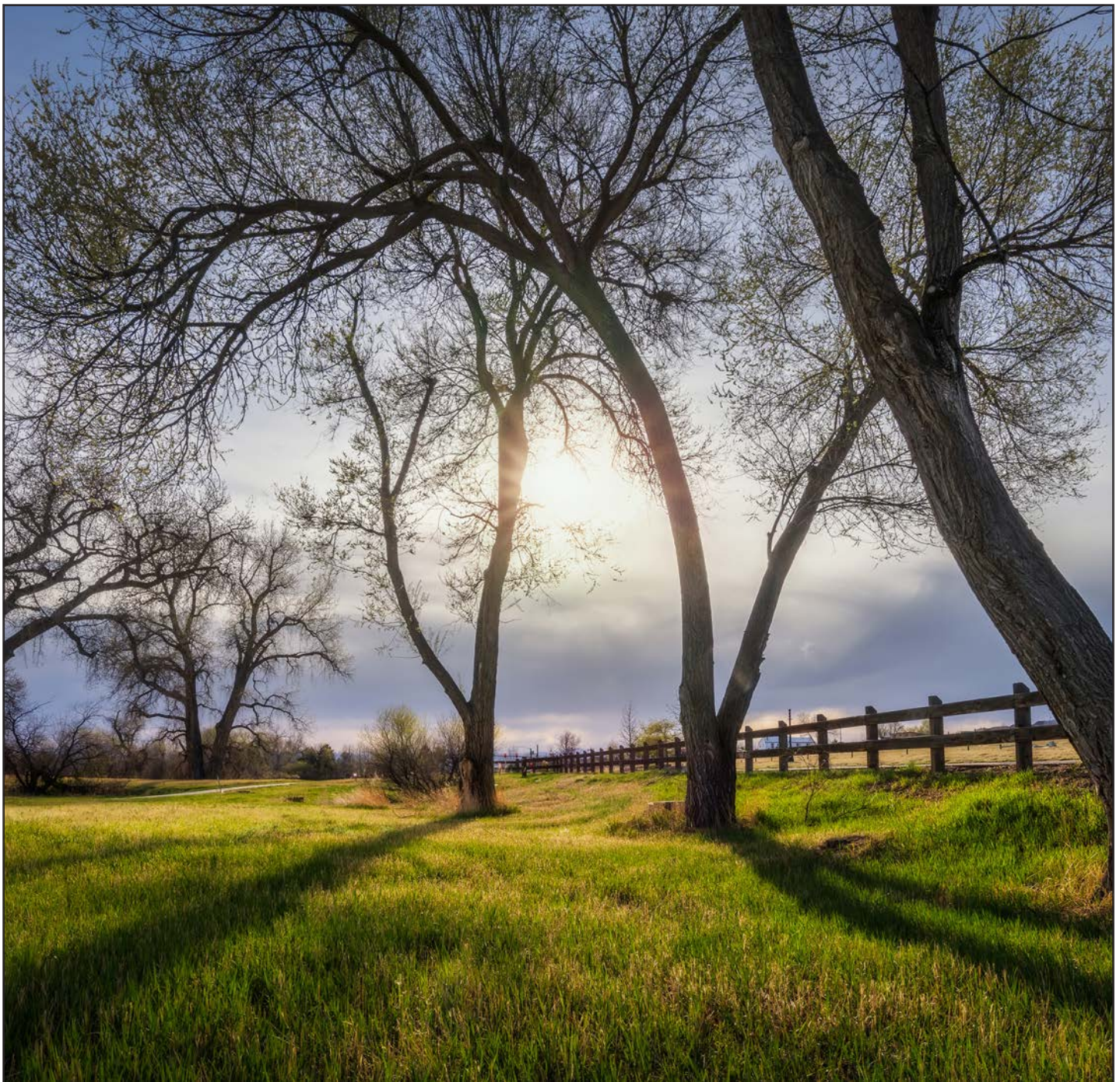
NOW THEREFORE, I, Mike Waid, as Mayor of the Town of Parker, do hereby proclaim to participate in Kids to Parks Day. I urge residents of Parker to make time May 19th, 2018 to take the children in their lives to a neighborhood, state or national park.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th Day of April, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



Town Administrator's Report

Spring 2018



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

Town Special Events

Bike to Work Day

Ditch your car and grab your bike for Bike to Work Day on Wednesday, June 27!

The Town of Parker and Rocky Vista University invite you to take part in this great event, along with 25,000 commuters, which promotes awareness of the benefits of biking! Fuel up at the Town of Parker Breakfast station from 6 to 9 a.m. located at the Cherry Creek Trail under the E-470 overpass.

Visit www.ParkerOnline.org/BiketoWorkDay for maps and event details as the date grows closer.

Parker's Stars and Stripes Celebration

The Town will proudly present Parker's Stars and Stripes Celebration, our annual Independence Day celebration, at Salisbury Park on July 4!

Bring your blankets and lawn chairs and set up for an evening packed with family fun. General admission is free and parking is \$10 per car.

Visit www.ParkerOnline.org/StarsandStripes as the holiday grows closer for maps and event details.

Parker Recreation Activity Brochure

The summer issue of the Parker Recreation Activity Brochure has been completed and mailed to all 80134 and 80138 zip codes. You can find the online version at www.ParkerRec.com/RecreationBrochure.



Website Redesign Update

The redesign of the Town of Parker and Parker Parks and Recreation websites is well underway!

A big thank you to more than 200 Parker residents who provided feedback and suggestions through an online survey, as well as those who participated in our in-person workshops. We received very consistent feedback regarding what people like about our current sites, as well as how we can make some important improvements to make our sites more user friendly. The feedback we received is already being incorporated into the redesign, and we look forward to rolling out these new websites in September! Feel free to call Communications Director Elise Penington at 303.805.3113 or epenington@parkeronline.org for more information.

New Town Videos

The Communications Department has been working on a series of "Visit Parker" videos, featuring our own local celebrity, Kathy Sabine! We look forward to rolling out these fun videos on the Town's website and social media channels this spring.

The 2018 State of the Town video (screen shot shown at right) also debuted to the public following the State of the Town event on April 12. Check out the video today on the Town's YouTube page at www.YouTube.com/TownofParkerCO!



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: 12,651 to 12,906; +2%
Town Twitter: 2,692 to 2,946; +9%
Town Instagram: 951 to 1,063; +11%
Parks and Recreation Facebook: 5,923 to 6,111; +3%
Parks and Recreation Twitter: 1,481 to 1,552; +5%
Parks and Recreation Instagram: 711 to 842; +18%

Post Engagement

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

Town Social Media Accounts: 51,820
Parks and Recreation Social Media Accounts: 20,468

Post Impressions (number of views)

Town Social Media Accounts: 759,679
Parks and Recreation Social Media Accounts: 204,409

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

Website Statistics

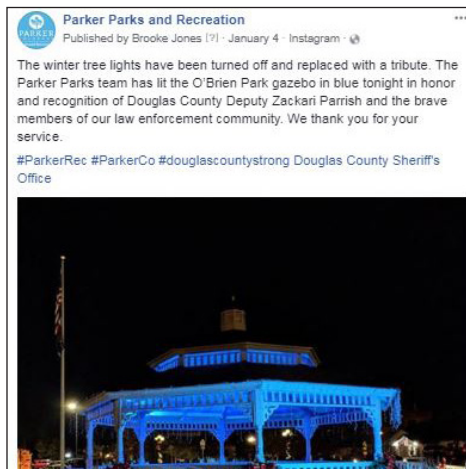
The following statistics demonstrate activity for the Town of Parker (www.ParkerOnline.org) and Parker Parks and Recreation (www.ParkerRec.com) website between Jan. 1 and March 31, 2018.

Website Visits

Town of Parker: 79,458
Parks and Recreation: 94,299

Page Views

Town of Parker: 148,218
Parks and Recreation: 213,224



23,447 impressions; 1,892 reactions, comments and shares



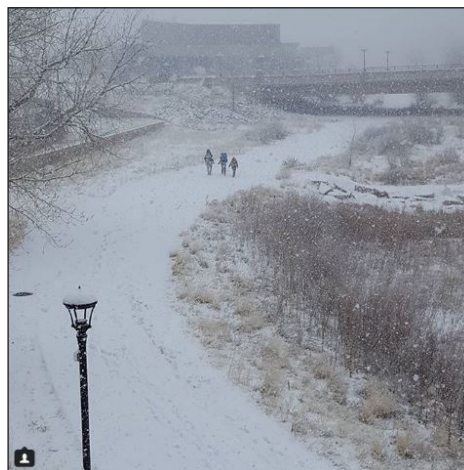
8,727 impressions; 363 reactions, comments and shares



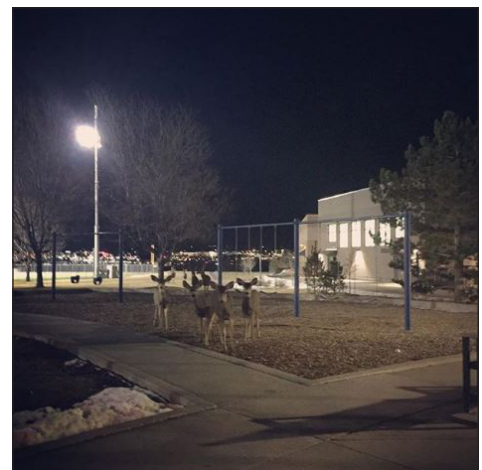
7,583 impressions; 322 reactions, comments and shares



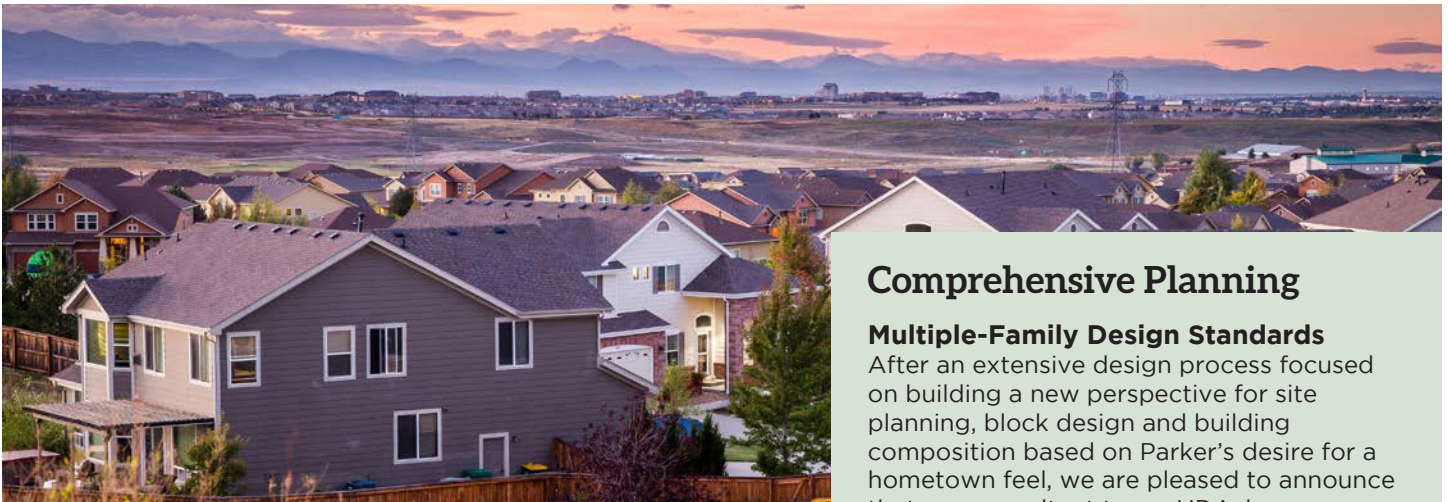
7,269 impressions; 124 reactions, comments and shares



Town Instagram: 89 likes



Parks and Recreation Instagram: 86 likes



Community Development

Building Division Statistics - 1st Quarter 2018

Single-Family Permits: 89 \$32,624,902 1st Q valuation ----- 89 total in 2018 \$32,624,902 total valuation ----- 21 / \$154,313.845 in 2017	Commercial Permits (Remodel): 197 \$4,202,929 1st Q valuation ----- 197 total in 2018 \$4,202,929 total valuation ----- 989 / \$16,885,393 in 2017
Multi-Family Permits: 16 \$28,094,893 1st Q valuation ----- 16 total for 188 units in 2018 \$28,094,893 total valuation ----- 19 / \$48,40,272 in 2017	Other Permits: 456 \$2,258,256 1st Q valuation ----- 456 total in 2018 \$2,258,256 total valuation ----- 2,219 / \$11,718,073 in 2017
Commercial Permits (New): 7 \$2,634,268 1st Q valuation ----- 7 total in 2018 \$2,634,268 total valuation ----- 35 / \$39,382,927 in 2017	Total Permits: 765 \$69,815,248 1st Q valuation ----- 765 total in 2018 \$69,815,248 total valuation ----- 3,683 / \$270,890,510 in 2017
Inspection: 10,179 ----- 10,179 total in 2018 33,972 total in 2017	

Project Focus: Westcreek Condominiums

Currently under review south of E-470 and west of Twenty Mile Road is a new condominium project. The proposed project includes two four-story buildings with a total of 111 units.



Comprehensive Planning

Multiple-Family Design Standards

After an extensive design process focused on building a new perspective for site planning, block design and building composition based on Parker's desire for a hometown feel, we are pleased to announce that our consultant team, UDA, has completed the Town's new multiple-family design standards.

Highlights include standards that strategically guide the design of quality neighborhood living using a seven-step process that aligns with the Town's 2035 Master Plan values. The new document is filled with photographs and illustrations that support the development of well-designed multiple-family housing units.

The next steps to implement the new multiple-family design standards will be the process of adoption by Planning Commission and Town Council. Our consultant team will now begin work on developing new design standards for commercial, industrial and mixed-use developments for the Town. This component is expected to be completed during the fall of 2018.

For more information on the new design standards project, please visit the project webpage at www.ParkerOnline.org/DevelopmentDesignStandards.

Modernization of the Town's Land Development Ordinance

The Community Development Department will be initiating a project this year to modernize the Town's Land Development Ordinance (LDO). This project will overhaul Parker's zoning code, which has not been substantially updated for 30 years. The modernization of the LDO will incorporate zoning best practices, form-based code approaches and modern zoning principles. The Town issued a Request for Expression of Interest (RFEI) in December 2017 and is in the process of selecting a consultant for the project.

For more information, please contact the Community Development Department at planning@parkeronline.org or 303.841.2332.

Community Development - cont'd

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.

<i>Project Description</i>	<i>Project Type</i>	<i>Case#</i>
Westcreek Condominiums	Site Plan	SP18-026
	Replat	SUB18-012
Parker Pointe	Annexation	ANX17-008
	Zoning	Z17-024
	Subdivision	SUB17-058
	Site Plan	SP17-095, SP17-096
Compark Village Filing 3 Amendments 3 & 4	Final Plats	SUB17-009, SUB17-011
Harvie Open Space	Annexation	ANX17-003
	Zoning	Z17-017
Parker Auto Plaza Multi-Tenant Retail	Site Plan	SP17-073
Twenty Mile Village Hotel	Site Plan	SP17-099
	Use by Special Review	Z17-025
Lincoln Meadows Multi-Tenant Buildings	Site Plan	SP17-108
Trails at Crowfoot (Hess Ranch)	Final Plats	SUB17-039, SUB17-040, SUB17-041 SUB17-042, SUB17-045, SUB17-046, SUB17-047, SUB17-048, SUB17-049, SUB17-050, SUB17-051, SUB17-052, SUB17-053, SUB17-057
Parker Road and Pine Lane	Annexation	ANX18-002
	Zoning	Z18-010
Westcreek Multifamily	Site Plan and Replat	SP16-042

Notable New Projects Submitted in First Quarter 2018

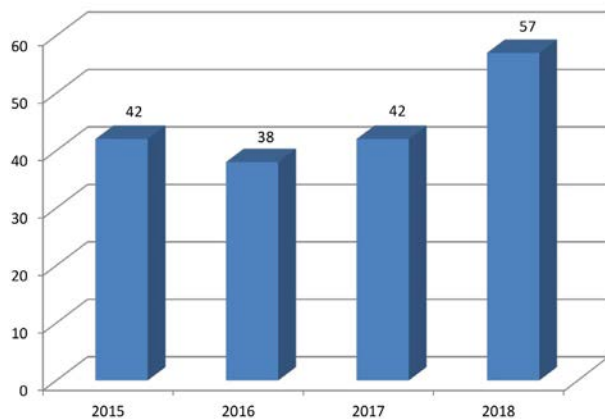
<i>Project Description</i>	<i>Project Type</i>	<i>Case#</i>
Parker Road and Pine Lane	Annexation	ANX18-002
	Zoning	Z18-010
Compark Filing 2	Annexation	
	Zoning	Z18-009
Westcreek Condominiums	Site Plan	SP18-026
	Replat	SUB18-012

Community Development - cont'd

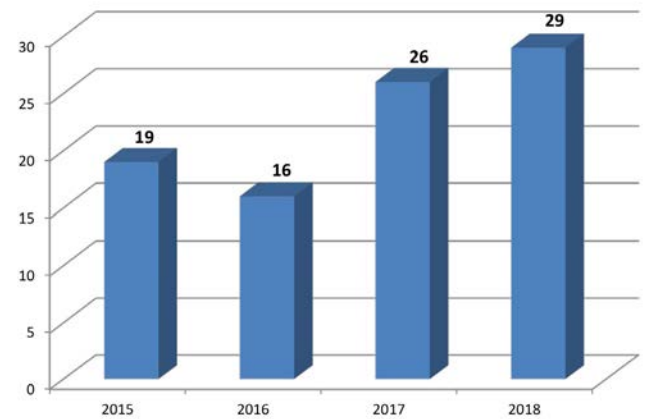
Major Administrative Approvals - First Quarter 2018

Proposal	Applicant	Case #	Approval
Reata West Filing 1 Amd. 3 Lot 7: Christian Brothers Automotive	Summerfield Holdings, LLC	SP17-074	Jan. 8
Country Meadows Amd. 3 Lot 5: Dentist Office	Parker Rentals LLC	SP17-102	Jan. 9
Stroh Ranch Filing 18B: 175 Single Family Homes	Anthology Recovery Acquisition	SUB17-034	Jan. 2
Compark Village Filing 11, Lot 1: Multi-Tenant Retail Building with Gas	Nicks Investments, LLC	SP17-007	Jan. 17
Stonegate Filing 2 Amd 5, Lot 3 A: Exterior Renovation of McDonald's	McDonald's	SP17-059	Feb. 16
Westcreek F1 A1: SpringHill Suites	2 Combs Enterprise	SP17-045	Feb. 28
Newlin Meadows F3, Lot 3 Block 1: Assisted Living Facility	Resond Skyview, LLC	SP17-062	Feb. 16
Robinson Ranch F2 Amd. 2, Lot 7: Takoda Tavern	Bob Nobles	SP17-078	Feb. 14
Crown Point F1 Amd. 21 Lot 3A	Copper Hill Partners	SP18-021	March 15
Crown Point F1 Amd. 26 Lots 2 & 3: Multi Tenant Retail	Crown Point Partners LLC	SP17-050	March 14

Development Review Submittals* - Q1



Development Review Approvals* - Q1



Development Review Submittals* - Year Total



■ Completed
■ Year-End Projection

* Annexation, Site Plan, Subdivision and Zoning



Education Highlights

- Parker Arts hosted the second annual Portfolio Day for art students from Douglas County high schools in February (pictured below). Students had their portfolios reviewed by university art professors and working artists. Their experience culminated in a professionally curated art show at the PACE Center.



- Parker Arts hosted the second annual Shakespeare Festival on March 7 at the PACE Center. In-kind donations included festival T-Shirts; donuts from Walton's Donuts and The Donut House; tickets to Disney's Aladdin at the Denver Center for Performing Arts; tickets to Town Hall Arts Center, Arvada Center and the PACE Center; and, finally, an in-school theater workshop.

- Parker Arts partnered with the Art Student's League of Denver in January to provide satellite art classes with regionally and nationally recognized working artists in a wide selection of media—right here in Parker. All four workshops were sold out.

Cultural Department

Box Office Highlights

We had very strong ticket sales overall in the first quarter of 2018 with virtual sellouts (97% or higher) for the following titles:

- Family Discovery Series: Colorado Symphony's "Aesop Times Two"
- Disney's The Little Mermaid (a record-setting 10,185 seats purchased throughout the four-week run)
- Friday Night Jazz: An Evening of Soulful Jazz with Robert Johnson
- Family Discovery Series: HawkQuest - Birds of Prey
- Comedy & Cocktails: Nancy Norton
- Christopher Cross
- Catapult - The World's Premier Shadow Dance Company
- The Uncharted Series: FACE - acappella rock
- ABBA-MANIA Canada - A Tribute to ABBA
- Comedy & Cocktails: Jeff Wozer

Membership Update

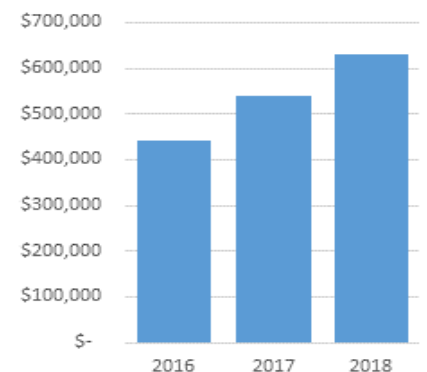
- Members have had the opportunity to attend several exclusive events in the first quarter of 2018. Those events include: Little Mermaid Reception, Backstage Tour and Dress Rehearsal; a whiskey and pizza tasting event; Meet & Greet with Christopher Cross and Los Lobos; a wine painting and pairing class; a Flamenco dance master class; a pre-concert prior to FACE; and Drinks and Desserts at Vines.
- 228 of our members participated in these special events.

Rental Events

- The official grand re-opening of The Schoolhouse complex was held on Feb. 24. Over 500 people from the community came to see the newly remodeled and rehabilitated space. The dance studio, event rooms, theater and rehearsal space are now available for groups to rent.



2017 Ticket Revenue - 1st Quarter





Economic Development

Economic Indicators - 4th Quarter 2017

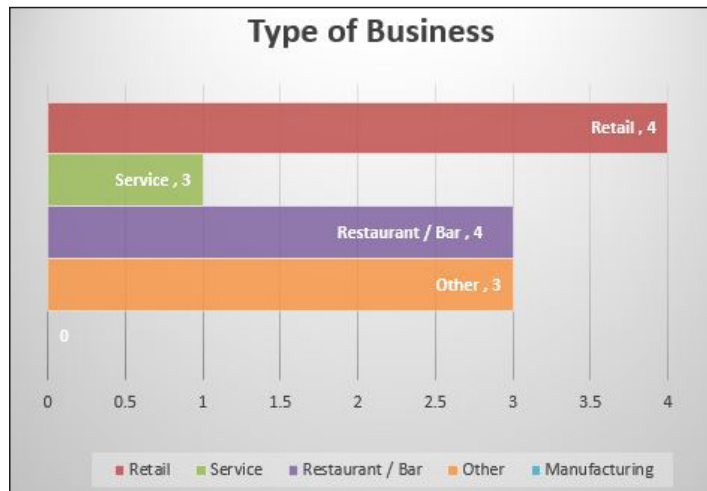
Commercial						
	Parker		Southeast Metro		Metro Denver	
	2017 - Q4	2016 - Q4	2017 - Q4	2016 - Q4	2017 - Q4	2016 - Q4
Total Existing Office Square Footage	1,162,872	1,162,872	25,131,554	24,458,712	168,955,956	166,386,843
Office Vacancy Rate	4.70%	9.50%	10.80%	11.40%	10.10%	9.50%
Office Rental Rate - median	\$20.95	\$19.40	\$22.64	\$21.84	\$22.39	\$21.14
Total Existing Retail Square Footage	4,341,890	4,317,986	15,006,323	14,944,271	152,711,672	151,189,960
Retail Vacancy Rate	4.40%	3.80%	4.50%	3.90%	4.40%	4.70%
Retail Rental Rate - median	\$20.83	\$17.14	\$21.79	\$18.74	\$17.79	\$16.38
Total Existing Industrial/ Flex Square Footage	819,677	819,677	14,633,100	14,320,898	235,663,500	230,108,456
Industrial/ Flex Vacancy Rate	4.40%	5.00%	6.50%	7.00%	4.60%	4.10%
Industrial/Flex Rental Rate - median	\$9.94	\$11.41	\$10.19	\$10.25	\$8.12	\$7.80

Residential and Labor Force				
	Parker		Metro Denver	
	2017 - Q4	2016 - Q4	2017 - Q4	2016 - Q4
Residential Building Permits:	172	129	4,401	6,480
- Single Family	156	90	2,729	2,519
- Multi Family	16	39	1,672	3,961
	344			12,960
Median Home Price	\$466,350	\$438,000	\$415,000	\$377,450
Median Condo/Townhome Price	\$265,000	\$235,000	\$285,000	\$257,500
Labor Force	29,337	28,050	1,613,027	1,541,096
Unemployment Rate	2.70%	2.40%	2.90%	2.60%

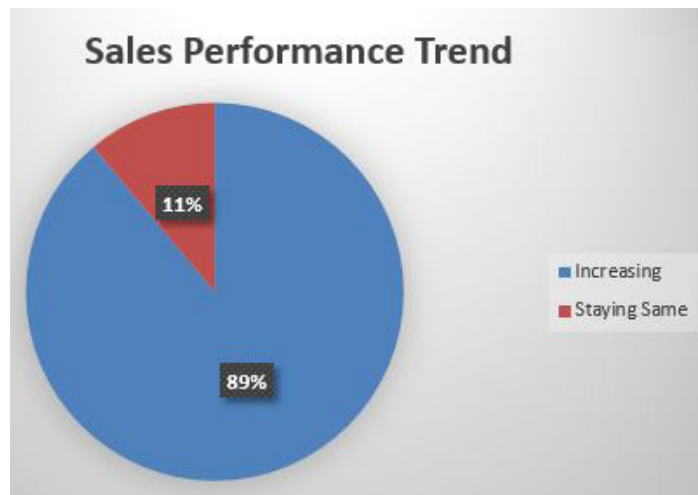
Economic Development - cont'd

Business Retention Visits

Retention efforts are off to a strong start this year, with staff completing 14 business visits throughout Parker thus far.



Geographical Areas Visited	# of Visits
Cottonwood Retail Area	
Crown Point Retail Area	3
Lincoln Ave & Jordan Rd	
Parker Rd & Lincoln Ave	2
Mainstreet & Parker Rd	5
Flatacres Retail Area	4
Stroh Ranch Retail Area	
Other Areas	
Total	14



Land Title Realtor® Presentation

On March 3, 2018, Economic Development staff Darlene McCampbel and Matt Carlson met with Douglas and Elbert County Realtors to highlight development trends in Land Titles annual Economic Development update (pictured top right). The full house of Realtors and commercial brokers were interested in future growth patterns, trends in commercial development and the Town's plans for accommodating traffic and public services.



Metro Denver Annual EDC Awards Luncheon

Councilmember John Diak and other Parker-area business leaders joined Economic Development staff for the Metro Denver Economic Development Corporation annual awards luncheon. More than 500 business leaders throughout the region gathered to celebrate the region's accomplishments. Both Governor John Hickenlooper (pictured bottom left) and Denver Mayor Hancock spoke, and the governor was presented with special recognition for his invaluable partnership and economic development contributions.



Annual Roadway Maintenance Projects

Townwide Concrete Repair

- Work consists of miscellaneous sidewalk, concrete pavement and curb and gutter repairs

The project has been competitively bid and is scheduled for Town Council review in April.



Engineering and Public Works

Roadway Capital Improvement Projects

Jordan Road Widening

- Hess Road to Bradbury Parkway

Roadway widening construction on the project is underway and is anticipated to be completed in July 2018. Initial work on the retaining walls and storm drainage infrastructure for the project is complete. Median landscaping is anticipated to be completed in the second half of 2018.

Parker Road Sidewalk Project

- Installation of sidewalk on the east side of Parker Road between the Sulphur Gulch Trail (south of Mainstreet) to north of Plaza Drive

Construction of this partially federally funded project (pictured below) is anticipated to begin in April and conclude in late June.



Motsenbocker Road Widening

- Clarke Farms subdivision to Todd Drive intersection

Final design for this widening project began in August 2017. Funding for construction is dependent on adjacent development providing their portion of the project funding per their respective development agreement. The construction timetable has not been established at this time due to this variable, but it is currently anticipated that construction may potentially start in the second half of 2018.

Cottonwood Drive Widening

- Jordan Road to Cottonwood Way

Design work has commenced, and it is anticipated that the design will be completed in 2018. Due to budget constraints, the funding for the widening construction is not anticipated to be available until 2019. Construction is currently expected to take place in 2019 pending approval of the 2019 budget in late 2018.

Kings Point Way

- Cottonwood Drive to Aurora Parkway

Town staff has engaged a consultant to complete the design of the project. Kings Point Way is a proposed collector roadway on the east side of Parker Road (State Highway 83) between Cottonwood Way and the proposed Aurora Parkway. Construction is anticipated for 2018.

Roadway Reconstruction

- Street repairs to various locations in Town

The 2018 reconstruction project includes J. Morgan Boulevard between Stroth Road to just north of Cody Avenue, where the 2017 project ended, plus reconstruction of a retaining wall on Parkglenn Way. The J. Morgan reconstruction (pictured above) will remove the 30-plus year-old concrete pavement and replace it with an asphalt/aggregate base course pavement section. Reconstruction of the J. Morgan portion of the project is anticipated to begin in April and conclude in the summer. Reconstruction of the Parkglenn Way retaining wall is anticipated for the second half of 2018.

Roadway Resurfacing

- Thin overlays, chip seal and slurry seal (pavement preservation) work in various locations in Town

The 2018 projects have been competitively bid. Concrete work associated with the overlay contract is underway. The asphalt overlay and pavement preservation work on the project are temperature sensitive work and will be completed during the summer.

Engineering and Public Works - cont'd

Facility CIP Projects

Schoolhouse Restoration

- Restoration of the 100-year-old historical portion of the Schoolhouse building

Phase 3 work consisting of the exterior and upstairs restoration work (pictured below) is complete, and the facility has been reopened to use. Partial funding for the restoration work came from the Colorado State Historical Fund via a grant that was approved by Town Council.



Schoolhouse Annex Renovation

- Remodel the existing non-historic annex interior space including a concession area, box office and office addition; restroom upgrades; fire protection upgrades; and various interior upgrades

The project is substantially complete and now occupied.

Schoolhouse Plaza and Parking Lot Renovation

- Renovation of the parking lot area between the Schoolhouse and Ruth Chapel into an interactive plaza and reconfiguration and reconstruction of the south parking lot

The project is currently in the design phase with construction scheduled to begin in summer 2018.

Recreation Improvements

Salisbury Park Connection Trail

- Construction of a concrete trail to connect Salisbury Park ballfields with the Cherry Creek Trail

Competitive bidding of the project is complete and construction is anticipated for spring 2018 with completion by the end of May.

Harvie Open Space Redevelopment

- Redevelopment of the 70-plus acres located north of Canterbury Parkway and Mainstreet into a passive open space use area

The project (property pictured below) is currently in the design phase with construction tentatively scheduled to begin in spring 2019 pending approval of the 2019 budget by Town Council.



Harvie Open Space Access Project

- Addition of a left turn lane to eastbound Mainstreet at Canterbury Parkway and associated traffic signal modifications

Design for the project began in January with construction tentatively scheduled for summer 2018.

Sulphur Gulch Trail Crossing Realignment

- Relocation of the Sulphur Gulch Trail crossing of Pikes Peak Drive to the south

The concrete portion of this project was substantially completed in July 2017. Irrigation improvements for the project commenced in the fall with landscaping planned for spring 2018.

Stormwater CIP Projects

Newlin Gulch at Heirloom Parkway

- Channel and bank stabilization between Chambers Road and the East/West Trail crossing

This project is currently in the design phase with permitting and construction projected for spring 2018.

Cherry Creek at KOA

- Channel and bank stabilization between McCabe Meadows trailhead parking lot and Twenty Mile Road extended

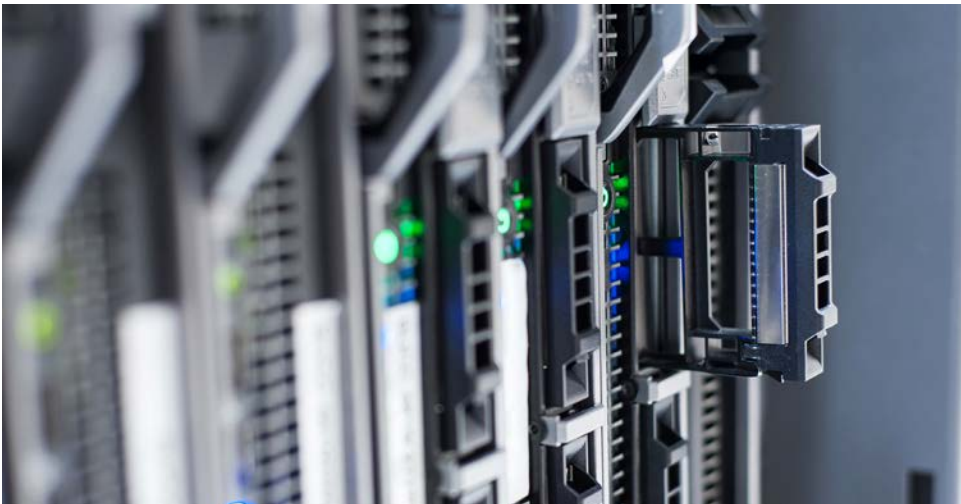
This project is currently in the design phase with permitting and construction projected for the fourth quarter of 2018.

McCabe Meadows

Detention Pond Retrofit

- Retrofit of existing detention pond to current Town criteria and standards

This project is currently in the design phase with permitting and construction projected for spring 2018.



Information Technology/GIS

IT Department Projects

- Security awareness training for Town staff
- Switch replacement project for Town Hall and Police Department
- Disaster recovery/business continuity testing at co-location facility
- New virtual server cluster replacement in secondary datacenter at Town Hall
- TRAKiT servers and software upgrade
- SCCM server and software upgrade
- Network and server monitoring system replacement

Technology Projects for Town Departments

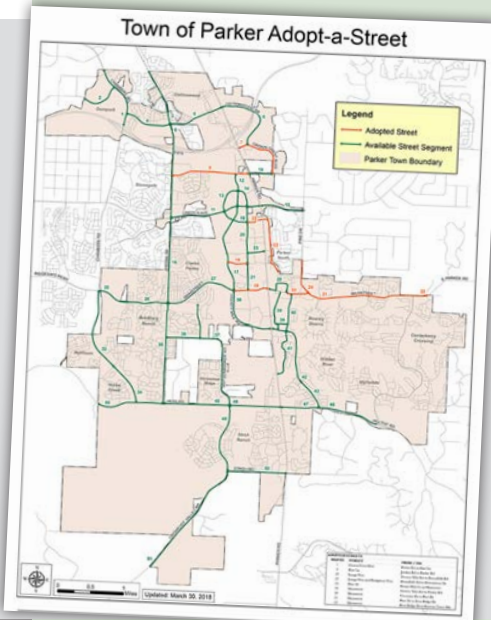
- Hardware configuration is completed for the records management system replacement project for Police
- Computer-aided dispatch re-host for Police Communications
- In-car camera replacement project for Police
- 911 system replacement for Police
- IA interview room technology upgrade (A/V and servers) for Police
- Capital projects – Schoolhouse remodel
- Laserfiche to TRAKiT interface for Community Development

GIS Projects Update

- Completed 2020 US Census Bureau residential address update
- Street centerline/address point mapping for E911 phone system
- Created web app displaying 2018 Parker Road construction locations
- Conceptual Idyllwilde traffic circle mapping
- Significant GIS data analysis for 2018 Highway Users Tax Fund reporting
- Annexation priority mapping
- Three-Mile Plan construction
- Conceptual map for Town's Master Plan update
- Significant GIS data analysis for 2018 GASB Financial Reporting
- Created map for public reference/in-house tracking of Adopt-a-Street Program (pictured at right)
- Database/mapping update of lane mileage/pavement square yardage of Town responsibility

TRAKiT Statistics 2018 First Quarter

- **1,156 permit applications** were submitted with 97 percent received via eTRAKiT. Permit types included: Commercial; Single-Family Dwelling; Electrical; Plumbing; Mechanical; Residential Over-the-Counter; Permanent and Temporary Signs; Right-of-Way; and Community Event.
- **84 project applications** were submitted with 64 percent received via eTRAKiT. Project types included Capital Improvement, Site Plan, Subdivision and Zoning.
- **137 license applications** were submitted with 84 percent received via eTRAKiT. License types included Contractor, Special Event, Liquor and Peddler/Solicitor.
- **317 CRM issues** were submitted with 63 percent received via eTRAKiT. Issues included potholes, graffiti, ice, traffic signals, trash/debris, concrete issues and street signs.





Parks and Recreation

New Staff Members

The Parks and Recreation Department welcomed three new staff members in the first quarter of 2018:

- **Todd Panik, Fitness and Wellness Supervisor:** Todd is certified in Pilates, Personal Training and Cycling.
- **Frank Hagaman, Recreation Coordinator I - Facilities:** Frank serves as the facilities coordinator for the Parker Recreation Center in charge of all equipment maintenance and supply ordering.
- **Paige Burkett, Sports Coordinator:** Paige coordinates all Soccer programs, as well as Flag Football programs and CARA Track.

Senior Recreation

Gene Haas (below) is a member of the Super Senior International Pickleball Association and spends his summers playing pickleball at the Parker Fieldhouse. Gene is 91 years old and recently dominated the 90+ Men's Division at the J.W. Marriott Pickleball Championships in Arizona.



By the Numbers

Fitness and Wellness

- 48 - Total number of Commit to Fit participants
- 225.9 - Total pounds lost by participants (5.25 lbs per person/average)
- 235.45 - Total inches lost by participants (5.48 in per person)

Day Camp

- \$484,675 - Total revenue for 2017
- \$92,751 - Total revenue year to date (up 27%/\$24,979 from this time last year)

Sports

- 84 - Number of participants in the FREE Nuggets Skills Challenge (increase of 27 participants from 2017)
- 50% - Increase in Spring Adult Softball participation since 2017

Therapeutic

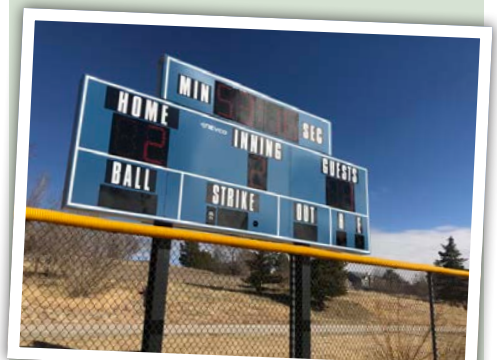
- 11% - Increase in revenue since 2015

Aquatics

- 299% - Increase in group swim lesson participants from this time in 2017. In 2017, 87 participants registered for group swim lessons from January through March. This year we were able to register 260 participants in that same time frame. This is thanks in large part to offering Sunday swim lesson options for the first time.

Sports

- Ryan Morken (Sports Coordinator), Madison Amundsen (Sports Coordinator) and Lou Meadows (Customer Service Specialist) all earned their Certified Youth Sport Administrator (CYSA) certification. This certification ensures that our Sports Coordinators are providing the highest quality and safest programs possible.
- The O'Brien Park ballfield received a facelift with a new scoreboard prior to the spring season beginning (pictured below).



Aquatics

The Aquatics Division has certified three new Lifeguard Instructors in 2018. This will provide the opportunity to certify and train lifeguards in house in hopes that they will join our team as Town of Parker Lifeguards. New staff members are being hired for the summer H2O'Brien season. We look forward to a great summer with amazing staff and lifeguards.

Therapeutic Recreation

Ice Trail adventure was a new program offered this winter/spring. Twelve participants visited the Parker Ice Trail twice this winter to enjoy time with friends and learn to skate in a safe and comfortable learning environment. This program helped improve physical fitness, confidence and social skills. There have already been requests to offer the program again next season.



Police Department

Permanent Medication Collection Box

In an effort to provide a safe, convenient and responsible means of disposing of prescription drugs, the Parker Police Department is a permanent site for a Medication Collection Box. You can drop off your unused or expired medications in the front lobby of the Parker Police Department.

We have had a fantastic response to this new service. The week it was launched, it filled up in four days! This project has been made possible through the Colorado Department of Public Health and Environment (CDPHE). The state funded program expanded with the goal to establish a permanent collection location in every Colorado county. The only cost to the Parker Police Department is the time of the employee(s) assisting

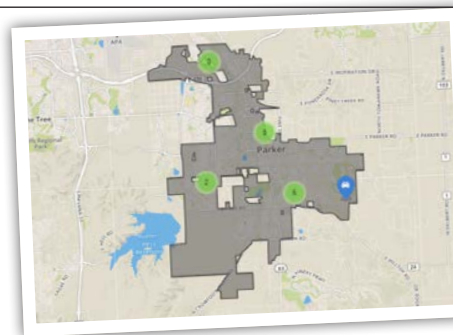


with collection duties. The supplies, disposal contractors and collection box itself is at no cost to the department.

The Medication Collection Box is available to the public during normal business hours, Monday through Friday, 9 a.m. to 5 p.m., and Saturday through Sunday, 10 a.m. to 5 p.m.

Interactive Traffic Concerns Map

Letting the Parker Police Department know about your traffic concerns just got a whole lot easier. Our new interactive traffic map allows Parker residents to stick a pin on a map of Parker and write a sentence or two about their concern. Prior to this mobile friendly tool, we received 10-12 traffic complaint forms per month. In the first six weeks of this new tool, residents have placed more than 300 pins letting us know what and where their concerns are.



Our new interactive traffic map is part of the Town of Parker's new engagement site, *Let's Talk Parker*. Make sure to check it out at www.LetsTalkParker.org!



Coffee with a Cop

We held a special Valentine's Day Coffee with a Cop at Kneaders in February. More than 150 Parker residents turned out for candy hearts, our new coffee mugs and a craft station for kids to make valentines for their family members or our police officers. Our next Coffee with a Cop will be May 16. Stay tuned to our website and social media sites for the location.

Citizen's Academy Alumni Group

In February, the Parker Police Citizen's Academy Alumni Group (PPCAAG) was launched. The role of the PPCAAG will be to develop enhanced communication strategies, Strategic Plan modification, enhanced Public Safety education and an enhanced trusted relationship between law enforcement and the local residents. More than 50 graduates are involved with this group that meets monthly.

Police Department - cont'd



Police Citizen's Academy

Our spring Police Citizen's Academy began in March. In an effort to meet the high demand for this popular course, we added an additional five seats to bring the class size to 40. The class filled up in less than 30 minutes, and more than 100 people registered.

The free 10-week program gives participants first-hand information about how the Police Department operates. Classes focus on criminal law, mounted patrol, evidence, dispatch, traffic laws, accident reconstruction, DUI laws, K-9, youth education programs and many other topics.



Serving Parker and Beyond

We would like to thank Southeast Christian School for being the first community sponsor for the Parker Police Department's new program, Serving Parker and Beyond. Students, parents and staff gathered baby wipes, snacks, magazines and much more to send overseas to Parker Police

Officer Marcus Gwaltney and members of the 710th Security Forces Squadron. In addition, they raised enough money to pay for the cost of shipping nine care packages overseas. They also served breakfast to show their appreciation for officers and said a prayer for their safety during chapel.



Apartment Manager's Summit

The Police Department hosted the 2018 First Quarter Town of Parker Apartment Manager's Summit. Representatives from Parker Flats at Old Town Apartments and The Parker Hilltop Apartments, along with Parker Police Community Services and Community Outreach, were in attendance.

Conversations ranged from implementation of a Crime-Free Multi-Housing Certification for managers through the Police Department to topics of National Police Week festivities, National Night Out and Community Coffee with a Cop for residents specific to the apartment complex.

Legend Unified Sports Basketball Game

The Legend High School Unified Sports basketball team beat the Parker Police, 41-32, in front of hundreds of students and Parker residents in January. We want to thank everyone who came out to support these inspirational athletes and help raise money for their sports program and the Douglas County Fallen Officers Fund.

The inclusionary atmosphere and sense of community that Legend Principal Jason Jacob has fostered is amazing to witness. We are so proud to serve these athletes, students and staff. Thank you for helping us make Parker a great place to live, work and learn. We'll get you next year! Third times a charm???





Town Clerk's Office

Statistics – 2018 First Quarter

Community Event Permits

- 2015 Total – 55
- 2016 Total – 63
- 2017 Total – 68
- YTD 2018 – 28

Special Events Permits Processed (Events with Liquor)

- 2015 Total – 5
- 2016 Total – 17
- 2017 Total – 33
- YTD 2018 – 10

Active Liquor Licenses

- 2015 – 92
- 2016 – 96
- 2017 – 97
- 2018 – 95

Open Records Request

- 2015 Total – 146
- 2016 Total – 170
- 2017 Total – 120
- YTD 2018 – 13

Peddlers and Solicitors Permits

- 2015 Total – 25
- 2016 Total – 19
- 2017 Total – 30
- YTD 2018 – 3



Request for Town Council Action

Date: April 16, 2018

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

Reviewed By: Michelle Kivela, Town Administrator

Title: **GRASSLANDS/PRAIRIE TRAIL - Annexation and Zoning**

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

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

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

TRAKiT No.: ANX18-001

- (A) **RESOLUTION NO. 18-032**
A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Grasslands/Prairie Trail Property for Annexation into the Town of Parker
- (B) **ORDINANCE NO. 2.259 - Second Reading**
A Bill for an Emergency Ordinance Approving and

**Accomplishing the Annexation of Contiguous
Unincorporated Territory Known as the
Grasslands/Prairie Trail Property in Douglas County**

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

(D) ANNEXATION AGREEMENT

EXECUTIVE SUMMARY

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

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

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property is described and depicted in the attached Annexation Map and the applicants collectively own more than fifty percent (50%) of the subject property, which is located entirely within the “Town Urban Growth Area”. The “Town Urban Growth Area” includes certain property within unincorporated portions of the County and is defined in the

“Mutually Binding and Enforceable Comprehensive Development Plan,” approved by the Town and County, pursuant to C.R.S. § 29-20-105 and through a related Intergovernmental Agreement (as amended, the “Comprehensive Development Plan”). Specifically, the Comprehensive Development Plan states that the Town Urban Growth Area is “the boundary of the Town’s potential future annexation area to the year 2022.” Stated another way, the Town Urban Growth Area includes the area that the Town desires to annex and zone over a term of years. See the November 20, 2000, Memorandum of Understanding between the Town and Douglas County “regarding Joint Planning and Growth Management.”

The Comprehensive Development Plan provides that; “all unincorporated areas located within the Town’s Urban Growth Area,” including the subject property, “are encouraged to annex into the Town” and “the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.” In those circumstances where a landowner application is submitted to the County, instead of the Town, for an unincorporated area that is contiguous to the Town and within the Town Urban Growth Area, the Comprehensive Development Plan provides that “(i)f there is contiguity, the Town shall process a petition for annexation,” “(t)he Town Council shall apply the Standards for Review, as outlined above in Paragraph 2.3 of the (Comprehensive Development) Plan, when considering a petition for annexation,” and “(f)inal decision authority for said petitions shall be the Town Council following a public hearing, in the manner provided by the (Comprehensive Development) Plan.” In addition to being located entirely within the Town Urban Growth Area, the subject property also satisfies the contiguity requirement of C.R.S. § 31-12-104(1)(a), as reflected in the attached Annexation Map. Accordingly, the Town is processing the Annexation Petition, subject to the standards of review contained in the Comprehensive Development Plan, other Colorado law, and the final decision-making authority of the Town Council.

The Community Development Department applied the standards of review contained in the Comprehensive Development Plan (the “Standards”) when considering the petition to annex the subject property, and recommends the following findings to the Town Council:

1. The subject property is within the Town’s Urban Growth Area.
2. The annexation complies with the Town’s Land Development Ordinance and all future development proposed on the annexed properties will comply with the all applicable Town design standards.
3. The annexation request is consistent with the Town’s adopted plans, including, but not limited to, the Parker 2035 Master Plan and Open Space, Trails and Greenways Master Plan, as amended.
4. In the absence of a site plan as a part of the annexation of the subject property, Section 2.3.4 of the Standards does not apply.
5. In the absence of a site plan as a part of the annexation of the subject property, Section 2.3.5 of the Standards does not apply.
6. The subject property can be used safely for the intended purpose as described in Ordinance No. 3.333, Series of 2018, without danger to the public health, safety or welfare or peril from

fire, flood, geologic hazards or other natural hazards.

7. In the absence of a pre-annexation agreement, Section 2.3.5 of the Standards does not apply.

8. The area sought to be annexed meets the requirements of the Municipal Annexation Act of 1965, as amended.

9. The petition for annexation satisfies the requirements of Article II, Section 30 of the Colorado Constitution.

10. That, upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.

11. Section 2.3.5 of the Standards does not apply for the reason that the subject property is located within the service boundary of an existing special district that provides water and sewer service.

12. By signing the annexation petition, the petitioners agreed that no vested rights to the use or to develop their property in any particular way, as defined in Section 24-68-101, et seq., C.R.S., has been acquired by petitioners from any government entity. Petitioners waived any vested land use rights attached to their property to be annexed. There are no vested rights to the use or development of the vacant lots contained within the Property, pursuant to Section 13.01.110 of the Parker Municipal Code, as amended.

13. The petitioners acknowledged that, upon annexation of their property to the Town, this property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The petitioners further acknowledge that their property, the owners thereof, and the uses thereon are also bound by any voter authorization under Article X, §20 of the Colorado Constitution adopted prior to annexation of their property. The petitioners waived any claims they may have under Article X, §20 of the Colorado Constitution related to such taxes and fees.

The current zoning for the subject property is “Compark Planned Development,” which was originally approved on September 21, 1998 (as amended, the “Compark PD”), as superseded by the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District), and other applicable law. The subject property is contained entirely within Planning Area 4 of the Compark PD. The current uses within the subject property and surrounding areas that are located in the Town or the Town Urban Growth Area include research and development, light industrial, commercial, businesses, higher educational campus, public charter school, personal services, residential uses, and an educational use that have a character that complements and is compatible with existing uses, but is incompatible with others that are listed in the Compark PD, specifically, general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility, and the other incompatible industrial uses. Existing uses within Planning Area 4 and the surrounding area, including portions of the Compark PD that were annexed into the Town, include a research and development center, a multinational Fortune 100 telecommunications company; a medical device manufacturer; a nationally ranked junior-Olympic-level volleyball training facility with year-round teams, clinics and camps; a medical university; a performing arts charter school for grades K-8; and single-family detached homes. The uses that are proposed in the Grasslands/Prairie Trail

Development Guide and Plan are, by contrast to the Compark PD, in compliance with the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), and other applicable law, are consistent with the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 General Land Use Plan, and are consistent and compatible with other existing uses of the Real Property and the surrounding area.

Planning Commission held a public hearing on April 12, 2018, concerning the zoning request.

The proposed ordinances on second reading are proposed as emergencies within the meaning of the Town's Home Rule Charter and Colorado law. The bases for the emergency are set forth in detail in Section 12 of Ordinance No. 2.259 annexing the Real Property and Section 6 of Ordinance No. 3.333 zoning the Real Property.

FINANCIAL IMPACT

The Town, upon annexation, will provide municipal services to the Real Property.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Annexation Petition
2. Annexation Map
3. Grasslands/Prairie Trail PD - Planned Development
4. Zoning Narrative
5. Vicinity Map
6. Resolution No. 18-032
7. Ordinance No. 2.259
8. Ordinance No. 3.333
9. Annexation Agreement
10. Planning Commission Staff Report

RECOMMENDED MOTION

- (1) I move to approve Resolution No. 18-032.
- (2) I move to approve Emergency Ordinance No. 2.259.
- (3) I move to approve Emergency Ordinance No. 3.333.
- (4) I move to approve the Annexation Agreement.

February 16, 2018

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

Re: Grasslands Annexation

Dear Ms. Baumgartner:

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

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

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

Sincerely,

**PROPERTY OWNER: ABMAR
GRASSLANDS, LLC**

By: Gregory Everhard

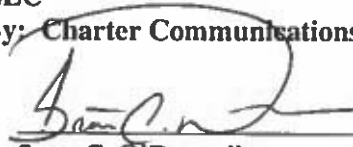
Gregory EVERHARD [Name, title]

MANAGING MEMBER

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

By: Charter Communications, Inc., its Manager

By:

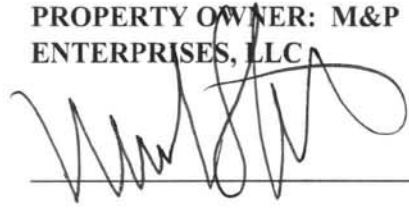
A handwritten signature in dark ink, appearing to read "Scott C. O'Donnell", is written over a horizontal line.

Scott C. O'Donnell

Group Vice President - - Legal, Real Estate

PROPERTY OWNER: M&P
ENTERPRISES, LLC

By:

A handwritten signature in black ink, appearing to be 'M. S. Lestikow', written over a horizontal line.

MONK S. LESTIKOW, MANAGER [Name, title]

PROPERTY OWNER: WOODSPEAR
PRAIRIE TRAIL, LLC

By:



John A. Woodward [Name, title]

Uga

Petition for Annexation

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

*20120 East Mainstreet
Parker, CO 80138*

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

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

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

Your Petitioners further state as follows:

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

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

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

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

Respectfully submitted this 22nd day of February, 2018.

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: ABMAR GRASSLANDS, LLC

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

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

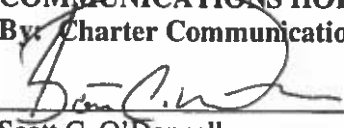
Legal Description of Land Owned by Abmar Grasslands, LLC:

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

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

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

By:



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

Date of Signature: February 21, 2018

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

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

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

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

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

Date of Signature: 2/20/18

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

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

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

Petition for Annexation

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: WOODSPEAR PRAIRIE
TRAIL, LLC

By:


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

Date of Signature: 2/21/18

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

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

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

EXHIBIT A
TO PETITION FOR ANNEXATION

Legal Description of the Property

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

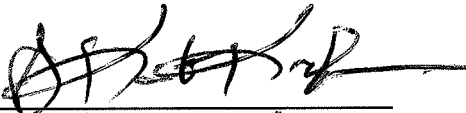
1. NORTH $89^{\circ}40'35''$ EAST, A DISTANCE OF 57.41 FEET;
2. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 250.59 FEET;
3. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

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

AFFIDAVIT OF CIRCULATOR FOR ABMAR GRASSLANDS, LLC

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

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


Circulator Kent Karber

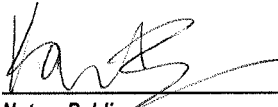
STATE OF COLORADO)
COUNTY OF Denver) ss.

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

My commission expires: 06/17/2020.

(SEAL)

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


Notary Public

AFFIDAVIT OF CIRCULATOR CHARTER COMMUNICATIONS HOLDING COMPANY, LLC

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

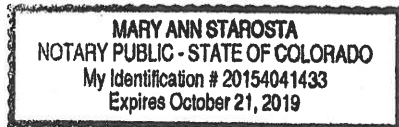
That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 4B-1B, COMPARK FLG NO. 2, 6TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and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

Carol Marx
Carol Marx
Circulator

STATE OF COLORADO)
COUNTY OF Adams) ss.

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

(SEAL)

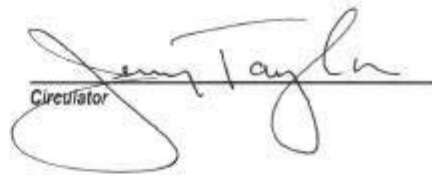


Mary Ann Starosta
Notary Public

AFFIDAVIT OF CIRCULATOR M&P ENTERPRISES, LLC

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

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


Circulator

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS

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

My commission expires: 08/30/2021

(SEAL)


Notary Public

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

AFFIDAVIT OF CIRCULATOR FOR WOODSPEAR PRAIRIE TRAIL, LLC

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

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


Circulator

STATE OF COLORADO)
COUNTY OF Arapahoe) ss.

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

My commission expires: October 19, 2018.

(SEAL)

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


Notary Public

GRASSLANDS/PRAIRIE TRAIL PROPERTY

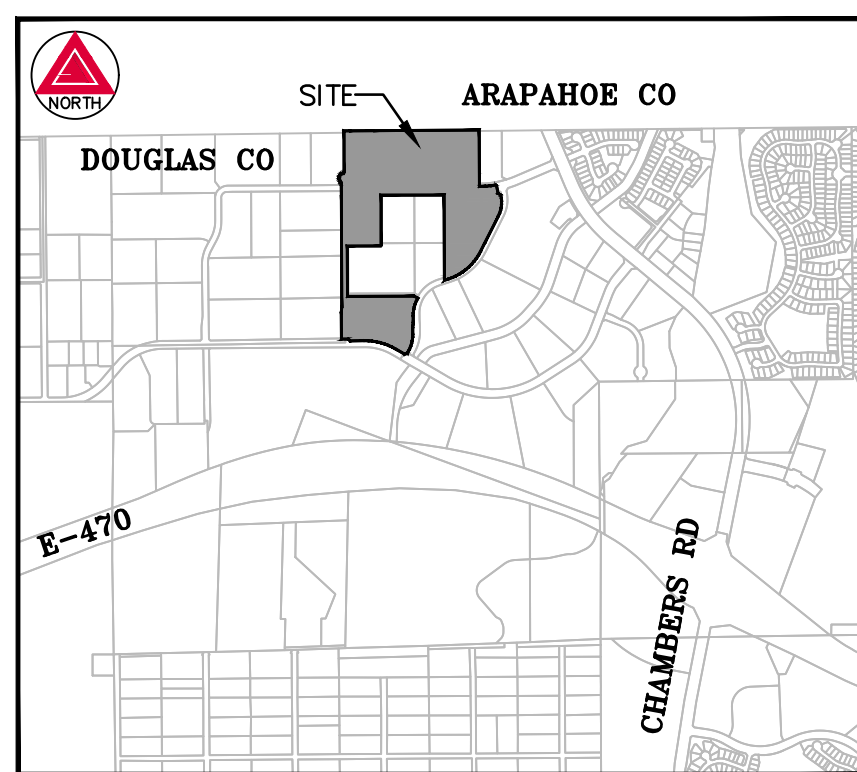
ANNEXATION MAP TO THE TOWN OF PARKER

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

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

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

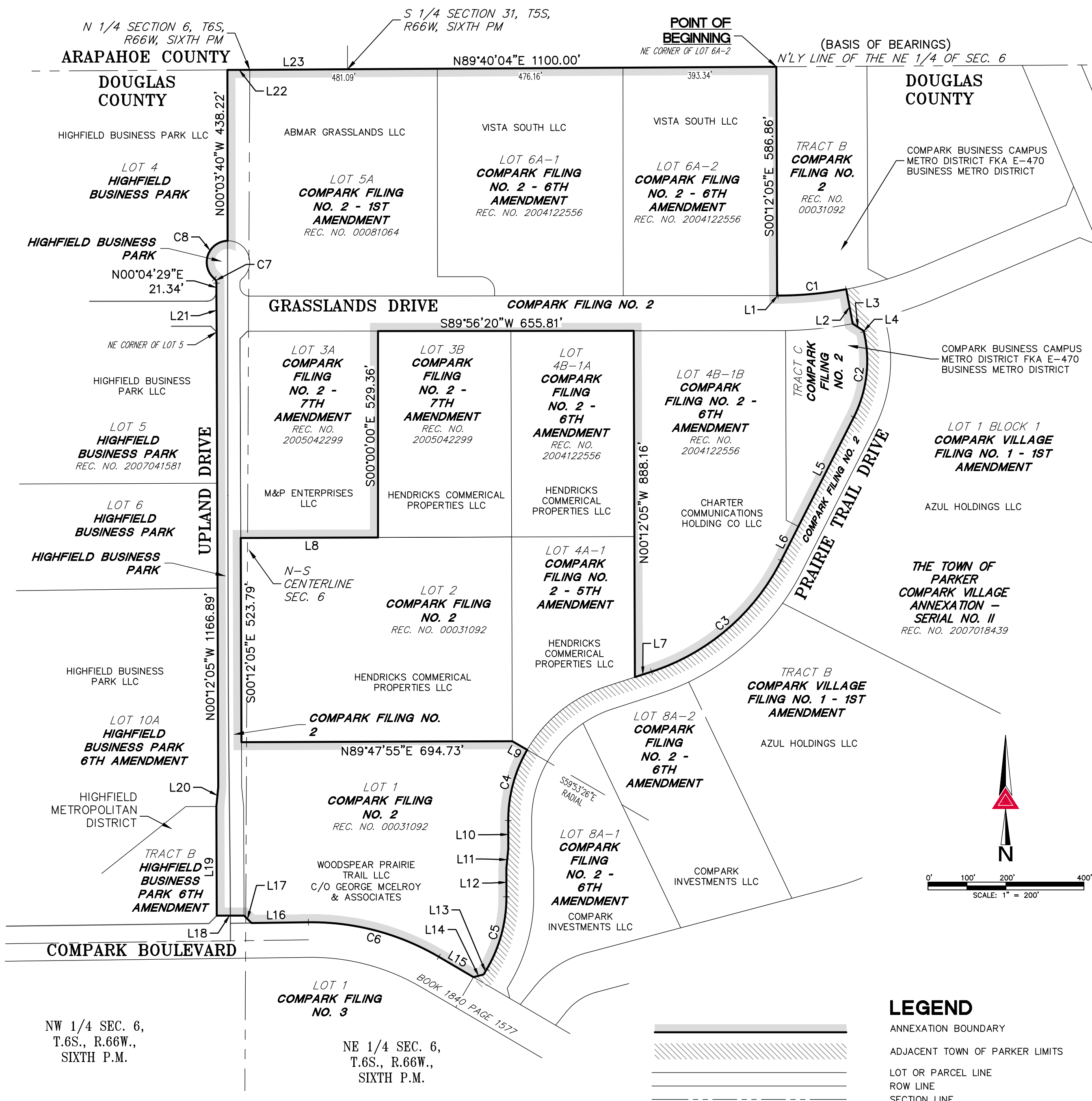
CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	10°32'24"	955.00'	175.68'
C2	40°22'08"	320.00'	225.46'
C3	45°07'29"	570.00'	448.92'
C4	30°12'19"	360.00'	189.79'
C5	30°28'32"	365.00'	194.14'
C6	31°06'53"	645.00'	350.27'
C7	49°59'41"	15.00'	13.09'
C8	138°27'54"	55.00'	132.92'



VICINITY MAP
SCALE 1" = 2000'

CONTIGUITY

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



LEGAL DESCRIPTION CONTINUED

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

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

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

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

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

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

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

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

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

GENERAL NOTES

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

TOWN COUNCIL ACCEPTANCE

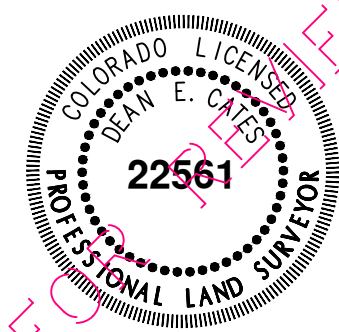
ACCEPTED BY THE PARKER TOWN COUNCIL THIS _____ DAY OF _____, 2018.

MAYOR, TOWN OF PARKER

ATTEST: TOWN CLERK

SURVEYOR'S CERTIFICATE

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



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

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

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

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

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

[illegible]

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



AZTEC
CONSULTANTS, INC.

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

SHEET
1
OF 1 SHEETS
24918-04
JOB NO.

GRASSLANDS/PRAIRIE TRAIL DEVELOPMENT GUIDE AND PLAN

TOWN OF PARKER, COLORADO

I. INTRODUCTION

A. Statement of Purpose

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

B. Definitions

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

II. AUTHORITY

A. Authority

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

B. Relationship of Town Regulations

The provisions of this Development Guide and Plan shall apply to the Property, except as otherwise provided herein. The standards outlined in the Development Guide and Plan may be divergent from the zoning regulations contained in Chapter 13.04 of the Parker Municipal Code, but not any other chapter of the Parker Municipal Code. In the event there is a conflict between the standards contained in the Development Guide and Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control.

C. Enforcement

The provisions of the Development Guide and Plan relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker.

III. CONTROL PROVISIONS

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

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

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

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

A. Intent

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

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

B. Design Review

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

C. Principal Uses

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

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

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

D. Accessory Uses

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

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

E. Uses permitted by Special Review

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

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

F. Development Standards for Principal and Accessory Uses

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

Building Height

- Maximum Building Height: 60 feet

Minimum Lot Area

- none

Minimum Structural Setbacks

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

Abutting a dedicated roadway right-of-way:

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

Adjoining:

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

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

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

Parking Structures

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

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

EXHIBIT A
LEGAL DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

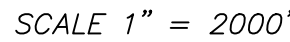
THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

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

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

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

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



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

COUNTY CLERK AND RECORDER

SHEET
1
OF 2 SHEETS
24918-04
JOB NO.

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

GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT S6, T6S, R66W, SIXTH PM DOUGLAS COUNTY, COLORADO		300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com		SCALE 1"=200'	
OF 2 SHEETS		THE TOWN OF PARKER 20120 E. MAINSTREET, PARKER, CO 80138		DATE 2/28/18	
SHEET 2		REVISION DESCRIPTION		DATE BY	

GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT GUIDE AND PLAN APPLICATION NARRATIVE

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

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

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

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

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

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

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

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

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

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

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

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

Vicinity Map



RESOLUTION NO. 18-032, Series of 2018

TITLE: A RESOLUTION TO SET FORTH TOWN COUNCIL'S FINDINGS OF FACT AND CONCLUSIONS AS TO THE ELIGIBILITY OF THE GRASSLANDS/PRAIRIE TRAIL PROPERTY FOR ANNEXATION INTO THE TOWN OF PARKER

WHEREAS, an annexation petition was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in the County of Douglas and State of Colorado, otherwise known as the Grasslands/Prairie Trail Property, and hereafter described in **Exhibit A** attached hereto and made a part hereof (the "Property");

WHEREAS, said petition was forwarded by the Town Clerk to the Town Council;

WHEREAS, the Town Council of the Town of Parker, Colorado, found substantial compliance of said petition with Colo. Rev. Stat. § 31-12-107;

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

WHEREAS, public notice of such public hearing was given as required by law;

WHEREAS, the public hearing on the annexation petition was conducted in accordance with the requirements of the law; and

WHEREAS, pursuant to Colo. Rev. Stat. § 31-12-110, the Town Council, sitting as the governing body of the Town of Parker, Colorado, is required to set forth its findings of fact and its conclusion as to the eligibility of the Property for annexation to the Town of Parker.

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

Section 1. A service plan for that area encompassing the Property has been adopted by the Town Council, pursuant to Colo. Rev. Stat. § 31-12-105(1)(e)(I).

Section 2. Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the existing boundaries of the Town of Parker, as required by law.

Section 3. A community of interest exists between the Property and the Town of Parker, and the Property will be urbanized in the near future.

Section 4. The Property is integrated or is capable of being integrated within the Town of Parker.

Section 5. The limitations of the Municipal Annexation Act and the Constitution of the State of Colorado do not prevent the annexation of the Property or any part thereof since:

a. No land in the territory to be annexed which is held in identical ownership and consists of either a single tract or parcel, or two or more contiguous tracts or parcels,

has been divided or portion thereof excluded from the area to be annexed without the written consent of the owners thereof;

b. No land in the territory to be annexed which is held in identical ownership and comprises twenty (20) or more acres, having an assessed valuation for ad valorem tax purposes in excess of Two Hundred Thousand Dollars (\$200,000) in the year next preceding the annexation, has been included in the area to be annexed without the written consent of the landowners;

c. No proceedings have been commenced by another municipality for the annexation of all or part of the territory to be annexed by the Town of Parker; and

d. The annexation will not result in the detachment of the area from the school district in which it is currently located.

Section 6. The petition(s) for the annexation of the Property meets the requirements of law and are in proper order for annexation of the Property.

Section 7. No election is required, under section 30(1)(a) of article II of the State constitution and Colo. Rev. Stat. § 31-12-107(2) or any other law of the State of Colorado or the Town of Parker, and no additional terms and conditions within the meaning of Colo. Rev. Stat. § 31-12-111 are to be imposed on the annexation of the Property, except those terms and conditions consented to by the petitioners and that only affect their respective properties.

Section 8. The proposed annexation will not have the effect of extending a municipal boundary more than three (3) miles in any direction from any point of the Town boundary in any one year.

Section 9. The entire width of any street or alley to be annexed is included within the annexation.

Section 10. The Property is eligible for annexation to the Town of Parker and all requirements of law have been met for such annexation, including the requirements of section 30 of article II of the state constitution and the applicable requirements of Colo. Rev. Stat. §§ 31-12-104 and 31-12-105, as amended.

Section 11. The ordinances annexing the Property to the Town of Parker shall be considered by this Town Council, pursuant to Colo. Rev. Stat. § 31-12-111.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

Legal Description of Property

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ORDINANCE NO. 2.259, Series of 2018

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

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

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

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

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

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

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

WHEREAS, the Comprehensive Development Plan also provides that “all unincorporated areas located within the Town’s Urban Growth Area,” including the Real Property, “are

encouraged to annex into the Town” and “the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area” (See Section 2.2 of the Comprehensive Development Plan):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 8. The Town Clerk shall file one (1) copy of the annexation map with the original annexation ordinance in the Office of the Town Clerk.

Section 9. The Town Clerk shall file for recording three (3) certified copies of the annexation ordinance and three (3) certified copies of the annexation map for the Property with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 10. Police Power Finding. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the immediate safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town and the inhabitants thereof.

Section 11. Emergency Declared. The zoning for the Real Property in unincorporated Douglas County was “Compark Planned Development,” which was originally approved on September 21, 1998 (as amended, the “Compark PD”), which was superseded to the extent provided by the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District), and other applicable law. The Real Property is contained entirely within Planning Area 4 of the Compark PD.

The development standards for Planning Area 4 of Compark PD are described as “(BE) Business Employment,” and are “intended to allow for land use flexibility and versatility” and “are expected to attract regional distribution warehouses, research and development centers, referral community and business services and supporting facilities,” which range from commercial to light industrial uses. However, the development standards for Planning Area 4 also provide for some general industrial uses, including a “recycle/trash transfer facility station” and “jail/correctional facility.”

The Douglas County Planning Department is currently processing a Site Improvement Plan (the “SIP”) for a “recycle/trash transfer station” to be developed within Planning Area 4 of the Compark PD, contrary to the Comprehensive Development Plan; Section 19A of the Douglas

County Zoning Resolution (Parker IGA-Overlay District); the Douglas County Comprehensive Master Plan 2035 (specifically that part of the County's plan that includes the "Parker Municipal Planning Area"); and the Parker 2035 General Land Use Plan. In response, the Landowners submitted the Annexation Petition and application to zone the Real Property PD-Planned Development as described in Ordinance No. 3.333, Series of 2018, which zoning will retain most of the development standards and uses contained in the Compark PD, but will exclude recycle/trash transfer facility, jail/correctional facility, and other incompatible industrial uses, including auto/truck services, truck terminal, car wash, construction yards, large equipment rental, mini-warehouse/self storage, outdoor storage area, recreational vehicle and boat storage, and satellite receiving dish farm, as provided in the Grasslands/Prairie Trail Development Guide and Plan attached as Exhibit 2 to Ordinance No. 3.333, Series of 2018.

The developed uses within Planning Area 4 of the Compark PD and the surrounding areas located in the Town and within the Town Urban Growth Area, include research and development, light industrial, commercial business, higher educational campus, school, personal services, and residential uses, with a character that complements and is compatible with existing uses, but is incompatible with others that are listed in the Compark PD, specifically, general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility, and the other incompatible industrial uses described above. Existing uses within Planning Area 4 of the Compark PD and the surrounding area located in the Town and within the Town Urban Growth Area, including portions of the Compark PD that were previously annexed into the Town, include a research and development center for a multinational Fortune 100 telecommunications company; a medical device manufacturer; a nationally ranked junior-Olympic-level volleyball training facility with year-round teams, clinics and camps; a medical university; a performing arts charter school for grades K-8; and single-family detached homes.

As described in the whereas clauses contained in this Ordinance, the Comprehensive Development Plan contemplates the annexation of the real property that is contiguous with the Town and is located within the Town Urban Growth Area. Moreover, the Town of Parker is allowed to impose zoning restrictions on annexed lands, after annexation, in order that those lands may be accommodated into the orderly growth patterns of the Town "in compliance with applicable Town regulations and master plans" as acknowledged by the Comprehensive Development Plan. Here, the Real Property is located entirely within the Town Urban Growth Area, and satisfies the contiguity requirement of C.R.S. § 31-12-104(1)(a) for annexation into the Town of Parker, to be zoned in a manner that will accommodate the orderly growth patterns of the Town.

The Douglas County Planning Department's potential approval of the SIP, will result in the development of a general industrial use that is not only incompatible with the above-referenced existing uses, but will also devastate the character and land values of the Real Property and the surrounding areas located in the Town and within the Town Urban Growth Area, that have successfully developed over the past 20 years and will be contrary to the orderly growth patterns established by the Town. The approval by the County of the recycle/trash transfer facility will constitute a significant public safety impact to these existing uses due to smell, noise, and excessive truck traffic created by this general industrial use, as well as a bird attractant, which may impact the adjacent regional airport. Despite the fact that there is a pending Annexation Petition with the Town, and despite the fact that the Town has requested that the County cease processing the SIP

while the Annexation Petition is pending, the County has advised the Town that it will continue to process the SIP, which is contrary to the Comprehensive Development Plan; Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District); the Douglas County Comprehensive Master Plan 2035 (specifically that part of the County's plan that includes the "Parker Municipal Planning Area"); and the Parker 2035 General Land Use Plan.

The uses that are proposed in the Grasslands/Prairie Trail Development Guide and Plan attached as Exhibit 2 to Ordinance No. 3.333, Series of 2018, are, by contrast, in compliance with the Comprehensive Development Plan; Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), and other applicable law; are consistent with the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 General Land Use Plan; and are consistent and compatible with other existing uses of the Real Property and the surrounding area located in the Town and within the Town Urban Growth Area.

Pursuant to Section 7.6 of the Town of Parker Charter, the Town Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the Town of Parker, in order to immediately address the significant negative impact of the pending SIP land use application and potential approval by Douglas County of a recycle/trash transfer facility, which is a general industrial use, to be located within the Real Property, prior to the effective date of this Ordinance. The adoption of this Ordinance, prior to Douglas County's approval of the SIP for this recycle/trash transfer facility, will legislatively void the application filed in Douglas County for a recycle/trash transfer facility and subject any development within the Real Property to the Grasslands/Prairie Trail Development Plan and Guide, which does not allow general industrial uses within the Town and is necessary of the immediate preservation of public health and safety.

Section 12. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the immediate health, safety and welfare of the public, and that this Ordinance is necessary for the immediate preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative 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 13. 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 14. This Annexation Ordinance shall become effective immediately upon adoption, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Annexation Ordinance.

INTRODUCED, ADOPTED AND PASSED ON SECOND READING this 16th day of April, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT B

GRASSLANDS/PRAIRIE TRAIL ANNEXATION AGREEMENT

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

RECITALS:

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

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

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

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

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

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

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

4. Zoning and Development.

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

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

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

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

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

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

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

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

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

12. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that venue of such suit or action shall be in Douglas County, Colorado.

13. Notice. All notice required under this Agreement shall be in writing and shall be hand delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective on the earlier of actual receipt or seventy-two (72) hours after deposit in the United States mail with the proper address as set forth below. Either party by notice so given may change the address to which future notices shall be sent.

To the Town: Town Administrator
Town of Parker
20120 East Mainstreet
Parker, Colorado 80138

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

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

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

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

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

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

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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**PROPERTY OWNER: ABMAR
GRASSLANDS, LLC**

By:

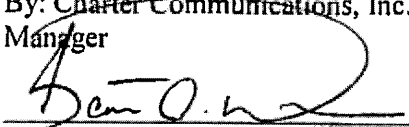

Gregory E. Everhard, Managing Member

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

By: Charter Communications, Inc., its
Manager

By:

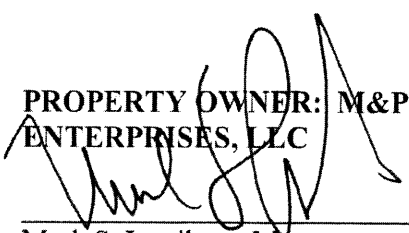


Scott C. O'Donnell, Group Vice President,
Legal, Real Estate

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

By:

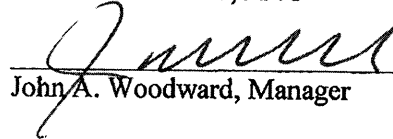


Mark S. Lestikow, Manager

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

By:


John A. Woodward, Manager

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

EXHIBIT A

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

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

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

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

ORDINANCE NO. 3.333, Series of 2018

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

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

Section 1. Findings of Fact.

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

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

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

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

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

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

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

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

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

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

Section 5. Police Power Finding. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town and the inhabitants thereof.

Section 6. Emergency Declared. The zoning for the Real Property in unincorporated Douglas County was “Compark Planned Development,” which was originally approved on September 21, 1998 (as amended, the “Compark PD”), which was superseded to the extent provided by the “Mutually Binding and Enforceable Comprehensive Development Plan,” approved by the Town and County, pursuant to C.R.S. § 29-20-105 and through a related Intergovernmental Agreement and recorded with the Douglas County Clerk and Recorder’s Office (as amended, the “Comprehensive Development Plan”); Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District); and other applicable law. The Real Property is contained entirely within Planning Area 4 of the Compark PD.

The development standards for Planning Area 4 of Compark PD are described as “(BE) Business Employment,” and are “intended to allow for land use flexibility and versatility” and “are expected to attract regional distribution warehouses, research and development centers, referral community and business services and supporting facilities,” which range from commercial to light industrial uses. However, the development standards for Planning Area 4 also provide for some general industrial uses, including a “recycle/trash transfer facility station” and “jail/correctional facility.”

The Douglas County Planning Department is currently processing a Site Improvement Plan (the “SIP”) for a “recycle/trash transfer station” to be developed within Planning Area 4 of the Compark PD, contrary to the Comprehensive Development Plan; Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District); the Douglas County Comprehensive Master Plan 2035 (specifically that part of the County’s plan that includes the “Parker Municipal Planning Area”); and the Parker 2035 General Land Use Plan. In response, the Landowners described in Ordinance No. 2.259, Series of 2018, submitted an annexation petition (the “Annexation Petition”) and the application to zone the Real Property PD-Planned Development, which zoning will retain most of the development standards and uses contained in the Compark PD as described in this Ordinance, but will exclude recycle/trash transfer facility, jail/correctional facility, and other incompatible industrial uses, including auto/truck services, truck terminal, car wash, construction yards, large equipment rental, mini-warehouse/self storage, outdoor storage area, recreational vehicle and boat storage, and satellite receiving dish farm, as provided in the Grasslands/Prairie Trail Development Guide and Plan attached as Exhibit 2.

The developed uses within Planning Area 4 of the Compark PD and the surrounding areas located in the Town and the Town Urban Growth Area, include research and development, light industrial, commercial business, higher educational campus, school, personal services and residential uses, with a character that complements and is compatible with existing uses, but is incompatible with other uses that are listed in the Compark PD, specifically, general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility, and the other incompatible

industrial uses described above. Existing uses within Planning Area 4 of the Compark PD and the surrounding area located in the Town and within the Town Urban Growth Area, including portions of the Compark PD that were previously annexed into the Town, include a research and development center for a multinational Fortune 100 telecommunications company; a medical device manufacturer; a nationally ranked junior-Olympic-level volleyball training facility with year-round teams, clinics and camps; a medical university; a performing arts charter school for grades K-8; and single-family detached homes.

As described in the whereas clauses contained in Ordinance No. 2.259, Series of 2018, the Comprehensive Development Plan contemplates the annexation of the real property that is contiguous with the Town and is located within the Town Urban Growth Area. Moreover, the Town of Parker is allowed to impose zoning restrictions on annexed lands, after annexation, in order that those lands may be accommodated into the orderly growth patterns of the Town. Here, the Real Property is located entirely within the Town Urban Growth Area, and satisfies the contiguity requirement of C.R.S. § 31-12-104(1)(a) for annexation into the Town of Parker, to be zoned in a manner that accommodates the orderly growth patterns of the Town.

The Douglas County Planning Department's potential approval of the SIP will result in the development of a general industrial use that is not only incompatible with the above-referenced existing uses, but will also devastate the character and land values of the Real Property and the surrounding areas located in the Town and the Town Urban Growth Area that have successfully developed over the past 20 years and will be contrary to the orderly growth patterns established by the Town. The approval by the County of the recycle/trash transfer facility will constitute a significant public safety impact to these existing uses due to smell, noise, and excessive truck traffic created by this general industrial use, as well as a bird attractant, which may impact the adjacent regional airport. Despite the fact that there is a pending Annexation Petition with the Town, and despite the fact that the Town has requested that the County cease processing the SIP while the Annexation Petition is pending, the County has advised the Town that it will continue to process the SIP, which is contrary to the Comprehensive Development Plan; Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District); the Douglas County Comprehensive Master Plan 2035 (specifically that part of the County's plan that includes the "Parker Municipal Planning Area"); and the Parker 2035 General Land Use Plan.

The uses that are proposed in the Grasslands/Prairie Trail Development Guide and Plan attached as Exhibit 2 are, by contrast, in compliance with the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), and other applicable law, are consistent with the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 General Land Use Plan, and are consistent and compatible with other existing uses of the Real Property and the surrounding area located in the Town and within the Town Urban Growth Area.

Pursuant to Section 7.6 of the Parker Home Rule Charter, the Town Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the Town of Parker, in order to immediately address the significant negative impact of the pending SIP land use application and potential approval by Douglas County of a recycle/trash transfer facility, which is a general industrial use, to be located within the Real Property, prior to the effective date of this Ordinance. The adoption of this Ordinance, prior to Douglas County's approval of the SIP for this recycle/trash transfer facility,

will legislatively void the application filed in Douglas County for a recycle/trash transfer facility and subject any development within the Real Property to the Grasslands/Prairie Trail Development Plan and Guide, which does not allow general industrial uses within the Town, which is necessary for the immediate preservation of public health and safety.

Section 7. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the immediate health, safety and welfare of the public, and that this Ordinance is necessary for the immediate preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative 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 8. 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 9. This Ordinance shall become effective immediately upon adoption.

INTRODUCED, ADOPTED AND PASSED ON SECOND READING this 16th day of April, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT 2

GRASSLANDS/PRAIRIE TRAIL DEVELOPMENT GUIDE AND PLAN

TOWN OF PARKER, COLORADO

I. INTRODUCTION

A. Statement of Purpose

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

B. Definitions

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

II. AUTHORITY

A. Authority

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

B. Relationship of Town Regulations

The provisions of this Development Guide and Plan shall apply to the Property, except as otherwise provided herein. The standards outlined in the Development Guide and Plan may be divergent from the zoning regulations contained in Chapter 13.04 of the Parker Municipal Code, but not any other chapter of the Parker Municipal Code. In the event there is a conflict between the standards contained in the Development Guide and Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control.

C. Enforcement

The provisions of the Development Guide and Plan relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker.

III. CONTROL PROVISIONS

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

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

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

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

A. Intent

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

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

B. Design Review

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

C. Principal Uses

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

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

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

- Nurseries
- Greenhouses
- Produce sales
- Sod and Tree Farm
- Animal Hospital and Veterinary Clinic
- Assembly or Light Manufacturing Plant
- Athletic Club – Private/Public
- Congregate care, Convalescent Home, Nursing Home or Retirement Home
- Construction Industries with outdoor storage
- Custom shops and special trade contractors including but not limited to plumbing, electrical heating, air conditioning, cabinet making and printing shops and/or repair shops
- Fire Station
- Golf Course
- Hardware Store/Home Repairs
- Industrial Manufacturing
- Industrial Services
- Medical and Dental Office/Clinic
- Motor Vehicle equipment sales/service/repair, provided
 - a landscaped buffer is provided along the Happy Canyon Creek Open Space

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

D. Accessory Uses

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

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

E. Uses permitted by Special Review

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

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

F. Development Standards for Principal and Accessory Uses

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

Building Height

- Maximum Building Height: 60 feet

Minimum Lot Area

- none

Minimum Structural Setbacks

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

Abutting a dedicated roadway right-of-way:

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

Adjoining:

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

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

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

Parking Structures

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

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

EXHIBIT A
LEGAL DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

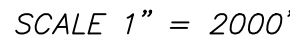
THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

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

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

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

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



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

COUNTY CLERK AND RECORDER

SHEET
1
OF 2 SHEETS
24918-04
JOB NO.

GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT

DEVELOPMENT PLAN

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

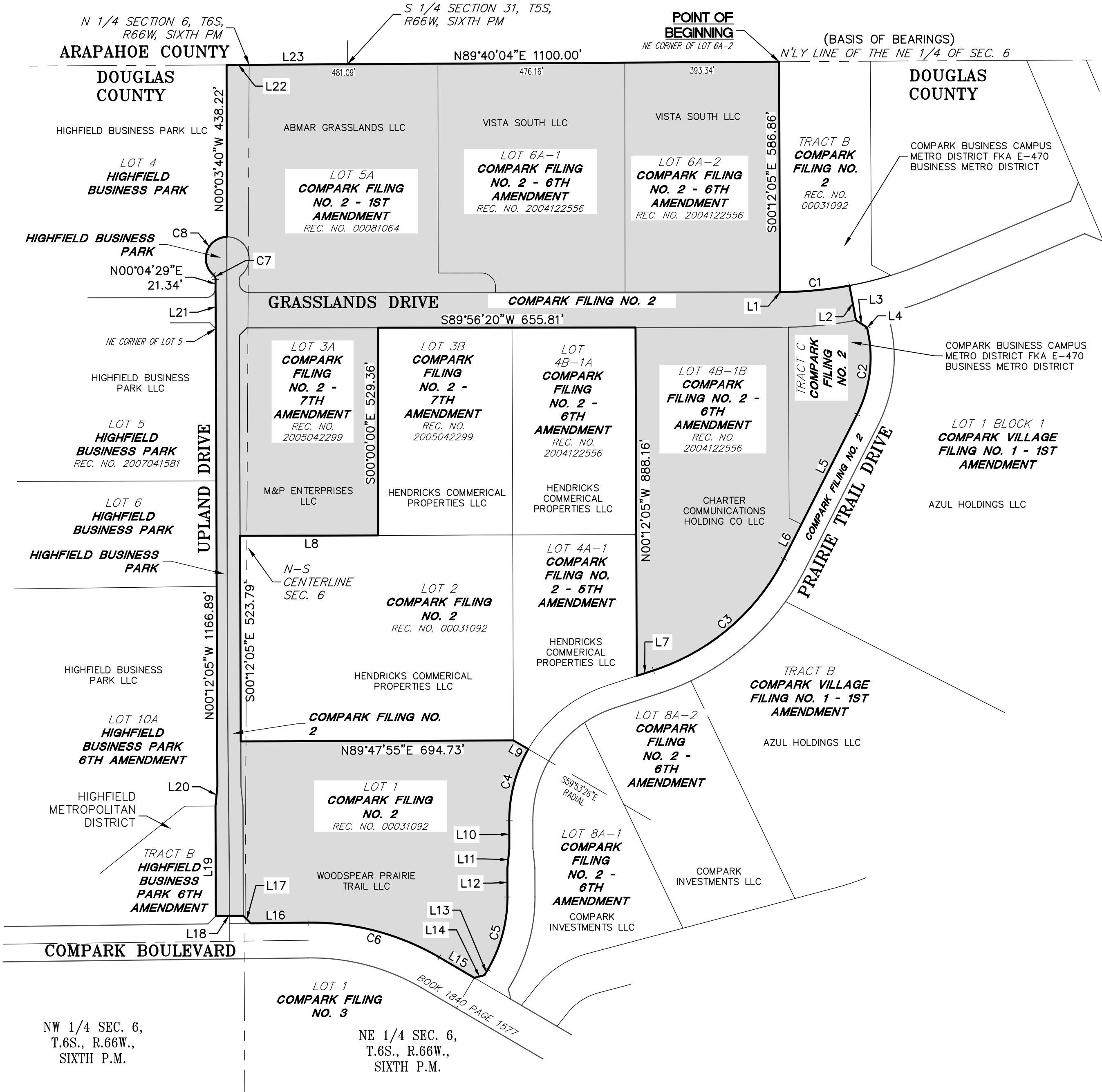
LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°56'20"E	2.54'
L2	S10°36'04"E	90.00'
L3	S57°03'06"E	33.22'
L4	S13°30'08"E	2.50'
L5	S26°52'01"W	314.11'
L6	S26°52'01"W	98.69'
L7	S71°59'30"W	44.75'
L8	S89°47'55"W	352.06'
L9	S59°57'50"E	44.04'
L10	S00°05'45"E	72.42'
L11	S05°36'53"W	50.25'
L12	S00°05'45"E	73.21'
L13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

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

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

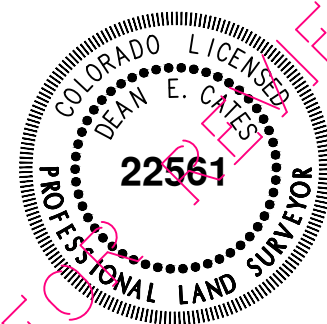
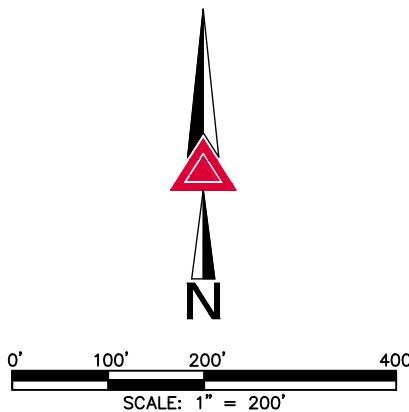
LEGEND

	DEVELOPMENT PLAN AREA
	LOT OR PARCEL LINE
	ROW LINE
	SECTION LINE



GENERAL NOTES

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



FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

SCALE 1"=200'	DATE 2/28/18
BY DATE	REVISION DESCRIPTION
GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT S6, T6S, R66W, SIXTH PM DOUGLAS COUNTY, COLORADO PREPARED FOR THE TOWN OF PARKER 20120 E. MAIN STREET, PARKER, CO 80138	
SHEET 2 OF 2 SHEETS	JOB NO. 24918-04

GRASSLANDS/PRAIRIE TRAIL ANNEXATION AGREEMENT

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

RECITALS:

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

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

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

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

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

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

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

4. Zoning and Development.

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

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

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

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

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

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

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

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

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

12. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that venue of such suit or action shall be in Douglas County, Colorado.

13. Notice. All notice required under this Agreement shall be in writing and shall be hand delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective on the earlier of actual receipt or seventy-two (72) hours after deposit in the United States mail with the proper address as set forth below. Either party by notice so given may change the address to which future notices shall be sent.

To the Town: Town Administrator
Town of Parker
20120 East Mainstreet
Parker, Colorado 80138

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

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

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

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

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

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

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

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

**PROPERTY OWNER: ABMAR
GRASSLANDS, LLC**

By:

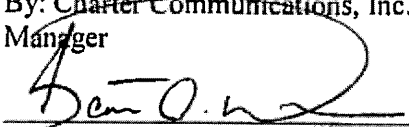

Gregory E. Everhard, Managing Member

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

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

By: Charter Communications, Inc., its
Manager

By:

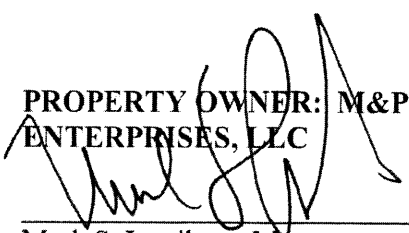


Scott C. O'Donnell, Group Vice President,
Legal, Real Estate

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

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

By:

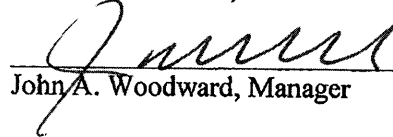


Mark S. Lestikow, Manager

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

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

By:


John A. Woodward, Manager

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

EXHIBIT A

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

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

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

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



Planning Commission Staff Report

Planning Commission Date: 4/12/2018

Town Council Date: 4/16/2018

Hearing Type: Public Hearing
Z18-009 COMPARK FILING 2, Grasslands/Prairie Trail – Zoning

Location: Generally located north of Compark Boulevard and west of Chambers Road and bound by the Douglas and Arapahoe County line, Upland Drive, Prairie Trail Drive and Compark Boulevard

Project Planner: Paul Workman, Senior Planner

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

Executive Summary: This proposal is to zone 45+/- acres consisting of seven lots located in the Compark development and currently located in unincorporated Douglas County. The rezoning is to the Grasslands/Prairie Trail Planned Development (PD) which will continue to allow for light industrial uses and not allow for general industrial uses.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission to recommend that Town Council approves the Zoning.”

ALTERNATIVE MOTIONS

“I move that the Planning Commission recommends that Town Council approves the Zoning, subject to the conditions contained in this staff report.”

“I move that the Planning Commission recommends that Town Council denies the Zoning as the request does not meet the following approval criteria.”

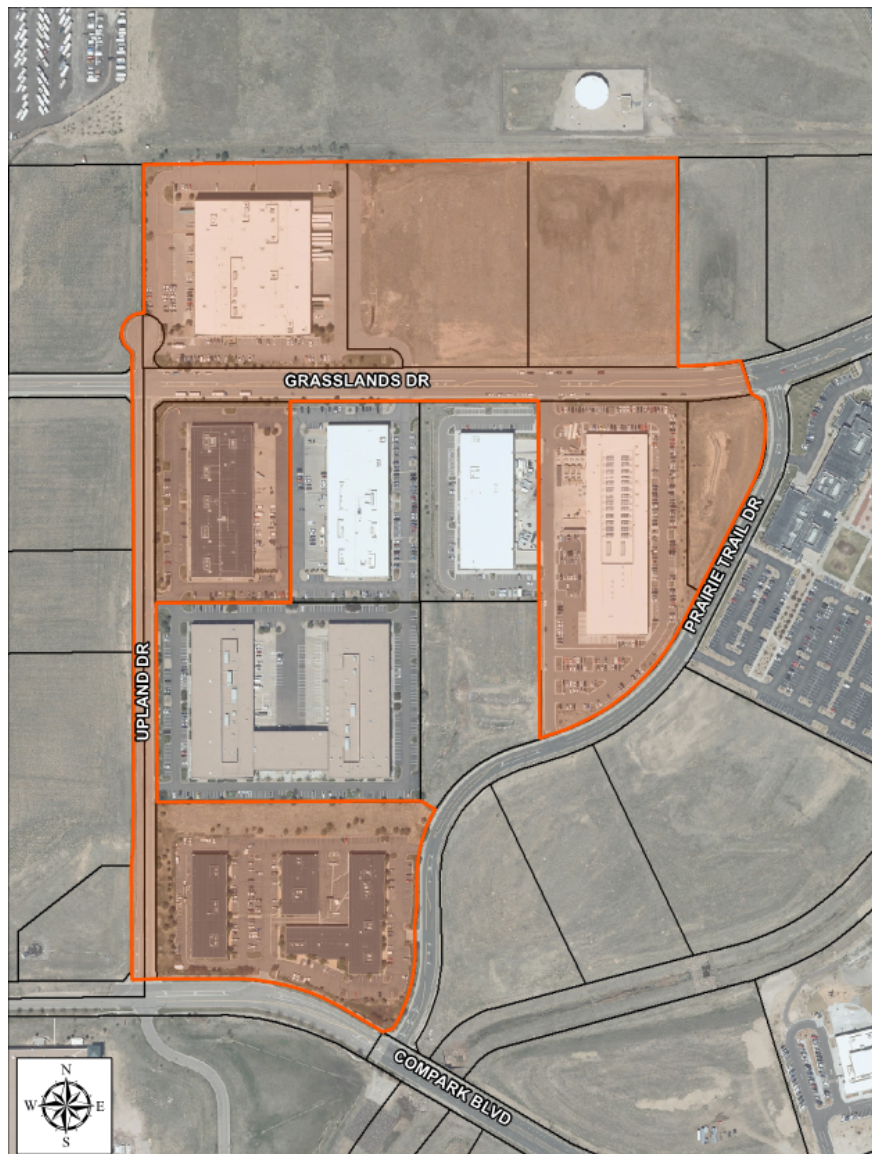
-List criteria not met (either by staff or Planning Commission)

“I move that the Planning Commission votes to continue the Zoning to a future date.”

I. BACKGROUND/DISCUSSION

The applicants have submitted annexation and zoning applications in order to annex seven lots into the Town of Parker to be zoned pursuant to the Town's designation of Planned Development – PD. Under Section 15.9 of the Town of Parker Home Rule Charter “[i]n all proceedings for the annexation of territory into the Town, the Council shall require concurrent zoning of the same....” The Community Development Department is a co-applicant under the zoning application, as permitted by the Parker Land Development Ordinance. Therefore, the applicants have submitted the proposed Planned Development – PD zoning request in order to zone the subject properties for light industrial uses. Four of the properties are currently developed with light industrial uses ranging from research and development to telecommunications, one property is developed as a drainage facility and two of the properties are undeveloped.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
N/A	The annexation and zoning requests are the first actions by the Town related to the subject properties.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development (Douglas County)		
Overlay District	N/A		
PD & Plan Area	Grasslands/Prairie Trail PD – Light Industrial (proposed)		
Master Plan Area	Employment		
Site Acreage	45+/-		
Subdivision	Compark Filing 2		
Existing Use	Light Industrial, Drainage and Undeveloped property		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Arapahoe County	Arapahoe County Zoning	Arapahoe County water station and Undeveloped property
South	Employment	Douglas County Zoning	Light Industrial and Undeveloped property
East	Employment	PD - Planned Development	Light Industrial and Undeveloped property
West	Employment	Douglas County Zoning	Light Industrial and Undeveloped property

IV. PARKER 2035 MASTER PLAN

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

MASTER PLAN CONSISTENCY	
Master Plan Designation	Employment ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	E-470 Employment: Attract primary uses including professional, medical and corporate offices, light industrial uses, flex office, research and development facilities and higher educational campuses. The primary uses in this district will also attract business and personal services, convenience retail, child care and restaurants.
Consistent Goals/Strategies	<u>Land Use 1.C</u> <u>Land Use 1.E</u> <u>Jobs and Economic Vitality 2.A</u> <u>Jobs and Economic Vitality 2.B</u>
Staff Analysis	The subject properties are located within the E-470 Employment character area as designated by the Parker 2035 Master Plan.

	This area is intended to provide light industrial uses in close proximity to E-470 that provide quality jobs to the southeastern metropolitan corridor. The requested zoning is consistent with the specific Goals/ Strategies of the Master Plan for the following reasons: it will help ensure adequate opportunities for expansion of the Town's economic base, it will provide a transition for land uses from E-470, Centennial Airport and the proximate residential uses, it will support new and existing businesses by allowing for the existing uses and providing assurance that similar light industrial uses will be drawn to this development, and it will help to balance the Town's business community by accommodating a variety of light industrial uses. Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
--	--

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	N/A	N/A. The proposed zoning is for office and light industrial uses that do not allow for single-family or multiple-family residential.	☐ Consistent ☐ Inconsistent ☐ No Change ☒ N/A
Allowed Uses	Primary uses include professional, medical and corporate offices, light industrial uses, flex office, research and development facilities and higher educational campuses	Light industrial, limited commercial uses, utility uses and educational uses.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	None	60 feet	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	As detailed in the analysis above, the requested zoning is consistent with the Town's Master Plan for the allowed uses and the requested height maximum for buildings. Based on this analysis, staff has determined that the request is		

	consistent with the potential for development as recommended by the Parker 2035 Master Plan.
--	--

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The subject property is provided access via the existing road network of Grasslands Drive, Upland Drive, Prairie Trail Drive and Compark Boulevard. These are public roads that were constructed to accommodate current and future development in the area.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

A need exists for the annexation and zoning of the subject property, for the reasons that it will (1) provide adequate opportunities for expansion of the Town's economic and tax base; (2) provide light industrial uses in close proximity to E-470 that provide quality jobs to the Town and surrounding areas within the Town and the Town Urban Growth Area; (3) provide an orderly transition of land uses from E-470, Centennial Airport and the proximate residential and institutional uses; (4) support new and existing businesses by allowing for the existing uses to continue, while providing assurances that similar light industrial uses will be drawn to the subject property; (5) protect the investment and property values of exiting uses located on the subject property and surrounding areas in the Town and the Town Urban Growth Area; (6) help to balance the Town's business community by accommodating a variety of light industrial uses on the subject property; (7) allow the Town to consolidate services and recognize efficiencies of scale and delivery of services; and (8) promote orderly growth, continuity of development and certainty of development within the subject property and surrounding areas within the Town and the Town Urban Growth Area.

Based on this analysis, staff has determined that this criterion has been met.

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

The subject property has been identified as the correct site for certain light industrial uses for several years. Beginning in 2000, the Town and the County entered into a Memorandum of Understanding to establish a joint planning area that included in part the "Town Future Urban Area," which was "the area that the Town desires to annex and zone over a term of years." In 2003, following the approval of the Memorandum of Understanding, the subject property was included in the "Town Urban Growth Area" as defined in the "Mutually Binding and Enforceable Comprehensive Development Plan," approved by the Town and Douglas County, pursuant to C.R.S. § 29-20-105 and through a related Intergovernmental Agreement and "Comprehensive Development Plan", as amended. The Town Urban Growth Area is "the boundary of the Town's potential future annexation area to the year 2022."

The Comprehensive Development Plan also provides that "all unincorporated areas located within the Town's Urban Growth Area," including the subject property, "are

encouraged to annex into the Town” and “the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.” Even in circumstances where a landowner application is submitted to the County, instead of the Town, for an unincorporated area that is contiguous to the Town and within the Town Urban Growth Area, the Comprehensive Development Plan provides that “[i]f there is contiguity, the Town shall process a petition for annexation.”

In addition, the subject property is contiguous with the Town and is described in the Parker 2035 General Land Use Plan as being located within the Town’s “Urban Growth Area Boundary.” Specifically, the subject properties are located within the E-470 Employment character area as designated by the Parker 2035 General Land Use Plan, which is planned to provide light industrial uses in close proximity to E-470 that provide quality jobs .

For the reason that the subject property has been identified for many years as property to be annexed, zoned and developed in the Town for certain light industrial uses, the subject property is indeed the correct site for the development described in the Grasslands/Prairie Development Guide and Plan.

Based on this analysis, staff has determined that this criterion has been met.

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

N/A

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

The subject property is currently zoned “Compark Planned Development,” in unincorporated Douglas County (the “Compark PD”, as amended), to the extent superseded by the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District), and other applicable law. The subject property is contained entirely within Planning Area 4 of the Compark PD.

The development standards for Planning Area 4 of Compark PD are described as “(BE) Business Employment,” which are “intended to allow for land use flexibility and versatility” and “are expected to attract regional distribution warehouses, research and development centers, regional community and business services and supporting facilities,” range from commercial to light industrial uses.

The development standards for Planning Area 4 provide for some general industrial uses, including a “recycle/trash transfer facility station” and “jail/correctional facility” as “principal” uses. These uses, however, conflict with the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA-Overlay District), the Douglas County Comprehensive Master Plan 2035 (specifically that part of the County’s plan that includes the “Parker Municipal Planning Area”) and the Parker 2035 General Land Use Plan.

As a result, the zoning application for the subject property is for new zoning as a part of the annexation of the subject property, in the form of a planned development as

provided in the attached Grasslands/Prairie Trail Development Guide and Plan, which will retain most of the current development standards and uses of the Compark PD, but will exclude those uses that conflict with the Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 Master Plan, such as a recycle/trash transfer facility, jail/correctional facility, and other incompatible industrial uses, including auto/truck services, truck terminal, car wash, construction yards, large equipment rental, mini-warehouse/self-storage, outdoor storage area, recreational vehicle and boat storage, and satellite receiving dish farm.

The current uses that have been developed on the subject property and the surrounding area over the past twenty (20) years, include research and development, light industrial, commercial, businesses, higher educational campus, school, personal services and residential uses, with a character that complements and is compatible with existing uses, but is incompatible with others that are listed in the Compark PD, specifically, general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility, and the other incompatible industrial uses described above. Existing uses within the subject property and the surrounding area located in the Town and the Town Urban Growth Area, including portions of the Compark PD that were previously annexed into the Town, include a research and development center for a multinational Fortune 100 telecommunications company; a medical device manufacturer; a nationally ranked junior-Olympic-level volleyball training facility with year-round teams, clinics and camps; a medical university; a performing arts charter school for grades K-8; and single-family detached homes. As a result of these significant changes in the area over the past twenty (20) years, the elimination of general industrial uses such as a recycle/trash transfer facility, a jail/correctional facility, and the other incompatible industrial uses described above that are currently permitted in the Compark PD, is warranted as provided by the Grasslands/Prairie Trail Development Guide and Plan.

Based on this analysis, staff has determined that this criterion has been met.

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

There are four existing roads that serve the subject property, which include Grasslands Drive, Upland Drive, Prairie Trail Drive and Compark Boulevard. Adequate circulation and traffic movement currently exist with the current uses of the subject property and will exist for the future uses of the undeveloped lots; provided that those future uses are the uses permitted in the Grasslands/Prairie Trail Property Development Guide and Plan.

Based on this analysis, staff has determined that this criterion has been met.

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

The public improvements necessary to support the subject property are currently in place. As evidenced by the inclusion of the subject property in the Town's Growth

Boundary, the Town is prepared to meet the additional municipal service costs associated with the subject property.

Based on this analysis, staff has determined that this criterion has been met.

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

The subject property is fully developed, except for two lots. The development of these two lots, based on the Grasslands/Prairie Trail Property Development Guide and Plan, will result in minimal environmental impacts and any impacts can be mitigated.

Based on this analysis, staff has determined that this criterion has been met.

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

As detailed in Section IV of this staff report, the Grasslands/Prairie Trail Property Development Guide and Plan is consistent with the Parker 2035 Master Plan.

Based on this analysis, staff has determined that this criterion has been met.

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

The subject property is fully developed, except for two lots, and is, or will, receive adequate services.

Based on this analysis, staff has determined that this criterion has been met.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	The Engineering/Public Works Departments supports the proposed annexation and rezoning. The proposed rezoning will eliminate several uses that would likely introduce heavy traffic loading and high volumes of truck traffic to the adjacent roadways. The removal of these uses will increase the lifespan of these roadways and will decrease the cost and frequency of maintenance.
Arapahoe County Public Works and Development	No Comment
Aztec Consultants	No Comment
Parker Building	No Comment
Centennial Airport	
Fire Life Safety	Approved
Douglas County Planning	The property is located within the Town of Parker's Urban Municipal Planning Area of the Douglas County Comprehensive Master Plan. Per the Town of Parker and Douglas County Intergovernmental Agreement and Comprehensive Development Plan, 4th Amendment, Section 2.0 guides Annexation procedures. Please verify that Section 2.3.10 will be met by this rezoning. - These criteria have been addressed within the Zoning Ordinance for this property. Please see Ordinance No. 3.333
Douglas County Public Works	Recommend including Tract B of Compark Filing 2 within the annexation request since this tract includes the detention/water quality which serves a majority of the proposed annexation area.
E-470 Public Highway Authority	No Comment
Parker Police	No Comment
Parker Comprehensive Planning	The property is located within the Town's Urban Growth Boundary as described within the Parker 2035 Master Plan and Douglas County IGA and CDP and is eligible for annexation.
Parker Economic Development	Approved
Xcel	Public Service Company has existing natural gas distribution facilities throughout the area and has not objection to the proposed annexation and zoning, contingent upon their ability to maintain all existing rights.
IREA	No Comment
CenturyLink	No Comment
Comcast	No Comment
Stonegate Village Metro District	No Comment

The following referral comments were submitted to the Douglas County Community Development Department regarding a proposed Site Improvement Plan submitted to Douglas County for development review to construct a recycle/trash transfer station on one of the lots within the annexation and zoning area. These referral comments are included here to demonstrate the incompatibility of general industrial uses within this area.

Arapahoe County Engineering	Concerns regarding access and impacts to roads
Arapahoe County Open Space	Concerns of proximity to regional park and future multi-million dollar expansion
Arapahoe County Public Airport Authority – Centennial Airport	The subject property lies within the Restricted Development Area and Approach Zone of the Airport Influence Area and will be subject to numerous overflights and their associated effects. In addition, the site could become a bird attractant which would pose a hazard to aircraft arriving and departing.
Colorado Department of Public Health and Environments	Recommendation that the County review 6 CCR 1007-2, Part 1, section 7.1 and 7.2; as well as the need to obtain permits for certain regulated activities.
Xcel Energy	Possible conflict with an existing high pressure natural gas transmission pipeline.
South Metro Fire Rescue Authority	The plans cannot be approved by the Authority due to several unresolved issues.
Stonegate Village HOA	Opposed to the project.
Stonegate Village Metro District (SVMD)	Oppose the application as this site is not the appropriate site due to the location of homes, schools, the amount of truck traffic and the negative impact this type of use would have on the surrounding properties including odor and property values.
Tri-County Health	Included several comments and requirements related to compliance with applicable environmental and public health regulations.
Adjacent Commercial/Industrial Property Owners	Oppose the proposed Site Improvement Plan based on concerns of odors, traffic, health hazards, property values, pests, run-off and the result of a general industrial use within the area.
Adjacent Residential Property Owners	Several letters have been submitted by individual property owners as well as Home Owners Associations in opposition to the proposed Site Improvement Plan based on the incompatibility of the use and the impacts associated with this use in the area. The area has changed since the original zoning was approved. The impacts include odors, traffic, health hazards, property values, pests, and air pollution.

IX. CONCLUSION

The submitted annexation application is being processed as provided by the Comprehensive Development Plan as agreed to by the Town of Parker and Douglas County. This zoning request is being processed concurrently with the annexation application as provided by the Town of Parker Home Rule Charter and Section 13.04.250 of the Parker Municipal Code and has been determined to meet the zoning approval criteria of the Parker Land Development Ordinance. Based on the analysis contained in this staff

report, staff recommends that Planning Commission recommends approval of the request and Town Council approves the request.

X. RECOMMENDED CONDITIONS

None.

XI. ATTACHMENTS

1. Grasslands/Prairie Trail Planned Development
2. Rezoning Narrative
3. Comprehensive Development Plan, Section 19A of the Douglas County Zoning Resolution (Parker IGA Overlay District), and portions of the Douglas County Comprehensive Master Plan 2035 and the Parker 2035 General Land Use Plan.
4. Referral Comments

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

GRASSLANDS/PRAIRIE TRAIL DEVELOPMENT GUIDE AND PLAN

TOWN OF PARKER, COLORADO

I. INTRODUCTION

A. Statement of Purpose

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

B. Definitions

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

II. AUTHORITY

A. Authority

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

B. Relationship of Town Regulations

The provisions of this Development Guide and Plan shall apply to the Property, except as otherwise provided herein. The standards outlined in the Development Guide and Plan may be divergent from the zoning regulations contained in Chapter 13.04 of the Parker Municipal Code, but not any other chapter of the Parker Municipal Code. In the event there is a conflict between the standards contained in the Development Guide and Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control.

C. Enforcement

The provisions of the Development Guide and Plan relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker.

III. CONTROL PROVISIONS

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

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

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

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

A. Intent

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

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

B. Design Review

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

C. Principal Uses

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

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

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

D. Accessory Uses

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

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

E. Uses permitted by Special Review

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

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

F. Development Standards for Principal and Accessory Uses

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

Building Height

- Maximum Building Height: 60 feet

Minimum Lot Area

- none

Minimum Structural Setbacks

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

Abutting a dedicated roadway right-of-way:

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

Adjoining:

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

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

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

Parking Structures

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

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

EXHIBIT A
LEGAL DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

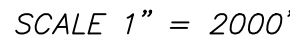
THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

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

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

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

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



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

COUNTY CLERK AND RECORDER

SHEET
1
OF 2 SHEETS
24918-04
JOB NO.

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

GRASSLANDS/PRAIRIE TRAIL PLANNED DEVELOPMENT GUIDE AND PLAN APPLICATION NARRATIVE

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

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

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

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

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

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

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

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

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

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

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

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

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF PARKER AND THE COUNTY OF DOUGLAS
TO ESTABLISH A MUTUALLY BINDING AND ENFORCEABLE
COMPREHENSIVE DEVELOPMENT PLAN**

THIS INTERGOVERNMENTAL AGREEMENT (the "Agreement") is made and entered into this 31st day of October 2002, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County") and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town")

RECITALS

WHEREAS, the continued growth in the County and the Town suggests that formal coordination between the County and the Town can result in better public planning and growth management,

WHEREAS, the County and the Town jointly entered into a Memorandum of Understanding on the 6th day of November 2000, a copy of which is attached hereto as **Exhibit 1** and incorporated by this reference (the "MOU"),

WHEREAS, the MOU established the mutual desire of the County and the Town to establish a joint planning area that would be subject to a comprehensive development plan as a means to plan for and regulate land use,

WHEREAS, the Local Governmental Land Use Control Enabling Act (C R S § 29-20-101, *et seq*) makes explicit the authority of local governments to jointly plan and regulate land use,

WHEREAS, the Town and the County, after notice and hearing, jointly adopted a comprehensive development plan for areas within their jurisdictions, which are described in the plan,

WHEREAS, the Town and the County desire to enter into an intergovernmental agreement to establish that the jointly adopted comprehensive development plan is a mutually binding and enforceable comprehensive development plan for areas within their jurisdictions, which are described in the plan, according to the terms and conditions of such agreement,

WHEREAS, the County, as a statutory county is authorized to enter into this intergovernmental agreement pursuant to C R S §§ 29-20-105,

WHEREAS, the Town, as a home rule municipality is authorized to enter into this intergovernmental agreement pursuant to Colo Const Art XX, Colo Const Art XIV, Section 18, as well as C R S §§ 29-1-203 and the Local Government Land Use Control Act, Sections 29-20-101 through 107, C R S , as amended, and

WHEREAS, the County and the Town desire to enter into this intergovernmental agreement to make the comprehensive development plan mutually binding and enforceable

AGREEMENT

NOW, THEREFORE, the County and the Town agree to enter into this Intergovernmental Agreement (“Agreement”) to provide as follows

- 1 **Comprehensive Development Plan.** The County and Town jointly adopt the Comprehensive Development Plan, which is attached hereto as **Exhibit 2** and incorporated by this reference (the “Comprehensive Development Plan”) The County and the Town acknowledge that the Comprehensive Development Plan is mutually binding and enforceable for areas within their jurisdiction as described in the plan to the fullest extent allowed by C R S § 29-20-105(1) and (2)
- 2 **Effective Date and Term** This Agreement shall be effective after (1) it has been executed by the County and the Town, and (2) the County has adopted conforming amendments to the Douglas County Zoning Resolution Douglas County shall attempt to complete said amendment by January 31, 2003 This Agreement shall remain in full force and effect for the five-year period commencing on its effective date Thereafter, this Agreement shall automatically remain in full force and effect for successive five-year terms through the year 2022, unless sooner terminated This Agreement may be terminated at the end of a five-year term by a party giving written notice to the other party at least 180 days prior to the expiration of the five-year term This Agreement may also be terminated at any time by mutual agreement of the parties The term of the Comprehensive Development Plan shall run concurrently with the term of this Agreement
- 3 **Remedies** The parties hereto agree and acknowledge that each party may exercise all rights and remedies in law or in equity, by decree of specific performance or damages, or such other legal or equitable relief as may be available including, but not limited to, those remedies described in Section 29-20-105(2)(g), C R S
4. **General Provisions**
 - A **Notices** All notices, demands, requests or other communications required under this Agreement shall be in writing and shall be hand delivered to the individual or to a member of the firm or to an officer of the corporation from whom it is intended, or sent by registered or certified mail, return receipt requested, postage prepaid, to the

following addresses or to such other addresses as any party may from time to time designate by notice given pursuant to this paragraph

County of Douglas

Doug DeBord, County Administrator
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile 303-688-1293

With a copy to

J Mark Hannen, County Attorney
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile 303-688-6596

Peter Italiano, Director Community Development
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile 303-660-9550

Town of Parker

Aden Hogan, Town Administrator
Town of Parker
20120 E Mainstreet
Parker, Colorado 80138
Facsimile 303-840-9792

With a copy to

James S Maloney, Esq
Town of Parker
20120 E Mainstreet
Parker, Colorado 80138
Facsimile 303-840-9792

Garner Stoll, Planning Director
Town of Parker
20120 E Mainstreet
Parker, Colorado 80138
Facsimile 303-841-3223

In the event facsimile transmission or other electronic means of notice is provided, the notice shall be deemed to be delivered upon its transmission and receipt of confirmation of its receipt at the business location of the receiving party, provided the notice is also immediately sent by mail as provided above

- B No Vested Rights This Agreement shall not grant any status or right to any third party, specifically any owner of any property, to make any claim as a third party beneficiary, or for deprivation of any right, violation of any vesting or rights, or inverse or other condemnation This Agreement is for the benefit of the parties only to resolve issues between the parties
- C Interpretation of Agreement Because this Agreement is the result of mutual negotiation and drafting, in the event this Agreement is deemed to be ambiguous or vague, the parties agree with the rule of construction that “ambiguities shall be construed against the drafter” shall not apply
- D Choice of Law This Agreement shall be interpreted and construed in accordance with the laws of the State of Colorado
- E Invalidity of Terms If any term, claim, clause or provision of this Agreement shall be judged to be invalid, the validity and effect of any other term, claim, clause or provision shall not be affected, and such invalid term, claim, clause or provision shall be deemed from this Agreement in a manner to give effect to the remaining terms, claims, clauses or provisions
- F Counterparts This Agreement may be executed in any number of counterparts, each of which shall be considered an original for all purposes, and all of which when taken together shall constitute one and the same Agreement
- G Authority Each of the undersigned represents as to itself that each has the authority to execute this Agreement
- H Forum Selection Any action brought to enforce the terms and provisions of this Agreement or alleging a breach hereof shall be brought only in the District Court in Douglas County, Colorado
- I Consents/Approvals Wherever this Agreement calls for the consent or approval of any party hereto, with respect to which consent or approval under this Agreement is not self-executing, in order to be effective, such consent or approval shall be in the form of a Resolution duly enacted by the Town Council and Board of County Commissioners
- J Recordation of Agreement The parties shall record this Agreement in the real estate records of Douglas County, Douglas County, Colorado

K. Entire Agreement This Agreement constitutes the entire understanding, contract, and agreement between the parties as to the subject matters herein set forth, and this Agreement only supersedes prior written or oral understandings, agreements, and commitments, formal or informal, relative thereto between all the parties hereto. No change, modification, alteration, or amendment to this Agreement shall be binding upon the parties except as specifically expressed in writing, making reference to this Agreement and signed by all of the parties hereto agreeing to be bound thereby.

IN WITNESS WHEREOF, this Intergovernmental Agreement is executed by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written.


ATTEST

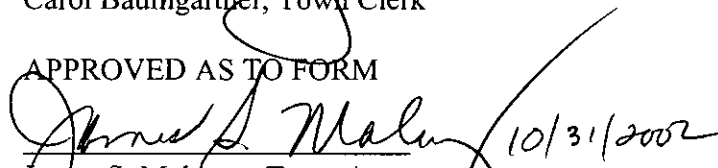
Carol Baumgartner, Town Clerk

TOWN OF PARKER, COLORADO

BY


Gary Lasater, Mayor

APPROVED AS TO FORM


James S. Maloney, Town Attorney 10/31/2002

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO

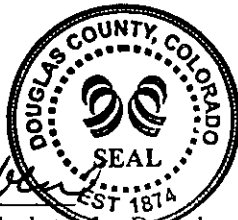
BY

For


James R. Sullivan, Chairman
Board of County Commissioners

ATTEST


Mary Niblack, Deputy Clerk to the Board



APPROVED AS TO FORM


J. Mark Hannen, County Attorney 10/29/02

EXHIBIT 1
MEMORANDUM OF UNDERSTANDING

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF PARKER
AND
THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
DOUGLAS REGARDING JOINT PLANNING AND GROWTH MANAGEMENT**

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this 6th day of November, 2000, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County") and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town")

RECITALS

A. The continued growth in the County and the Town suggests that formal coordination between the County and the Town can result in better public planning and growth management.

B. Under Title 29, Article 20, Colorado Revised Statutes, the General Assembly of the State of Colorado has found and declared that in order to provide for planned and orderly development within Colorado and a balancing of basic human needs of a changing population with legitimate environmental concerns, the policy of the State of Colorado is to clarify and provide broad authority to local governments, such as the County and the Town, to plan for and regulate the use of land within their respective jurisdictions.

C. Under Title 29, Article 20, Colorado Revised Statutes, the General Assembly of the State of Colorado has delegated certain powers to local governments, such as the County and the Town, which include the power to regulate the location of activities and developments that may result in significant changes in population density; the power to provide for phased development of services and facilities; the power of regulating the use of land on the basis of the impact thereof on the community or surrounding areas; and the power to otherwise plan for and regulate the use of land so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights.

D. Under Title 29, Article 20, Colorado Revised Statutes, the General Assembly of the State of Colorado has authorized and encouraged local governments, such as the County and the Town, to cooperate or contract with each other for the purpose of planning and regulating the development of land, including but not limited to joint adoption, after notice and hearing, of mutually binding and enforceable comprehensive development plans for areas within their jurisdictions ("Comprehensive Development Plan")

E. Under Title 29, Article 20, Colorado Revised Statutes, the General Assembly has determined that a Comprehensive Development Plan may contain master plans, zoning plans, subdivision regulations and building code, permit and other land use standards, which, if set out in specific detail, may be in lieu of the regulations of the County and the Town for the land area that is subject to a Comprehensive Development Plan.

F. Under Title 29, Article 20, Colorado Revised Statutes, the General Assembly of the State of Colorado has authorized local governments such as the County and the Town to enter into intergovernmental agreements which provide that a Comprehensive Development Plan shall only be amended by the mutual agreement of the governing bodies of the local governments who are parties to the plan, that a Comprehensive Development Plan shall continue to control even though the land area subject to the plan is annexed; and that a local government that is a party to such an intergovernmental agreement adopting a comprehensive development plan, shall have standing in district court to enforce the terms of the agreement and the plan, including specific performance and injunctive relief

G. The County and the Town desire to cooperate in exploring the most efficient and effective use of the powers described herein in order to provide for planned and orderly development of land areas that are located within the planning areas of both the County and the Town, including a Comprehensive Development Plan which would be subject to a mutually binding and enforceable intergovernmental agreement for these planning areas.

H. The County and the Town desire to enter into this Memorandum of Understanding to establish the procedure for developing a Comprehensive Development Plan and intergovernmental agreement as a mechanism to plan for and regulate the orderly use of the land areas that are located within the planning areas of both the County and the Town under the authority delegated to the County and the Town by the General Assembly of the State of Colorado, pursuant to Title 29, Article 20, Colorado Revised Statutes.

MEMORANDUM OF UNDERSTANDING

NOW THEREFORE, the Town and the County agree to enter into this Memorandum of Understanding to provide as follows:

1. Establishment of Joint Planning Area. The County and the Town desire to consider establishing a joint planning area that would be subject to a Comprehensive Development Plan (the "Joint Planning Area"). In establishing the Joint Planning Area, the County and the Town desire to consider the following mutual objectives as being of critical importance to the health, safety and welfare of the County's existing and future residents:

a. Geographic separation between the Town and the County's urban areas, to enhance the sense of place and identity of the Town and County urban areas.

b. Provision of quality urban services and facilities including utilities, transportation, education, recreation and public safety in the most cost effective and fiscally responsible manner possible.

c. Promotion of compact and contiguous development within Town and County urban areas to preserve agricultural, ranch lands and other rural uses in the County

d. Protection of environmentally and visually sensitive areas where unique vegetation stands, scenic corridors, hazardous soil conditions, significant geologic formations and major land forms are prominent

e. Protection of wildlife habitat by maintaining open space lands where significant habitat and wildlife migration areas are preserved.

2. Joint Planning Area Will Consist of Town Future Urban Area and County/Town Separation Area. The County and the Town desire to include the "Town Future Urban Area" and the "County/Town Separation Area" into the Joint Planning Area. The Town Future Urban Area would include the area that the Town desires to annex and zone over a term of years. The County/Town Separation Area is the geographic separation between the Town and County urban areas as determined by the Town and the County based upon the mutual objectives described in Paragraph 1 above.

3. Portion of Comprehensive Development Plan for the Town Future Urban Area. The Town and the County desire that the Town Future Urban Area be subject to a Comprehensive Development Plan. The Comprehensive Development Plan would not be amended except by approval of both the Town and the County. The approval process desired by the County and the Town to amend a Comprehensive Development Plan for the Town Future Urban Area may include the following:

a. The County Planning Department would encourage a property owner to submit a petition for annexation of the real property (the "Subject Property") into the Town before processing a land use application that did not conform with the Comprehensive Development Plan.

b. If the Town were to annex the Subject Property, then the Subject Property could be developed in conformance with the Comprehensive Development Plan.

c. If the Town did not annex the Subject Property and the Town and the Property Owner did not enter into a "pre-annexation agreement," the Property Owner would be required to submit an application to amend the Comprehensive Development Plan to both the County and the Town. Unless the application to amend the Comprehensive Development Plan were approved by the Town and the County, the Property Owner would only be allowed to develop the Subject Property in the manner provided for in the non-urban component of the Comprehensive Development Plan.

d. In the event that the Town did not annex the Subject Property and the Town and the Property Owner entered into a "pre-annexation agreement," then the Property Owner could develop the Subject Property according to the urban component of the Comprehensive Development Plan.

4. Portion of Comprehensive Development Plan for the County/Town Separation Area. The Town and the County desire a Separation Area to be located around the Town Future Urban Area. The County desires that the Town not annex any real property located within the County/Town Separation Area for a term of years unless approved by the County. The County and Town desire that the County/Town Separation Area be subject to the Comprehensive

Development Plan. The approval process to amend a Comprehensive Development Plan for the County/Town Separation Area may include the following:

a. Any development within the County/Town Separation Area that is consistent with the Comprehensive Development Plan would not require any approval of the Town.

b. Any development within the County/Town Separation Area that is not consistent with the Comprehensive Development Plan would require an application to amend the Comprehensive Development Plan, which application would be subject to approval by both the Town and the County. In the event that a Property Owner did not receive both County and Town approval to amend the Comprehensive Development Plan, the Property Owner would only be able to develop the Subject Property in the manner provided for in the Comprehensive Development Plan.

5. Development of Comprehensive Development Plan. The County and the Town agree to cooperate in preparing a Comprehensive Development Plan, subject to joint adoption by the governing bodies of the County and the Town, after notice and hearing, for the Joint Planning Area in the manner provided by Title 29, Article 20, Colorado Revised Statutes. The Comprehensive Development Plan may contain those elements which are permitted under C.R.S. §29-20-105(2)(b), as amended.

6. Intergovernmental Agreement for Comprehensive Development Plan. The County and the Town agree to cooperate in the preparation of an intergovernmental agreement to establish a Comprehensive Development Plan, which agreement may include, but not be limited to, those elements described in C.R.S. § 29-20-105.

7. Future Annexation of Enclaves. The Town agrees to use its best efforts to annex the enclaves adjacent to and surrounded by the Town, that are currently serviced by the County, into the Town based on the terms and conditions determined by the Town in the exercise of its sole discretion, as the County and the Town agree that the annexation of the enclaves serves the public health, safety and welfare in the efficient provision of services to such enclaves.

8. Legal Effect of Memorandum of Understanding. This Memorandum of Understanding is an expression of intent by the County and the Town to cooperate to establish a mechanism through Title 29, Article 20 of the Colorado Revised Statutes to provide for planned and orderly use of land to the extent provided in this Memorandum of Understanding. By entering into this Memorandum of Understanding, the County and the Town do not assume any legal obligation to enter into an intergovernmental agreement or to adopt a Comprehensive Development Plan as described herein.

IN WITNESS WHEREOF, this Memorandum of Understanding is executed by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written.

TOWN OF PARKER, COLORADO

BY: Gary Lasater
Gary Lasater, Mayor

ATTEST

Carol Baumgartner
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY: Walter M. Maxwell
Walter M. Maxwell, Chairman
Board of County of Commissioners

ATTEST

Rhonda R. Gentry
Rhonda R. Gentry, Deputy Clerk to the Board



APPROVED AS TO FORM:

J. Mark Hammen 11/3/00
J. Mark Hammen, County Attorney

EXHIBIT 2
COMPREHENSIVE DEVELOPMENT PLAN

COMPREHENSIVE DEVELOPMENT PLAN

THIS COMPREHENSIVE DEVELOPMENT PLAN (the “Plan”) is made and entered into this 31st day of October 2002, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the “County”) and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the “Town”)

RECITALS

WHEREAS, the continued growth in the County and the Town suggests that formal coordination between the County and the Town Can result in better public planning and growth management,

WHEREAS, the Local Governmental Land Use Control Enabling Act (the “Act”) (C R S §§ 29-20-101 *et seq*) makes explicit the authority of local governments to jointly plan and regulate land use,

WHEREAS, the Act states that “local governments may provide through intergovernmental agreements for the joint adoption by the governing bodies, after notice and hearing, of mutually binding and enforceable comprehensive development plans for areas within their jurisdiction”, and

WHEREAS, the County and the Town desire to enter into a mutually binding comprehensive development plan as a means to plan for and regulate land use within a joint planning area, as identified in such plan

PLAN

NOW, THEREFORE, the County and the Town jointly approve and adopt this Comprehensive Development Plan (“Plan”) to provide as follows

1.0 Planning Area Definitions

- 1.1 Town Urban Service Area Represents the boundary of the Town’s potential future annexation area to the year 2022. The level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans. This boundary represents the Town’s potential annexation perimeter and will include areas dedicated for open space as well as urban level development. The Town Urban Service Area is depicted on the attached map (Attachment A)

- 1 2 Community Separation Buffer Represents a buffer around the Town’s Urban Service Area that provides a transitional “edge” between the Town and other incorporated and unincorporated communities. While this area is not needed to accommodate the Town’s growth to the year 2022, land use and development changes within this area will have a direct impact on the Town. The Community Separation Buffer is depicted on the attached map (Attachment A).
- 1 3 Permitted Uses The Comprehensive Development Plan shall supersede the County Zoning Resolution for the real property contained within the Community Separation Buffer Area and the Town Urban Service Area to the extent provided in the Plan. The only uses permitted by right within the Community Separation Buffer Area and the Town Urban Service Area are those permitted uses described in Attachment B (the “Permitted Uses and Special Uses Matrix”) and depicted in Attachment C (“Zoning Map”). The Permitted Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 6.0 of the Plan. The Permitted Uses shall not be changed, modified or expanded within the Town Urban Service Area, except (i) pursuant to paragraph 3.1.1 of the Plan, (ii) pursuant to a pre-annexation agreement with the Town pursuant to paragraph 3.1.2 of the Plan, or (iii) pursuant to paragraph 6.0 of the Plan.
- 1 4 Special Uses The only Special Uses allowed within the Community Separation Buffer Area and the Town Urban Service Area are those special uses described in Attachment B (“Permitted Uses and Special Uses Matrix”) that are determined to meet, after notice and hearing, the requirements contained in Attachment D. The Special Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 6.0 of the Plan. The Special Uses shall not be changed, modified or expanded within the Town Urban Service Area, except (i) upon the annexation of real property located within the Town Urban Service Area, pursuant to paragraph 3.1.1 of the Plan, (ii) pursuant to a pre-annexation agreement with the Town pursuant to paragraph 3.1.2 of the Plan, or (iii) pursuant to paragraph 6.0 of the Plan.

2.0 Petitions for Annexation within the Town’s Urban Service Area

- 2 1 Commitment by Town to Actively Pursue Annexation of Enclaves and Roads
The Town will commit to actively pursue annexation of all enclaves. Enclaves are those unincorporated areas of land entirely contained within the outer boundaries of the Town. The businesses and land owners that are located on unincorporated enclaves identify with the Town of Parker, are a part of the community fabric of the Town, and contribute to the Town’s revenue. Annexation of these enclaves will benefit the land and business owners, the Town, as well as the County by consolidating the service area of the Town and County, bringing these properties under Town services.

- 2 2 Standards for Review of Annexation Petitions The Town, when reviewing proposed annexations within the Town's Urban Service Area, shall apply the following Standards for Review
- 2 2 1 The property under consideration for annexation is within the Town's Urban Service Area
- 2 2 2 The annexation complies with the Town's Land Development Code and applicable design standards
- 2 2 3 The annexation request is consistent with the Town's adopted plans including, but not limited to, the Master Plan, Parks and Open Space Master Plan and Open Space Master Plan, as amended
- 2 2 4 The site plan provides for the preservation of significant stands of vegetation, unique or distinctive topographic features including buttes and rock outcroppings, drainage riparian and wetland areas, significant wildlife habitats including breeding grounds, nesting areas, migration routes and wintering areas, scenic views, identified aquifer recharge areas and important historical or archaeological sites
- 2 2 5 The site plan incorporates elements that provide for logical connections to local trails in order to link neighborhoods and connections to regional trails and nearby destinations
- 2 2 6 The land can be used safely for the intended purpose without danger to the public health, safety or welfare or peril from fire, flood, geologic hazards or other natural hazards
- 2 2 7 The petition for annexation is in conformance with a fully executed preannexation agreement with the Town, if applicable
- 2 2 8 The area sought to be annexed meets the requirements of the Municipal Annexation Act of 1965, as amended
- 2 2 9 The petition for annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado
- 2 2 10 That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance
- 2 2 11 Petitioners understand that the Town does not provide municipal water and sewer service, and connection to water and sewer requires inclusion

into the Parker, Cottonwood, Stonegate, or Compark Water and Sanitation District

2.2 12 The petitioners agree that no vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq , C R S , have been acquired by petitioners from any government entity Petitioners waive any vested land use rights attached to any or all of the property to be annexed

2 2 13 The petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town The petitioners further acknowledge that the property, the owners thereof, and the uses thereon are also bound by any voter authorization under Article X, §20 of the Colorado Constitution adopted prior to annexation of the property The petitioners waive any claims they may have under Article X, §20 of the Colorado Constitution related to such taxes and fees

3.0 Land Use Applications Submitted to the County for Unincorporated Lands within the Town Urban Service Area

3 1 Applications for Urban Level Development Other Than Region 2 Applications submitted to the County for rezoning to business, commercial, industrial, or residential development at a density greater than 1 dwelling unit/2 5 acres will be directed to the Town for annexation

3 1 1 If there is contiguity, the Town shall process a petition for annexation The Town Council shall apply the Standards for Review, as outlined above in paragraph 2 2 of the Plan, when considering a petition for annexation Final decision authority for said petitions shall be with the Town Council following a public hearing, in the manner provided by the Plan

3 1 2 If contiguity cannot be established, or if the Town adopts an ordinance establishing growth limitations, a pre-annexation agreement shall be executed between the property owner and the Town prior to the County processing the application

3 1 2 1 If a pre-annexation agreement is executed, the County shall process the application

3 1 2 1 1 The Town Planning staff shall be available for a pre-application conference(s) with the County and applicant

3 1 2 1 2 The County shall forward the application to the Town for review and comment The Town shall provide a

referral response with comments based upon the Town's Land Development Code and applicable design standards

3 1 2 1 3 The County shall actively consider the Town's comments in its review of the application

3 1 2 1 3 1 If conformance with both the County and Town's regulations cannot be achieved, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with both the County and Town's regulations to the extent feasible

3 1 2 1 3 2 If additional interpretation is needed, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with the Town's comments to the extent feasible

3 1 2 1 3 3 Final decision authority for said applications shall be with the Board of County Commissioners following a public hearing, in the manner provided by the Plan and the County's Zoning Resolution. Where the Plan and the County's Zoning Resolution conflict, the provisions of the Plan shall prevail

3 1 2 2 If a pre-annexation agreement is not executed, the property owner may

3 1 2 2 1 Request that the County process an application for development in compliance with the Plan for Permitted Uses and Special Uses, or

3 1 2 2 2 Request an amendment to the Plan in compliance with the provisions outlined in paragraph 6 0 of the Plan

3 2 Applications for Development in Region 2 The County, as permitted by the County Zoning and Subdivision Resolutions, shall process all applications submitted to the County for urban-level development or for Permitted Uses and Special Uses as outlined in the Plan. As described herein, urban-level development is residential rezoning and subdivisions at a density greater than one (1) dwelling unit per two and one-half (2.5) acres, and all non-residential rezoning, subdivisions and site improvement plans.

3 2 1 The County shall submit a notice to the Town through the standard referral process. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.

3 2 2 The County shall encourage the property owner to annex into the Town.

3 3 Applications for Development in Compliance with the Comprehensive Development Plan The County, as permitted by the County Zoning and Subdivision Resolutions, shall process applications submitted to the County for development in compliance with the Plan, for Permitted Uses and Special Uses. Prior to processing the application, the County shall encourage the property owner to annex into the Town.

3 3 1 The County shall submit a notice to the Town through the standard referral process. The Town's referral comments will be based on the provisions of this Plan.

4.0 Land Use Applications Submitted to the County within the Community Separation Buffer

4 1 Regions The County agrees to process all land use applications within the Community Separation Buffer in compliance with the Permitted Uses, Special Uses and as described below.

4 1 1 Region A As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature and may continue to build out in the established land pattern. Semi-rural development may be considered when available water supply and greater provision of schools, recreation, employment, and shopping are provided.

4 1 2 Region B Residential development in this region may continue to build out in the established land pattern. Redevelopment of this region may be supported when appropriate urban level services are provided. Redevelopment shall be defined as a density greater than one (1) dwelling unit per acre and/or commercial in nature. Redevelopment may be considered when all of the following principles/requirements are met:

- 4 1 2 1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site
- 4 1 2 2 Development shall be clustered to preserve the floodplain and natural features of Happy Canyon Gulch
- 4 1 2 3 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway
- 4 1 2 4 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible
- 4 1 2 5 Sufficient open space, parks and trails shall be provided to meet the needs of the development
- 4 1 3 Region C As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature (1 dwelling unit/35 acres) If a rural site plan is submitted in accordance with the County Zoning Resolution, the density may be increased not exceeding 1 dwelling unit/17.5 acres as an incentive to preserve open space and protect wildlife habitat Semi-rural development in this region is not supported
- 4 1 4 Region D This region permits uses associated with open space, passive and non-motorized recreation, agricultural and Parker Water and Sanitation uses Such passive uses may include, but are not limited to, hiking, biking, equestrian activities, outdoor conservation activities and fishing The County shall have the final determination for allowed activities
- 4 1 5 Region E Development in this region shall comply with all of the following principles/requirements
 - 4 1 5 I Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site
 - 4 1 5 2 Development should consider clustering to preserve areas of natural open space between developments and to promote separation of developments
 - 4 1 5 3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic,

topographically diverse terrain

4 1 5 4 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway

4 1 5 5 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare

4 1 5 6 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible

4 1 5 7 Site design will preserve sufficient open space to meet the needs of the development and provide community separation and should consider environmental areas, riparian features, 100-year floodplain, significant natural land forms, significant natural vegetation areas, important wildlife habitat areas, geologic hazard areas, severe soil erosion areas, and cultural, historic and archaeological areas

4 2 Review Process

4 2 1 The County shall submit a notice to the Town through the standard referral process for land use applications in Regions A, B (when redevelopment is not proposed), C and D

4.2 2 The County and the Town shall jointly review any redevelopment application submitted for Region B Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application

4 2 3 The County and the Town shall jointly review any land use applications submitted for Region E Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application

4 2 4 The Town’s referral comments will focus on compliance with the provisions of this Plan, as outlined in paragraph 4 1 of the Plan

4 2 5 The County shall hold public hearings to the extent provided in the County’s zoning and subdivision resolutions, and make its final decision in accordance with the Plan and said resolutions

5.0 Land Use Applications Submitted to the Town within the Town Urban Service Area.

- 5 1 Region 1 Site development shall comply with the following principles/requirements or with the Plan for Permitted Uses and Special Uses
- 5 1 1 Provide for a regional open space corridor that is continuous and sufficient in size to effectively act as a buffer between the Town's Urban Service Area and the Community Separation Buffer. The corridor shall feature naturally undisturbed, passive open space to provide regional access and trail connections as well as a wildlife corridor through this area.
 - 5 1 2 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches, natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.
 - 5 1 3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
 - 5 1 4 Protect the rural roadside character of Crowfoot Valley Road by establishing an open space buffer zone along this corridor.
 - 5 1 5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
 - 5 1 6 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
 - 5 1 7 Development shall be clustered to preserve and protect significant open space in its natural state.
 - 5 1 8 Provide appropriately sized and located activity centers that offer a wide range of goods and services to the immediate market area, neighborhood and community.
 - 5 1 9 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
 - 5 1 10 Provide active recreational areas including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the

development and offer convenient access by residents

5 1 11 Proposed golf courses shall, at a minimum, be designed to include provisions to promote water conservation and wildlife habitat as provided by the Center for Resource Management's published "Environmental Principles for Golf Courses in the United States" and National Audubon Society's model for "green" golf course standards

5 1 12 Development on the south side of Crowfoot Valley Road shall apply the Transit Oriented Design principles to site development, providing sufficient open space opportunities from the remaining portions located east of the ridge bisecting the site from north to south.

5 2 Development Adjacent to the Community Separation Buffer When the Town evaluates applications for development adjacent to the Community Separation Buffer, consideration will be given to contributing to and expanding the buffer area along the fringe of the Urban Service Area

5 3 Review Process

5 3 1 The Town shall submit a notice to the County through the standard referral process for all land use applications, except for applications submitted for Region 1

5 3 2 Land use applications submitted for Region 1 shall be jointly reviewed by the Town and County. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application

5 3 3 The County's referral comments will be based on the provisions of this Plan, as outlined in paragraph 5 1 of the Plan

5 3 4 The Town shall hold public hearings to the extent provided in the Town's zoning and subdivision regulations, and shall make its final decision in accordance with the Plan and said regulations

6.0 Amendments to the Comprehensive Development Plan

6 1 The Town or the County may request an amendment to the Plan

6 2 A property owner may request an amendment to the Plan when

6 2 1 a petition for annexation of unincorporated land within the Urban Service Area is denied by the Town, or

- 6 2 2 a pre-annexation agreement for unincorporated land within the Urban Service Area cannot be reached with the Town

6 3 Process for Amending the Plan

- 6 3 1 Request for consideration must be submitted in writing to both the Town and the County
- 6 3 2 The amendment request will be heard by a jointly appointed Review Board
 - 6 3 2 1 The Review Board will be representative of both the Town Council and Board of County Commissioners. Each respective body shall appoint two (2) members to sit on the Review Board
 - 6 3 2 2 The recommendation of the Review Board shall be submitted to both the Town Council and Board of County Commissioners for final decision
- 6 3 3 The Town and County will each process the request through their respective adopted processes. An amendment to the Plan requires that both the Town and County approve the request

7.0 **Effective Date and Term**

- 7 1 This Plan shall be effective after (1) it has been executed by the County and the Town, and (2) the County has adopted conforming amendments to the Douglas County Zoning Resolution. Douglas County shall attempt to complete said amendment by January 31, 2003. This Plan shall remain in full force and effect for the five-year period commencing on its effective date. Thereafter, this Plan shall automatically remain in full force and effect for successive five-year terms through the year 2022, unless sooner terminated. This Plan may be terminated at the end of a five-year term by a party giving written notice to the other party at least 180 days prior to the expiration of the five-year term. This Plan may also be terminated at any time by mutual agreement of the parties. The term of the Intergovernmental Agreement shall run concurrently with the term of this Plan

IN WITNESS WHEREOF, this mutually binding Comprehensive Development Plan is approved and adopted by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written

TOWN OF PARKER, COLORADO

BY

Gary Lasater
Gary Lasater, Mayor

ATTEST

Carol Baumgartner
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM

James S. Maloney 10/31/2002
James S. Maloney, Town Attorney

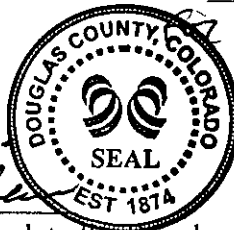
BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY

Walter M. Maxwell
James R. Sullivan, Chairman
Board of County Commissioners

ATTEST

Mary Niblack
Mary Niblack, Deputy Clerk to the Board



APPROVED AS TO FORM

J. Mark Hannen 10/29/02
J. Mark Hannen, County Attorney

***ATTACHMENT A
PLANNING AREA***

TOWN OF PARKER & DOUGLAS COUNTY

COMPREHENSIVE DEVELOPMENT PLAN PLANNING AREA

- INCORPORATED PARKER
- URBAN SERVICE AREA
- REGIONS 1 & 2
- COMMUNITY SEPARATION BUFFER:
- REGION "A"
- REGION "B"
- REGION "C"
- REGION "D"
- REGION "E"
- LONE TREE / AURORA

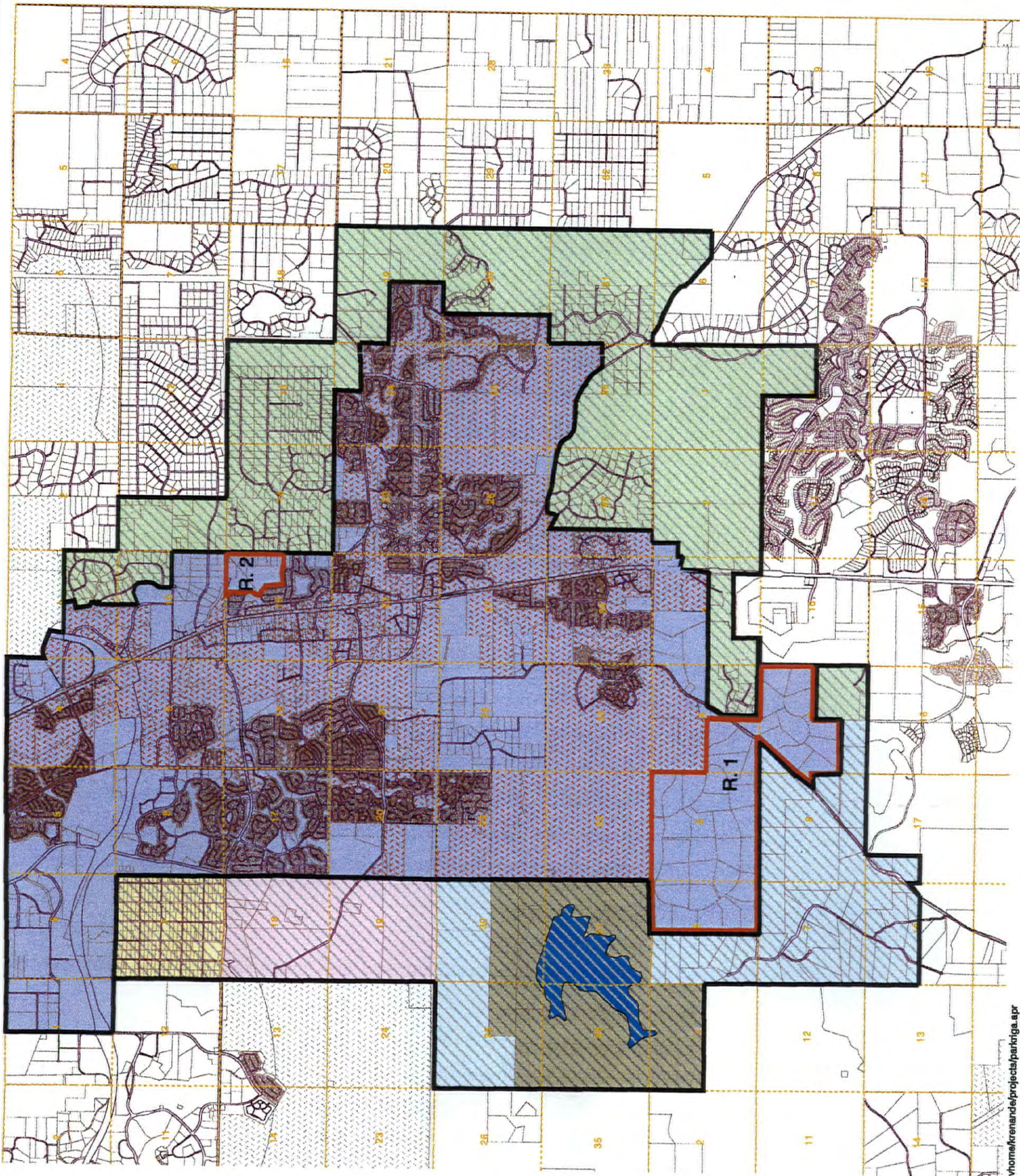


SEPTEMBER 23, 2002
DOUGLAS COUNTY COMMUNITY DEVELOPMENT,
PLANNING DIVISION

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ATTACHMENT B
PERMITTED USES AND SPECIAL USES MATRIX

LAND USE/ZONING DISTRICT	A-1	LRR	RR	ER	SR	B	C	LI	GI
Agricultural Recreational Activities	P	P							
Airport									USR
Animals									
Horse/Cow/Mule/Llama	P	P	A	A					
Pig/Goat/Sheep/Miniature Horse	P	P	A	A					
Buffalo/Ostrich/Emu/Bees	P	P							
Chicken/Turkey/Duck	P	P	A	A					
Dog/Cat/Pot-bellied Pig	P	P	A	A	A				
Wolf/Bear/Snake/Mtn Lion	USR	USR							
Kennel									
Automobile Service/Repair								P	P
Automobile Service Station with gas pumps						P	P	P	P
Auto Wrecking Yard									
Bank/Financial Institution						P	P	P	P
Bar/Lounge						P	P	P	P
Batch Plant - asphalt/concrete									P
Bed and Breakfast	USR	USR	USR	USR					
Boarding House	USR	USR	USR						
Building Materials - retail/wholesale							P	P	P
Campground	USR	USR							
Cemetery	USR	USR							
Chemical Storage/Transfer/Disposal (incl hazardous)									USR
Church - max seating capacity 350	P	P	P	P	P	P	P	P	P
Church - seating capacity greater than 350	USR	USR	USR	USR	USR	P	P	P	P
Club/Private Recreation Use (Country Club)	USR	USR							
College						P	P	P	P
Construction Office - temporary	P	P	P	P	P	P	P	P	
Convention/Conference Center						P	P		
Cultural Facility	USR	USR				P	P		
Day-Care Center	USR	USR	USR	USR	USR	P	P		
Day-Care Facility for employees' children						P	P	A	
Day-Care Home - small	A	A	A	A	A				
Day-Care Home - large	USR	USR	USR	USR	USR				

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted

A-1 = Agricultural, LRR = Large Rural Residential, RR = Rural Residential, ER = Estate Residential, SR = Suburban Residential,

B = Business, C = Commercial, LI = Light Industrial, GI = General Industrial

LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Entertainment Event	USR									
Equipment Rental								P	P	
Equipment Rental - small							P	P	P	
Extended-Care Facility						P	P			
Farming/Ranching	P	P								
Feed Yard - commercial										
Fire Station - no training	P	P	P	P	P	P	P	P	P	
Fire Station - w/training facilities						P	P	P	P	
Firing Range - indoor	USR					P	P	P	P	
Firing Range - outdoor	USR									
Floodplain Uses (storage lot/parking area)						USR	USR	USR	USR	
Fur Farm	USR									
Golf Course	USR	USR	USR	USR	USR			P	P	
Greenhouse - 1 acre max	P	P					P	P	P	
Greenhouse - greater than 1 acre	USR	USR					P	P	P	
Group Home	USR	USR	USR	USR	USR					
Group Home for Registered Sex Offenders										
Guest House	A	A	A							
Guest Ranch	USR									
Hazardous Materials Storage/Transfer									USR	
Helipoint									USR	
Home Occupation									USR	
Class 1	A	A	A	A	A					
Class 2	A	A	A							
Exceeding Class 2 thresholds	USR									
Horse Boarding	USR	USR								
Horse Rental Stable	USR	USR								
Hospital						P	P			
Hotel						P	P	USR		
In-Home Elder Care	A	A	A	A	A					
Jail/Correctional Facility									USR	
Junk Yard										
Kennel - dog/cat										

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LAND USE/ZONING DISTRICT									
Landfill - public/private	A-1	LRR	RR	ER	SR	B	C	LI	GI
Landing Field - private	USR	USR							USR
Library	P	P	P	P	P	P	P	P	P
Manufacturing Operations								P	P
Mint Warehouse							P	P	P
Mining/Quarry									USR
Motel						P	P		
Motor Vehicle/Equipment Service/Repair							P	P	P
Nursing Home						P	P		
Office - General/Medical/Professional/Government						P	P	P	P
Office - Temporary						P	P	P	P
Oil/Gas Drilling									
Open Space/Trails	P	P	P	P	P	P	P	P	P
Park/Playground	P	P	P	P	P	P	P	P	P
Parking Lot - public/private						P	P	P	P
Police Training Facility									
Poultry Farm - commercial									
Product Distribution/Storage (no hazardous materials)								P	P
Propane Distribution/Storage									USR
Quarry									
Raceway - motorized/nonmotorized									
Ranching	P	P							
Recreation Facility									
Community							P		
Neighborhood			P	P	P	P		P	P
Indoor							P	P	P
Outdoor									
Recreational Use - private	USR	USR	USR	USR	USR				
Recreational Vehicle Storage Lot								P	P
Recycle/Trash Transfer Facility									P
Research and Development Facility								P	P
Residence									
Caretaker	P	USR							

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LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Caretaker - mobile home	USR	USR								
Employee/Management Housing						USR	USR	A	USR	
Mobile Home - permanent	USR	USR								
Multifamily						USR	USR	USR		
Single-Family	P	P	P	P	P					
Single-Family attached								USR		
Temporary	P		P	P	P					
Resort Lodge/Cabin										
Restaurant/Fast Food (<i>including drive-up facility</i>)						P	P	P	P	
Retail/Service Business - indoor						P	P			
Retail/Service Business - outdoor							P			
Retirement Home						P	P			
Retreat - Religious	USR									
Sales Office - temporary			P	P	P					
Satellite Dish		A	A	A	A	A	A	A	A	A
School - private/public (K-12)	P	P	P	P	P	P	P	P	P	P
Seasonal Use						P	P	P	P	P
Septic Waste and Sludge - Land Application	USR								USR	
Sewage Treatment										
Sexually Oriented Business							P			
Sheriff Station (<i>no training/detention</i>)	P	P	P	P	P	P	P	P	P	P
Storage Area - commercial							A	P	P	P
Telecommunication Facilities										
PWC Antennas	P	P	P	P	P	P	P	P	P	P
PWC Towers	P	P	P							
Satellite Earth Station (<i>within height restrictions</i>)										
Satellite Earth Station (<i>exceeding height restrictions</i>)										
Telecommunication Facilities (<i>within height restrictions</i>)										
Telecommunication Facilities (<i>exceeding height restrictions</i>)								P	P	
Telecommunication and PWC Facilities (<i>exceeding height restrictions</i>)										
Temporary Uses										
Theater - indoor						P	P			
Theater - outdoor							P			

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LAND USE/ZONING DISTRICT											
	A-1	LRR	RR	ER	SR	B	C	LI	GI		
Training of Horses/Riders (max of 14/week)	P	P	A	A							
Tree Farming	P	P									
University						P	P	P	P		
Utility - major facility	USR	USR	USR	USR	USR	USR	USR	USR	USR	P	P
Utility Service Facility	P	P	P	P	P	P	P	P	P	P	P
Veterinary Clinic/Hospital	USR	USR				P	P	P	P	P	P
Warehouse								P	P	P	P
Water Treatment/Storage											
Wholesale Business - sales/service								P	P		P
Wind Energy Conversion System	USR	USR	USR	USR							
Youth-Oriented Agricultural Activities	P	P	P	P							
Zoo							USR				

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ATTACHMENT C
ZONING MAP

DOUGLAS COUNTY ZONING PARKER AREA

PARKER

COMMUNITY SEPARATION BUFFER

URBAN SERVICE AREA

LONE TREE / CASTLE ROCK/AURORA

COUNTY ZONING DESIGNATIONS:

AGRICULTURAL ONE (A-1)

LARGE RURAL RESIDENTIAL (LRR)

RURAL RESIDENTIAL (RR)

ESTATE RESIDENTIAL (ER)

SUBURBAN RESIDENTIAL (SR)

PLANNED DEVELOPMENT, NON URBAN (PDNU)

PLANNED DEVELOPMENT, URBAN (PDU)

BUSINESS (B)

COMMERCIAL (C)

LIGHT INDUSTRIAL (LI)

GENERAL INDUSTRIAL (GI)

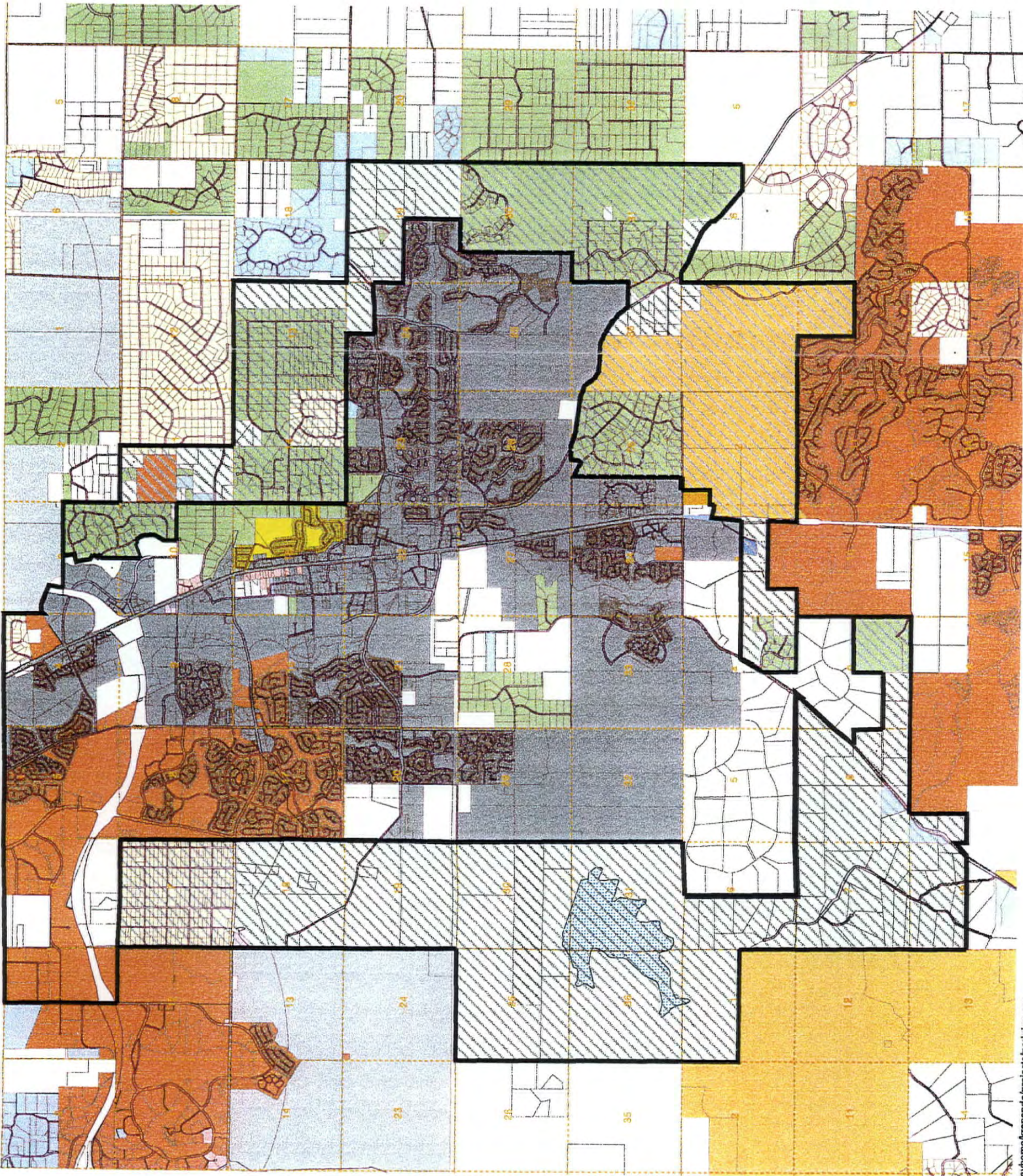


SEPTEMBER 23, 2002
DOUGLAS COUNTY COMMUNITY DEVELOPMENT,
PLANNING DIVISION

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ATTACHMENT D
APPROVAL STANDARDS FOR SPECIAL USES

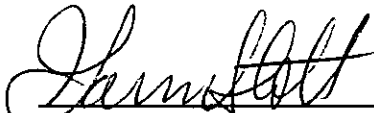
A Special Use shall be approved only if the Board of County Commissioners finds that the proposed special use

- ❖ Complies with the minimum zoning requirements of the zoning district in which the special use is to be located, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan,
- ❖ Complies with the requirements of Section 21, Use By Special Review, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan,
- ❖ Complies with the Douglas County Subdivision Resolution, in effect as of the date of this Plan,
- ❖ Will be in harmony and compatible with the character of the surrounding areas and neighborhood,
- ❖ Will be consistent with the Douglas County Comprehensive Master Plan,
- ❖ Will not result in an over-intensive use of land.
- ❖ Will not have a material adverse effect on community capital improvement programs,
- ❖ Will not require a level of community facilities and services greater than that which is available,
- ❖ Will not cause significant air, water, or noise pollution.
- ❖ Will be adequately landscaped, buffered, and screened,
- ❖ Will have a sufficient water supply in terms of quantity, dependability and quality as determined in conformance with the standards set forth in Water Supply – Overlay District, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan, and
- ❖ Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Douglas County



The Town of Parker and Douglas County jointly agree that paragraphs 1 3, 1 4, 3 2, 4 1, 4 1 1, 4 1 5, and 4 2 3 of the Comprehensive Development Plan would benefit from clarification that reflects the intent of the Intergovernmental Agreement. The text, as attached hereto, provides this clarification.

This document serves as written acknowledgement of our mutual agreement of the intent (and as such, proposed modification) of these paragraphs. For purposes of the public record and the file, this letter is approved by authorized signatories of the both the Town and County.


Town of Parker

4/8/03
Date


Douglas County

4/9/03
Date

1 3 Permitted Uses The Comprehensive Development Plan shall supersede the County Zoning Resolution for the real property contained within the Community Separation Buffer Area and the Town Urban Service Area to the extent provided in the Plan. The only uses permitted by right within the Community Separation Buffer Area and the Town Urban Service Area are those permitted uses described in Attachment B (the "Permitted Uses and Special Uses Matrix") and depicted in Attachment C ("Zoning Map"). The Permitted Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except (i) pursuant to paragraph 4 1, or (ii) as provided in paragraph 6 0 of the Plan. The Permitted Uses shall not be changed, modified or expanded within the Town Urban Service Area, except (i) pursuant to paragraph 3 1 1 of the Plan, (ii) pursuant to a pre-annexation agreement with the Town pursuant to paragraph 3 1 2 of the Plan, or (iii) pursuant to paragraph 6 0 of the Plan.

1 4 Special Uses The only Special Uses allowed within the Community Separation Buffer Area and the Town Urban Service Area are those special uses described in Attachment B ("Permitted Uses and Special Uses Matrix") that are determined to meet, after notice and hearing, the requirements contained in Attachment D. The Special Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except (i) pursuant to paragraph 4 1, or (ii) as provided in paragraph 6 0 of the Plan. The Special Uses shall not be changed, modified or expanded within the Town Urban Service Area, except (i) upon the annexation of real property located within the Town Urban Service Area, pursuant to paragraph 3 1 1 of the Plan, (ii) pursuant to a pre-annexation agreement with the Town pursuant to paragraph 3 1 2 of the Plan, or (iii) pursuant to paragraph 6 0 of the Plan.

3 2 Applications for Development in Region 2 The County, as permitted by the County Zoning and Subdivision Resolutions, shall process all applications submitted to the County for urban-level, Planned Development-zoned development or for Permitted Uses and Special Uses as outlined in the Plan. As described herein, urban-level development is residential rezoning and subdivisions at a density greater than one (1) dwelling unit per two and one-half (2 5) acres, and all non-residential rezoning, subdivisions and site improvement plans.

4 1 Regions The County agrees to process all land use applications within the Community Separation Buffer in compliance with the Permitted Uses, Special Uses and as described below *provided that the Permitted Uses and the Special Uses may be modified and supplemented in Region E through the approval by the County of a Planned Development as described below in items 4 1 5 and 4 2*.

4 1 1 Region A As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature and may continue to build out in the established land pattern. Semi-rural development may be considered when available water supply and greater provision of schools, recreation, employment, and shopping are provided.

4 1 5 Region E *This region permits urban level, Planned Development-zoned development as identified and defined in the Douglas County Comprehensive Master Plan and defined in the Douglas County Zoning Resolution. Through the County's approval of a rezoning to Planned Development the Permitted Uses and Special Uses may be modified and supplemented with additional uses that are consistent with urban level development.* Development in this region shall comply with all of the following principles/requirements:

4 2 3 *Subject to 4 2 5 below, the County and the Town shall jointly review any land-use all urban level Planned Development rezoning applications submitted for Region E. Such review shall include consist of jointly held meeting(s) at the staff level in order to develop comments on an application.*



The Town of Parker and Douglas County jointly agree that certain types of licensed Group Homes are regulated by the State of Colorado under C R S 30-28-115. Additionally, both parties agree that such operation is permitted as a use by right on unincorporated lands within Douglas County.

Consequently, both parties agree that Group Homes, as outlined in Attachment B of the Comprehensive Development Plan, would benefit from clarification that in fact this is a permitted land use under State law.

This document serves as written acknowledgement of our mutual agreement of the intent of Group Homes as permitted land use under Colorado Revised Statutes. For purposes of the public record and the file, this document is approved by authorized signatories of both the Town and the County.

Agreed to by

A handwritten signature in cursive script, appearing to read "Garner Stoll".

Garner Stoll
Town of Parker
Planning Director
Date 6/2/03

A handwritten signature in cursive script, appearing to read "Peter Italiano".

Peter Italiano
Douglas County
Director of Community Development
Date 8/3/03

8/3/03
DOUGLAS COUNTY
COMMUNITY DEVELOPMENT
PETER ITALIANO

Exhibit B
Permitted Exceptions

8. Reservations as contained in instrument recorded December 29, 1890, in Book 1, at Page 182.
NOTE: Relinquishment of surface rights by instrument recorded April 15, 1971, in Book 217, at Page 147.
NOTE: Affects all Parcels.
9. Easement as described in instrument recorded December 28, 1957, in Book 123, at Page 72, and in Book 123, at Page 75.
NOTE: Affects Parcel 6.
10. Easement and right-of-way granted to Public Service Company of Colorado, by instrument recorded June 2, 1986, in Book 647, at Page 692.
NOTE: Affects Parcel 4.
11. Reservations as contained in Resolution No. R-993-027, recorded February 11, 1993, in Book 1110, at Page 1450.
NOTE: Affects Parcels 1, 5 and 6.
12. The rights, if any, of Parker Properties Limited Partnership, by virtue of the General Assignment recorded November 6, 1996, in Book 1384, at Page 376.
NOTE: Affects Parcel 6.

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**FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF PARKER AND THE COUNTY OF DOUGLAS
TO AMEND AND RESTATE THE MUTUALLY BINDING AND
ENFORCEABLE COMPREHENSIVE DEVELOPMENT PLAN**

THIS FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT is made and entered into this 17th day of May 2006, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County"), and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town").

RECITALS

WHEREAS, the County and the Town entered into an intergovernmental agreement on October 31, 2003, to establish a mutually binding and enforceable comprehensive development plan (the "Intergovernmental Agreement");

WHEREAS, the County and the Town approved a Mutually Binding and Enforceable Comprehensive Development Plan for areas within the County and the Town, which went into effect on May 14, 2003 (the "Comprehensive Development Plan");

WHEREAS, the Town and the County, after notice and hearing, jointly adopted the First Amendment to the Comprehensive Development Plan, which is described in the plan;

WHEREAS, the Town and the County desire to amend the Intergovernmental Agreement to establish that the jointly adopted First Amendment to the Comprehensive Development Plan is a mutually binding and enforceable comprehensive development plan for areas within their jurisdictions, which are described in the plan, according to the terms and conditions of such agreement;

WHEREAS, the County, as a statutory county, is authorized to enter into this First Amendment to the Intergovernmental Agreement, pursuant to C.R.S. § 29-20-105;

WHEREAS, the Town, as a home rule municipality, is authorized to enter into this First Amendment to the Intergovernmental Agreement, pursuant to Colo. Const. Art. XX, Colo. Const. Art. XIV, Section 18, as well as C.R.S. § 29-1-203 and the Local Government Land Use Control Act, Sections 29-20-101 through 107, C.R.S., as amended; and

WHEREAS, the County and the Town desire to enter into this First Amendment to the Intergovernmental Agreement to make the First Amendment to the Comprehensive Development Plan mutually binding and enforceable.

AGREEMENT

NOW, THEREFORE, the County and the Town agree to enter into this First Amendment to the Intergovernmental Agreement ("First Amendment") to provide as follows:

1. Paragraph 1 of the Intergovernmental Agreement is hereby amended to provide as follows:

1. **First Amendment to the Comprehensive Development Plan, as Restated.**

The County and Town jointly adopt the First Amendment to the Comprehensive Development Plan, as restated, which is attached hereto as **Replacement Exhibit 2** and incorporated by this reference (the "First Amendment to the Comprehensive Development Plan"). The County and the Town acknowledge that the First Amendment to the Comprehensive Development Plan is mutually binding and enforceable for areas within their jurisdictions, as described in the plan, to the fullest extent allowed by C.R.S. § 29-20-105(1) and (2).

2. Paragraph 4.A. of the Intergovernmental Agreement is hereby amended to provide as follows:

4. **General Provisions.**

A. **Notices.** All notices, demands, requests or other communications required under this Agreement shall be in writing and shall be hand delivered to the individual or to a member of the firm or to an officer of the corporation for whom it is intended, or sent by registered or certified mail, return receipt requested, postage prepaid, to the following addresses or to such other addresses as any party may from time to time designate by notice given, pursuant to this paragraph.

County of Douglas:

Doug DeBord, County Administrator
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile: 303-688-1293

With a copy to:

Lance Ingalls, County Attorney
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile: 303-688-6596

Peter Italiano, Director Community Development
Douglas County
Planning Division
100 Third Street
Castle Rock, Colorado 80104
Facsimile: 303-660-9550

Town of Parker:

Jeannene Bragg, Town Administrator
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138
Facsimile: 303-840-9792

With a copy to:

James. S. Maloney, Esq.
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138
Facsimile: 303-805-3256

Garner Stoll, Director of Community Development
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138
Facsimile: 303-841-3223

In the event facsimile transmission or other electronic means of notice is provided, the notice shall be deemed to be delivered upon its transmission and receipt of confirmation of its receipt at the business location of the receiving party, provided the notice is also immediately sent by mail as provided above.

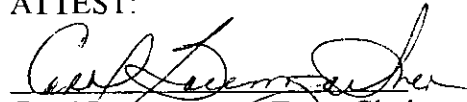
3. The County and the Town acknowledge and agree that the Intergovernmental Agreement has not been amended, except as provided in this First Amendment.

IN WITNESS WHEREOF, this First Amendment to the Intergovernmental Agreement is executed by the Town of Parker and the Board of County Commissioners of Douglas County, as of the date first above written.

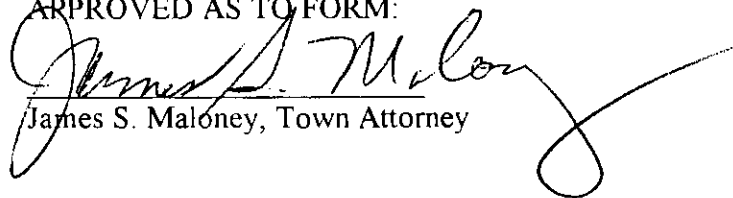
TOWN OF PARKER, COLORADO

BY: 
David Casiano, Mayor

ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO

BY Melanie A. Worley
Melanie Worley, Chair
Board of County Commissioners

ATTEST:

Mary Niblack
Mary Niblack, Deputy Clerk to the Board



APPROVED AS TO FORM:

Lance Ingalls
Lance Ingalls, County Attorney

**REPLACEMENT EXHIBIT 2
FIRST AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN**

FIRST AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN

THIS FIRST AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN (hereinafter referred to as the “Comprehensive Development Plan” or “Plan”) is made and entered into this 17th day of May 2006, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the “County”) and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the “Town”).

RECITALS

WHEREAS, the County and the Town entered into a mutually binding comprehensive development plan that went into effect on May 14, 2003, as a means to plan for and regulate land use within a joint planning area, as identified in such plan; and

WHEREAS, the County and Town desire to amend and restate the Comprehensive Development Plan.

PLAN

NOW, THEREFORE, the County and the Town jointly approve and adopt this First Amendment to the Comprehensive Development Plan, which is restated to provide as follows:

1.0 Planning Area Definitions

- 1.1 Town Urban Growth Area. Represents the boundary of the Town’s potential future annexation area to the year 2022. The level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans. This boundary represents the Town’s potential annexation perimeter and will include areas dedicated for open space as well as urban level development. The Town Urban Growth Area is depicted on the attached map (Attachment A).
- 1.2 Community Separation Buffer. Represents a buffer around the Town’s Urban Growth Area that provides a transitional “edge” between the Town and other incorporated and unincorporated communities. While this area is not needed to accommodate the Town’s growth to the year 2022, land use and development changes within this area will have a direct impact on the Town. The Community Separation Buffer is depicted on the attached map (Attachment A).
- 1.3 Permitted Uses. The Comprehensive Development Plan shall supersede the County Zoning Resolution for the real property contained within the Community Separation Buffer Area and the Town Urban Growth Area to the extent provided in the Plan. The only uses permitted by right within the Community Separation Buffer Area and the

Town Urban Growth Area are those permitted uses described in Attachment B (the “Permitted Uses and Special Uses Matrix”) and depicted in Attachment C (“Zoning Map”). The Permitted Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except (i) pursuant to paragraph 4.1, or (ii) as provided in paragraph 6.0 of the Plan. The Permitted Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except (i) pursuant to paragraph 3.1.1 of the Plan; (ii) pursuant to a pre-annexation agreement with the Town pursuant to paragraph 3.1.2 of the Plan; or (iii) pursuant to paragraph 6.0 of the Plan.

- 1.4 Special Uses. The only Special Uses allowed within the Community Separation Buffer Area and the Town Urban Growth Area are those special uses described in Attachment B (“Permitted Uses and Special Uses Matrix”) that are determined to meet, after notice and hearing, the requirements contained in Attachment D. The Special Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except (i) pursuant to paragraph 4.1, or (ii) as provided in paragraph 6.0 of the Plan. The Special Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except (i) upon the annexation of real property located within the Town Urban Growth Area, pursuant to paragraph 3.1.1 of the Plan; (ii) pursuant to a pre-annexation agreement with the Town pursuant to paragraph 3.1.2 of the Plan; or (iii) pursuant to paragraph 6.0 of the Plan.

2.0 Annexation within and expansion of the Town’s Urban Growth Area

- 2.1 Commitment by Town to Actively Pursue Annexation of Enclaves and Roads. The Town will commit to actively pursue annexation of all enclaves. Enclaves are those unincorporated areas of land entirely contained within the outer boundaries of the Town. The businesses and land owners that are located on unincorporated enclaves identify with the Town of Parker, are a part of the community fabric of the Town, and contribute to the Town’s revenue. Annexation of these enclaves will benefit the land and business owners, the Town, as well as the County by consolidating the service area of the Town and County, bringing these properties under Town services.
- 2.2 Waiver of Annexation Impact Reports. As all unincorporated areas located within the Town’s Urban Growth Area are encouraged to annex into the Town, the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.
- 2.3 Standards for Review of Annexation Petitions. The Town, when reviewing proposed annexations within the Town’s Urban Growth Area, shall apply the following Standards for Review.
- 2.3.1 The property under consideration for annexation is within the Town’s Urban Growth Area.
- 2.3.2 The annexation complies with the Town’s Land Development Code and applicable design standards.

- 2.3.3 The annexation request is consistent with the Town's adopted plans, including, but not limited to, the Master Plan and Open Space, Trails and Greenways Master Plan, as amended.
- 2.3.4 The site plan provides for the preservation of significant stands of vegetation; unique or distinctive topographic features, including buttes and rock outcroppings; drainage, riparian and wetland areas; significant wildlife habitats, including breeding grounds, nesting areas, migration routes and wintering areas; scenic views; identified aquifer recharge areas and important historical or archaeological sites.
- 2.3.5 The site plan incorporates elements that provide for logical connections to local trails in order to link neighborhoods and connections to regional trails and nearby destinations.
- 2.3.6 The land can be used safely for the intended purpose without danger to the public health, safety or welfare or peril from fire, flood, geologic hazards or other natural hazards.
- 2.3.7 The petition for annexation is in conformance with a fully-executed pre-annexation agreement with the Town, if applicable.
- 2.3.8 The area sought to be annexed meets the requirements of the Municipal Annexation Act of 1965, as amended.
- 2.3.9 The petition for annexation satisfies the requirements of Article II, Section 30 of the Colorado Constitution.
- 2.3.10 That, upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
- 2.3.11 Petitioners understand that the Town does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker, Cottonwood, Stonegate, or Compark Water and Sanitation Districts.
- 2.3.12 The petitioners agree that no vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101, *et seq.*, C.R.S., have been acquired by petitioners from any government entity. Petitioners waive any vested land use rights attached to any or all of the property to be annexed.
- 2.3.13 The petitioners acknowledge that, upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The petitioners further acknowledge that the property, the owners thereof, and the uses thereon are also bound by any voter authorization under Article X, §20 of the Colorado Constitution adopted prior to

annexation of the property. The petitioners waive any claims they may have under Article X, §20 of the Colorado Constitution related to such taxes and fees.

3.0 Land Use Applications Submitted to the County for Unincorporated Lands within the Town Urban Growth Area

3.1 Applications for Urban Level Development. Applications submitted to the County for rezoning to business, commercial, industrial, or residential development at a density greater than 1 dwelling unit/2.5 acres will be directed to the Town for annexation.

3.1.1 If there is contiguity, the Town shall process a petition for annexation. The Town Council shall apply the Standards for Review, as outlined above in paragraph 2.3 of the Plan, when considering a petition for annexation. Final decision authority for said petitions shall be with the Town Council following a public hearing, in the manner provided by the Plan.

3.1.2 If contiguity cannot be established, or if the Town adopts an ordinance establishing growth limitations, a pre-annexation agreement shall be executed between the property owner and the Town prior to the County processing the application.

3.1.2.1 If a pre-annexation agreement is executed, the County shall process the application.

3.1.2.1.1 The Town Planning staff shall be available for a pre-application conference(s) with the County and applicant.

3.1.2.1.2 The County shall forward the application to the Town for review and comment. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.

3.1.2.1.3 The County shall actively consider the Town's comments in its review of the application.

3.1.2.1.3.1 If conformance with both the County and Town's regulations cannot be achieved, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with both the County and Town's regulations to the extent feasible.

3.1.2.1.3.2 If additional interpretation is needed, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the

application. If resolution is not achieved, the County shall process the application in conformance with the Town's comments to the extent feasible.

3.1.2.1.3.3 Final decision authority for said applications shall be with the Board of County Commissioners following a public hearing, in the manner provided by the Plan and the County's Zoning Resolution. Where the Plan and the County's Zoning Resolution conflict, the provisions of the Plan shall prevail.

3.1.2.2 If a pre-annexation agreement is not executed, the property owner may:

3.1.2.2.1 Request that the County process an application for development in compliance with the Plan for Permitted Uses and Special Uses; or

3.1.2.2.2 Request an amendment to the Plan in compliance with the provisions outlined in paragraph 6.0 of the Plan.

3.2 Applications for Development in Compliance with the Comprehensive Development Plan. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process applications submitted to the County for development in compliance with the Plan, for Permitted Uses and Special Uses. Prior to processing the application, the County shall encourage the property owner to annex into the Town.

3.2.1 The County shall submit a notice to the Town through the standard referral process. The Town's referral comments will be based on the provisions of this Plan.

4.0 Land Use Applications Submitted to the County within the Community Separation Buffer

4.1 Regions. The County agrees to process all land use applications within the Community Separation Buffer in compliance with the Permitted Uses, Special Uses and as described below, provided that the Permitted Uses and Special Uses may be modified and supplemented in Region E through the approval by the County of a Planned Development, as described below in items 4.1.5 and 4.2.

4.1.1 Region A: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature and may continue to build out in the established land pattern. Semi-rural development may be considered when available water supply and provision of schools, recreation, employment, and shopping are provided.

- 4.1.2 Region B: Residential development in this region may continue to build out in the established land pattern. Redevelopment of this region may be supported when appropriate urban level services are provided. Redevelopment shall be defined at a density greater than one (1) dwelling unit per acre and/or commercial in nature. Redevelopment may be considered when all of the following principles/requirements are met:
- 4.1.2.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.
 - 4.1.2.2 Development shall be clustered to preserve the floodplain and natural features of Happy Canyon Gulch.
 - 4.1.2.3 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
 - 4.1.2.4 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
 - 4.1.2.5 Sufficient open space, parks and trails shall be provided to meet the needs of the development.
- 4.1.3 Region C: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature (1 dwelling unit/35 acres). If a rural site plan is submitted in accordance with the County Zoning Resolution, the density may be increased not exceeding 1 dwelling unit/17.5 acres as an incentive to preserve open space and protect wildlife habitat. Semi-rural development in this region is not supported.
- 4.1.4 Region D: This region permits uses associated with open space, passive and nonmotorized recreation, agricultural and Parker Water and Sanitation uses. Such passive uses may include, but are not limited to, hiking, biking, equestrian activities, outdoor conservation activities and fishing. The County shall have the final determination for allowed activities.
- 4.1.5 Region E: This region permits urban level, Planned Development-zoned development as identified and defined in the Douglas County Comprehensive Master Plan and defined in the Douglas County Zoning Resolution. Through the County’s approval of a rezoning to Planned Development, the Permitted Uses and Special Uses may be modified and supplemented with additional uses that are consistent with urban level development. Development in this region shall comply with all of the following principles/requirements:
- 4.1.5.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.

- 4.1.5.2 Development should consider clustering to preserve areas of natural open space between developments and to promote separation of developments.
- 4.1.5.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
- 4.1.5.4 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
- 4.1.5.5 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.
- 4.1.5.6 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
- 4.1.5.7 Site design will preserve sufficient open space to meet the needs of the development and provide community separation and should consider: environmental areas; riparian features; 100-year floodplain; significant natural land forms; significant natural vegetation areas; important wildlife habitat areas; geologic hazard areas; severe soil erosion area; and cultural, historic and archaeological areas.

4.2 Review Process.

- 4.2.1 The County shall submit a notice to the Town through the standard referral process for land use applications in Regions A, B (when redevelopment is not proposed), C and D.
- 4.2.2 The County and the Town shall jointly review any redevelopment application submitted for Region B. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.3 Subject to paragraph 4.2.5 below, the County and the Town shall jointly review all urban level Planned Development rezoning applications submitted for Region E. Such review shall consist of jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.4 The Town’s referral comments will focus on compliance with the provisions of this Plan, as outlined in paragraph 4.1 of the Plan.
- 4.2.5 The County will hold public hearings to the extent provided in the County’s Zoning and Subdivision Resolutions, and make its final decision in accordance with the Plan and said resolutions.

5.0 Land Use Applications Submitted to the Town within the Town Urban Growth Area.

- 5.1 Region 1: Site development shall comply with the following principles/requirements or with the Plan for Permitted Uses and Special Uses:
- 5.1.1 Provide for a regional open space corridor that is continuous and sufficient in size to effectively act as a buffer between the Town's Urban Growth Area and the Community Separation Buffer Area. The corridor shall feature naturally undisturbed, passive open space to provide regional access and trail connections as well as a wildlife corridor through this area.
 - 5.1.2 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches, natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.
 - 5.1.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
 - 5.1.4 Protect the rural roadside character of Crowfoot Valley Road by establishing an open space buffer zone along this corridor.
 - 5.1.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
 - 5.1.6 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
 - 5.1.7 Development shall be clustered to preserve and protect significant open space in its natural state.
 - 5.1.8 Provide appropriately sized and located activity centers that offer a wide range of goods and services to the immediate market area, neighborhood and community.
 - 5.1.9 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
 - 5.1.10 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
 - 5.1.11 Proposed golf courses shall, at a minimum, be designed to include provisions to promote water conservation and wildlife habitat, as provided by the Center for Resource Management's published "Environmental Principles for Golf Courses

in the United States” and National Audubon Society’s model for “green” golf course standards.

5.1.12 Development on the south side of Crowfoot Valley Road shall use open space to create community separation between the Town and adjacent development. Open space will be used to expand and enhance existing adjacent open space within the Community Separation Buffer Area.

5.2 Region 2: Requests for mining or water storage shall comply with the following principles/requirements:

5.2.1 The maximum life of the mining/extraction uses shall not exceed five (5) years.

5.2.2 Truck hauling materials shall be subject to the access requirements of the Town and shall be in compliance with the Town’s truck hauling routes map, as amended.

5.2.3 Hours of operation for mining, extraction and hauling shall not exceed Monday through Friday between the hours of 8 a.m. and 5 p.m.

5.2.4 A dust mitigation plan shall be required. An on-site water source shall be available and used as required for implementing the dust mitigation plan.

5.2.5 A noise plan shall be prepared to demonstrate the ability to comply with maximum noise levels as required by C.R.S. § 25-12-103. Such noise plan shall identify noise mitigation measures such as, but not limited to, the use of berming, locating noisy machinery and vehicles below grade in the excavation pit, and the establishment of operational guidelines.

5.2.6 A visual analysis shall be required to determine the visibility of the mining operation, including, but not limited to, the total disturbed area, stock piles, equipment, and any structures from Crowfoot Valley Road, Highway 83, and adjacent residential development. Visual mitigation measures for the duration of the mining operation shall be required, including, but not limited to: berming; landscape screening; limitations on the height, location, and quantity of stock piles; sub-grade placement of maintenance, mechanical, and other equipment; as examples.

5.2.7 The property owner shall render to the Town cash or an irrevocable letter of credit in an amount sufficient to restore the subject property to its original condition to the extent that property owner fails to comply with the Town standards or the principles/requirements described herein.

5.2.8 The property owner shall demonstrate to the Town’s satisfaction that the property owner has adequate adjudicated water rights to keep the reservoir full.

- 5.2.9 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated water rights to store water in the reservoir at the site proposed for the reservoir.
- 5.2.10 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated the means and methods to convey the water rights from the point of diversion to the site proposed for the reservoir.
- 5.2.11 Non-motorized recreational boating shall be permitted on the reservoir and the reservoir shall be open to the public and managed by the Town of Parker/Douglas County parks departments.
- 5.2.12 As part of the annexation agreement with the Town, trail connections shall be incorporated.
- 5.3 Region 3: Site development shall comply with the following principles/requirements:
 - 5.3.1 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches (including Newlin Gulch), natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.
 - 5.3.2 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
 - 5.3.3 Development shall be clustered to preserve and protect significant open space in its natural state.
 - 5.3.4 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
 - 5.3.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
 - 5.3.6 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
 - 5.3.7 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
 - 5.3.8 A minimum 50-foot open space buffer shall be designated along the northern portion of the property for the purpose of preserving land and a buffer for the proposed East-West Regional Trail.

- 5.3.9 Connect the Newlin Gulch trail through Region 3 to the Reuter-Hess Reservoir trail system, as identified in the Town's Open Space, Trails and Greenways Master Plan.
- 5.3.10 Open space shall be used to create a sufficient separation from and transition to the land owned by the Parker Water and Sanitation District as part of the Reuter-Hess Reservoir.
- 5.3.11 The property owner shall be responsible for all costs and right-of-way dedication associated with all necessary improvements for the extension of Chambers Road as four lanes, including a four lane bridge, through Region 2.
- 5.3.12 Access to Chambers Road from Region 3 shall be limited to one (1) access on the north side of Newlin Gulch and one (1) access on the south side of Newlin Gulch. Said southern access shall also serve the Double Angel ball fields and the Reuter-Hess Reservoir.
- 5.3.13 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.
- 5.3.14 The property owner shall be responsible for supporting the Double Angle ball fields and future indoor training facility as presented in the letter provided by Jehn Engineering on behalf of Glasgow 3 Investments, LLC, at the November 16, 2005, Review Board meeting.
- 5.3.15 The property owner shall be responsible for dedicating the necessary right-of-way and associated improvements for the new regional east-west roadway connection to Castle Pines Parkway through Region 3.
- 5.4 Development Adjacent to the Community Separation Buffer Area. When the Town evaluates applications for development adjacent to the Community Separation Buffer, consideration will be given to contributing and expanding the buffer area along the fringe of the Town Urban Growth Area.
- 5.5 Review Process.
 - 5.5.1 The Town shall submit a notice to the County through the standard referral process for all land use applications, except for applications submitted for Region 1.
 - 5.5.2 Land use applications submitted for Region 1 shall be jointly reviewed by the Town and County. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.
 - 5.5.3 The County's referral comments will be based on the provisions of this Plan.

- 5.5.4 The Town will hold public hearings to the extent provided in the Town's zoning and subdivision regulations, and shall make its final decision in accordance with the Plan and said regulations.

6.0 Amendments to the Comprehensive Development Plan

- 6.1 The Town or the County may propose amendments to the Plan in writing.

- 6.2 A property owner may request an amendment to the Plan when:

- 6.2.1 A petition for annexation of unincorporated land within the Urban Growth Area is denied by the Town; or

- 6.2.2 A pre-annexation agreement for unincorporated land within the Urban Growth Area cannot be reached with the Town.

6.3 Process for Amending the Plan

- 6.3.1 The party requesting the proposed amendment to the Plan shall submit the proposal in writing to the Director of Community Development of both jurisdictions.

- 6.3.2 The Directors from both jurisdictions shall jointly make the request that the Review Board convene to hear the proposed amendment.

- 6.3.2.1 A Review Board consisting of one (1) representative from both the Town and the County shall be appointed by the respective Council and Board.

- 6.3.2.2 The Review Board shall meet with staff and review the proposed amendment. If necessary, the Review Board may direct staff to research the proposed amendment, and report back with necessary information.

- 6.3.2.3 The Review Board shall direct staff to forward the proposed amendment to both the Town Council and the Board of County Commissioners, with a recommendation for approval, denial, or no recommendation from the Review Board.

- 6.3.3 The proposed amendment and the recommendation of the Review Board shall be submitted to both the Town Council and Board of County Commissioners for final decision.

- 6.3.4 The Town and County will each finalize the request through their respective adoptive processes with their Council/Board taking into consideration the recommendation of the Review Board.

- 6.3.5 An amendment to the Plan requires approval by the Town Council and Board of County Commissioners. If the Town Council and/or the Board of County

Commissioners do not approve the proposed amendment, then the Plan shall not be amended.

7.0 Effective Date and Term

7.1 This Plan shall be effective after: (1) it has been executed by the County and the Town; and (2) the County has adopted conforming amendments to the Douglas County Zoning Resolution. This Plan shall remain in full force and effect for the five-year period commencing on the Initial Effective Date of the Plan, as described in this paragraph. Thereafter, this Plan shall automatically remain in full force and effect for successive five-year terms through the year 2022, unless sooner terminated. This Plan may be terminated on May 14, 2008, or thereafter at the end of a five-year term by a party giving written notice to the other party at least 180 days prior to the expiration of the five-year term. This Plan may also be terminated at any time by mutual agreement of the parties. The term of this Intergovernmental Agreement shall run concurrently with the term of this Plan.

7.1.1 Initial Effective Date of the Plan. The effective date of the Plan is May 14, 2003; the date the Board of County Commissioners adopted conforming amendments to the Douglas County Zoning Resolution.

7.1.2 Amended Effective Date of the Plan. The amendments to the Plan are effective May 17th, 2006.

8.0 Incorporation

8.1 All attachments to this Plan are incorporated herein.

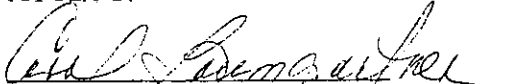
IN WITNESS WHEREOF, this mutually binding Comprehensive Development Plan is approved and adopted by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written.

TOWN OF PARKER, COLORADO

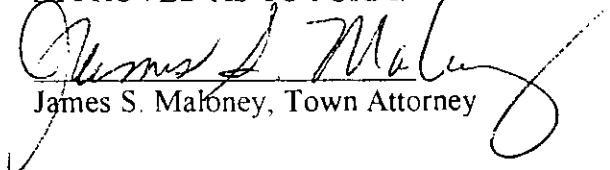
BY: 

David Casiano, Mayor

ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

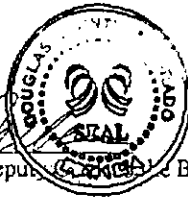

James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY: Melanie A. Worley
Melanie Worley, Chair
Board of County Commissioners

ATTEST:

Mary Niblack
Mary Niblack, Deputy Clerk of Board



APPROVED AS TO FORM:

Lance Ingalls
Lance Ingalls, County Attorney

***ATTACHMENT A
PLANNING AREA***

ATTACHMENT B
PERMITTED USES AND SPECIAL USES MATRIX

Zone District Abbreviations

Agricultural	A-1
Large Rural Residential	LRR
Rural Residential	RR
Estate Residential	ER
Suburban Residential	SR
Business	B
Commercial	C
Light Industrial	LI
General Industrial	GI

LAND USE/ZONING DISTRICT										
A-1	LRR	RR	ER	SR	B	C	LI	GI		
Agricultural Recreational Activities	P									
Animals										
Horse/Cow/Mule/Llama	P	A	A							
Pig/Goat/Sheep/Miniature Horse	P	A	A							
Buffalo/Ostrich/Emu/Bees	P									
Chicken/Turkey/Duck	P	A	A							
Dog/Cat/Pot-bellied Pig	P	A	A	A						
Wolf/Bear/Snake/Mtn. Lion	USR									
Kennel										
Automobile Service/Repair							P	P		
Automobile Service Station with gas pumps					P	P	P	P		
Bank/Financial Institution					P	P	P	P		
Bar/Lounge					P	P	P	P		
Batch Plant - asphalt/concrete								P		
Bed and Breakfast	USR	USR	USR							
Building Materials - retail/wholesale						P	P	P		
Campground	USR	USR								
Cemetery	USR	USR								
Chemical Storage/Transfer/Disposal (incl. hazardous)								USR		
Church - max. seating capacity 350	P	P	P	P	P	P	P	P		
Church - seating capacity greater than 350	USR	USR	USR	USR	P	P	P	P		
Club/Country Club					P	P	P	P		
College					P	P	P	P		
Construction Office - temporary	P	P	P	P	P	P	P	P		
Convention/Conference Center					P	P				
Cultural Facility	USR	USR			P	P	P	P		
Day-Care Center	USR	USR	USR	USR	P	P				
Day-Care Facility for employees' children					P	P	A	A		
Day-Care Home - small	A	A	A	A						
Day-Care Home - large	USR	USR	USR	USR						
Dude Ranch	USR									

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Entertainment Event	USR									
Equipment Rental								P	P	
Equipment Rental - small							P	P	P	
Extended-Care Facility						P	P			
Farming/Ranching	P	P								
Feed Lot/confinement center										
Fire Station - no training	P	P	P	P	P	P	P	P	P	
Fire Station - w/training facilities						P	P	P	P	
Firing Range - indoor	USRA					P	P	P	P	
Firing Range - outdoor	USR									
Golf Course								P	P	
Greenhouse - 1 acre max.	P	P					P	P	P	
Greenhouse - greater than 1 acre	USR						P	P	P	
Group Home	P	P	P	P	P					
Group Home for Registered Sex Offenders										
Group Residential Facility	USR	USR				USR	USR	USR		
Guest House	A	A	A							USR
Hazardous Materials Storage/Transfer										USR
Heliport						USR	USR	USR	USR	
Home Occupation										
Class 1	A	A	A	A	A					
Class 2	A	A	A							
Exceeding Class 2 thresholds	USR									
Horse Boarding	*	*	*	*						
Horse Rental Stable	USR	USR								
Hospital						P	P	P	P	
Hotel						P	P	P	P	
Hunting/Fishing Club	USR									
In-Home Elder Care	A	A	A	A	A					
Jail/Correctional Facility									USR	
Junk Yard										
Kennel - dog/cat										

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT										
Landfill - public/private	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Landing Field - private	USRA								USR	
Library	P	P	P	P	P	P	P	P	USRA	
Manufacturing Operations								P	P	P
Mini Warehouse							P	P	P	P
Mining/Quarry									USR	
Motel						P	P			
Motor Vehicle/Equipment Service/Repair						P	P	P	P	P
Nursing Home										
Office - General/Medical/Professional/Government						P	P	P	P	P
Office - Temporary						P	P	P	P	P
Oil/Gas Drilling										
Open Space/Trails	P	P	P	P	P	P	P	P	P	P
Park/Playground	P	P	P	P	P	P	P	P	P	P
Parking Lot - public/private						P	P	P	P	P
Product Distribution/Storage (no hazardous materials)								P	P	P
Propane Distribution/Storage									USR	
Quarry										
Ranching	P	P								
Recreation Facility										
Community							P			
Neighborhood			P	P	P					
Indoor						P	P	P	P	P
Outdoor							P	P	P	P
Recreational Vehicle Storage Lot								P	P	P
Recycle/Trash Transfer Facility									P	P
Research and Development Facility								P	P	P
Residence										
Caretaker	P	USR								

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LAND USE/ZONING DISTRICT									
Caretaker - mobile home	USR	USR							GI
Employee/Management Housing					A	A	A		USR
Mobile Home - permanent	USR	USR							
Multifamily					USR	USR	USR		
Single-Family	P	P	P	P				USR	
Single-Family attached								USR	
Temporary	P		P	P					
Restaurant/Fast Food (<i>including drive-up facility</i>)					P	P	P	P	P
Retail/Service Business - indoor						P	P		
Retail/Service Business - outdoor							P		
Retirement Home							P		
Retreat - Religious	USR								
Sales Office - temporary			P	P					
Satellite Dish	A	A	A	A	A	A	A	A	A
Satellite Earth Station	USR							P	P
Satellite Earth Station (exceeding max. health/height standards)	USR							USR	USR
Sawmill-portable	USRA	USRA							
School - private/public (K-12)	P	P	P	P	P	P	P	P	P
Seasonal Use									USR
Septic Waste and Sludge - Land Application	USR								
Sewage Treatment									
Sexually Oriented Business							P		
Sheriff Station (<i>no training/detention</i>)	P	P	P	P	P	P	P	P	P
Sheriff Station								P	P
Storage Area - commercial							A	P	P
Telecommunication Facility								P	P
Telecommunication Facilities (<i>exceeding max height/health standards</i>)								USR	USR
Temporary Uses	P	P	P	P	P				
Theater - indoor						P			
Theater - outdoor							P		

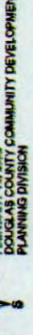
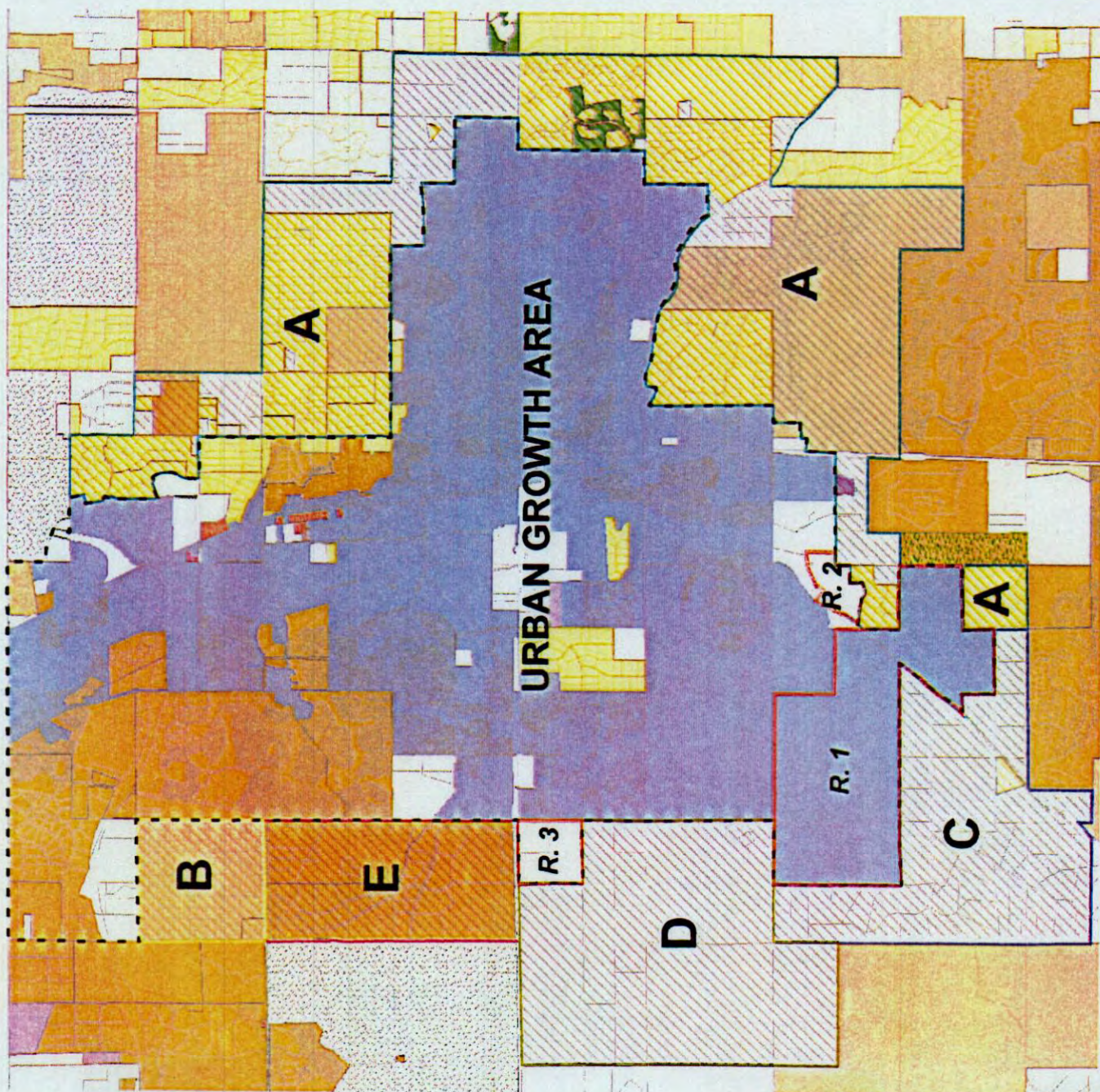
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LAND USE/ZONING DISTRICT										
Training of Horses/Riders (max. of 14/week)	P	P	A	A						
Tree Farming	P	P								
University						P	P	P	P	P
Utility - major facility	USR	USR	USR	USR	USR	USR	USR	USR	USR	P
Utility Service Facility	P	P	P	P		P	P	P	P	P
Veterinary Clinic/Hospital	USR	USR				P	P	P	P	P
Warehouse									P	P
Water Treatment/Storage										
Wholesale Business - sales/service									P	P
Wind Energy Conversion System	USR	USR	USR							
Youth-Oriented Agricultural Activities	P	P	P	P						
Zoo									USR	

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***ATTACHMENT C
ZONING MAP***

**COMPREHENSIVE DEVELOPMENT PLAN
PLANING AREA
WITH COUNTY ZONING**

[illegible]

ATTACHMENT D
APPROVAL STANDARDS FOR SPECIAL USES

A Special Use shall be approved only if the Board of County Commissioners finds that the proposed special use:

- ❖ Complies with the minimum zoning requirements of the zoning district in which the special use is to be located, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the requirements of Section 21, Use By Special Review, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the Douglas County Subdivision Resolution, in effect as of the date of this Plan;
- ❖ Will be in harmony and compatible with the character of the surrounding areas and neighborhood;
- ❖ Will be consistent with the Douglas County Comprehensive Master Plan;
- ❖ Will not result in an over-intensive use of land;
- ❖ Will not have a material adverse effect on community capital improvement programs;
- ❖ Will not require a level of community facilities and services greater than that which is available;
- ❖ Will not cause significant air, water, or noise pollution;
- ❖ Will be adequately landscaped, buffered, and screened;
- ❖ Will have a sufficient water supply in terms of quantity, dependability and quality as determined in conformance with the standards set forth in Water Supply – Overlay District, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan; and
- ❖ Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Douglas County.

**SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF PARKER AND THE COUNTY OF DOUGLAS
TO AMEND AND RESTATE THE MUTUALLY BINDING AND
ENFORCEABLE COMPREHENSIVE DEVELOPMENT PLAN**

THIS SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT is made and entered into this 16th day of June 2008, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County"), and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town").

RECITALS

WHEREAS, the County and the Town entered into an intergovernmental agreement on October 31, 2003, to establish a mutually binding and enforceable comprehensive development plan (the "Intergovernmental Agreement");

WHEREAS, the County and the Town approved a Mutually Binding and Enforceable Comprehensive Development Plan for areas within the County and the Town, which went into effect on May 14, 2003 (the "Comprehensive Development Plan");

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the First Amendment to the Comprehensive Development Plan, which went into effect on May 17, 2006;

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the Second Amendment to the Comprehensive Development Plan, which is described in the plan;

WHEREAS, the Town and the County desire to amend the Intergovernmental Agreement to establish that the jointly adopted Second Amendment to the Comprehensive Development Plan is a mutually binding and enforceable comprehensive development plan for areas within their jurisdictions, which are described in the plan, according to the terms and conditions of such agreement;

WHEREAS, the County, as a statutory county, is authorized to enter into this Second Amendment to the Intergovernmental Agreement, pursuant to C.R.S. § 29-20-105;

WHEREAS, the Town, as a home rule municipality, is authorized to enter into this Second Amendment to the Intergovernmental Agreement, pursuant to Colo. Const. Art. XX, Colo. Const. Art. XIV, Section 18, as well as C.R.S. § 29-1-203 and the Local Government Land Use Control Act, Sections 29-20-101 through 107, C.R.S., as amended; and

WHEREAS, the County and the Town desire to enter into this Second Amendment to the Intergovernmental Agreement and to make the Second Amendment to the Comprehensive Development Plan mutually binding and enforceable.

AGREEMENT

NOW, THEREFORE, the County and the Town agree to enter into this Second Amendment to the Intergovernmental Agreement ("Second Amendment") to provide as follows:

1. Paragraph 1 of the Intergovernmental Agreement is hereby amended to provide as follows:

1. **Second Amendment to the Comprehensive Development Plan, as Restated.** The County and Town jointly adopt the Second Amendment to the Comprehensive Development Plan, as restated, which is attached hereto as **Replacement Exhibit 2** and incorporated by this reference (the "Second Amendment to the Comprehensive Development Plan"). The County and the Town acknowledge that the Second Amendment to the Comprehensive Development Plan is mutually binding and enforceable for areas within their jurisdictions, as described in the plan, to the fullest extent allowed by C.R.S. § 29-20-105(1) and (2).

2. Paragraph 4.A. of the Intergovernmental Agreement is hereby amended to provide as follows:

4. **General Provisions.**

- A. **Notices.** All notices, demands, requests or other communications required under this Agreement shall be in writing and shall be hand delivered to the individual or to a member of the firm or to an officer of the corporation for whom it is intended, or sent by registered or certified mail, return receipt requested, postage prepaid, to the following addresses or to such other addresses as any party may from time to time designate by notice given, pursuant to this paragraph.

County of Douglas:

County Administrator
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile: 303-688-1293

With a copy to:

County Attorney
Douglas County
100 Third Street
Castle Rock, Colorado 80104
Facsimile: 303-688-6596

Director Community Development
Douglas County
Planning Division
100 Third Street
Castle Rock, Colorado 80104
Facsimile: 303-660-9550

Town of Parker:

Town Administrator
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138
Facsimile: 303-840-9792

With a copy to:

Town Attorney
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138
Facsimile: 303-805-3256

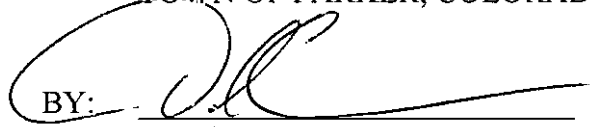
Director of Community Development
Town of Parker
20120 E. Mainstreet
Parker, Colorado 80138
Facsimile: 303-841-3223

In the event facsimile transmission or other electronic means of notice is provided, the notice shall be deemed to be delivered upon its transmission and receipt of confirmation of its receipt at the business location of the receiving party, provided the notice is also immediately sent by mail as provided above.

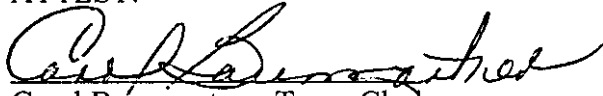
3. The County and the Town acknowledge and agree that the Intergovernmental Agreement has not been amended, except as provided in the First Amendment, effective May 17, 2006, and this Second Amendment.

IN WITNESS WHEREOF, this Second Amendment to the Intergovernmental Agreement is executed by the Town of Parker and the Board of County Commissioners of Douglas County, as of the date first above written.

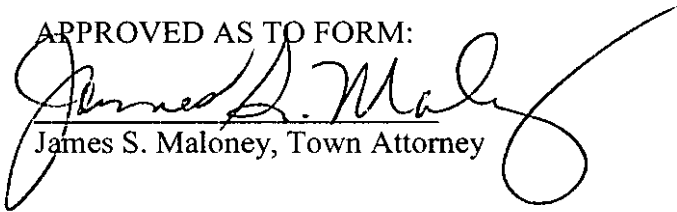
TOWN OF PARKER, COLORADO

BY: 
David Casiano, Mayor

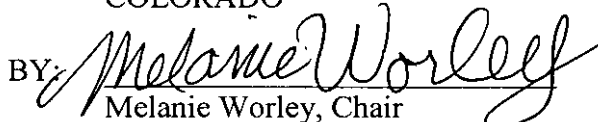
ATTEST:


Carol Baumgartner, Town Clerk

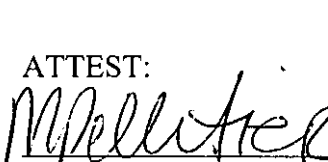
APPROVED AS TO FORM:

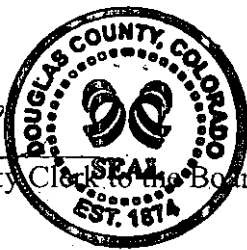

James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO

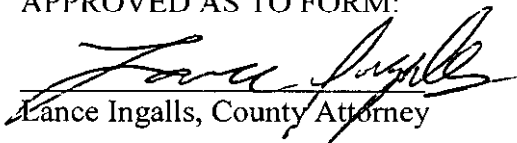
BY: 
Melanie Worley, Chair
Board of County Commissioners

ATTEST:


Melissa Pelletier, Deputy Clerk to the Board



APPROVED AS TO FORM:


Lance Ingalls, County Attorney

**REPLACEMENT EXHIBIT 2
SECOND AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN**

SECOND AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN

THIS SECOND AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN (hereinafter referred to as the “Comprehensive Development Plan” or “Plan”) is made and entered into this 16th day of June 2008, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the “County”) and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the “Town”).

RECITALS

WHEREAS, the County and the Town entered into a mutually binding comprehensive development plan that went into effect on May 14, 2003, as a means to plan for and regulate land use within a joint planning area, as identified in such plan; and

WHEREAS, the County and Town entered into the first amendment to the comprehensive development plan that went into effect on May 17, 2006; and

WHEREAS, the County and Town desire to amend and restate the Comprehensive Development Plan to the extent provided herein.

PLAN

NOW, THEREFORE, the County and the Town jointly approve and adopt this Second Amendment to the Comprehensive Development Plan, which is restated to provide as follows:

1.0 Planning Area Definitions

- 1.1 Town Urban Growth Area. Represents the boundary of the Town’s potential future annexation area to the year 2022. The level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans. This boundary represents the Town’s potential annexation perimeter and will include areas dedicated for open space as well as urban level development. The Town Urban Growth Area is depicted on the attached map (Attachment A).
- 1.2 Community Separation Buffer. Represents a buffer around the Town’s Urban Growth Area that provides a transitional “edge” between the Town and other incorporated and unincorporated communities. While this area is not needed to accommodate the Town’s growth to the year 2022, land use and development

changes within this area will have a direct impact on the Town. The Community Separation Buffer is depicted on the attached map (Attachment A).

- 1.3 Permitted Uses. The Comprehensive Development Plan shall supersede the County Zoning Resolution for the real property contained within the Community Separation Buffer Area and the Town Urban Growth Area to the extent provided in the Plan. The only uses permitted by right within the Community Separation Buffer Area and the Town Urban Growth Area are those permitted uses described in Attachment B (the “Permitted Uses and Special Uses Matrix”) and depicted in Attachment C (“Zoning Map”). The Permitted Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 7.0 of the Plan. The Permitted Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except as provided in paragraph 7.0 of the Plan.
- 1.4 Special Uses. The only Special Uses allowed within the Community Separation Buffer Area and the Town Urban Growth Area are those special uses described in Attachment B (“Permitted Uses and Special Uses Matrix”) that are determined to meet, after notice and hearing, the requirements contained in Attachment D. The Special Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 7.0 of the Plan. The Special Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except as provided in paragraph 7.0 of the Plan.

2.0 Annexation within and expansion of the Town’s Urban Growth Area

- 2.1 Commitment by Town to Actively Pursue Annexation of Enclaves and Roads. The Town will commit to actively pursue annexation of all enclaves. Enclaves are those unincorporated areas of land entirely contained within the outer boundaries of the Town. The businesses and land owners that are located on unincorporated enclaves identify with the Town of Parker, are a part of the community fabric of the Town, and contribute to the Town’s revenue. Annexation of these enclaves will benefit the land and business owners, the Town, as well as the County by consolidating the service area of the Town and County, bringing these properties under Town services.
- 2.2 Waiver of Annexation Impact Reports. As all unincorporated areas located within the Town’s Urban Growth Area are encouraged to annex into the Town, the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.
- 2.3 Standards for Review of Annexation Petitions. The Town, when reviewing proposed annexations within the Town’s Urban Growth Area, shall apply the following Standards for Review.

- 2.3.1 The property under consideration for annexation is within the Town's Urban Growth Area.
- 2.3.2 The annexation complies with the Town's Land Development Code and applicable design standards.
- 2.3.3 The annexation request is consistent with the Town's adopted plans, including, but not limited to, the Master Plan and Open Space, Trails and Greenways Master Plan, as amended.
- 2.3.4 The site plan provides for the preservation of significant stands of vegetation; unique or distinctive topographic features, including buttes and rock outcroppings; drainage, riparian and wetland areas; significant wildlife habitats, including breeding grounds, nesting areas, migration routes and wintering areas; scenic views; identified aquifer recharge areas and important historical or archaeological sites.
- 2.3.5 The site plan incorporates elements that provide for logical connections to local trails in order to link neighborhoods and connections to regional trails and nearby destinations.
- 2.3.6 The land can be used safely for the intended purpose without danger to the public health, safety or welfare or peril from fire, flood, geologic hazards or other natural hazards.
- 2.3.7 The petition for annexation is in conformance with a fully-executed pre-annexation agreement with the Town, if applicable.
- 2.3.8 The area sought to be annexed meets the requirements of the Municipal Annexation Act of 1965, as amended.
- 2.3.9 The petition for annexation satisfies the requirements of Article II, Section 30 of the Colorado Constitution.
- 2.3.10 That, upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
- 2.3.11 Petitioners understand that the Town does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker, Cottonwood, Stonegate, or Compark Water and Sanitation Districts.

2.3.12 The petitioners agree that no vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101, *et seq.*, C.R.S., have been acquired by petitioners from any government entity. Petitioners waive any vested land use rights attached to any or all of the property to be annexed.

2.3.13 The petitioners acknowledge that, upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The petitioners further acknowledge that the property, the owners thereof, and the uses thereon are also bound by any voter authorization under Article X, §20 of the Colorado Constitution adopted prior to annexation of the property. The petitioners waive any claims they may have under Article X, §20 of the Colorado Constitution related to such taxes and fees.

3.0 Land Use Applications Submitted to the County for Unincorporated Lands within the Town Urban Growth Area

3.1 Applications for Urban Level Development Other Than Region 4. Applications submitted to the County for rezoning to business, commercial, industrial, or residential development at a density greater than 1 dwelling unit/2.5 acres will be directed to the Town for annexation.

3.1.1 If there is contiguity, the Town shall process a petition for annexation. The Town Council shall apply the Standards for Review, as outlined above in paragraph 2.3 of the Plan, when considering a petition for annexation. Final decision authority for said petitions shall be with the Town Council following a public hearing, in the manner provided by the Plan.

3.1.2 If contiguity cannot be established, or if the Town adopts an ordinance establishing growth limitations, a pre-annexation agreement shall be executed between the property owner and the Town prior to the County processing the application.

3.1.2.1 If a pre-annexation agreement is executed, the County shall process the application.

3.1.2.1.1 The Town Planning staff shall be available for a pre-application conference(s) with the County and applicant.

3.1.2.1.2 The County shall forward the application to the Town for review and comment. The Town shall provide a referral response with comments based

upon the Town's Land Development Code and applicable design standards.

3.1.2.1.3 The County shall actively consider the Town's comments in its review of the application.

3.1.2.1.3.1 If conformance with both the County and Town's regulations cannot be achieved, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with both the County and Town's regulations to the extent feasible.

3.1.2.1.3.2 If additional interpretation is needed, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with the Town's comments to the extent feasible.

3.1.2.1.3.3 Final decision authority for said applications shall be with the Board of County Commissioners following a public hearing, in the manner provided by the Plan and the County's Zoning Resolution. Where the Plan and the County's Zoning Resolution conflict, the provisions of the Plan shall prevail.

3.1.2.2 If a pre-annexation agreement is not executed, the property owner may:

3.1.2.2.1 Request that the County process an application for development in compliance with the Plan for Permitted Uses and Special Uses; or

3.1.2.2.2 Request an amendment to the Plan in compliance with the provisions outlined in paragraph 7.0 of the Plan.

- 3.2 Applications for Development in Region 4. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process all applications submitted to the County for urban-level development or for Permitted Uses and Special Uses as outlined in the Plan.
- 3.2.1 The County shall submit a notice to the Town through the standard referral process. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.
- 3.2.2 The County shall encourage the property owner to annex into the Town and the Town agrees to annex the property if there is contiguity.
- 3.2.2.1. If contiguity cannot be established, a pre-annexation agreement shall be executed between the property owner and the Town.
- 3.3 Applications for Development in Compliance with the Comprehensive Development Plan. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process applications submitted to the County for development in compliance with the Plan, for Permitted Uses and Special Uses. Prior to processing the application, the County shall encourage the property owner to annex into the Town.
- 3.3.1 The County shall submit a notice to the Town through the standard referral process. The Town's referral comments will be based on the provisions of this Plan.

4.0 Land Use Applications Submitted to the County within the Community Separation Buffer

- 4.1 Regions. The County agrees to process all land use applications within the Community Separation Buffer in compliance with the Permitted Uses, Special Uses and as described below, provided that the Permitted Uses and Special Uses may be modified and supplemented in Region E through the approval by the County of a Planned Development, as described below in items 4.1.5 and 4.2.
- 4.1.1 Region A: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature and may continue to build out in the established land pattern. Semi-rural development may be considered when available water supply and provision of schools, recreation, employment, and shopping are provided.
- 4.1.2 Region B: Residential development in this region may continue to build out in the established land pattern. Redevelopment of this region may be supported when appropriate urban level services are provided.

Redevelopment shall be defined at a density greater than one (1) dwelling unit per acre and/or commercial in nature. Redevelopment may be considered when all of the following principles/requirements are met:

- 4.1.2.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.
 - 4.1.2.2 Development shall be clustered to preserve the floodplain and natural features of Happy Canyon Gulch.
 - 4.1.2.3 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
 - 4.1.2.4 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
 - 4.1.2.5 Sufficient open space, parks and trails shall be provided to meet the needs of the development.
- 4.1.3 Region C: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature (1 dwelling unit/35 acres). If a rural site plan is submitted in accordance with the County Zoning Resolution, the density may be increased not exceeding 1 dwelling unit/17.5 acres as an incentive to preserve open space and protect wildlife habitat. Semi-rural development in this region is not supported.
- 4.1.4 Region D: This region permits uses associated with open space, passive and nonmotorized recreation, agricultural and Parker Water and Sanitation uses. Such passive uses may include, but are not limited to, hiking, biking, equestrian activities, outdoor conservation activities and fishing. The County shall have the final determination for allowed activities.
- 4.1.5 Region E: This region permits urban level, Planned Development-zoned development as identified and defined in the Douglas County Comprehensive Master Plan and defined in the Douglas County Zoning Resolution. Through the County’s approval of a rezoning to Planned Development, the Permitted Uses and Special Uses may be modified and supplemented with additional uses that are consistent with urban level development. Development in this region shall comply with all of the following principles/requirements:
- 4.1.5.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.

- 4.1.5.2 Development should consider clustering to preserve areas of natural open space between developments and to promote separation of developments.
- 4.1.5.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
- 4.1.5.4 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
- 4.1.5.5 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.
- 4.1.5.6 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
- 4.1.5.7 Site design will preserve sufficient open space to meet the needs of the development and provide community separation and should consider: environmental areas; riparian features; 100-year floodplain; significant natural land forms; significant natural vegetation areas; important wildlife habitat areas; geologic hazard areas; severe soil erosion area; and cultural, historic and archaeological areas.
- 4.1.6 Region F: Development in this area is limited to residential uses, parks, and open space.
- 4.1.7 Region G: This region is limited to open space uses only.

4.2 Review Process.

- 4.2.1 The County shall submit a notice to the Town through the standard referral process for land use applications in Regions A, B (when redevelopment is not proposed), C and D.
- 4.2.2 The County and the Town shall jointly review any redevelopment application submitted for Region B. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.

- 4.2.3 Subject to paragraph 4.2.5 below, the County and the Town shall jointly review all urban level Planned Development rezoning applications submitted for Region E. Such review shall consist of jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.4 The Town's referral comments will focus on compliance with the provisions of this Plan, as outlined in paragraph 4.1 of the Plan.
- 4.2.5 The County will hold public hearings to the extent provided in the County's Zoning and Subdivision Resolutions, and make its final decision in accordance with the Plan and said resolutions.

5.0 Land Use Applications Submitted to the Town within the Town Urban Growth Area.

- 5.1 Region 1: Site development shall comply with the following principles/requirements or with the Plan for Permitted Uses and Special Uses:
 - 5.1.1 Provide for a regional open space corridor that is continuous and sufficient in size to effectively act as a buffer between the Town's Urban Growth Area and the Community Separation Buffer Area. The corridor shall feature naturally undisturbed, passive open space to provide regional access and trail connections as well as a wildlife corridor through this area.
 - 5.1.2 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches, natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.
 - 5.1.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
 - 5.1.4 Protect the rural roadside character of Crowfoot Valley Road by establishing an open space buffer zone along this corridor.
 - 5.1.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
 - 5.1.6 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.

- 5.1.7 Development shall be clustered to preserve and protect significant open space in its natural state.
- 5.1.8 Provide appropriately sized and located activity centers that offer a wide range of goods and services to the immediate market area, neighborhood and community.
- 5.1.9 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
- 5.1.10 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
- 5.1.11 Proposed golf courses shall, at a minimum, be designed to include provisions to promote water conservation and wildlife habitat, as provided by the Center for Resource Management's published "Environmental Principles for Golf Courses in the United States" and National Audubon Society's model for "green" golf course standards.
- 5.1.12 Development on the south side of Crowfoot Valley Road shall use open space to create community separation between the Town and adjacent development. Open space will be used to expand and enhance existing adjacent open space within the Community Separation Buffer Area.
- 5.2 Region 2: Requests for mining or water storage shall comply with the following principles/requirements:
 - 5.2.1 The maximum life of the mining/extraction uses shall not exceed ten (10) years.
 - 5.2.2 Truck hauling materials shall be subject to the access requirements of the Town and shall be in compliance with the Town's truck hauling routes map, as amended.
 - 5.2.3 Hours of operation for mining, extraction and hauling shall not exceed Monday through Friday between the hours of 8 a.m. and 5 p.m.
 - 5.2.4 A dust mitigation plan shall be required. An on-site water source shall be available and used as required for implementing the dust mitigation plan.
 - 5.2.5 A noise plan shall be prepared to demonstrate the ability to comply with maximum noise levels as required by C.R.S. § 25-12-103. Such noise plan shall identify noise mitigation measures such as, but not limited to, the use

of berming, locating noisy machinery and vehicles below grade in the excavation pit, and the establishment of operational guidelines.

- 5.2.6 A visual analysis shall be required to determine the visibility of the mining operation, including, but not limited to, the total disturbed area, stock piles, equipment, and any structures from Crowfoot Valley Road, Highway 83, and adjacent residential development. Visual mitigation measures for the duration of the mining operation shall be required, including, but not limited to: berming; landscape screening; limitations on the height, location, and quantity of stock piles; sub-grade placement of maintenance, mechanical, and other equipment; as examples.
- 5.2.7 The property owner shall render to the Town cash or an irrevocable letter of credit in an amount sufficient to restore the subject property to its original condition to the extent that property owner fails to comply with the Town standards or the principles/requirements described herein.
- 5.2.8 The property owner shall demonstrate to the Town's satisfaction that the property owner has adequate adjudicated water rights to keep the reservoir full.
- 5.2.9 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated water rights to store water in the reservoir at the site proposed for the reservoir.
- 5.2.10 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated the means and methods to convey the water rights from the point of diversion to the site proposed for the reservoir.
- 5.2.11 Non-motorized recreational boating shall be permitted on the reservoir and the reservoir shall be open to the public and managed by the Town of Parker/Douglas County parks departments.
- 5.2.12 As part of the annexation agreement with the Town, trail connections shall be incorporated.
- 5.3 Region 3: Site development shall comply with the following principles/requirements:
 - 5.3.1 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches (including Newlin Gulch), natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.

- 5.3.2 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
- 5.3.3 Development shall be clustered to preserve and protect significant open space in its natural state.
- 5.3.4 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
- 5.3.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
- 5.3.6 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
- 5.3.7 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
- 5.3.8 A minimum 50-foot open space buffer shall be designated along the northern portion of the property for the purpose of preserving land and a buffer for the proposed East-West Regional Trail.
- 5.3.9 Connect the Newlin Gulch trail through Region 3 to the Reuter-Hess Reservoir trail system, as identified in the Town's Open Space, Trails and Greenways Master Plan.
- 5.3.10 Open space shall be used to create a sufficient separation from and transition to the land owned by the Parker Water and Sanitation District as part of the Reuter-Hess Reservoir.
- 5.3.11 The property owner shall be responsible for all costs and right-of-way dedication associated with all necessary improvements for the extension of Chambers Road as four lanes, including a four lane bridge, through Region 3.
- 5.3.12 Access to Chambers Road from Region 3 shall be limited to one (1) access on the north side of Newlin Gulch and one (1) access on the south side of Newlin Gulch. Said southern access shall also serve the Double Angel ball fields and the Reuter-Hess Reservoir.

5.3.13 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.

5.3.14 The property owner shall be responsible for supporting the Double Angle ball fields and future indoor training facility as presented in the letter provided by Jehn Engineering on behalf of Glasgow 3 Investments, LLC, at the November 16, 2005, Review Board meeting.

5.3.15 The property owner shall be responsible for dedicating the necessary right-of-way and associated improvements for the new regional east-west roadway connection to Castle Pines Parkway through Region 3.

5.4 Region 4: Lands within Region 4 can only be annexed by the Town if the property owner requests annexation and if contiguity can be established.

5.4.1 Development of lands annexed into the Town within Region 4 shall:

5.4.1.1 Be subject to the planned development guide and preliminary plat approved by the County prior to annexation and subsequently adopted by the Town.

5.4.1.2 Be reviewed by the architectural control committee established by the property owner for commercial development prior to the submission of a formal application to the Town.

5.4.1.2.1 The recommendations of the committee shall be included as part of the submittal to the Town.

5.4.1.2.2 Said committee shall include one (1) representative from the Pinery Planned Development.

5.4.1.3 Only open space, recreational uses and other uses allowed in the planned development guide shall be permitted within the Cherry Creek corridor and 100-year floodplain.

5.4.2 The Town agrees not to pursue annexation of the lands owned by the Pinery Home Owners Association within the Planned Development within Region 4 while such lands remain under ownership of the Pinery as it's current use.

5.4.3 The Town agrees not to pursue annexation of any lands owned by the Denver Southeast Suburban Water and Sanitation District located within Region 4 while such lands remain under ownership of the District, during the term of this IGA.

5.4.3.1 District facilities, including the wastewater treatment plant, pump stations, wells and sewer and water lines, located within Region 4 shall continue to be permitted as uses by right and shall not be restricted by the Town, during the term of this IGA.

5.4.3.2 Any District facilities shall comply with the regulations of the applicable jurisdiction.

5.5 Region 5: Site development shall comply with the following:

5.5.1 The permitted density for said area shall be in conformance with the Parker 2025 Master Plan, as amended.

5.5.2 It is the County's intent to design and construct the portion of Bayou Gulch Road/Chambers Road, (Bayou Gulch Road), which lies north of Pradera Parkway and south of the property (Arlington Property). The vertical and horizontal alignments for Bayou Gulch Road for the southern 1,200-feet within the property (Arlington Property) needs to be well coordinated with the County, in order to assure compatibility for the portion of the road as it crosses over Scott Gulch; and so that the road can be constructed cost effectively and within the existing right-of-way (ROW), that was dedicated to the County by the developers that lie south of the property (Arlington Property). The County has plans to reconstruct existing Scott Road from the east boundary of the Hungry Horse open space to intersect with proposed Bayou Gulch Road, which will be located approximately 100 to 200 feet south of the property (Arlington Property); and any accesses further to the north on Bayou Gulch Road needs to take into consideration the spacing between this full movement intersection and any accesses to the north. Additionally, the alignment of Bayou Gulch Road across the property (Arlington Property) needs to be designed so that no additional ROW or easements will be needed from the existing large rural residential property that is located directly to the west, which is not proposed to be rezoned. The County is not going to hold the current landowner responsible for any of the stated improvements.

5.5.3 The property owner shall grade four (4) and build two (2) major arterial roadway lanes for that portion of Bayou Gulch Road/Chambers Road for the length of said property. Additionally, the property owner shall be responsible for any auxiliary lanes as required by the Town.

5.6 Development Adjacent to the Community Separation Buffer Area. When the Town evaluates applications for development adjacent to the Community Separation Buffer, consideration will be given to contributing and expanding the buffer area along the fringe of the Town Urban Growth Area.

5.7 Review Process.

- 5.7.1 The Town shall submit a notice to the County through the standard referral process for all land use applications, except for applications submitted for Region 1.
- 5.7.2 Land use applications submitted for Region 1 shall be jointly reviewed by the Town and County. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.
- 5.7.3 The County's referral comments will be based on the provisions of this Plan.
- 5.7.4 The Town will hold public hearings to the extent provided in the Town's zoning and subdivision regulations, and shall make its final decision in accordance with the Plan and said regulations.

6.0 Land Use Applications beyond the Town Urban Growth Area and Community Separation Buffer

- 6.1 The Town agrees not to pursue annexation of the residential portions of the Pinery Planned Development.
- 6.2 The Town agrees not to pursue annexation of the Colorado Horse Park.

7.0 Amendments to the Comprehensive Development Plan

- 7.1 The Town or the County may propose amendments to the Plan in writing.
- 7.2 A property owner may request an amendment to the Plan when:
 - 7.2.1 A petition for annexation of unincorporated land within the Urban Growth Area is denied by the Town; or
 - 7.2.2 A pre-annexation agreement for unincorporated land within the Urban Growth Area cannot be reached with the Town.
- 7.3 Process for Amending the Plan
 - 7.3.1 The party requesting the proposed amendment to the Plan shall submit the proposal in writing to the Director of Community Development of both jurisdictions.
 - 7.3.2 The Directors from both jurisdictions shall jointly make the request that the Review Board convene to hear the proposed amendment.

- 7.3.2.1 A Review Board consisting of one (1) representative from both the Town and the County shall be appointed by the respective Council and Board.
- 7.3.2.2 The Review Board shall meet with staff and review the proposed amendment. If necessary, the Review Board may direct staff to research the proposed amendment, and report back with necessary information.
- 7.3.2.3 The Review Board shall direct staff to forward the proposed amendment to both the Town Council and the Board of County Commissioners, with a recommendation for approval, denial, or no recommendation from the Review Board.
- 7.3.3 The proposed amendment and the recommendation of the Review Board shall be submitted to both the Town Council and Board of County Commissioners for final decision.
- 7.3.4 The Town and County will each finalize the request through their respective adoptive processes with their Council/Board taking into consideration the recommendation of the Review Board.
- 7.3.5 An amendment to the Plan requires approval by the Town Council and Board of County Commissioners. If the Town Council and/or the Board of County Commissioners do not approve the proposed amendment, then the Plan shall not be amended.

8.0 Effective Date and Term

- 8.1 This Plan shall be effective after: (1) it has been executed by the County and the Town; and (2) the County has adopted conforming amendments to the Douglas County Zoning Resolution. This Plan shall remain in full force and effect for the five-year period commencing on the Initial Effective Date of the Plan, as described in this paragraph. Thereafter, this Plan shall automatically remain in full force and effect for successive five-year terms through the year 2022, unless sooner terminated. This Plan may be terminated on May 14, 2008, or thereafter at the end of a five-year term by a party giving written notice to the other party at least 180 days prior to the expiration of the five-year term. This Plan may also be terminated at any time by mutual agreement of the parties. The term of this Intergovernmental Agreement shall run concurrently with the term of this Plan.
 - 8.1.1 Initial Effective Date of the Plan. The effective date of the Plan is May 14, 2003; the date the Board of County Commissioners adopted conforming amendments to the Douglas County Zoning Resolution.

8.1.2 First Amended Effective Date of the Plan. The amendments to the Plan are effective May 17, 2006.

8.1.3 Second Amended Effective Date of the Plan. The amendments to the Plan are effective June 16, 2008.

9.0 Incorporation

9.1 All attachments to this Plan are incorporated herein.

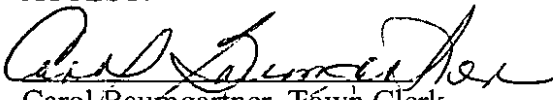
IN WITNESS WHEREOF, this mutually binding Comprehensive Development Plan is approved and adopted by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written.

TOWN OF PARKER, COLORADO

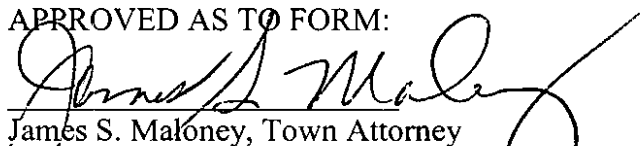
BY: 

David Casiano, Mayor

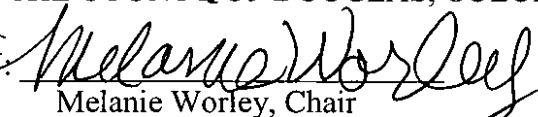
ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

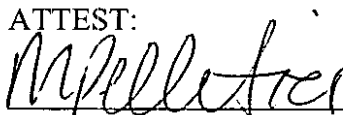
BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY: 

Melanie Worley, Chair

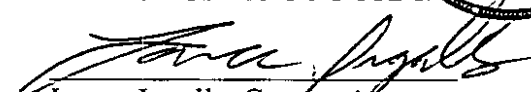
Board of County Commissioners

ATTEST:


Melissa Pelletier, Deputy Clerk to the Board



APPROVED AS TO FORM:


Lance Ingalls, County Attorney

**ATTACHMENT A
PLANNING AREA**

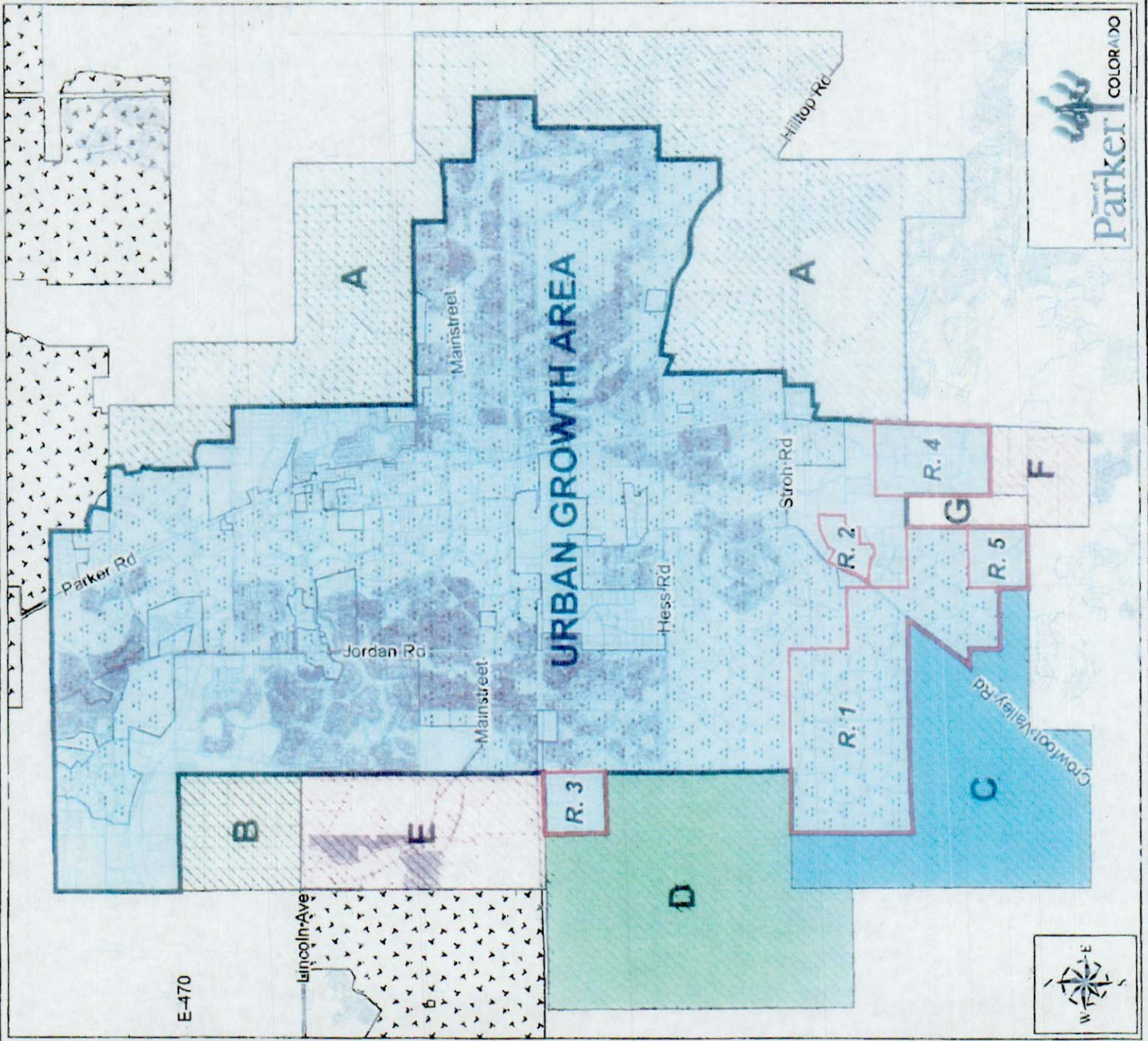
TOWN OF PARKER and DOUGLAS COUNTY

COMPREHENSIVE DEVELOPMENT PLAN PLANNING AREA SECOND AMENDMENT JULY 2, 2007

- INCORPORATED PARKER
- URBAN GROWTH AREA
- REGIONS
- COMMUNITY SEPARATION BUFFER
- REGION A
- REGION B
- REGION C
- REGION D
- REGION E
- REGION F
- REGION G
- OTHER INCORPORATED TOWNS

0 1 2 Miles

Disclaimer: The property boundaries, titles, legends, scale reference to individual parcels and any and all other data shown or depicted on this map is for visual representation only and may not be accurate. Further studies and surveys, on a site specific basis, are required to verify this data.



ATTACHMENT B
PERMITTED USES AND SPECIAL USES MATRIX

Zone District Abbreviations

Agricultural
Large Rural Residential
Rural Residential
Estate Residential
Suburban Residential
Business
Commercial
Light Industrial
General Industrial

A-1
LRR
RR
RR
ER
SR
B
C
LI
GI

LAND USE/ZONING DISTRICT	A-1	LRR	RR	ER	SR	B	C	L1	GI
Agricultural Recreational Activities	P	P							
Animals									
Horse/Cow/Mule/Llama	P	P	A	A					
Pig/Goat/Sheep/Miniature Horse	P	P	A	A					
Buffalo/Ostrich/Emu/Bees	P	P							
Chicken/Turkey/Duck	P	P	A	A					
Dog/Can/Pot-bellied Pig	P	P	A	A	A				
Wolf/Bear/Snake/Mtn. Lion	USR	USR							
Kenel									
Automobile Service/Repair								P	P
Automobile Service Station with gas pumps						P	P	P	P
Bank/Financial Institution						P	P	P	P
Bar/Lounge						P	P	P	P
Batch Plant - asphalt/concrete									P
Bed and Breakfast	USR	USR	USR	USR					
Building Materials - retail/wholesale							P	P	P
Campground	USR	USR							
Cemetery	USR	USR							
Chemical Storage/Transfer/Disposal (incl. hazardous)									USR
Church - max. seating capacity 350	P	P	P	P	P	P	P	P	P
Church - seating capacity greater than 350	USR	USR	USR	USR	USR	P	P	P	P
Club/Country Club						P	P	P	P
College						P	P	P	P
Construction Office - temporary	P	P	P	P	P	P	P	P	P
Convention/Conference Center						P	P	P	
Cultural Facility	USR	USR				P	P	P	P
Day-Care Center	USR	USR	USR	USR	USR	P	P	P	
Day-Care Facility for employees' children						P	P	A	
Day-Care Home - small	A	A	A	A	A				
Day-Care Home - large	USR	USR	USR	USR	USR				
Dude Ranch	USR								

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT	A-1	LRR	RR	ER	SR	B	C	LI	GI
Entertainment Event	USR								
Equipment Rental								P	P
Equipment Rental - small							P	P	P
Extended-Care Facility						P	P		
Farming/Ranching	P	P							
Feed Lot/confinement center									
Fire Station - no training	P	P	P	P	P	P	P	P	P
Fire Station - w/training facilities						P	P	P	P
Firing Range - indoor	USRA					P	P	P	P
Firing Range - outdoor	USR								
Golf Course								P	P
Greenhouse - 1 acre max.	P	P					P	P	P
Greenhouse - greater than 1 acre	USR						P	P	P
Group Home	P	P	P	P	P				
Group Home for Registered Sex Offenders									
Group Residential Facility	USR	USR				USR	USR	USR	
Guest House	A	A	A						USR
Hazardous Materials Storage/Transfer									
Heliport						USR	USR	USR	USR
Home Occupation									
Class 1	A	A	A	A	A				
Class 2	A	A	A	A					
Exceeding Class 2 thresholds	USR								
Horse Boarding	*	*	*	*					
Horse Rental Stable	USR	USR							
Hospital						P	P	P	P
Hotel						P	P	P	
Hunting/Fishing Club	USR								
In-Home Elder Care	A	A	A	A	A				
Jail/Correctional Facility									USR
Junk Yard									
Kennel - dog/cat									

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LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Landfill - public/private									USR	
Landing Field - private	USRA								USRA	
Library	P	P	P	P	P	P	P	P	P	
Manufacturing Operations								P	P	
Mini Warehouse							P	P	P	
Mining/Quarry									USR	
Motel						P	P			
Motor Vehicle/Equipment Service/Repair							P	P	P	
Nursing Home						P	P			
Office - General/Medical/Professional/Government						P	P	P	P	
Office - Temporary						P	P	P	P	
Oil/Gas Drilling										
Open Space/Trails	P	P	P	P	P	P	P	P	P	
Park/Playground	P	P	P	P	P	P	P	P	P	
Parking Lot - public/private						P	P	P	P	
Product Distribution/Storage (no hazardous materials)								P	P	
Propane Distribution/Storage									USR	
Quarry										
Ranching	P	P								
Recreation Facility										
Community							P			
Neighborhood			P	P	P					
Indoor						P	P	P	P	
Outdoor							P	P	P	
Recreational Vehicle Storage Lot								P	P	
Recycle/Trash Transfer Facility									P	
Research and Development Facility								P	P	
Residence										
Caretaker	P	USR								

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LAND USE/ZONING DISTRICT										
Caretaker - mobile home	A-1 USR	LRR USR	RR	ER	SR	B	C	I1	GI	
Employee/Management Housing						A	A	A	USR	
Mobile Home - permanent	USR	USR								
Multifamily						USR	USR	USR		
Single-Family	P	P	P	P	P					
Single-Family attached								USR		
Temporary	P		P	P	P					
Restaurant/Fast Food (including drive-up facility)						P	P	P	P	
Retail/Service Business - indoor						P	P			
Retail/Service Business - outdoor							P			
Retirement Home						P	P			
Retreat - Religious	USR									
Sales Office - temporary			P	P	P					
Satellite Dish	A	A	A	A	A	A	A	A	A	
Satellite Earth Station	USR							P	P	
Satellite Earth Station (exceeding max. health/height standards)	USR							USR	USR	
Sawmill-portable	USRA	USRA								
School - private/public (K-12)	P	P	P	P	P	P	P	P	P	
Seasonal Use						P	P	P	P	
Septic Waste and Sludge - Land Application	USR								USR	
Sewage Treatment										
Sexually Oriented Business						P				
Sheriff Station (no training/detention)	P	P	P	P	P	P	P	P	P	
Sheriff Station						P	P	P	P	
Storage Area - commercial						A		P	P	
Telecommunication Facility								P	P	
Telecommunication Facilities (exceeding max height/health standards)								USR	USR	
Temporary Uses	P	P	P	P	P					
Theater - indoor						P	P			
Theater - outdoor							P			

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LAND USE/ZONING DISTRICT		A-1	LRR	RR	ER	SR	B	C	LI	GI
Training of Horses/Riders (max. of 14/week)		P	P	A	A					
Tree Farming		P	P							
University							P	P	P	P
Utility - major facility		USR	USR	USR	USR	USR	USR	USR	USR	P
Utility Service Facility		P	P	P	P	P	P	P	P	P
Veterinary Clinic/Hospital		USR	USR				P	P	P	P
Warehouse									P	P
Water Treatment/Storage										
Wholesale Business - sales/service									P	P
Wind Energy Conversion System		USR	USR	USR						
Youth-Oriented Agricultural Activities		P	P	P	P					
Zoo								USR		

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

ATTACHMENT C
ZONING MAP

ATTACHMENT D
APPROVAL STANDARDS FOR SPECIAL USES

APPROVAL STANDARDS FOR SPECIAL USES

A Special Use shall be approved only if the Board of County Commissioners finds that the proposed special use:

- ❖ Complies with the minimum zoning requirements of the zoning district in which the special use is to be located, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the requirements of Section 21, Use By Special Review, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the Douglas County Subdivision Resolution, in effect as of the date of this Plan;
- ❖ Will be in harmony and compatible with the character of the surrounding areas and neighborhood;
- ❖ Will be consistent with the Douglas County Comprehensive Master Plan;
- ❖ Will not result in an over-intensive use of land;
- ❖ Will not have a material adverse effect on community capital improvement programs;
- ❖ Will not require a level of community facilities and services greater than that which is available;
- ❖ Will not cause significant air, water, or noise pollution;
- ❖ Will be adequately landscaped, buffered, and screened;
- ❖ Will have a sufficient water supply in terms of quantity, dependability and quality as determined in conformance with the standards set forth in Water Supply – Overlay District, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan; and
- ❖ Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Douglas County.

**THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF PARKER AND THE COUNTY OF DOUGLAS
TO AMEND AND RESTATE THE MUTUALLY BINDING AND
ENFORCEABLE COMPREHENSIVE DEVELOPMENT PLAN**

THIS THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT is made and entered into this 25 day of August, 2015, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County"), and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town").

RECITALS

WHEREAS, the County and the Town entered into an intergovernmental agreement on October 31, 2003, to establish a mutually binding and enforceable comprehensive development plan (the "Intergovernmental Agreement");

WHEREAS, the County and the Town approved a Mutually Binding and Enforceable Comprehensive Development Plan for areas within the County and the Town, which went into effect on May 14, 2003 (the "Comprehensive Development Plan");

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the First Amendment to the Comprehensive Development Plan, which went into effect on May 17, 2006;

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the Second Amendment to the Comprehensive Development Plan, which went into effect on June 16, 2008;

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the Third Amendment to the Comprehensive Development Plan, which is described in the plan;

WHEREAS, the Town and the County desire to amend the Intergovernmental Agreement to establish that the jointly adopted Third Amendment to the Comprehensive Development Plan is a mutually binding and enforceable comprehensive development plan for areas within their jurisdictions, which are described in the plan, according to the terms and conditions of such agreement;

WHEREAS, the County, as a statutory county, is authorized to enter into this Third Amendment to the Intergovernmental Agreement, pursuant to C.R.S. § 29-20-105;

WHEREAS, the Town, as a home rule municipality, is authorized to enter into this Third Amendment to the Intergovernmental Agreement, pursuant to Colo. Const. Art. XX, Colo. Const. Art. XIV, Section 18, as well as C.R.S. § 29-1-203 and the Local Government Land Use Control Act, Sections 29-20-101 through 107, C.R.S., as amended; and

WHEREAS, the County and the Town desire to enter into this Third Amendment to the Intergovernmental Agreement and to make the Third Amendment to the Comprehensive Development Plan mutually binding and enforceable.

AGREEMENT

NOW, THEREFORE, the County and the Town agree to enter into this Third Amendment to the Intergovernmental Agreement ("Third Amendment") to provide as follows:

1. Paragraph 1 of the Intergovernmental Agreement is hereby amended to provide as follows:

1. **Third Amendment to the Comprehensive Development Plan, as Restated.**

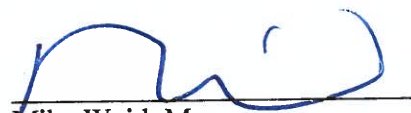
The County and Town jointly adopt the Third Amendment to the Comprehensive Development Plan, as restated, which is attached hereto as **Replacement Exhibit 2** and incorporated by this reference (the "Third Amendment to the Comprehensive Development Plan"). The County and the Town acknowledge that the Third Amendment to the Comprehensive Development Plan is mutually binding and enforceable for areas within their jurisdictions, as described in the plan, to the fullest extent allowed by C.R.S. § 29-20-105(1) and (2).

2. The County and the Town acknowledge and agree that the Intergovernmental Agreement has not been amended, except as provided in the First Amendment, effective May 17, 2006, the Second Amendment, effective June 16, 2008, and this Third Amendment.

IN WITNESS WHEREOF, this Third Amendment to the Intergovernmental Agreement is executed by the Town of Parker and the Board of County Commissioners of Douglas County, as of the date first above written.

TOWN OF PARKER, COLORADO

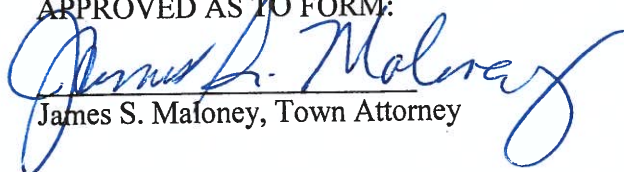
BY:


Mike Waid, Mayor

ATTEST:

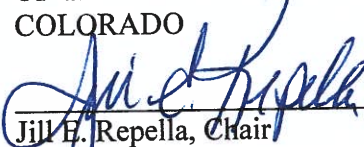

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

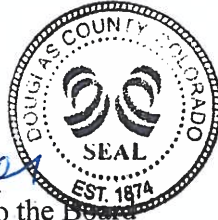
BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO

BY:

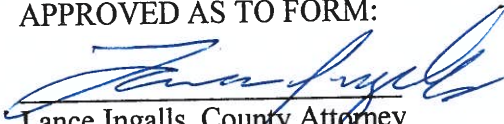

Jill E. Repella, Chair
Board of County Commissioners

ATTEST:


Codie Brenner, Deputy Clerk to the Board



APPROVED AS TO FORM:


Lance Ingalls, County Attorney

**REPLACEMENT EXHIBIT 2
THIRD AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN**

THIRD AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN

THIS THIRD AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN (hereinafter referred to as the "Comprehensive Development Plan" or "Plan") is made and entered into this 25th day of August, 2015, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County") and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town").

RECITALS

WHEREAS, the County and the Town entered into a mutually binding comprehensive development plan that went into effect on May 14, 2003, as a means to plan for and regulate land use within a joint planning area, as identified in such plan; and

WHEREAS, the County and Town entered into the first amendment to the comprehensive development plan that went into effect on May 17, 2006; and

WHEREAS, the County and Town entered into the second amendment to the comprehensive development plan that went into effect on June 16, 2008; and

WHEREAS, the County and Town desire to amend and restate the Comprehensive Development Plan to the extent provided herein.

PLAN

NOW, THEREFORE, the County and the Town jointly approve and adopt this Third Amendment to the Comprehensive Development Plan, which is restated to provide as follows:

1.0 Planning Area Definitions

- 1.1 Town Urban Growth Area. Represents the boundary of the Town's potential future annexation area to the year 2022. The level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans. This boundary represents the Town's potential annexation perimeter and will include areas dedicated for open space as well as urban level development. The Town Urban Growth Area is depicted on the attached map (Attachment A).
- 1.2 Community Separation Buffer. Represents a buffer around the Town's Urban Growth Area that provides a transitional "edge" between the Town and other incorporated and unincorporated communities. While this area is not needed to accommodate the Town's growth to the year 2022, land use and development changes within this area will have a direct impact on the Town. The Community Separation Buffer is depicted on the attached map (Attachment A).

- 1.3 Permitted Uses. The Comprehensive Development Plan shall supersede the County Zoning Resolution for the real property contained within the Community Separation Buffer Area and the Town Urban Growth Area to the extent provided in the Plan. The only uses permitted by right within the Community Separation Buffer Area and the Town Urban Growth Area are those permitted uses described in Attachment B (the “Permitted Uses and Special Uses Matrix”) and depicted in Attachment C (“Zoning Map”). The Permitted Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 7.0 of the Plan. The Permitted Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except as provided in paragraph 7.0 of the Plan.
- 1.4 Special Uses. The only Special Uses allowed within the Community Separation Buffer Area and the Town Urban Growth Area are those special uses described in Attachment B (“Permitted Uses and Special Uses Matrix”) that are determined to meet, after notice and hearing, the requirements contained in Attachment D. The Special Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 7.0 of the Plan. The Special Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except as provided in paragraph 7.0 of the Plan.

2.0 Annexation within and expansion of the Town’s Urban Growth Area

- 2.1 Commitment by Town to Actively Pursue Annexation of Enclaves and Roads. The Town will commit to actively pursue annexation of all enclaves. Enclaves are those unincorporated areas of land entirely contained within the outer boundaries of the Town. The businesses and land owners that are located on unincorporated enclaves identify with the Town of Parker, are a part of the community fabric of the Town, and contribute to the Town’s revenue. Annexation of these enclaves will benefit the land and business owners, the Town, as well as the County by consolidating the service area of the Town and County, bringing these properties under Town services.
- 2.2 Waiver of Annexation Impact Reports. As all unincorporated areas located within the Town’s Urban Growth Area are encouraged to annex into the Town, the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.
- 2.3 Standards for Review of Annexation Petitions. The Town, when reviewing proposed annexations within the Town’s Urban Growth Area, shall apply the following Standards for Review.
- 2.3.1 The property under consideration for annexation is within the Town’s Urban Growth Area.

- 2.3.2 The annexation complies with the Town's Land Development Code and applicable design standards.
- 2.3.3 The annexation request is consistent with the Town's adopted plans, including, but not limited to, the Master Plan and Open Space, Trails and Greenways Master Plan, as amended.
- 2.3.4 The site plan provides for the preservation of significant stands of vegetation; unique or distinctive topographic features, including buttes and rock outcroppings; drainage, riparian and wetland areas; significant wildlife habitats, including breeding grounds, nesting areas, migration routes and wintering areas; scenic views; identified aquifer recharge areas and important historical or archaeological sites.
- 2.3.5 The site plan incorporates elements that provide for logical connections to local trails in order to link neighborhoods and connections to regional trails and nearby destinations.
- 2.3.6 The land can be used safely for the intended purpose without danger to the public health, safety or welfare or peril from fire, flood, geologic hazards or other natural hazards.
- 2.3.7 The petition for annexation is in conformance with a fully-executed pre-annexation agreement with the Town, if applicable.
- 2.3.8 The area sought to be annexed meets the requirements of the Municipal Annexation Act of 1965, as amended.
- 2.3.9 The petition for annexation satisfies the requirements of Article II, Section 30 of the Colorado Constitution.
- 2.3.10 That, upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
- 2.3.11 Petitioners understand that the Town does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker, Cottonwood, Stonegate, or Compark Water and Sanitation Districts.
- 2.3.12 The petitioners agree that no vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101, *et seq.*, C.R.S., have been acquired by petitioners from any government entity. Petitioners waive any vested land use rights attached to any or all of the property to be annexed.

- 2.3.13 The petitioners acknowledge that, upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The petitioners further acknowledge that the property, the owners thereof, and the uses thereon are also bound by any voter authorization under Article X, §20 of the Colorado Constitution adopted prior to annexation of the property. The petitioners waive any claims they may have under Article X, §20 of the Colorado Constitution related to such taxes and fees.

3.0 Land Use Applications Submitted to the County for Unincorporated Lands within the Town Urban Growth Area

- 3.1 Applications for Urban Level Development Other Than Region 4. Applications submitted to the County for rezoning to business, commercial, industrial, or residential development at a density greater than 1 dwelling unit/2.5 acres will be directed to the Town for annexation.

- 3.1.1 If there is contiguity, the Town shall process a petition for annexation. The Town Council shall apply the Standards for Review, as outlined above in paragraph 2.3 of the Plan, when considering a petition for annexation. Final decision authority for said petitions shall be with the Town Council following a public hearing, in the manner provided by the Plan.

- 3.1.2 If contiguity cannot be established, or if the Town adopts an ordinance establishing growth limitations, a pre-annexation agreement shall be executed between the property owner and the Town prior to the County processing the application.

- 3.1.2.1 If a pre-annexation agreement is executed, the County shall process the application.

- 3.1.2.1.1 The Town Planning staff shall be available for a pre-application conference(s) with the County and applicant.

- 3.1.2.1.2 The County shall forward the application to the Town for review and comment. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.

- 3.1.2.1.3 The County shall actively consider the Town's comments in its review of the application.

- 3.1.2.1.3.1 If conformance with both the County and Town's regulations cannot be achieved, the staff of both the County and the Town shall

meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with both the County and Town's regulations to the extent feasible.

3.1.2.1.3.2 If additional interpretation is needed, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with the Town's comments to the extent feasible.

3.1.2.1.3.3 Final decision authority for said applications shall be with the Board of County Commissioners following a public hearing, in the manner provided by the Plan and the County's Zoning Resolution. Where the Plan and the County's Zoning Resolution conflict, the provisions of the Plan shall prevail.

3.1.2.2 If a pre-annexation agreement is not executed, the property owner may:

3.1.2.2.1 Request that the County process an application for development in compliance with the Plan for Permitted Uses and Special Uses; or

3.1.2.2.2 Request an amendment to the Plan in compliance with the provisions outlined in paragraph 7.0 of the Plan.

3.2 Applications for Development in Region 4. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process all applications submitted to the County for urban-level development or for Permitted Uses and Special Uses as outlined in the Plan.

3.2.1 The County shall submit a notice to the Town through the standard referral process. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.

3.2.2 The County shall encourage the property owner to annex into the Town and the Town agrees to annex the property if there is contiguity.

3.2.3 If contiguity cannot be established, a pre-annexation agreement shall be executed between the property owner and the Town.

3.3 Applications for Development in Compliance with the Comprehensive Development Plan. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process applications submitted to the County for development in compliance with the Plan, for Permitted Uses and Special Uses. Prior to processing the application, the County shall encourage the property owner to annex into the Town.

3.3.1 The County shall submit a notice to the Town through the standard referral process. The Town's referral comments will be based on the provisions of this Plan.

4.0 Land Use Applications Submitted to the County within the Community Separation Buffer

4.1 Regions. The County agrees to process all land use applications within the Community Separation Buffer in compliance with the Permitted Uses, Special Uses and as described below, provided that the Permitted Uses and Special Uses may be modified and supplemented in Region E through the approval by the County of a Planned Development, as described below in items 4.1.5 and 4.2.

4.1.1 Region A: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature and may continue to build out in the established land pattern. Semi-rural development may be considered when available water supply and provision of schools, recreation, employment, and shopping are provided.

4.1.2 Region B: Residential development in this region may continue to build out in the established land pattern. Redevelopment of this region may be supported when appropriate urban level services are provided. Redevelopment shall be defined at a density greater than one (1) dwelling unit per acre and/or commercial in nature. Redevelopment may be considered when all of the following principles/requirements are met:

4.1.2.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.

4.1.2.2 Development shall be clustered to preserve the floodplain and natural features of Happy Canyon Gulch.

4.1.2.3 Lincoln Avenue provides a sense of transition into the Town and acts as a "gateway" into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.

- 4.1.2.4 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
- 4.1.2.5 Sufficient open space, parks and trails shall be provided to meet the needs of the development.
- 4.1.3 Region C: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature (1 dwelling unit/35 acres). If a rural site plan is submitted in accordance with the County Zoning Resolution, the density may be increased not exceeding 1 dwelling unit/17.5 acres as an incentive to preserve open space and protect wildlife habitat. Semi-rural development in this region is not supported.
- 4.1.4 Region D: This region permits uses associated with open space, passive and nonmotorized recreation, agricultural and Parker Water and Sanitation uses. Such passive uses may include, but are not limited to, hiking, biking, equestrian activities, outdoor conservation activities and fishing. The County shall have the final determination for allowed activities.
- 4.1.5 Region E: This region permits urban level, Planned Development-zoned development as identified and defined in the Douglas County Comprehensive Master Plan and defined in the Douglas County Zoning Resolution. Through the County's approval of a rezoning to Planned Development, the Permitted Uses and Special Uses may be modified and supplemented with additional uses that are consistent with urban level development. Development in this region shall comply with all of the following principles/requirements:
 - 4.1.5.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.
 - 4.1.5.2 Development should consider clustering to preserve areas of natural open space between developments and to promote separation of developments.
 - 4.1.5.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
 - 4.1.5.4 Lincoln Avenue provides a sense of transition into the Town and acts as a "gateway" into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
 - 4.1.5.5 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail

system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.

- 4.1.5.6 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
- 4.1.5.7 Site design will preserve sufficient open space to meet the needs of the development and provide community separation and should consider: environmental areas; riparian features; 100-year floodplain; significant natural land forms; significant natural vegetation areas; important wildlife habitat areas; geologic hazard areas; severe soil erosion area; and cultural, historic and archaeological areas.
- 4.1.6 Region F: Development in this area is limited to residential uses, parks, and open space.
- 4.1.7 Region G: This region is limited to open space uses only.
- 4.1.8 Region H: Development in this area is limited to residential uses, parks, schools, and open space. Residential uses shall not exceed 2.2 units per acre.

It is the County's intent to design and construct the portion of Bayou Gulch Road/Chambers Road, (Bayou Gulch Road), which lies north of Pradera Parkway and south of the property (Arlington Property). The vertical and horizontal alignments for Bayou Gulch Road for the southern 1,200-feet within the property (Arlington Property) needs to be well coordinated with the County, in order to assure compatibility for the portion of the road as it crosses over Scott Gulch; and so that the road can be constructed cost effectively and within the existing right-of-way (ROW), that was dedicated to the County by the developers that lie south of the property (Arlington Property). The County has plans to reconstruct existing Scott Road from the east boundary of the Hungry Horse open space to intersect with proposed Bayou Gulch Road, which will be located approximately 100 to 200 feet south of the property (Arlington Property); and any accesses further to the north on Bayou Gulch Road needs to take into consideration the spacing between this full movement intersection and any accesses to the north. Additionally, the alignment of Bayou Gulch Road across the property (Arlington Property) needs to be designed so that no additional ROW or easements will be needed from the existing large rural residential property that is located directly to the west, which is not proposed to be rezoned. The County is not going to hold the current landowner responsible for any of the stated improvements.

The property owner shall grade four (4) and build two (2) major arterial roadway lanes for that portion of Bayou Gulch Road/Chambers Road for the length of said property. Additionally, the property owner shall be responsible for any auxiliary lanes as required by the Town.

4.2 Review Process.

- 4.2.1 The County shall submit a notice to the Town through the standard referral process for land use applications in Regions A, B (when redevelopment is not proposed), C and D.
- 4.2.2 The County and the Town shall jointly review any redevelopment application submitted for Region B. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.3 Subject to paragraph 4.2.5 below, the County and the Town shall jointly review all urban level Planned Development rezoning applications submitted for Region E. Such review shall consist of jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.4 The Town's referral comments will focus on compliance with the provisions of this Plan, as outlined in paragraph 4.1 of the Plan.
- 4.2.5 The County will hold public hearings to the extent provided in the County's Zoning and Subdivision Resolutions, and make its final decision in accordance with the Plan and said resolutions.

5.0 **Land Use Applications Submitted to the Town within the Town Urban Growth Area.**

- 5.1 Region 1: Site development shall comply with the following principles/requirements or with the Plan for Permitted Uses and Special Uses:
 - 5.1.1 Provide for a regional open space corridor that is continuous and sufficient in size to effectively act as a buffer between the Town's Urban Growth Area and the Community Separation Buffer Area. The corridor shall feature naturally undisturbed, passive open space to provide regional access and trail connections as well as a wildlife corridor through this area.
 - 5.1.2 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches, natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.

- 5.1.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
- 5.1.4 Protect the rural roadside character of Crowfoot Valley Road by establishing an open space buffer zone along this corridor.
- 5.1.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
- 5.1.6 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
- 5.1.7 Development shall be clustered to preserve and protect significant open space in its natural state.
- 5.1.8 Provide appropriately sized and located activity centers that offer a wide range of goods and services to the immediate market area, neighborhood and community.
- 5.1.9 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
- 5.1.10 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
- 5.1.11 Proposed golf courses shall, at a minimum, be designed to include provisions to promote water conservation and wildlife habitat, as provided by the Center for Resource Management's published "Environmental Principles for Golf Courses in the United States" and National Audubon Society's model for "green" golf course standards.
- 5.1.12 Development on the south side of Crowfoot Valley Road shall use open space to create community separation between the Town and adjacent development. Open space will be used to expand and enhance existing adjacent open space within the Community Separation Buffer Area.
- 5.2 Region 2: Requests for mining or water storage shall comply with the following principles/requirements:
 - 5.2.1 The maximum life of the mining/extraction uses shall not exceed ten (10) years.

- 5.2.2 Truck hauling materials shall be subject to the access requirements of the Town and shall be in compliance with the Town's truck hauling routes map, as amended.
- 5.2.3 Hours of operation for mining, extraction and hauling shall not exceed Monday through Friday between the hours of 8 a.m. and 5 p.m.
- 5.2.4 A dust mitigation plan shall be required. An on-site water source shall be available and used as required for implementing the dust mitigation plan.
- 5.2.5 A noise plan shall be prepared to demonstrate the ability to comply with maximum noise levels as required by C.R.S. § 25-12-103. Such noise plan shall identify noise mitigation measures such as, but not limited to, the use of berming, locating noisy machinery and vehicles below grade in the excavation pit, and the establishment of operational guidelines.
- 5.2.6 A visual analysis shall be required to determine the visibility of the mining operation, including, but not limited to, the total disturbed area, stock piles, equipment, and any structures from Crowfoot Valley Road, Highway 83, and adjacent residential development. Visual mitigation measures for the duration of the mining operation shall be required, including, but not limited to: berming; landscape screening; limitations on the height, location, and quantity of stock piles; sub-grade placement of maintenance, mechanical, and other equipment; as examples.
- 5.2.7 The property owner shall render to the Town cash or an irrevocable letter of credit in an amount sufficient to restore the subject property to its original condition to the extent that property owner fails to comply with the Town standards or the principles/requirements described herein.
- 5.2.8 The property owner shall demonstrate to the Town's satisfaction that the property owner has adequate adjudicated water rights to keep the reservoir full.
- 5.2.9 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated water rights to store water in the reservoir at the site proposed for the reservoir.
- 5.2.10 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated the means and methods to convey the water rights from the point of diversion to the site proposed for the reservoir.
- 5.2.11 Non-motorized recreational boating shall be permitted on the reservoir and the reservoir shall be open to the public and managed by the Town of Parker/Douglas County parks departments.

5.2.12 As part of the annexation agreement with the Town, trail connections shall be incorporated.

5.3 Region 3: Site development shall comply with the following principles/requirements:

- 5.3.1 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches (including Newlin Gulch), natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.
- 5.3.2 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
- 5.3.3 Development shall be clustered to preserve and protect significant open space in its natural state.
- 5.3.4 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
- 5.3.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
- 5.3.6 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
- 5.3.7 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
- 5.3.8 A minimum 50-foot open space buffer shall be designated along the northern portion of the property for the purpose of preserving land and a buffer for the proposed East-West Regional Trail.
- 5.3.9 Connect the Newlin Gulch trail through Region 3 to the Reuter-Hess Reservoir trail system, as identified in the Town's Open Space, Trails and Greenways Master Plan.
- 5.3.10 Open space shall be used to create a sufficient separation from and transition to the land owned by the Parker Water and Sanitation District as part of the Reuter-Hess Reservoir.
- 5.3.11 The property owner shall be responsible for all costs and right-of-way dedication associated with all necessary improvements for the extension of

Chambers Road as four lanes, including a four lane bridge, through Region 3.

5.3.12 Access to Chambers Road from Region 3 shall be limited to one (1) access on the north side of Newlin Gulch and one (1) access on the south side of Newlin Gulch. Said southern access shall also serve the Double Angel ball fields and the Reuter-Hess Reservoir.

5.3.13 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.

5.3.14 The property owner shall be responsible for supporting the Double Angle ball fields and future indoor training facility as presented in the letter provided by Jehn Engineering on behalf of Glasgow 3 Investments, LLC, at the November 16, 2005, Review Board meeting.

5.3.15 The property owner shall be responsible for dedicating the necessary right-of-way and associated improvements for the new regional east-west roadway connection to Castle Pines Parkway through Region 3.

5.4 Region 4: Lands within Region 4 can only be annexed by the Town if the property owner requests annexation and if contiguity can be established.

5.4.1 Development of lands annexed into the Town within Region 4 shall:

5.4.1.1 Be subject to the planned development guide and preliminary plat approved by the County prior to annexation and subsequently adopted by the Town.

5.4.1.2 Be reviewed by the architectural control committee established by the property owner for commercial development prior to the submission of a formal application to the Town.

5.4.1.2.1 The recommendations of the committee shall be included as part of the submittal to the Town.

5.4.1.2.2 Said committee shall include one (1) representative from the Pinery Planned Development.

5.4.1.3 Only open space, recreational uses and other uses allowed in the planned development guide shall be permitted within the Cherry Creek corridor and 100-year floodplain.

5.4.2 The Town agrees not to pursue annexation of the lands owned by the Pinery Home Owners Association within the Planned Development within

Region 4 while such lands remain under ownership of the Pinery as it's current use.

- 5.4.3 The Town agrees not to pursue annexation of any lands owned by the Denver Southeast Suburban Water and Sanitation District located within Region 4 while such lands remain under ownership of the District, during the term of this IGA.

- 5.4.3.1 District facilities, including the wastewater treatment plant, pump stations, wells and sewer and water lines, located within Region 4 shall continue to be permitted as uses by right and shall not be restricted by the Town, during the term of this IGA.

- 5.4.3.2 Any District facilities shall comply with the regulations of the applicable jurisdiction.

- 5.5 Development Adjacent to the Community Separation Buffer Area. When the Town evaluates applications for development adjacent to the Community Separation Buffer, consideration will be given to contributing and expanding the buffer area along the fringe of the Town Urban Growth Area.

- 5.6 Review Process.

- 5.6.1 The Town shall submit a notice to the County through the standard referral process for all land use applications, except for applications submitted for Region 1.

- 5.6.2 Land use applications submitted for Region 1 shall be jointly reviewed by the Town and County. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.

- 5.6.3 The County's referral comments will be based on the provisions of this Plan.

- 5.6.4 The Town will hold public hearings to the extent provided in the Town's zoning and subdivision regulations, and shall make its final decision in accordance with the Plan and said regulations.

- 6.0 **Land Use Applications beyond the Town Urban Growth Area and Community Separation Buffer**

- 6.1 The Town agrees not to pursue annexation of the residential portions of the Pinery Planned Development.

- 6.2 The Town agrees not to pursue annexation of the Colorado Horse Park.

- 7.0 **Amendments to the Comprehensive Development Plan**

- 7.1 The Town or the County may propose amendments to the Plan in writing.
- 7.2 A property owner may request an amendment to the Plan when:
 - 7.2.1 A petition for annexation of unincorporated land within the Urban Growth Area is denied by the Town; or
 - 7.2.2 A pre-annexation agreement for unincorporated land within the Urban Growth Area cannot be reached with the Town.
- 7.3 Process for Amending the Plan
 - 7.3.1 The party requesting the proposed amendment to the Plan shall submit the proposal in writing to the Director of Community Development of both jurisdictions.
 - 7.3.2 The Directors from both jurisdictions shall jointly make the request that the Review Board convene to hear the proposed amendment.
 - 7.3.2.1 A Review Board consisting of one (1) representative from both the Town and the County shall be appointed by the respective Council and Board.
 - 7.3.2.2 The Review Board shall meet with staff and review the proposed amendment. If necessary, the Review Board may direct staff to research the proposed amendment, and report back with necessary information.
 - 7.3.2.3 The Review Board shall direct staff to forward the proposed amendment to both the Town Council and the Board of County Commissioners, with a recommendation for approval, denial, or no recommendation from the Review Board.
 - 7.3.3 The proposed amendment and the recommendation of the Review Board shall be submitted to both the Town Council and Board of County Commissioners for final decision.
 - 7.3.4 The Town and County will each finalize the request through their respective adoptive processes with their Council/Board taking into consideration the recommendation of the Review Board.
 - 7.3.5 An amendment to the Plan requires approval by the Town Council and Board of County Commissioners. If the Town Council and/or the Board of County Commissioners do not approve the proposed amendment, then the Plan shall not be amended.

8.0 Effective Date and Term

8.1 This Plan shall be effective after: (1) it has been executed by the County and the Town; and (2) the County has adopted conforming amendments to the Douglas County Zoning Resolution. This Plan shall remain in full force and effect for the five-year period commencing on the Initial Effective Date of the Plan, as described in this paragraph. Thereafter, this Plan shall automatically remain in full force and effect for successive five-year terms through the year 2022, unless sooner terminated. This Plan may be terminated on May 14, 2008, or thereafter at the end of a five-year term by a party giving written notice to the other party at least 180 days prior to the expiration of the five-year term. This Plan may also be terminated at any time by mutual agreement of the parties. The term of this Intergovernmental Agreement shall run concurrently with the term of this Plan.

8.1.1 Initial Effective Date of the Plan. The effective date of the Plan is May 14, 2003; the date the Board of County Commissioners adopted conforming amendments to the Douglas County Zoning Resolution.

8.1.2 First Amended Effective Date of the Plan. The amendments to the Plan are effective May 17, 2006.

8.1.3 Second Amended Effective Date of the Plan. The amendments to the Plan are effective June 16, 2008.

8.1.4 Third Amended Effective Date of the Plan. The amendments to the Plan are effective August 25, 2015.

9.0 Incorporation

9.1 All attachments to this Plan are incorporated herein.

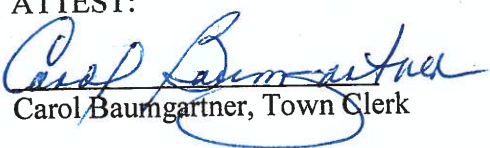
IN WITNESS WHEREOF, this mutually binding Comprehensive Development Plan is approved and adopted by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written.

TOWN OF PARKER, COLORADO

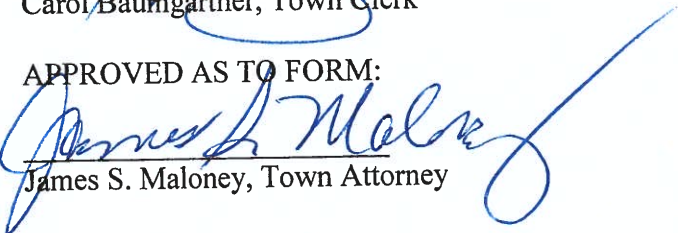
BY:


Mike Waid, Mayor

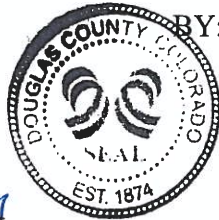
ATTEST:


Carol Baumgartner, Town Clerk

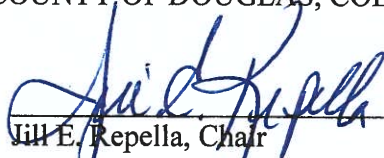
APPROVED AS TO FORM:


James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF DOUGLAS, COLORADO



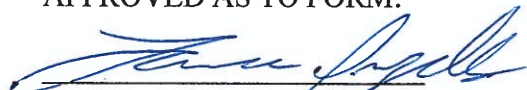
BY:


Jill E. Repella, Chair
Board of County Commissioners

ATTEST:


Codie Brenner, Deputy Clerk to the Board

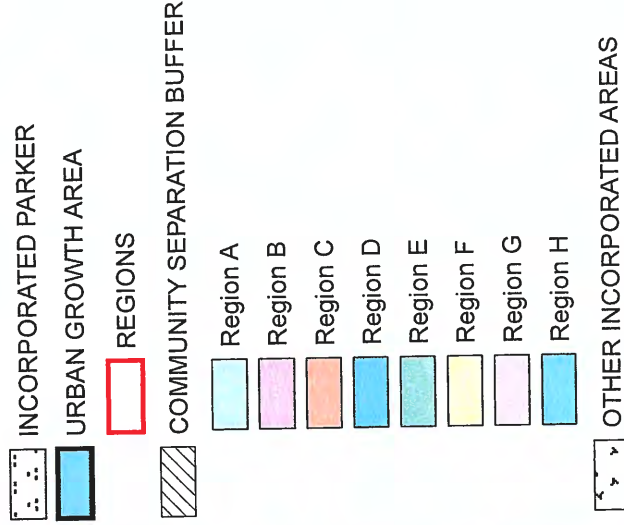
APPROVED AS TO FORM:


Lance Ingalls, County Attorney

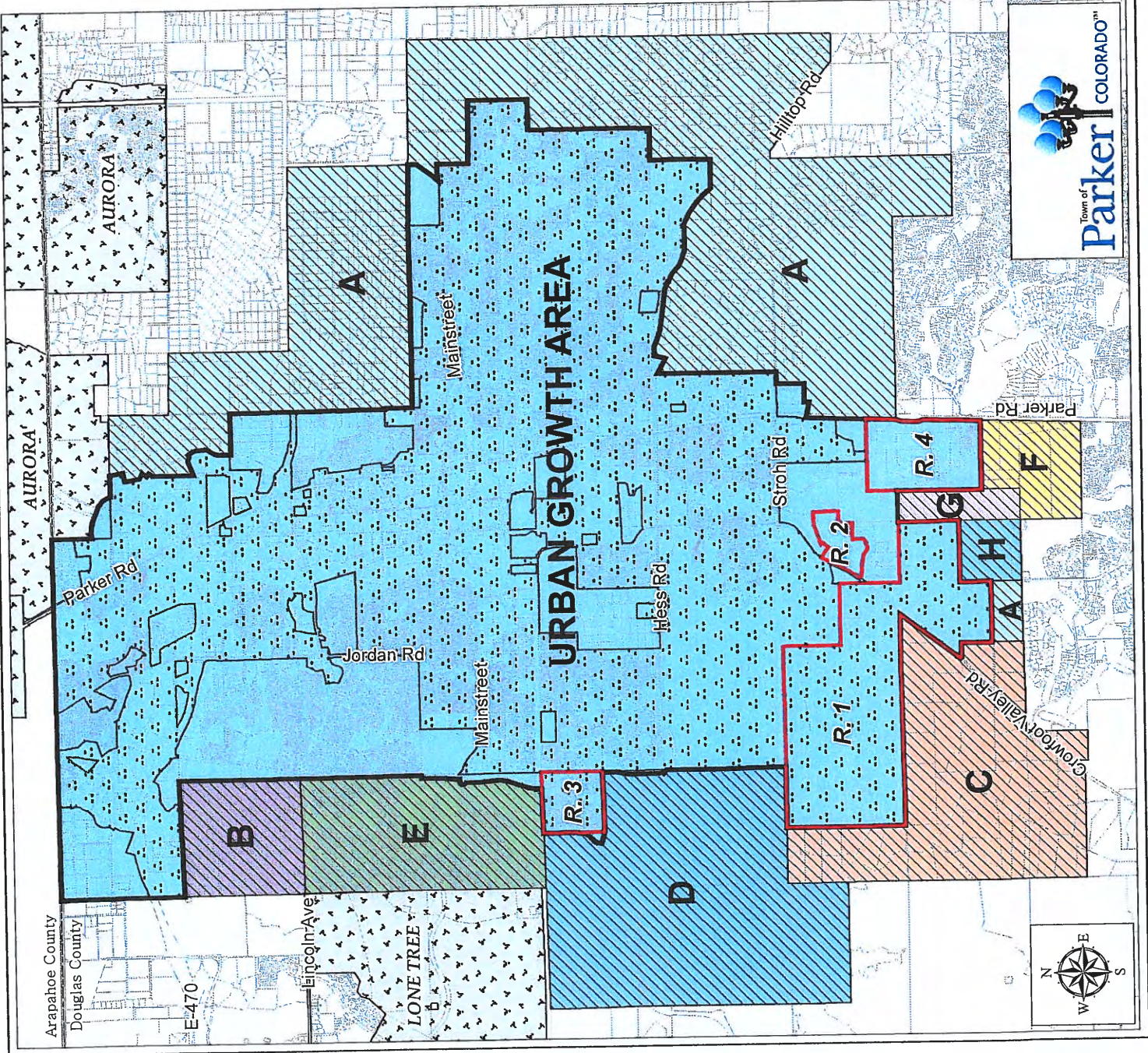
**ATTACHMENT A
PLANNING AREA**

TOWN OF PARKER and DOUGLAS COUNTY

COMPREHENSIVE DEVELOPMENT PLAN PLANNING AREA THIRD AMENDMENT



Disclaimer: The property boundaries, titles, legends, scale, reference to individual parcels and any and all other data shown or depicted on this map is for visual representation only and may not be accurate. Further studies and surveys, on a site specific basis, are required to verify this data.



ATTACHMENT B
PERMITTED USES AND SPECIAL USES MATRIX

Zone District Abbreviations

Agricultural

Large Rural Residential

Rural Residential

Estate Residential

Suburban Residential

Business

Commercial

Light Industrial

General Industrial

**A-1
LRR
RR
ER
SR
B
C
LI
GI**

LAND USE/ZONING DISTRICT	A-1	LRR	RR	ER	SR	B	C	LI	GI
Agricultural Recreational Activities	P	P							
Animals									
Horse/Cow/Mule/Llama	P	P	A	A					
Pig/Goat/Sheep/Miniature Horse	P	P	A	A					
Buffalo/Ostrich/Emu/Bees	P	P							
Chicken/Turkey/Duck	P	P	A	A					
Dog/Cat/Pot-bellied Pig	P	P	A	A	A				
Wolf/Bear/Snake/Mtn. Lion	USR	USR							
kennel									
Automobile Service/Repair								P	P
Automobile Service Station with gas pumps								P	P
Bank/Financial Institution								P	P
Bar/Lounge									P
Batch Plant - asphalt/concrete									
Bed and Breakfast	USR	USR	USR	USR				P	P
Building Materials - retail/wholesale	USR	USR							
Campground	USR	USR							
Cemetery									USR
Chemical Storage/Transfer/Disposal (incl. hazardous)	P	P	P	P	P	P	P	P	P
Church - max. seating capacity 350	USR	USR	USR	USR	USR	P	P	P	P
Church - seating capacity greater than 350						P	P	P	P
Club/Country Club						P	P	P	P
College	P	P	P	P	P	P	P	P	P
Construction Office - temporary						P	P		
Convention/Conference Center						P	P	P	P
Cultural Facility	USR	USR				P	P		
Day-Care Center	USR	USR	USR	USR	USR	P	P		
Day-Care Facility for employees' children						P	P	A	
Day-Care Home - small	A	A	A	A	A				
Day-Care Home - large	USR	USR	USR	USR	USR				
Dude Ranch	USR	USR							

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Entertainment Event	USR									
Equipment Rental								P	P	
Equipment Rental - small							P	P	P	
Extended-Care Facility						P	P			
Farming/Ranching	P	P								
Feed Lot/confinement center										
Fire Station - no training	P	P	P	P	P	P	P	P	P	P
Fire Station - w/training facilities						P	P	P	P	P
Firing Range - indoor	USRA					P	P	P	P	P
Firing Range - outdoor	USR									
Golf Course								P	P	P
Greenhouse - 1 acre max.	P	P						P	P	P
Greenhouse - greater than 1 acre	USR						P	P	P	P
Group Home	P	P	P	P	P					
Group Home for Registered Sex Offenders										
Group Residential Facility	USR	USR				USR	USR	USR		
Guest House	A	A	A							USR
Hazardous Materials Storage/Transfer										
Helipoint							USR	USR	USR	USR
Home Occupation										
Class 1	A	A	A	A	A					
Class 2	A	A	A	A	A					
Exceeding Class 2 thresholds	USR	*	*	*	*					
Horse Boarding										
Horse Rental Stable	USR	USR								
Hospital										
Hotel										
Hunting/Fishing Club	USR									
In-Home Elder Care	A	A	A	A	A					
Jail/Correctional Facility										USR
Junk Yard										
Kennel - dog/cat										

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LAND USE/ZONING DISTRICT									
A-1	LRR	RR	ER	SR	B	C	LI	GI	
USRA								USR	
P	P	P	P	P	P	P	P	P	USRA
							P	P	P
						P	P	P	USR
					P	P			
						P	P	P	
					P	P	P	P	
P	P	P	P	P	P	P	P	P	
P	P	P	P	P	P	P	P	P	
P	P								
									</

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Caretaker - mobile home	USR	USR								
Employee/Management Housing						A	A	A	USR	
Mobile Home - permanent	USR	USR								
Multifamily						USR	USR	USR		
Single-Family	P	P	P	P	P					
Single-Family attached								USR		
Temporary	P		P	P	P					
Restaurant/Fast Food (including drive-up facility)						P	P	P	P	
Retail/Service Business - indoor						P	P			
Retail/Service Business - outdoor							P			
Retirement Home						P	P			
Retreat - Religious	USR									
Sales Office - temporary			P	P	P					
Satellite Dish	A	A	A	A	A	A	A	A	A	A
Satellite Earth Station	USR							P	P	
Satellite Earth Station (exceeding max. height/height standards)	USR							USR	USR	
Sawmill-portable	USRA	USRA								
School - private/public (K-12)	P	P	P	P	P	P	P	P	P	P
Seasonal Use						P	P	P	P	
Septic Waste and Sludge - Land Application	USR								USR	
Sewage Treatment										
Sexually Oriented Business							P			
Sheriff Station (no training/detention)	P	P	P	P	P	P	P	P	P	P
Sheriff Station						P	P	P	P	P
Storage Area - commercial							A	P	P	P
Telecommunication Facility								P	P	
Telecommunication Facilities (exceeding max height/height standards)								USR	USR	
Temporary Uses	P	P	P	P	P					
Theater - indoor						P	P			
Theater - outdoor							P	P		

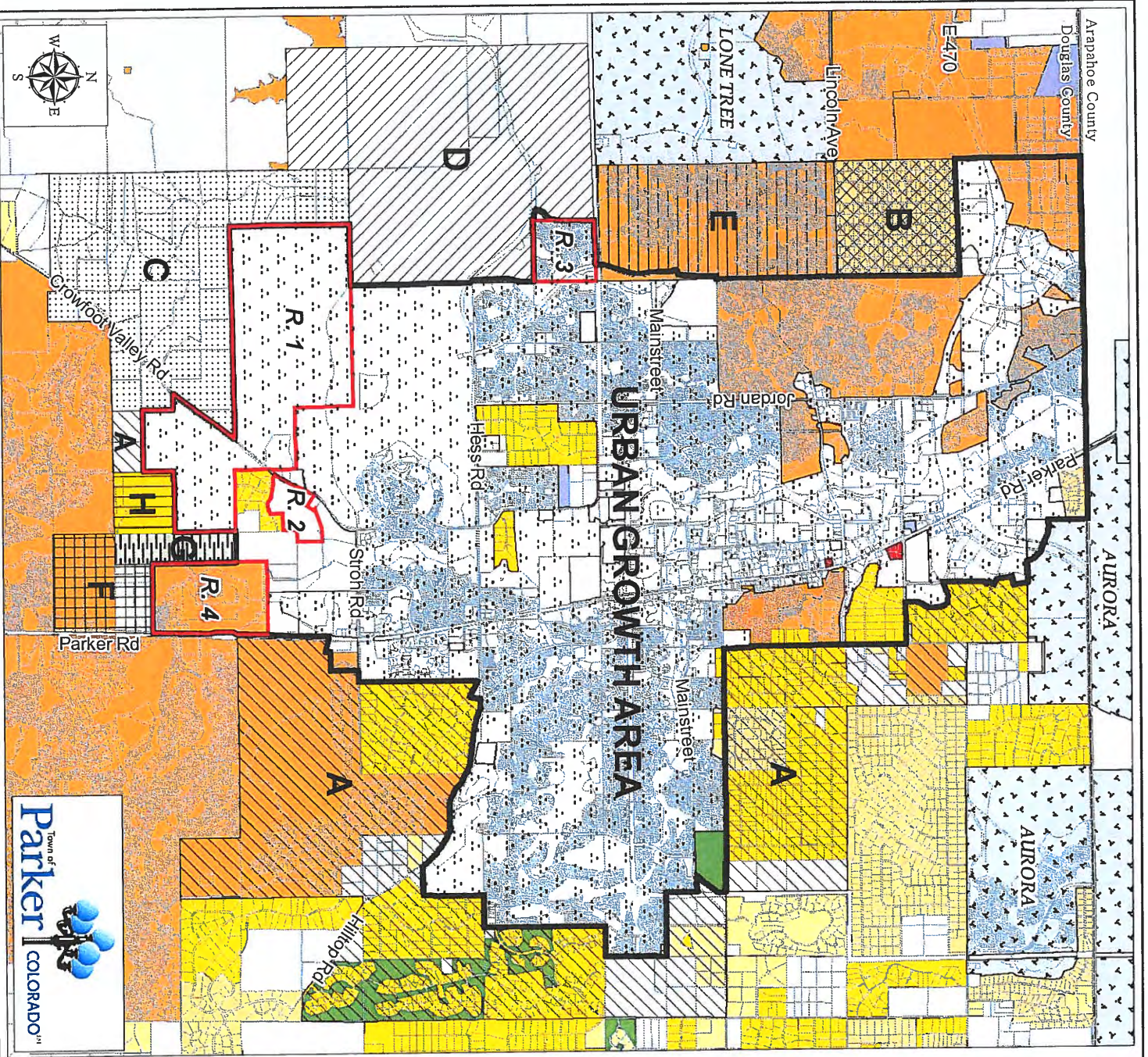
P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Training of Horses/Riders (max. of 14/week)	P	P	A	A						
Tree Farming	P	P								
University						P	P	P	P	
Utility - major facility	USR	USR	USR	USR	USR	USR	USR	USR	P	
Utility Service Facility	P	P	P	P	P	P	P	P	P	
Veterinary Clinic/Hospital	USR	USR				P	P	P	P	
Warehouse								P	P	
Water Treatment/Storage										
Wholesale Business - sales/service								P	P	
Wind Energy Conversion System	USR	USR	USR							
Youth-Oriented Agricultural Activities	P	P	P	P						
Zoo							USR			

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

**ATTACHMENT C
ZONING MAP**

TOWN OF PARKER and DOUGLAS COUNTY COMPREHENSIVE DEVELOPMENT PLAN PLANNING AREA THIRD AMENDMENT WITH COUNTY ZONING



	INCORPORATED PARKER
	URBAN GROWTH AREA
	COMMUNITY SEPARATION BUFFER
	Region A
	Region B
	Region C
	Region D
	Region E
	Region F
	Region G
	Region H
	OTHER INCORPORATED AREAS
	COUNTY ZONE TYPE
	A1, AGRICULTURAL ONE
	LRR, LARGE RURAL RESIDENTIAL
	RR, RURAL RESIDENTIAL
	ER, ESTATE RESIDENTIAL
	SR, SUBURBAN RESIDENTIAL
	MF, MULTIPLE FAMILY
	LSB, LIMITED SERVICE BUSINESS
	B, BUSINESS
	C, COMMERCIAL
	LI, LIGHT INDUSTRIAL
	GI, GENERAL INDUSTRIAL
	PD, PLANNED DEVELOPMENT
	OS, ZONED OPEN SPACE CONSERVATION

0 1 2
Miles

Disclaimer: The property boundaries, titles, legends, scale, reference to individual parcels and any and all other data shown or depicted on this map is for visual representation only and may not be accurate. Further studies and surveys, on a site specific basis, are required to verify this data.



ATTACHMENT D
APPROVAL STANDARDS FOR SPECIAL USES

APPROVAL STANDARDS FOR SPECIAL USES

A Special Use shall be approved only if the Board of County Commissioners finds that the proposed special use:

- ❖ Complies with the minimum zoning requirements of the zoning district in which the special use is to be located, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the requirements of Section 21, Use By Special Review, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the Douglas County Subdivision Resolution, in effect as of the date of this Plan;
- ❖ Will be in harmony and compatible with the character of the surrounding areas and neighborhood;
- ❖ Will be consistent with the Douglas County Comprehensive Master Plan;
- ❖ Will not result in an over-intensive use of land;
- ❖ Will provide roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development concurrently with the impacts of such development.
- ❖ Will provide public facilities and services necessary to accommodate the proposed development concurrently with the impacts of such development.
- ❖ Will not require a level of community facilities and services greater than that which is available;
- ❖ Will not cause significant air, water, or noise pollution;
- ❖ Will be adequately landscaped, buffered, and screened;
- ❖ Complies with the following standards regarding water supply as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
 - If it is demonstrated that the use by special review will not generate any ongoing water demand, no proof of water supply shall be required and no other provisions of Section 18A - Water Supply Overlay District shall be applicable.
 - If it is demonstrated that the use by special review, when located on a conforming parcel within the A-1 or LRR zone district, will generate a water demand not to exceed three (3) acre-feet per year, and that the demand can be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for such use, this standard shall be met and no other

provisions of Section 18A – Water Supply Overlay District shall be applicable. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A.

- For all other use by special review applications, the applicant shall demonstrate conformance with Section 18A - Water Supply Overlay District, herein.
- ❖ Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Douglas County.

**FOURTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF PARKER AND THE COUNTY OF DOUGLAS
TO AMEND AND RESTATE THE MUTUALLY BINDING AND
ENFORCEABLE COMPREHENSIVE DEVELOPMENT PLAN**

THIS FOURTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT is made and entered into this 15th day of December, 2016, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County"), and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town").

RECITALS

WHEREAS, the County and the Town entered into an intergovernmental agreement on October 31, 2003, to establish a mutually binding and enforceable comprehensive development plan (the "Intergovernmental Agreement");

WHEREAS, the County and the Town approved a Mutually Binding and Enforceable Comprehensive Development Plan for areas within the County and the Town, which went into effect on May 14, 2003 (the "Comprehensive Development Plan");

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the First Amendment to the Comprehensive Development Plan, which went into effect on May 17, 2006;

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the Second Amendment to the Comprehensive Development Plan, which went into effect on June 16, 2008;

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the Third Amendment to the Comprehensive Development Plan, which went into effect August 25, 2015;

WHEREAS, the County and the Town, after notice and hearing, jointly adopted the Fourth Amendment to the Comprehensive Development Plan, which is described in the plan.

WHEREAS, the Town and the County desire to amend the Intergovernmental Agreement to establish that the jointly adopted Fourth Amendment to the Comprehensive Development Plan is a mutually binding and enforceable comprehensive development plan for areas within their jurisdictions, which are described in the plan, according to the terms and conditions of such agreement;

WHEREAS, the County, as a statutory county, is authorized to enter into this Fourth Amendment to the Intergovernmental Agreement, pursuant to C.R.S. § 29-20-105;

WHEREAS, the Town, as a home rule municipality, is authorized to enter into this Fourth Amendment to the Intergovernmental Agreement, pursuant to Colo. Const. Art. XX;

Colo. Const. Art. XIV, Section 18, as well as C.R.S. § 29-1-203 and the Local Government Land Use Control Act, Sections 29-20-101 through 107, C.R.S., as amended; and

WHEREAS, the County and the Town desire to enter into this Fourth Amendment to the Intergovernmental Agreement and to make the Fourth Amendment to the Comprehensive Development Plan mutually binding and enforceable.

AGREEMENT

NOW, THEREFORE, the County and the Town agree to enter into this Fourth Amendment to the Intergovernmental Agreement ("Fourth Amendment") to provide as follows:

1. Paragraph 1 of the Intergovernmental Agreement is hereby amended to provide as follows:

1. Fourth Amendment to the Comprehensive Development Plan, as Restated. The County and Town jointly adopt the Fourth Amendment to the Comprehensive Development Plan, as restated, which is attached hereto as **Replacement Exhibit 2** and incorporated by this reference (the "Fourth Amendment to the Comprehensive Development Plan"). The County and the Town acknowledge that the Fourth Amendment to the Comprehensive Development Plan is mutually binding and enforceable for areas within their jurisdictions, as described in the plan, to the fullest extent allowed by C.R.S. § 29-20-105(1) and (2).

2. The County and the Town acknowledge and agree that the Intergovernmental Agreement has not been amended, except as provided in the First Amendment, effective May 17, 2006, the Second Amendment, effective June 16, 2008, the Third Amendment, effective August 25, 2015, and this Fourth Amendment.

IN WITNESS WHEREOF, this Fourth Amendment to the Intergovernmental Agreement is executed by the Town of Parker and the Board of County Commissioners of Douglas County, as of the date first above written.

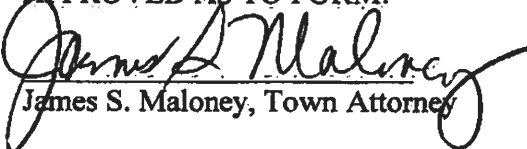
TOWN OF PARKER, COLORADO

BY: 
Mike Waid, Mayor

ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO

BY:

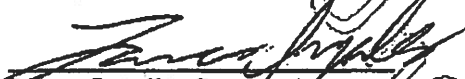

David A. Weaver, Chair
Board of County Commissioners

ATTEST:


Meghan McCann, Deputy Clerk to the Board



APPROVED AS TO FORM:


Lance Ingalls, County Attorney

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Number of Pages 38

Signer BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF DOUGLASSubject APPROVING THE FOURTH
AMENDMENT TO THE TOWN OF
PARKER AND DOUGLAS COUNTY
AGREEMENT AND
COMPREHENSIVE
DEVELOPMENT PLAN

Number of Names 1

Remarks

Related Number RESOLUTION-2017020189
AGREEMENT

Doc. Legals R-016-129

Unofficial Copy

ATTEST:

Meghan McCann, Deputy Clerk to the Board



BY:

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APPROVED AS TO FORM:

**REPLACEMENT EXHIBIT 2
FOURTH AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN**

FOURTH AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN

THIS FOURTH AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN (hereinafter referred to as the "Comprehensive Development Plan" or "Plan") is made and entered into this 15th day of December, 2016, by and between the Board of County Commissioners of the County of Douglas, a body politic organized under and existing by virtue of the laws of the State of Colorado (the "County") and the Town of Parker, Colorado, a Colorado home rule municipal corporation (the "Town").

RECITALS

WHEREAS, the County and the Town entered into a mutually binding comprehensive development plan that went into effect on May 14, 2003, as a means to plan for and regulate land use within a joint planning area, as identified in such plan; and

WHEREAS, the County and Town entered into the first amendment to the comprehensive development plan that went into effect on May 17, 2006; and

WHEREAS, the County and Town entered into the second amendment to the comprehensive development plan that went into effect on June 16, 2008; and

WHEREAS, the County and Town entered into the third amendment to the comprehensive development plan that went into effect on August 25, 2015; and

WHEREAS, the County and Town desire to amend and restate the Comprehensive Development Plan to the extent provided herein.

PLAN

NOW, THEREFORE, the County and the Town jointly approve and adopt this Fourth Amendment to the Comprehensive Development Plan, which is restated to provide as follows:

1.0 Planning Area Definitions

- 1.1 Town Urban Growth Area. Represents the boundary of the Town's potential future annexation area to the year 2022. The level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans. This boundary represents the Town's potential annexation perimeter and will include areas dedicated for open space as well as urban level development. The Town Urban Growth Area is depicted on the attached map (Attachment A).

1.2 Community Separation Buffer. Represents a buffer around the Town's Urban Growth Area that provides a transitional "edge" between the Town and other incorporated and unincorporated communities. While this area is not needed to accommodate the Town's growth to the year 2022, land use and development changes within this area will have a direct impact on the Town. The Community Separation Buffer is depicted on the attached map (Attachment A).

1.3 Permitted Uses. The Comprehensive Development Plan shall supersede the County Zoning Resolution for the real property contained within the Community Separation Buffer Area and the Town Urban Growth Area to the extent provided in the Plan. The only uses permitted by right within the Community Separation Buffer Area and the Town Urban Growth Area are those permitted uses described in Attachment B (the "Permitted Uses and Special Uses Matrix") and depicted in Attachment C ("Zoning Map"). The Permitted Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 7.0 of the Plan. The Permitted Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except as provided in paragraph 7.0 of the Plan.

1.4 Special Uses. The only Special Uses allowed within the Community Separation Buffer Area and the Town Urban Growth Area are those special uses described in Attachment B ("Permitted Uses and Special Uses Matrix") that are determined to meet, after notice and hearing, the requirements contained in Attachment D. The Special Uses shall not be changed, modified or expanded within the Community Separation Buffer Area during the term of this Plan, except as provided in paragraph 7.0 of the Plan. The Special Uses shall not be changed, modified or expanded within the Town Urban Growth Area, except as provided in paragraph 7.0 of the Plan.

2.0 Annexation within and expansion of the Town's Urban Growth Area

2.1 Commitment by Town to Actively Pursue Annexation of Enclaves and Roads. The Town will commit to actively pursue annexation of all enclaves. Enclaves are those unincorporated areas of land entirely contained within the outer boundaries of the Town. The businesses and land owners that are located on unincorporated enclaves identify with the Town of Parker, are a part of the community fabric of the Town, and contribute to the Town's revenue. Annexation of these enclaves will benefit the land and business owners, the Town, as well as the County by consolidating the service area of the Town and County, bringing these properties under Town services.

2.2 Waiver of Annexation Impact Reports. As all unincorporated areas located within the Town's Urban Growth Area are encouraged to annex into the Town, the County shall waive annexation impact reports for all unincorporated areas within the Town's Urban Growth Area.

2.3. Standards for Review of Annexation Petitions. The Town, when reviewing proposed annexations within the Town's Urban Growth Area, shall apply the following Standards for Review.

- 2.3.1 The property under consideration for annexation is within the Town's Urban Growth Area.
- 2.3.2 The annexation complies with the Town's Land Development Code and applicable design standards.
- 2.3.3 The annexation request is consistent with the Town's adopted plans, including, but not limited to, the Master Plan and Open Space, Trails and Greenways Master Plan, as amended.
- 2.3.4 The site plan provides for the preservation of significant stands of vegetation; unique or distinctive topographic features, including buttes and rock outcroppings; drainage, riparian and wetland areas; significant wildlife habitats, including breeding grounds, nesting areas, migration routes and wintering areas; scenic views; identified aquifer recharge areas and important historical or archaeological sites.
- 2.3.5 The site plan incorporates elements that provide for logical connections to local trails in order to link neighborhoods and connections to regional trails and nearby destinations.
- 2.3.6 The land can be used safely for the intended purpose without danger to the public health, safety or welfare or peril from fire, flood, geologic hazards or other natural hazards.
- 2.3.7 The petition for annexation is in conformance with a fully-executed pre-annexation agreement with the Town, if applicable.
- 2.3.8 The area sought to be annexed meets the requirements of the Municipal Annexation Act of 1965, as amended.
- 2.3.9 The petition for annexation satisfies the requirements of Article II, Section 30 of the Colorado Constitution.
- 2.3.10 That, upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
- 2.3.11 Petitioners understand that the Town does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker, Cottonwood, Stonegate, or Compark Water and Sanitation Districts.

2.3.12 The petitioners agree that no vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101, *et seq.*, C.R.S., have been acquired by petitioners from any government entity. Petitioners waive any vested land use rights attached to any or all of the property to be annexed.

2.3.13 The petitioners acknowledge that, upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The petitioners further acknowledge that the property, the owners thereof, and the uses thereon are also bound by any voter authorization under Article X, §20 of the Colorado Constitution adopted prior to annexation of the property. The petitioners waive any claims they may have under Article X, §20 of the Colorado Constitution related to such taxes and fees.

3.0 Land Use Applications Submitted to the County for Unincorporated Lands within the Town Urban Growth Area

3.1 Applications for Urban Level Development Other Than Region 4. Applications submitted to the County for rezoning to business, commercial, industrial, or residential development at a density greater than 1 dwelling unit/2.5 acres will be directed to the Town for annexation.

3.1.1 If there is contiguity, the Town shall process a petition for annexation. The Town Council shall apply the Standards for Review, as outlined above in paragraph 2.3 of the Plan, when considering a petition for annexation. Final decision authority for said petitions shall be with the Town Council following a public hearing, in the manner provided by the Plan.

3.1.2 If contiguity cannot be established, or if the Town adopts an ordinance establishing growth limitations, a pre-annexation agreement shall be executed between the property owner and the Town prior to the County processing the application.

3.1.2.1 If a pre-annexation agreement is executed, the County shall process the application.

3.1.2.1.1 The Town Planning staff shall be available for a pre-application conference(s) with the County and applicant.

3.1.2.1.2 The County shall forward the application to the Town for review and comment. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.

3.1.2.1.3 The County shall actively consider the Town's comments in its review of the application.

3.1.2.1.3.1 If conformance with both the County and Town's regulations cannot be achieved, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with both the County and Town's regulations to the extent feasible.

3.1.2.1.3.2 If additional interpretation is needed, the staff of both the County and the Town shall meet to resolve the issues and attempt to provide a joint recommendation on the application. If resolution is not achieved, the County shall process the application in conformance with the Town's comments to the extent feasible.

3.1.2.1.3.3 Final decision authority for said applications shall be with the Board of County Commissioners following a public hearing, in the manner provided by the Plan and the County's Zoning Resolution. Where the Plan and the County's Zoning Resolution conflict, the provisions of the Plan shall prevail.

3.1.2.2 If a pre-annexation agreement is not executed, the property owner may:

3.1.2.2.1 Request that the County process an application for development in compliance with the Plan for Permitted Uses and Special Uses; or

3.1.2.2.2 Request an amendment to the Plan in compliance with the provisions outlined in paragraph 7.0 of the Plan.

3.2 Applications for Development in Region 4. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process all applications submitted to the County for urban-level development or for Permitted Uses and Special Uses as outlined in the Plan.

- 3.2.1 The County shall submit a notice to the Town through the standard referral process. The Town shall provide a referral response with comments based upon the Town's Land Development Code and applicable design standards.
- 3.2.2 The County shall encourage the property owner to annex into the Town and the Town agrees to annex the property if there is contiguity.
- 3.2.3 If contiguity cannot be established, a pre-annexation agreement shall be executed between the property owner and the Town.
- 3.3 Applications for Development in Compliance with the Comprehensive Development Plan. The County, as permitted by the County Zoning and Subdivision Resolutions, shall process applications submitted to the County for development in compliance with the Plan, for Permitted Uses and Special Uses. Prior to processing the application, the County shall encourage the property owner to annex into the Town.
 - 3.3.1 The County shall submit a notice to the Town through the standard referral process. The Town's referral comments will be based on the provisions of this Plan.

4.0 Land Use Applications Submitted to the County within the Community Separation Buffer

- 4.1 Regions. The County agrees to process all land use applications within the Community Separation Buffer in compliance with the Permitted Uses, Special Uses and as described below, provided that the Permitted Uses and Special Uses may be modified and supplemented in Region E through the approval by the County of a Planned Development, as described below in items 4.1.5 and 4.2.
 - 4.1.1 Region A: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature and may continue to build out in the established land pattern. Semi-rural development may be considered when available water supply and provision of schools, recreation, employment, and shopping are provided.
 - 4.1.2 Region B: Residential development in this region may continue to build out in the established land pattern. Redevelopment in this region should be of a scale and design that supports and complements the semi-rural nature of this nonurban area. Redevelopment shall be defined at a density of no more than one (1) dwelling unit per two acres in accordance with adopted regulations. Redevelopment may be considered when all of the following principles/requirements are met:
 - 4.1.2.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.

- 4.1.2.2 Development shall be clustered to preserve the floodplain and natural features of Happy Canyon Creek, to the extent possible.
- 4.1.2.3 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
- 4.1.2.4 Site development will provide for pedestrian, bicycle, and equestrian connectivity to adjacent communities and shall encourage vehicular connections to Lincoln Avenue, to the extent possible.
- 4.1.2.5 Sufficient open space, parks and trails shall be provided to meet the needs of the development.
- 4.1.3 Region C: As defined by the Douglas County Comprehensive Master Plan, this region permits rural development that is of a low-intensity nature (1 dwelling unit/35 acres). If a rural site plan is submitted in accordance with the County Zoning Resolution, the density may be increased not exceeding 1 dwelling unit/17.5 acres as an incentive to preserve open space and protect wildlife habitat. Semi-rural development in this region is not supported.
- 4.1.4 Region D: This region permits uses associated with open space, passive and nonmotorized recreation, agricultural and Parker Water and Sanitation uses. Such passive uses may include, but are not limited to, hiking, biking, equestrian activities, outdoor conservation activities and fishing. The County shall have the final determination for allowed activities.
- 4.1.5 Region E: This region permits urban level, Planned Development-zoned development as identified and defined in the Douglas County Comprehensive Master Plan and defined in the Douglas County Zoning Resolution. Through the County’s approval of a rezoning to Planned Development, the Permitted Uses and Special Uses may be modified and supplemented with additional uses that are consistent with urban level development. Development in this region shall comply with all of the following principles/requirements:
 - 4.1.5.1 Site development shall be sensitive to the physical patterns of land and water that occur naturally on the site.
 - 4.1.5.2 Development should consider clustering to preserve areas of natural open space between developments and to promote separation of developments.
 - 4.1.5.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.

- 4.1.5.4 Lincoln Avenue provides a sense of transition into the Town and acts as a “gateway” into the community. Development along this thoroughfare shall respect and incorporate design elements that enhance the concept of community gateway.
 - 4.1.5.5 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.
 - 4.1.5.6 Site design will provide for vehicular and pedestrian connectivity to all adjacent communities, to the extent feasible.
 - 4.1.5.7 Site design will preserve sufficient open space to meet the needs of the development and provide community separation and should consider: environmental areas; riparian features; 100-year floodplain; significant natural land forms; significant natural vegetation areas; important wildlife habitat areas; geologic hazard areas; severe soil erosion area; and cultural, historic and archaeological areas.
- 4.1.6 Region F: Development in this area is limited to residential uses, parks, and open space.
 - 4.1.7 Region G: This region is limited to open space uses only.
 - 4.1.8 Region H: Development in this area is limited to residential uses, parks, schools, and open space. Residential uses shall not exceed 2.2 units per acre.

It is the County’s intent to design and construct the portion of Bayou Gulch Road/Chambers Road, (Bayou Gulch Road), which lies north of Pradera Parkway and south of the property (Arlington Property). The vertical and horizontal alignments for Bayou Gulch Road for the southern 1,200-feet within the property (Arlington Property) needs to be well coordinated with the County, in order to assure compatibility for the portion of the road as it crosses over Scott Gulch; and so that the road can be constructed cost effectively and within the existing right-of-way (ROW), that was dedicated to the County by the developers that lie south of the property (Arlington Property). The County has plans to reconstruct existing Scott Road from the east boundary of the Hungry Horse open space to intersect with proposed Bayou Gulch Road, which will be located approximately 100 to 200 feet south of the property (Arlington Property); and any accesses further to the north on Bayou Gulch Road needs to take into consideration the spacing between this full movement intersection and any accesses to the north. Additionally, the alignment of Bayou Gulch Road across the property (Arlington Property) needs to be

designed so that no additional ROW or easements will be needed from the existing large rural residential property that is located directly to the west, which is not proposed to be rezoned. The County is not going to hold the current landowner responsible for any of the stated improvements.

The property owner shall grade four (4) and build two (2) major arterial roadway lanes for that portion of Bayou Gulch Road/Chambers Road for the length of said property. Additionally, the property owner shall be responsible for any auxiliary lanes as required by the Town.

- 4.1.9 Region I: Development in this area may include a clay mine operation as reviewed and approved through the County's Use by Special Review process. The clay-mine operation shall be valid for a period not to exceed the sooner occurrence of a period of fifteen years from the date of its approval by Douglas County or July 4, 2032.

4.2 Review Process.

- 4.2.1 The County shall submit a notice to the Town through the standard referral process for land use applications in Regions A, B (when redevelopment is not proposed), C and D.
- 4.2.2 The County and the Town shall jointly review any redevelopment application submitted for Region B. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.3 Subject to paragraph 4.2.5 below, the County and the Town shall jointly review all urban level Planned Development rezoning applications submitted for Region E. Such review shall consist of jointly held meeting(s) at the staff level in order to develop comments on an application.
- 4.2.4 The Town's referral comments will focus on compliance with the provisions of this Plan, as outlined in paragraph 4.1 of the Plan.
- 4.2.5 The County will hold public hearings to the extent provided in the County's Zoning and Subdivision Resolutions, and make its final decision in accordance with the Plan and said resolutions.

5.0 Land Use Applications Submitted to the Town within the Town Urban Growth Area.

- 1.5 Region 1: Site development shall comply with the following principles/requirements or with the Plan for Permitted Uses and Special Uses:

- 5.1.1 Provide for a regional open space corridor that is continuous and sufficient in size to effectively act as a buffer between the Town's Urban Growth Area and the Community Separation Buffer Area. The corridor shall feature naturally undisturbed, passive open space to provide regional access and trail connections as well as a wildlife corridor through this area.
- 5.1.2 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches, natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.
- 5.1.3 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.
- 5.1.4 Protect the rural roadside character of Crowfoot Valley Road by establishing an open space buffer zone along this corridor.
- 5.1.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.
- 5.1.6 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.
- 5.1.7 Development shall be clustered to preserve and protect significant open space in its natural state.
- 5.1.8 Provide appropriately sized and located activity centers that offer a wide range of goods and services to the immediate market area, neighborhood and community.
- 5.1.9 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.
- 5.1.10 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.
- 5.1.11 Proposed golf courses shall, at a minimum, be designed to include provisions to promote water conservation and wildlife habitat, as provided by the Center for Resource Management's published "Environmental Principles for Golf Courses in the United States" and National Audubon Society's model for "green" golf course standards.

5.1.12 Development on the south side of Crowfoot Valley Road shall use open space to create community separation between the Town and adjacent development. Open space will be used to expand and enhance existing adjacent open space within the Community Separation Buffer Area.

5.1 Region 2: Requests for mining or water storage shall comply with the following principles/requirements:

5.2.1 The maximum life of the mining/extraction uses shall not exceed ten (10) years.

5.2.2 Truck hauling materials shall be subject to the access requirements of the Town and shall be in compliance with the Town's truck hauling routes map, as amended.

5.2.3 Hours of operation for mining, extraction and hauling shall not exceed Monday through Friday between the hours of 8 a.m. and 5 p.m.

5.2.4 A dust mitigation plan shall be required. An on-site water source shall be available and used as required for implementing the dust mitigation plan.

5.2.5 A noise plan shall be prepared to demonstrate the ability to comply with maximum noise levels as required by C.R.S. § 25-12-103. Such noise plan shall identify noise mitigation measures such as, but not limited to, the use of berming, locating noisy machinery and vehicles below grade in the excavation pit, and the establishment of operational guidelines.

5.2.6 A visual analysis shall be required to determine the visibility of the mining operation, including, but not limited to, the total disturbed area, stock piles, equipment, and any structures from Crowfoot Valley Road, Highway 83, and adjacent residential development. Visual mitigation measures for the duration of the mining operation shall be required, including, but not limited to: berming; landscape screening; limitations on the height, location, and quantity of stock piles; sub-grade placement of maintenance, mechanical, and other equipment; as examples.

5.2.7 The property owner shall render to the Town cash or an irrevocable letter of credit in an amount sufficient to restore the subject property to its original condition to the extent that property owner fails to comply with the Town standards or the principles/requirements described herein.

5.2.8 The property owner shall demonstrate to the Town's satisfaction that the property owner has adequate adjudicated water rights to keep the reservoir full.

5.2.9 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated water rights to store water in the reservoir at the site proposed for the reservoir.

5.2.10 The property owner shall demonstrate to the Town's satisfaction that the property owner has adjudicated the means and methods to convey the water rights from the point of diversion to the site proposed for the reservoir.

5.2.11 Non-motorized recreational boating shall be permitted on the reservoir and the reservoir shall be open to the public and managed by the Town of Parker/Douglas County parks departments.

5.2.12 As part of the annexation agreement with the Town, trail connections shall be incorporated.

1.6 Region 3: Site development shall comply with the following principles/requirements:

5.3.1 Preserve significant natural features, critical stands of vegetation, riparian corridors/primary gulches (including Newlin Gulch), natural hazard areas, steep slopes, critical wildlife habitat, and sites of historic, cultural, or archaeological significance.

5.3.2 Development shall implement site planning techniques to minimize visual impacts of development in highly scenic, topographically diverse terrain.

5.3.3 Development shall be clustered to preserve and protect significant open space in its natural state.

5.3.4 Provide sufficient passive open space corridors that are contiguous and integrated into local and regional greenway/trail systems.

5.3.5 Include a pedestrian circulation system designed to assure that pedestrians can walk safely and easily on the site, and between properties and activity areas/open space/activity centers/special features. Pedestrian circulation systems shall also be linked with regional connections to open space and trails.

5.3.6 Vehicular circulation systems shall be designed with consideration to the topographic conditions of the land and provide for logical connections to public rights-of-way.

5.3.7 Provide active recreational areas, including, but not limited to, open space, parks and trails in suitable locations that meet the needs of the development and offer convenient access by residents.

5.3.8 A minimum 50-foot open space buffer shall be designated along the northern portion of the property for the purpose of preserving land and a buffer for the proposed East-West Regional Trail.

- 5.3.9 Connect the Newlin Gulch trail through Region 3 to the Reuter-Hess Reservoir trail system, as identified in the Town's Open Space, Trails and Greenways Master Plan.
- 5.3.10 Open space shall be used to create a sufficient separation from and transition to the land owned by the Parker Water and Sanitation District as part of the Reuter-Hess Reservoir.
- 5.3.11 The property owner shall be responsible for all costs and right-of-way dedication associated with all necessary improvements for the extension of Chambers Road as four lanes, including a four lane bridge, through Region 3.
- 5.3.12 Access to Chambers Road from Region 3 shall be limited to one (1) access on the north side of Newlin Gulch and one (1) access on the south side of Newlin Gulch. Said southern access shall also serve the Double Angel ball fields and the Reuter-Hess Reservoir.
- 5.3.13 Site development along the proposed extension of Chambers Road will be adequately setback to establish a greenbelt/trail system, effectively acting as a community separation buffer between the development and this vehicular thoroughfare.
- 5.3.14 The property owner shall be responsible for supporting the Double Angle ball fields and future indoor training facility as presented in the letter provided by Jehn Engineering on behalf of Glasgow 3 Investments, LLC, at the November 16, 2005, Review Board meeting.
- 5.3.15 The property owner shall be responsible for dedicating the necessary right-of-way and associated improvements for the new regional east-west roadway connection to Castle Pines Parkway through Region 3.
- 5.4 Region 4: Lands within Region 4 can only be annexed by the Town if the property owner requests annexation and if contiguity can be established.
 - 5.4.1 Development of lands annexed into the Town within Region 4 shall:
 - 5.4.1.1 Be subject to the planned development guide and preliminary plat approved by the County prior to annexation and subsequently adopted by the Town.
 - 5.4.1.2 Be reviewed by the architectural control committee established by the property owner for commercial development prior to the submission of a formal application to the Town.
 - 5.4.1.2.1 The recommendations of the committee shall be included as part of the submittal to the Town.

5.4.1.2.2 Said committee shall include one (1) representative from the Pinery Planned Development.

5.4.1.3 Only open space, recreational uses and other uses allowed in the planned development guide shall be permitted within the Cherry Creek corridor and 100-year floodplain.

5.4.2 The Town agrees not to pursue annexation of the lands owned by the Pinery Home Owners Association within the Planned Development within Region 4 while such lands remain under ownership of the Pinery as it's current use.

5.4.3 The Town agrees not to pursue annexation of any lands owned by the Denver Southeast Suburban Water and Sanitation District located within Region 4 while such lands remain under ownership of the District, during the term of this IGA.

5.4.3.1 District facilities, including the wastewater treatment plant, pump stations, wells and sewer and water lines, located within Region 4 shall continue to be permitted as uses by right and shall not be restricted by the Town, during the term of this IGA.

5.4.3.2 Any District facilities shall comply with the regulations of the applicable jurisdiction.

5.5 Development Adjacent to the Community Separation Buffer Area. When the Town evaluates applications for development adjacent to the Community Separation Buffer, consideration will be given to contributing and expanding the buffer area along the fringe of the Town Urban Growth Area.

5.6 Review Process.

5.6.1 The Town shall submit a notice to the County through the standard referral process for all land use applications, except for applications submitted for Region 1.

5.6.2 Land use applications submitted for Region 1 shall be jointly reviewed by the Town and County. Such review shall include jointly held meeting(s) at the staff level in order to develop comments on an application.

5.6.3 The County's referral comments will be based on the provisions of this Plan.

5.6.4 The Town will hold public hearings to the extent provided in the Town's zoning and subdivision regulations, and shall make its final decision in accordance with the Plan and said regulations.

6.0 Land Use Applications beyond the Town Urban Growth Area and Community Separation Buffer

- 6.1 The Town agrees not to pursue annexation of the residential portions of the Pinery Planned Development.
- 6.2 The Town agrees not to pursue annexation of the Colorado Horse Park.

7.0 Amendments to the Comprehensive Development Plan

- 7.1 The Town or the County may propose amendments to the Plan in writing.
- 7.2 A property owner may request an amendment to the Plan when:
 - 7.2.1 A petition for annexation of unincorporated land within the Urban Growth Area is denied by the Town; or
 - 7.2.2 A pre-annexation agreement for unincorporated land within the Urban Growth Area cannot be reached with the Town.
- 7.3 Process for Amending the Plan
 - 7.3.1 The party requesting the proposed amendment to the Plan shall submit the proposal in writing to the Director of Community Development of both jurisdictions.
 - 7.3.2 The Directors from both jurisdictions shall jointly make the request that the Review Board convene to hear the proposed amendment.
 - 7.3.2.1 A Review Board consisting of one (1) representative from both the Town and the County shall be appointed by the respective Council and Board.
 - 7.3.2.2 The Review Board shall meet with staff and review the proposed amendment. If necessary, the Review Board may direct staff to research the proposed amendment, and report back with necessary information.
 - 7.3.2.3 The Review Board shall direct staff to forward the proposed amendment to both the Town Council and the Board of County Commissioners, with a recommendation for approval, denial, or no recommendation from the Review Board.
 - 7.3.3 The proposed amendment and the recommendation of the Review Board shall be submitted to both the Town Council and Board of County Commissioners for final decision.

7.3.4 The Town and County will each finalize the request through their respective adoptive processes with their Council/Board taking into consideration the recommendation of the Review Board.

7.3.5 An amendment to the Plan requires approval by the Town Council and Board of County Commissioners. If the Town Council and/or the Board of County Commissioners do not approve the proposed amendment, then the Plan shall not be amended.

8.0 Effective Date and Term

8.1 This Plan shall be effective after: (1) it has been executed by the County and the Town; and (2) the County has adopted conforming amendments to the Douglas County Zoning Resolution. This Plan shall remain in full force and effect for the five-year period commencing on the Initial Effective Date of the Plan, as described in this paragraph. Thereafter, this Plan shall automatically remain in full force and effect for successive five-year terms through the year 2022, unless sooner terminated. This Plan may be terminated on May 14, 2008, or thereafter at the end of a five-year term by a party giving written notice to the other party at least 180 days prior to the expiration of the five-year term. This Plan may also be terminated at any time by mutual agreement of the parties. The term of this Intergovernmental Agreement shall run concurrently with the term of this Plan.

8.1.1 Initial Effective Date of the Plan. The effective date of the Plan is May 14, 2003; the date the Board of County Commissioners adopted conforming amendments to the Douglas County Zoning Resolution.

8.1.2 First Amended Effective Date of the Plan. The amendments to the Plan are effective May 17, 2006.

8.1.3 Second Amended Effective Date of the Plan. The amendments to the Plan are effective June 16, 2008.

8.1.4 Third Amended Effective Date of the Plan. The amendments to the Plan are effective August 25, 2015.

8.1.5 Fourth Amended Effective Date of the Plan. The amendments to the Plan are effective December 15, 2016.

9.0 Incorporation

9.1 All attachments to this Plan are incorporated herein.

IN WITNESS WHEREOF, this mutually binding Comprehensive Development Plan is approved and adopted by the Town of Parker and the Board of County Commissioners of Douglas County as of the date first above written.

TOWN OF PARKER, COLORADO

BY: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

**BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF DOUGLAS, COLORADO**

BY: _____
David A. Weaver, Chair
Board of County Commissioners

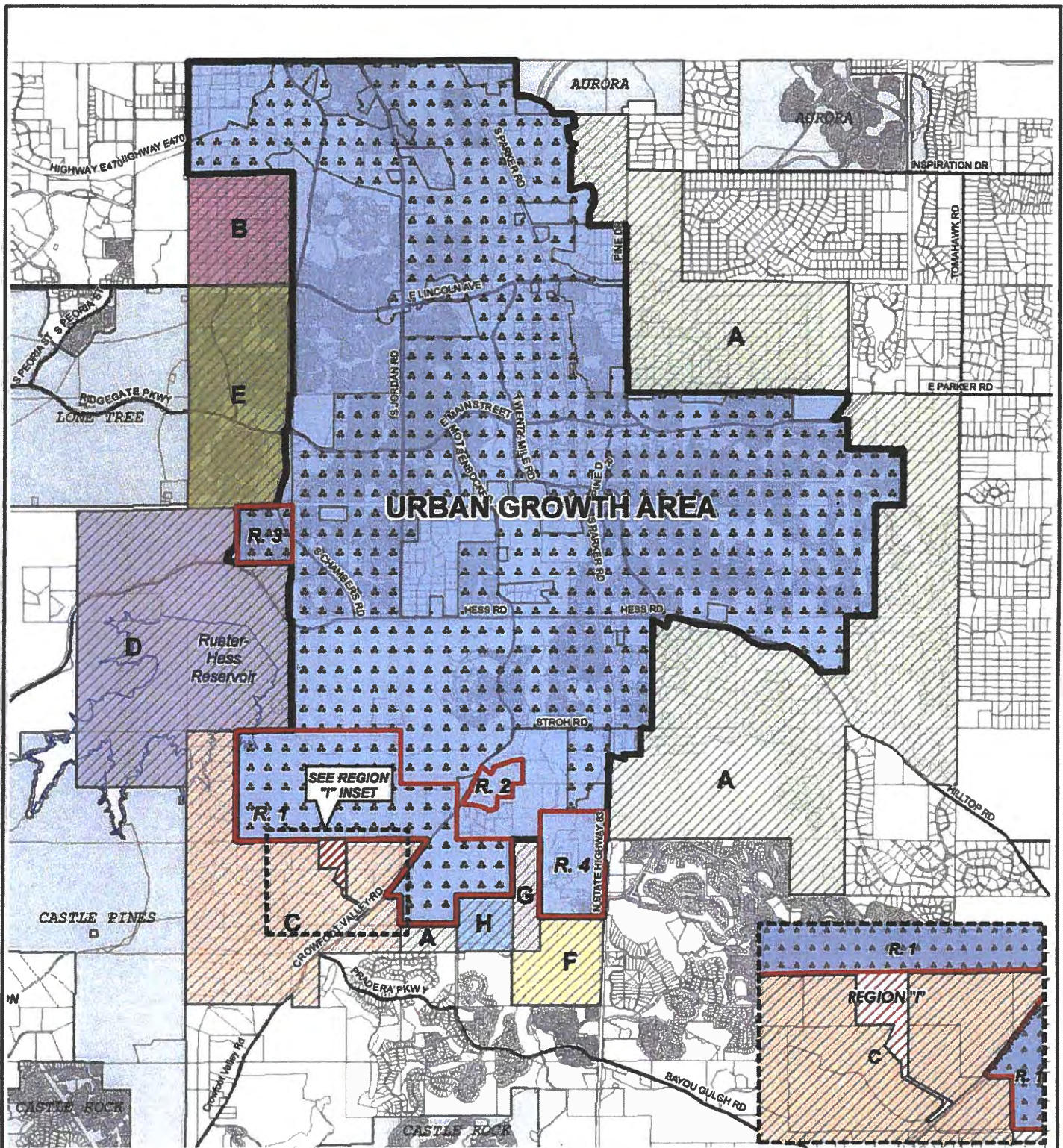
ATTEST:

Meghan McCann, Deputy Clerk to the Board

APPROVED AS TO FORM:

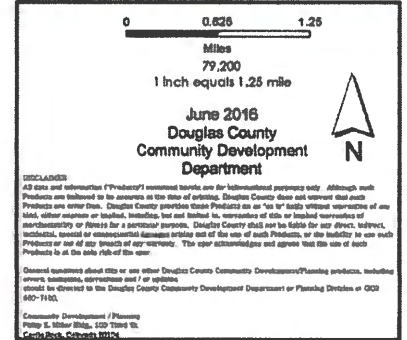
Lance Ingalls, County Attorney

**ATTACHMENT A
PLANNING AREA**



TOWN OF PARKER and DOUGLAS COUNTY COMPREHENSIVE DEVELOPMENT PLAN FOURTH AMENDMENT

- INCORPORATED PARKER
- URBAN GROWTH AREA
- REGIONS
- COMMUNITY SEPARATION BUFFER
- Region A
- Region B
- Region C
- Region D
- Region E
- Region F
- Region G
- Region H
- Region I
- OTHER INCORPORATED MUNICIPALITIES
- PARCEL
- RUETER-HESS RESERVOIR
- MAJOR RD



ATTACHMENT B
PERMITTED USES AND SPECIAL USES MATRIX

Zone District Abbreviations

Agricultural
Large Rural Residential
Rural Residential
Estate Residential
Suburban Residential
Business
Commercial
Light Industrial
General Industrial

A-1
LRR
RR
ER
SR
B
C
LI
GI

LAND USE/ZONING DISTRICT												
Agricultural Recreational Activities												
Animals	P	P										
Horse/Cow/Mule/Llama	P	P	A	A								
Pig/Goat/Sheep/Miniature Horse	P	P	A	A								
Buffalo/Ostrich/Goose/Bees	P	P										
Chicken/Turkey/Duck	P	P	A	A								
Deer/Cat/Pot-bellied Pig	P	P	A	A								
Wolf/Bear/Snake/Mtn. Lion	USR	USR										
Kennel												
Automobile Service/Repair												
Automobile Service Station with gas pumps												
Bank/Financial Institution												
Bar/Lounge												
Batch Plant - asphalt/concrete												
Bed and Breakfast												
Building Materials - retail/wholesale												
Campground	USR	USR	USR	USR								
Cemetery	USR	USR										
Chemical Storage/Transfer/Disposal (incl. hazardous)												
Church - max. seating capacity 350	P	P	P	P	P	P	P	P	P	P	P	USR
Church - seating capacity greater than 350	USR	USR	USR	USR	USR	USR	USR	USR	USR	USR	USR	
Club/Country Club												
College												
Construction Office - temporary	F	P	P	P	P	P	P	P	P	P	P	P
Convention/Conference Center												
Cultural Facility												
Day-Care Center	USR	USR										
Day-Care Facility for employees' children	USR	USR	USR	USR	USR	USR	USR	USR	USR	USR	USR	
Day-Care Home - small	A	A	A	A	A	A	A	A	A	A	A	
Day-Care Home - large	USR	USR	USR	USR	USR	USR	USR	USR	USR	USR	USR	
Dude Ranch	USR	USR										

P = Principal Use, A = Accessory Use, USR = Use by Special Review, Blank space = Not Permitted USRA-USR Accessory Use

LAND USE/ZONING DISTRICT										
	A-1	LRR	RR	ER	SR	B	C	LI	GI	
Entertainment Event	USR									
Equipment Rental										
Equipment Rental - small								P	P	
Extended-Care Facility								P	P	
Farming/Ranching	P	P								
Feed Lot/confinement center										
Fire Station - no training	P	P	P	P	P			P	P	
Fire Station - w/training facilities								P	P	
Firing Range - indoor	USRA							P	P	
Firing Range - outdoor	USR									
Golf Course										
Greenhouse - 1/2 acre max.	P	P						P	P	
Greenhouse - greater than 1 acre	USR							P	P	
Group Home	P	P	P	P	P			P	P	
Group Home for Registered Sex Offenders										
Group Residential Facility	USR	USR				USR	USR	USR	USR	
Guest House	A	A	A							
Hazardous Materials Storage/Transfer										
Helipad										
Home Occupation								USR	USR	USR
Class 1	A	A	A	A	A					
Class 2	A	A	A	A						
Exceeding Class 2 thresholds	USR									
Horse Boarding	*	*	*	*	*					
Horse Rental Stable	USR	USR								
Hospital										
Hotel								P	P	P
Hunting/Fishing Club								P	P	
In-Home Elder Care	USR									
Jail/Correctional Facility	A	A	A	A	A					
Junk Yard										
kennel - dog/cat										USR

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND USE/ZONING DISTRICT	A-1	U-RR	RR	ER	SR	B	C	U	GI
Landfill - public/private									USR
Landing field - private	USRA								USRA
Library	P	P	P	P	P	P	P	P	P
Manufacturing Operations									P
Mini Warehouse									P
Mining/Quarry									P
Mining/Quarry - Region I	USR								USR
Motel									
Motor Vehicle/Equipment Service/Repair						P	P		P
Nursing Home						P	P		
Office - General/Medical/Professional/Government						P	P	P	P
Office - Temporary									P
Oil/Gas Drilling									
Open Space/Trails	P	P	P	P	P	P	P	P	P
Park/Playground	P	P	P	P	P	P	P	P	P
Parking Lot - public/private									P
Product Distribution/Storage (no hazardous materials)									P
Propane Distribution/Storage									P
Quarry									USR
Ranching	P	P							
Recreation Facility									
Community									
Neighborhood			P	P	P				
Indoor									
Outdoor						P	P	P	P
Recreational Vehicle Storage Lot									P
Recycle/Trash Transfer Facility									P
Research and Development Facility									P
Residence									P
Caretaker	P	USR							

P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted, USRA Accessory Use

LAND USE/ZONING DISTRICT

	A-1	LRR	ER	ER	SR	B	C	LI	GI
Carester - mobile home	USR	USR							
Employee/Management Housing						A	A	A	USR
Mobile Home - permanent									
Multi-family		USR							
Single-Family	P	P	P	P	P				
Single-Family attached									
Temporary	P		P	P	P				
Restaurant/First Food (including drive-up facility)									
Retail/Service Business - indoor						P	P	P	P
Retail/Service Business - outdoor						P	P	P	P
Residential Home						P	P	P	P
Retreat - Religious									
Sales Office - temporary	USR								
Satellite Dish			P	P	P				
Satellite Earth Station	A	A	A	A	A	A	A	A	A
Satellite Earth Station (exceeding max. height/height standards)	USR								
Sawmill-portable	USR								
School - private/public (K-12)	USRA	USRA							
Seasonal Use	P	P	P	P	P	P	P	P	P
Septic Waste and Sludge - Land Application						P	P	P	P
Sewage Treatment	USR								
Sexually Oriented Business									
Sheriff Station (no training/detention)									
Sheriff Station	P	P	P	P	P	P	P	P	P
Storage Area - commercial						P	P	P	P
Telecommunication Facility									
Telecommunication Facilities (exceeding max height/height standards)									
Temporary Uses									
Theater - indoor	P	P	P	P	P	P	P	USR	USR
Theater - outdoor						P	P	P	P

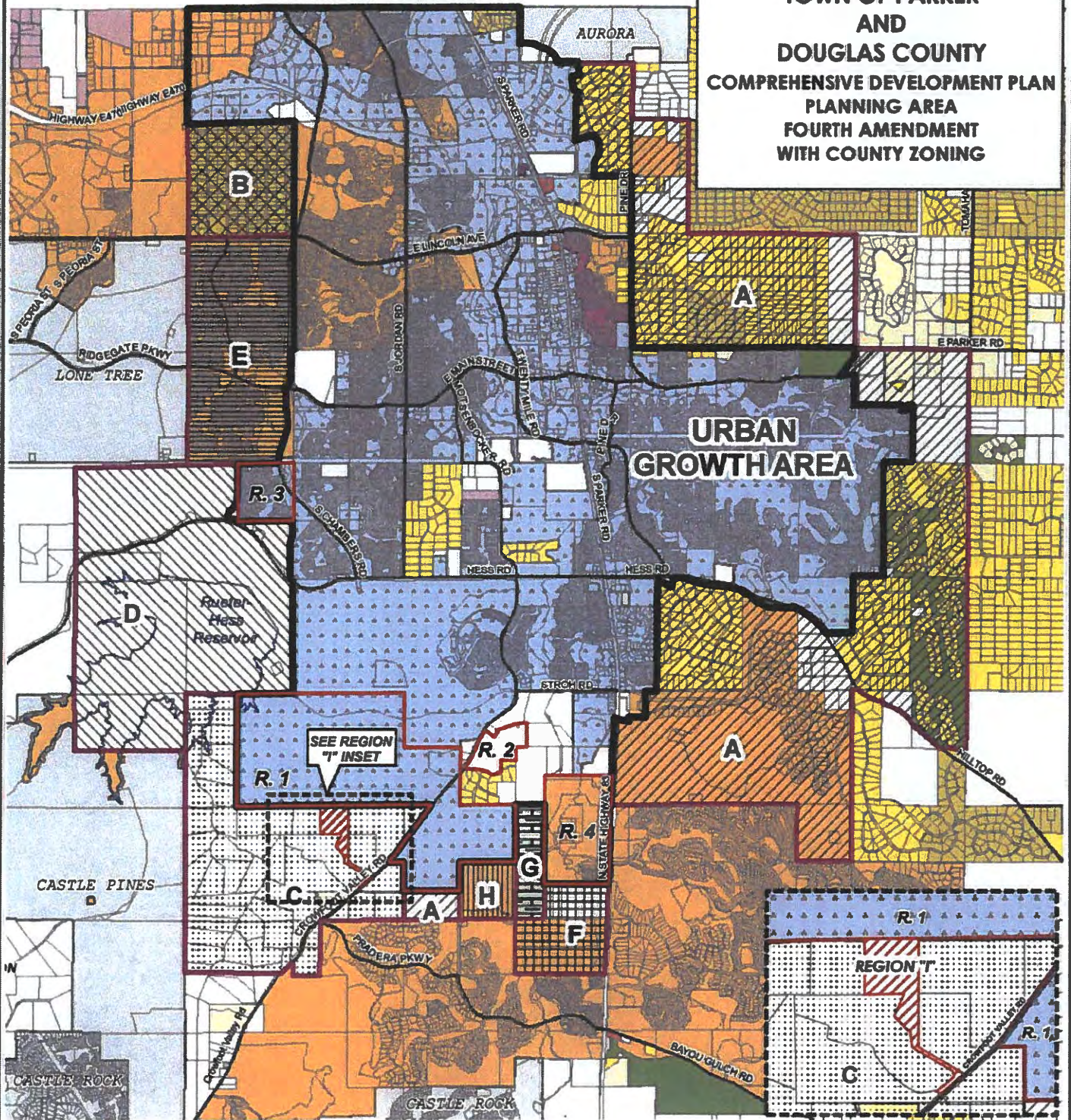
P = Principal Use, A = Accessory Use, USR = Use by Special Review, blank space = Not Permitted USRA=USR Accessory Use

LAND-USE/ZONING DISTRICT										
Training of Horses/Riders (max of 14/week)										
Tree Farming	P	P	P	A	A					
University	P	P								
Utility - major facility	USR	USR	USR	USR	USR					
Utility Service Facility	P	P	P	P	P					
Veterinary Clinic/Hospital	USR	USR								
Warehouse										
Water Treatment/Storage										
Wholesale Business - sales/service										
Wind Energy Conversion System	USR	USR	USR							
Youth-Oriented Agricultural Activities	P	P	P	P	P					
Zoo										

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ATTACHMENT C
ZONING MAP

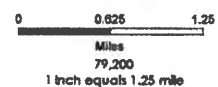
TOWN OF PARKER AND DOUGLAS COUNTY COMPREHENSIVE DEVELOPMENT PLAN PLANNING AREA FOURTH AMENDMENT WITH COUNTY ZONING



- REGION A REGION C REGION E REGION G REGION I
 REGION B REGION D REGION F REGION H REGIONS R. 1-4

ZONING

- A1. AGRICULTURAL ONE SR. SUBURBAN RESIDENTIAL LI. LIGHT INDUSTRIAL
 LRR. LARGE RURAL RESIDENTIAL LSB. LIMITED SERVICE BUSINESS PD. PLANNED DEVELOPMENT
 RR. RURAL RESIDENTIAL B. BUSINESS OS. ZONED OPEN SPACE CONSERVATION
 ER. ESTATE RESIDENTIAL C. COMMERCIAL
 COMMUNITY SEPARATION BUFFER TOWN OF PARKER BOUNDARY RUETER-HESS RESERVOIR
 URBAN GROWTH AREA PARCEL MAJOR RD
 OTHER INCORPORATED MUNICIPALITIES



June 2016
Douglas County Community Development Department

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Community Development / Planning
Patty S. Miller (303) 690-7100
Castle Rock, Colorado 80104

ATTACHMENT D
APPROVAL STANDARDS FOR SPECIAL USES

APPROVAL STANDARDS FOR SPECIAL USES

A Special Use shall be approved only if the Board of County Commissioners finds that the proposed special use:

- ❖ Complies with the minimum zoning requirements of the zoning district in which the special use is to be located, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the requirements of Section 21, Use By Special Review, as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
- ❖ Complies with the Douglas County Subdivision Resolution, in effect as of the date of this Plan;
- ❖ Will be in harmony and compatible with the character of the surrounding areas and neighborhood;
- ❖ Will be consistent with the Douglas County Comprehensive Master Plan;
- ❖ Will not result in an over-intensive use of land;
- ❖ Will provide roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development concurrently with the impacts of such development.
- ❖ Will provide public facilities and services necessary to accommodate the proposed development concurrently with the impacts of such development.
- ❖ Will not require a level of community facilities and services greater than that which is available;
- ❖ Will not cause significant air, water, or noise pollution;
- ❖ Will be adequately landscaped, buffered, and screened;
- ❖ Complies with the following standards regarding water supply as set forth in the Douglas County Zoning Resolution in effect as of the date of this Plan;
 - If it is demonstrated that the use by special review will not generate any ongoing water demand, no proof of water supply shall be required and no other provisions of Section 18A - Water Supply Overlay District shall be applicable.
 - If it is demonstrated that the use by special review, when located on a conforming parcel within the A-1 or LRR zone district, will generate a water demand not to exceed three (3) acre-feet per year, and that the demand can be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for such use, this standard shall be met and no other

provisions of Section 18A – Water Supply Overlay District shall be applicable. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A.

- For all other use by special review applications, the applicant shall demonstrate conformance with Section 18A - Water Supply Overlay District, herein.
- ❖ Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Douglas County.

SECTION 19A PARKER IGA - OVERLAY DISTRICT

-Section Contents-

1901A	Intent	19-2
1902A	Applicability	19-2
1903A	Parker IGA – Overlay District Map	19-2
1904A	Use Regulations.....	19-2
1905A	Review Procedures	19-2
1906A	Amendments	19-2

1901A Intent *(Amended 2/24/09)*

To implement the Parker Intergovernmental Agreement (IGA), as amended, between the Douglas County Board of County Commissioners and the Town of Parker. The Parker IGA, enabled by the Local Government Land Use Control Enabling Act (C.R.S. 29-20-101, *et seq.*), and incorporated herein by reference, is intended to facilitate coordinated planning and land development in the unincorporated areas of Douglas County located in the vicinity of the Town of Parker.

The IGA Comprehensive Development Plan (the Plan), contained in the Parker IGA, as amended, sets forth land use policies and development regulations for those areas identified as the Town Urban Growth Area and the Community Separation Buffer delineated in the Parker IGA, as amended. The Town Urban Growth Area represents the boundary of the Town's potential future annexation area to the year 2020. The Community Separation Buffer represents a buffer around the Town's Urban Growth Area that provides a transitional edge between the Town and other incorporated and unincorporated communities.

1902A Applicability *(Amended 2/24/09)*

The regulations apply to land contained within the boundaries of the Parker IGA - Overlay District as depicted on the Douglas County Zoning Map. The provisions of this Overlay District and the Parker IGA, as amended, shall supersede otherwise applicable requirements of this Resolution where those requirements are inconsistent with the provisions herein. All of the restrictions and requirements set forth in other applicable regulations remain in full force and effect unless modified by the Plan.

1903A Parker IGA - Overlay District Map

The boundaries of the Parker IGA - Overlay District are delineated on the Douglas County Zoning Map and reflect the boundaries shown on the Plan map. The boundaries may only be amended by mutual agreement of the Town and the County as set forth in the IGA.

1904A Use Regulations *(Amended 2/24/09)*

The uses permitted in the Parker IGA - Overlay District are those permitted in the underlying zone district unless modified by the Parker IGA, as amended.

1905A Review Procedures

Land Use applications shall be reviewed and processed in accordance with requirements specified in the Plan, in addition to the provisions of this Resolution.

1906A Amendments *(Amended 2/24/09)*

Amendments to the Parker IGA shall be reviewed and processed in accordance with the policies and procedures set forth in Parker IGA, as amended.

TOWN OF PARKER and DOUGLAS COUNTY I.G.A. BOUNDARY MAP

-  PARKER IGA OUTER BOUNDARY
-  INCORPORATED PARKER
-  OTHER INCORPORATED TOWNS
-  CASTLE ROCK IGA AREA
-  PARKS & PRESERVED OPEN SPACE



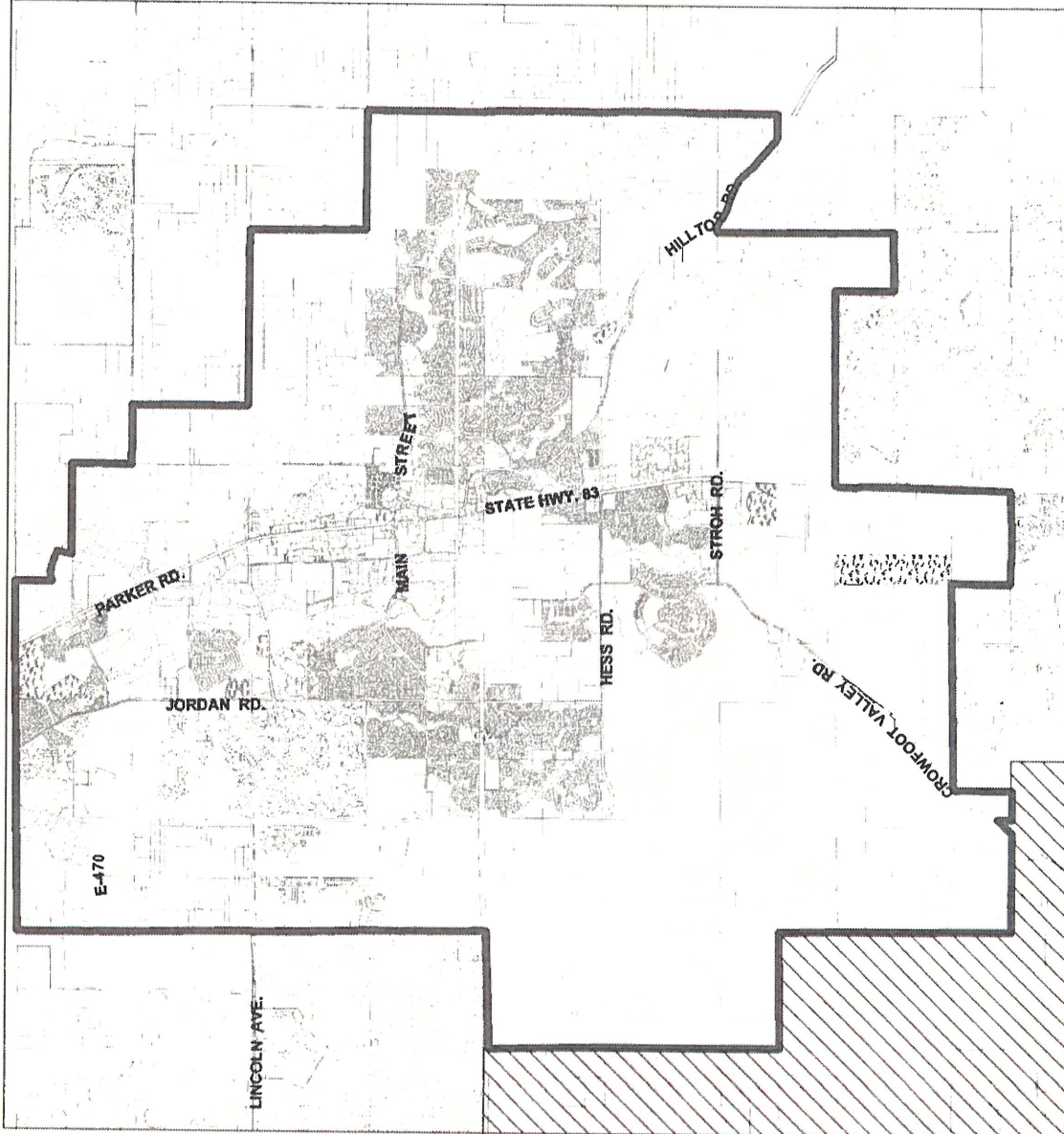
JUNE 2008
DOUGLAS COUNTY PLANNING &
SUSTAINABLE DEVELOPMENT DEPARTMENT

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Map generated April 9, 2009 jdemaree@dco.net 11/17/2009 jdemaree@dco.net

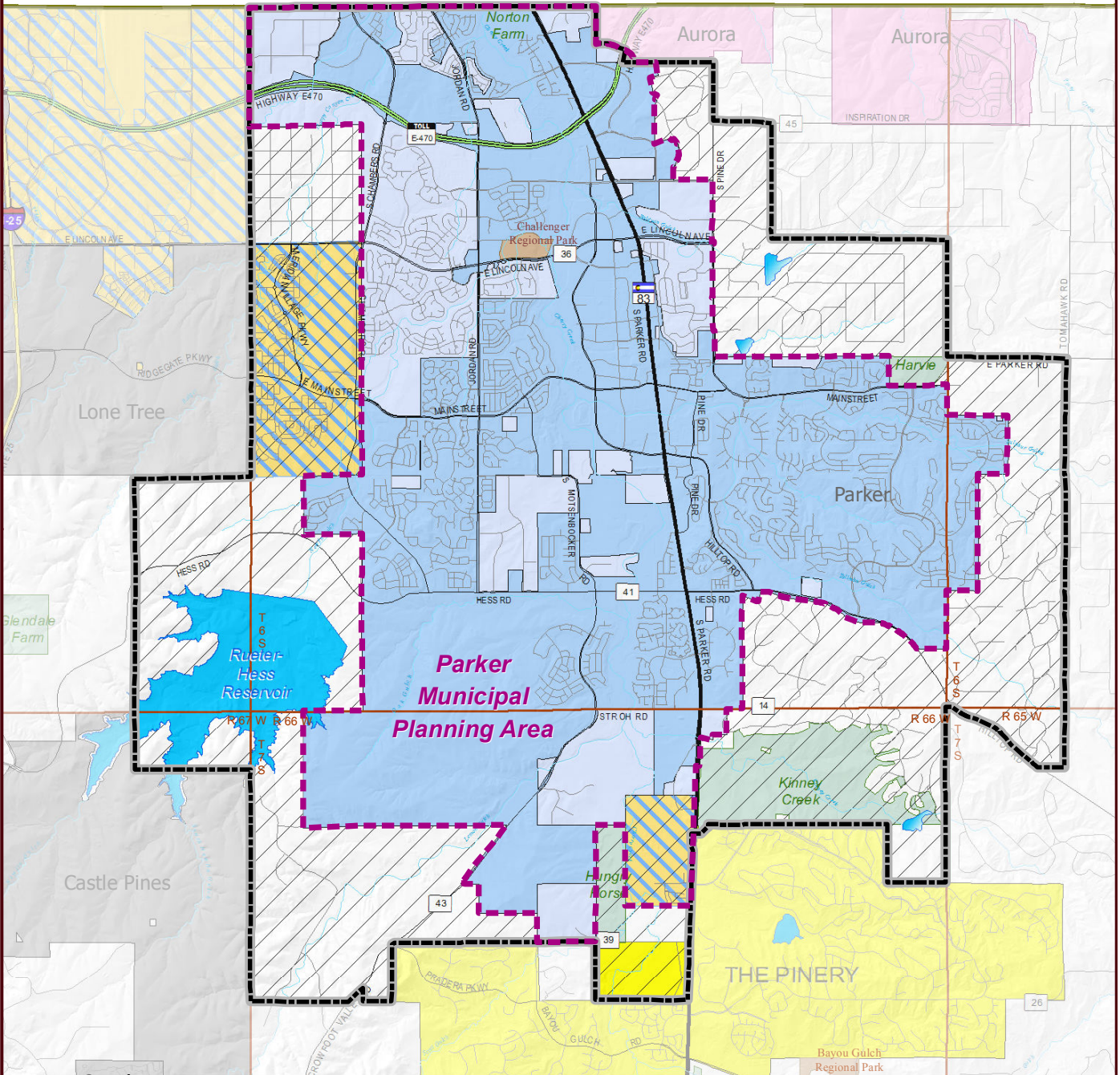




Department of Community Development

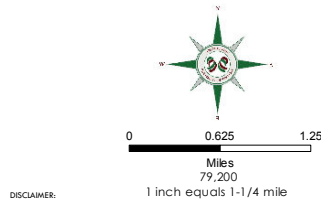
Parker Municipal Planning Area Map 2.6

Comprehensive Master Plan 2035
Revised August 2014



Legend

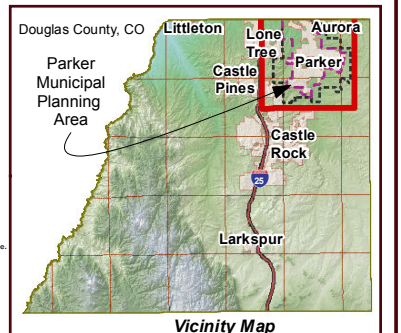
- Parker Municipal Planning Area Boundary
- Community Separation Buffer
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Separated Urban Area (SUA)
- Primary Urban Area (PUA)
- Municipal Planning Area Inclusive of County PUA/SUA
- Non-Douglas County Based Municipalities
- Open Space
- Other Incorporated Areas
- Parks
- County Boundary
- Townships
- Lakes
- Intermittent Lakes
- Streams
- Interstate
- State Highway
- Toll Highway
- Major Road
- Local Road



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Douglas County GIS Division
Phillip S. Miller Bldg., 100 Third St.
Castle Rock, Colorado 80104





OBJECTIVE 2-15D

ESTABLISH COMMUNITY SEPARATORS SURROUNDING ALL SUAs WITH COMPATIBLE AND APPROPRIATE LAND USES.

POLICY 2-15D.1

Encourage coordination with other jurisdictions that may influence land development decisions within areas adjacent to the SUAs.

POLICY 2-15D.2

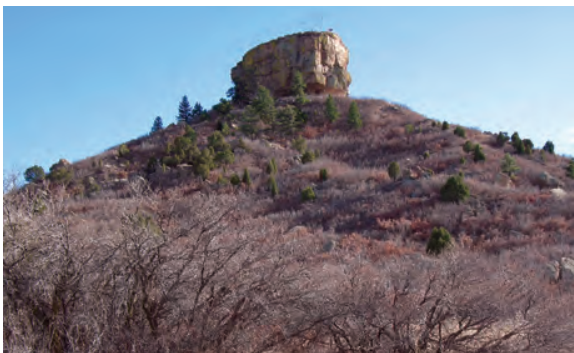
Approve only low-intensity land uses such as open space, agriculture, recreation, and residential development in areas adjacent to SUAs, in accordance with Nonurban Area policies in Section 3, and any intergovernmental agreements with municipalities and the County.

POLICY 2-15D.3

Encourage the provision of open space within and surrounding the SUAs to provide a framework of separation.

POLICY 2-15D.4

Incorporate the development of parks and the purchase of open space in accordance with the goals and policies of the County Parks, Trails & Open Space Master Plan and the County Transportation Plan.



MUNICIPAL PLANNING AREAS

Municipal development plays a key role in the evolving landscape of Douglas County. The impact of municipalities on the natural and built environment, on adjoining communities, and on the provision of services can have far-reaching consequences. Similarly, development in the unincorporated County can have the same impacts.

Municipal influence areas are planning areas established by the municipality's master plans or intergovernmental agreements with the County. Municipal influence areas often surround, or are adjacent to, a municipality's municipal planning area. While municipal development is not planned for these areas, they are considered important to jurisdictions because of the potential impact development could have from an economic, visual, environmental, urban service, or water quality perspective.

The following goal, objectives, and policies are intended to guide development decisions by the County for proposed land uses within the unincorporated lands located in designated municipal planning and influence areas. Policies affecting unincorporated residents are also established to provide direction to municipalities.

Policies serve as a framework for intergovernmental agreements, and further a cooperative relationship between jurisdictions in the 21st century.

GOAL 2-16

DEVELOP A COORDINATED COMPREHENSIVE MASTER PLAN FOR THE COUNTY AND MUNICIPALITIES.

OBJECTIVE 2-16A

MUTUALLY AGREE UPON MAJOR LAND USE PLANNING CONCEPTS.

POLICY 2-16A.1

Develop a coordinated, strategic approach to address major land use issues such as annexation and adjacent development.

POLICY 2-16A.2

Maintain open communication, build relationships, and coordinate and address areas of mutual concern between the County and municipalities.

OBJECTIVE 2-16B

ENSURE DEVELOPMENT INSIDE MUNICIPAL PLANNING AREAS IS CONSISTENT WITH THE DOUGLAS COUNTY COMPREHENSIVE MASTER PLAN.

POLICY 2-16B.1

Support the annexation of existing, unincorporated planned developments within Municipal Planning Areas.

POLICY 2-16B.2

In order to protect the municipal sales-tax base, encourage owners of undeveloped, unincorporated lands within Municipal Planning Areas to petition municipalities for annexation and development.

POLICY 2-16B.3

Municipal annexations by non-Douglas County based municipalities that may adversely impact the fiscal viability of special districts, municipalities, or planned communities, or that do not conform to Nonurban designations and uses, are inconsistent with this Plan.

**POLICY 2-16B.4**

Support annexation of a total community into a municipality to give residents a greater say in land use issues affecting their community. Annexations of only commercial development, leaving the residential component under County jurisdiction, are inconsistent with this Plan.

POLICY 2-16B.5

Mitigate potential land use impacts of new unincorporated development adjacent to municipalities. Encourage municipalities to mitigate land use impacts on adjacent unincorporated Douglas County development.

POLICY 2-16B.6

Land use applications for development on unincorporated lands within the Municipal Planning Areas shall be consistent with the goals, objectives, and policies of this Section 2, Urban Land Use.

PARKER



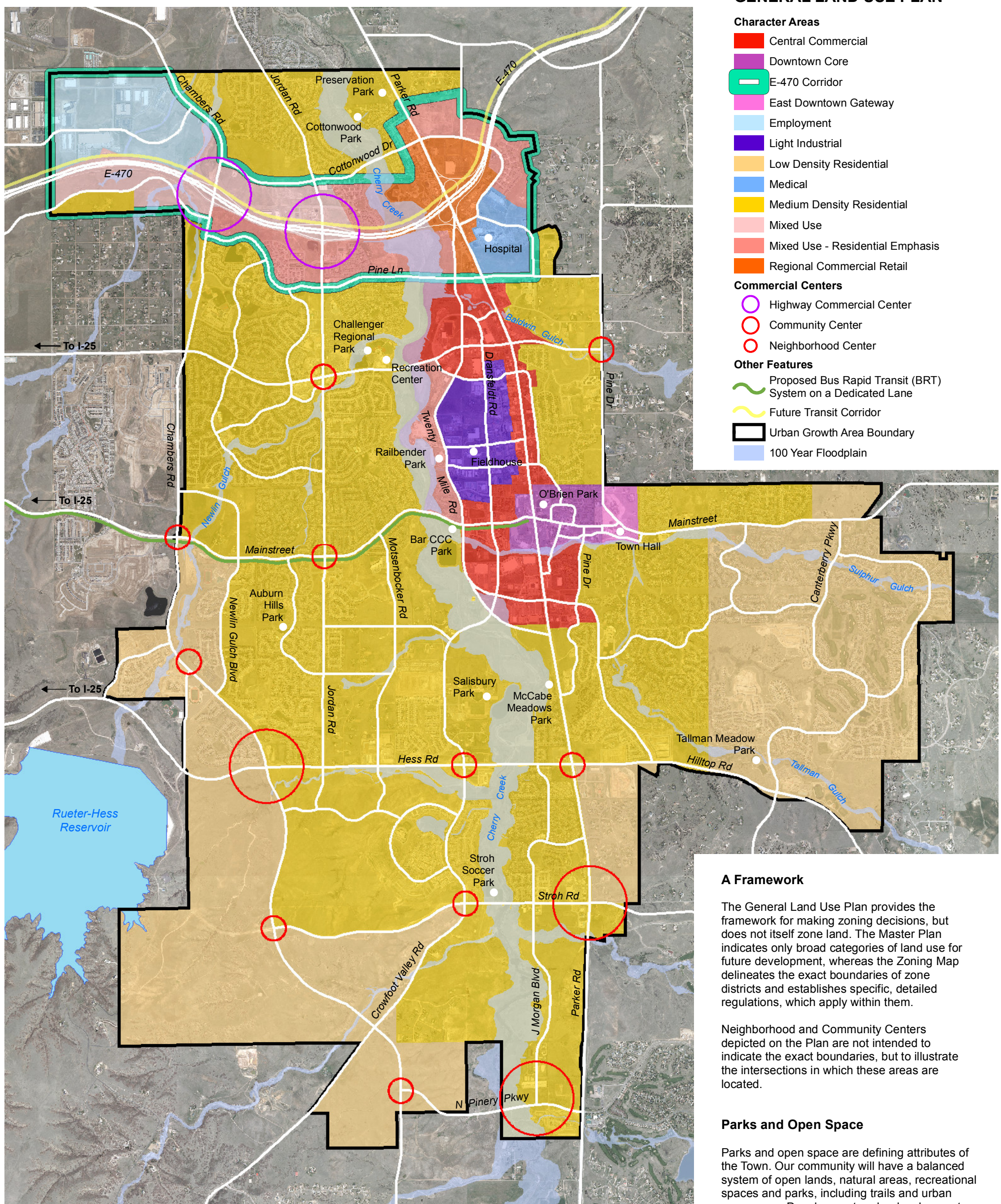
2035



CHANGES AND CHOICES

Figure 6B: GENERAL LAND USE PLAN

Source: Parker 2035 General Land Use Plan, March 2016



General Land Use Plan Designations

Two major types of designations are illustrated in the General Land Use Plan; ‘Character Areas’ and ‘Centers’.

Character Areas

The areas contained on the General Land Use Plan are grouped into twelve kinds of places, or ‘Character Areas’ that make up our Town; E-470 Corridor, Central Commercial District, Light Industrial District, Downtown Core, East Downtown Gateway, Mixed Use- Residential Emphasis, Mixed Use, Medical District, Regional Retail District, Employment District, Medium Density Residential and Low Density Residential. These Character Areas are described below.

E-470 Corridor

E-470 is a toll highway that acts as an eastern beltway for the Denver Metropolitan Region. This beltway, which bisects Parker near its northern boundary, connects the Town to the regional transportation network and provides easy access to the Denver International Airport. The location of this highway through Town allows for higher intensity uses without significantly impacting our transportation system or the character of our community.

Each of the Character Areas within the E-470 corridor has distinct characteristics and therefore development in this corridor should be contemplated in a cohesive and thoughtful way to ensure the long term land use compatibility and viability of the corridor. This corridor will develop as a series of interconnected places that serve regional retail, medical, employment and higher density residential needs.

Character Areas within the E-470 Character Area are listed and described below:

Mixed Use

This Character Area will allow residents to walk and bicycle to their daily needs including retail, employment and recreation through a blend of compatible land uses, public amenities and an integrated multimodal transportation system. Land uses appropriate within this Character Area include a variety of higher intensity uses including multifamily, senior housing, assisted-living facilities, office, retail and restaurants. No one land use will dominate the overall development pattern within this Character Area. Single family detached residential uses and residential at less than 10 dwelling units per acre are not appropriate in this area. Densities may be reduced as a transition to adjacent residential development.



Employment District

Primary jobs and higher educational opportunities are essential for the success of our community. The E-470 corridor's easy access to regional employment centers and regional transportation facilities including DIA and Centennial airport along with its location near hospitals and other medical industries make it an attractive location in Parker for businesses to locate. Primary uses appropriate in this Character Area include professional, medical and corporate offices, light industrial uses, flex office, research and development facilities and a higher educational campus. Light industrial uses will be focused on light manufacturing with ancillary warehousing and distribution. Light industrial uses in this Character Area are not intended to include primary use warehousing, outdoor storage or ministorage uses.

The primary uses in this district attract a variety of complementary uses, such as business and personal services, convenience retail, child care and restaurants. These complementary uses may be located near the intersection of Chambers and Compark Blvd. but should be clearly ancillary in scale and purpose of the character area.

Mixed Use – Residential Emphasis

This Character Area is located adjacent to regional and locally significant commercial areas. These multifamily residential areas will be interconnected and provide easy and direct pedestrian and bicycle access to nearby commercial and employment areas. Uses appropriate in this Character Area include higher density residential housing, senior housing, assisted-living facilities and mixed use developments that include a commercial component. Commercial uses are encouraged when they are part of a mixed use development, are of a scale that serve the needs of the area residents or provide support to adjoining uses. Single family detached residential uses and residential developments at less than 10 dwelling units per acre are not appropriate in this area.

Town of Parker Annexation and Zoning Referral Comments

Parker Engineering

See attached comment memo

Memorandum

To: Paul Workman, Senior Planner

Date: April 3, 2018

From: Alex Mestdagh, P.E., Engineering Services Manager

Cc: Tom Williams, P.E., Director of Engineering/Public Works

Subject: Compark Filing 2 Annexation and Rezoning

The Engineering Department has reviewed the documents submitted for the Compark Filing 2 Annexation and Rezoning. Staff reviewed the following documents:

<u>Document</u>	<u>Date Received</u>
Project Narrative	March 2018
Development Guide and Plan	March 2018
Annexation Petition	March 2018

This site is located in unincorporated Douglas County, west of the Town boundary with the Compark development. Based on our review we have the following comments:

1. The proposed rezoning appears to eliminate several uses that would likely introduce heavy traffic loading and high volumes of truck traffic to the adjacent roadways. The removal of these uses will increase the lifespan of these roadways and will decrease the cost and frequency of maintenance required on these roadways. It will also have benefits to the operation and safety of the adjacent intersections and roadways. The Engineering/Public Works Department supports the proposed rezoning of these properties.
2. While the proposed area to be annexed includes new segments of Grasslands Drive and Upland Drive for which the Town would be responsible, in the opinion of the Town's Engineering/Public Works Department, the proposal's positive impacts to the adjacent Town roadways and developments are significant and the department is in support of the annexation.

Thank you for the opportunity to review this submittal. If you have any questions regarding the comments please do not hesitate to contact the Engineering Department at (303) 840-9546.

Arapahoe County Public Works and Development

No comments submitted

Aztec Consultants

Z18-009

Review Type **AzTec Consultants, Inc. 20**

Reviewer **Dean Cates**

Date Sent **3/7/2018** Today

Date Due **4/3/2018** Today

Status **NO COMMENT**

Remarks

Date Returned **3/30/2018** Today

Add to Timesheet

+ Add Standard Notes

3/30/2018 9:10:30 AM (Dean Cates)

Reviewed by John West at Aztec



Parker Building

EDIT REVIEW

Z18-009

Review Type **Building 20**

Reviewer **Randy Capra** ▼

Date Sent **3/7/2018**  Today

Date Due **4/3/2018**  Today

Status **NO COMMENT** ▼

Remarks

Date Returned **3/24/2018**  Today

Add to Timesheet

 **Add Standard Notes**

Centennial Airport

Fire Life Safety

Edit Review

Z18-009

Review Type

FIRE LIFE SAFETY 20

Reviewer

Randy Capra

Date Sent

3/7/2018

Today

Date Due

4/3/2018

Today

Status

APPROVED

Remarks

Date Returned

3/24/2018

Today

Add to Timesheet

+ Add Standard Notes

Douglas County Planning and Public Works

See attached comment letter

March 22, 2018

Paul Workman
Senior Planner
Town of Parker
20120 E. Mainstreet
Parker, CO 80138

**RE: Grasslands Prairie Trail Planned Development (Compark Filing No. 2) Rezoning
Town of Parker Project Number: Z18-009**

Dear Mr. Workman:

Please see the following comments regarding the above referral request from Douglas County.

Addressing Comments:

No Comments

Engineering Comments:

Douglas County Engineering recommends including Tract B of Compark Filing 2 within the annexation request. This Tract encompasses a detention/water quality pond which serves the majority of the proposed annexation area.

Planner Comments:

Thank you for providing the opportunity for Douglas County Community Development to provide comment on the proposal to rezone approximately 45 acres within Compark Planned Development, Filing No. 2. The rezoning request is related to an annexation petition to bring the same land area into the Town of Parker. The proposed rezoning area is located within the urban Parker Municipal Planning Area of the Douglas County Comprehensive Master Plan. Per the Town of Parker and Douglas County Intergovernmental Agreement and Comprehensive Development Plan, 4th Amendment (IGA), the parcels are within the Town of Parker Urban Growth Area. The IGA guides annexation procedures within Section 2.0, "Annexation within and expansion of the Town's Urban Growth Area." Please verify that Section 2.3.10 (within Section 2.3 "Standards for Review of Annexation Petitions") will be met by this rezoning.

Feel free to contact me with any questions or concerns as they arise.

Sincerely,


Matthew Jakubowski, AICP
Principal Planner
mjakubow@douglas.co.us

E-470 Public Highway

Z18-009

Review Type	E-470 Public Highway Authority 20	
Reviewer	Peggy Davenport	
Date Sent	3/7/2018	Today
Date Due	4/3/2018	Today
Status	NO COMMENT	
Remarks		
Date Returned	3/9/2018	Today
Add to Timesheet		

 Add Standard Notes

Parker Comprehensive Development

REVIEWS

Bryce Matthews

**Comprehensive
Planning 20**

This property is located with the Town's Urban Growth Boundary as described in the Parker 2035 Master Plan and the Douglas County IGA and CDP and is eligible for annexation.

3/30/2018 5:01:22 PM

Parker Economic Development

Z18-009

Review Type **Economic Development 20**

Reviewer **Matt Carlson** ▼

Date Sent **3/7/2018**  Today

Date Due **4/3/2018**  Today

Status **APPROVED** ▼

Remarks

Date Returned **3/14/2018**  Today

Add to Timesheet

 **Add Standard Notes**

Xcel

REVIEWS

Donna George

**Public Service
Company of
Colorado 20**

Please be advised that PSCo has existing natural gas distribution facilities throughout the area indicated in this proposed rezone. 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.

4/2/2018 8:49:52 AM

IREA

Edit Review

Z18-009

Review Type

IREA 20

Reviewer

Brooks Kaufman

Date Sent

3/7/2018

Today

Date Due

4/3/2018

Today

Status

NO COMMENT

Remarks

Date Returned

4/3/2018

Today

Add to Timesheet

+ Add Standard Notes

CenturyLink

Z18-009

Review Type **CenturyLink Communications 20**

Reviewer **Dustin Pulciani**

Date Sent **3/7/2018** Today

Date Due **4/3/2018** Today

Status **NO COMMENT**

Remarks

Date Returned **4/3/2018** Today

Add to Timesheet

+ Add Standard Notes

Comcast

No comments submitted

Stonegate Village Metro District

No comments submitted

Tri County Health

No comments submitted

**Douglas Country
Trash/Recycling Site
Improvement Plan
Referral Comments**

REFERRAL RESPONSE REQUESTDate sent: August 4, 2017Comments due by: August 25, 2017

Fax: 303.660.9550

Project Name: Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2**Project File #:** SP2017-056**Project Summary:**

The applicant is requesting approval of a Site Improvement Plan (SIP) for a trash transfer facility in PA-4 of the Compark Planned Development. The 11.52-acre site is zoned Planned Development and is located north of Grasslands Drive, approximately 900 feet west of its intersection with S Chambers Road.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment	
☐ Please be advised of the following concerns: _____ _____	
☐ See letter attached for detail.	
Agency:	Phone #:
Your Name:	Your Signature:
(please print)	Date:

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,



Brett Thomas, AICP, Chief Planner

Enclosure

From: Planning
Sent: Tuesday, August 8, 2017 4:44 PM
To: Brett Thomas
Subject: FW: outside referral - SP17-056 Compark #2

FYI

From: Cathleen Valencia [mailto:CValencia@arapahoegov.com]
Sent: Tuesday, August 8, 2017 1:14 PM
To: Planning <Planning@douglas.co.us>
Cc: Chuck Haskins <CHaskins@arapahoegov.com>; Julio Iturreria <JIturreria@arapahoegov.com>
Subject: outside referral - SP17-056 Compark #2

Mr. Thomas,

Arapahoe County Engineering Services Division thanks you for the opportunity to review the outside referral for the proposed trash transfer facility at Grasslands and Chambers. We have the following comment regarding the referral at this time based on the information submitted:

Please coordinate with Arapahoe County on the access road at the north end of the site. There is an existing access road just north of the Arapahoe/Douglas county line. How will the new access road impact the existing access road? Is a deceleration lane required?

Please know that other Divisions in the Public Works Department may submit comments as well.

Thank you,

Cathleen Valencia, P.E.
Engineering Services Division
Arapahoe County Public Works & Development
6924 South Lima Street
Centennial, CO 80112 (720) 874-6500
cvalencia@arapahoegov.com



ARAPAHOE COUNTY
COLORADO'S FIRST



ARAPAHOE COUNTY
PROTECT. CONNECT. ENJOY.

Douglas County Planning Dept.
Mr. Brett Thomas

8/24/14

RE: Site Improvement Plan: Trash Transfer Facility (SP2017-056).

To Whom It May Concern:

Arapahoe County Open Spaces just received notification and examined the documents regarding the SIP for a Trash Transfer facility on the border of Arapahoe County. Open Spaces and Arapahoe County Recreation District (one in the same) own and manage Dove Valley Regional Park: a 93 acre highly used active recreation park with 9 regulation fields, 2 lighted baseball diamonds and other amenities, in use since 1990, located 2500 ft to the northwest on Chambers Road from this proposed facility. As managers of this facility serving thousands of people we have concerns over this facility's placement on the County line, in close proximity to D.V.R.P.

Based on the submittal the Trash Transfer Facility has already been approved as a use by right. If this is correct, Open Spaces is unsure how this will be a compatible land-use to the surrounding area? Transfer station land-use approvals I have been a part of had public meeting on the approval process. Trash transfer stations by their nature cause off-site impacts that need to be mitigated by a permitted operations plan. I cannot locate an Operations Plan or any documentation. How will it contain the trash? How it will mitigate noise, odor, rodents, and blowing trash? The most common complaints verified from facilities of this type. What type of trash will it be accepting? Recently, the Waste Management facility in Commerce City caught fire, this is common with these type of facilities. Is trash being stored outside? What are the traffic impacts of the trash trucks on Chambers Rd.? The traffic study does not provide data into Arapahoe County?

Open Spaces has concerns on this facility's proximity to Dove Valley Regional Park and the impact it may have on our outdoor facility with blowing trash, odor, noise and truck traffic. In 2019 we plan on undertaking a multi-million dollar expansion of the park to make it a Regional Destination and serve a greater number of users for decades to come. We hope this facility will not impact the outdoor experience for park users.

We look forward to receiving answers to our concerns, thanks for your attention and consideration.

Roger Harvey
Planning Administrator

From: Kuster - CDPHE, Kent <kent.kuster@state.co.us>
Sent: Friday, August 18, 2017 6:52 AM
To: Brett Thomas
Subject: SP2017-056

August 18, 2017

Brett Thomas, Chief Planner
Planning Services
100 Third Street
Castle Rock, Colorado 80104

Re: SP2017-056 Referral

Dear Brett Thomas,

The Colorado Department of Public Health and Environment has the following comments on the Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2 SP2017-056. Pursuant to regulation (6 CCR 1007-2, Part 1) we recommend the County review section 7 of these regulations. In regards to general comment #1, Douglas County may want to consider section 7.1 of 6 CCR 1007-2, Part 1 and additionally please review section 7.2 of these regulations.

The Department is not aware of an Engineering Design and Operations Plan or a Certificate of Designation having been submitted to the Hazardous Materials Waste Management Division (HMWMD) by Douglas County, so we have no technical comments or recommendations at this time.

In addition, we recommend that the contractor comply with all state and federal environmental rules and regulations. This may require obtaining a permit for certain regulated activities before emitting or discharging a pollutant into the air or water, dispose

of hazardous waste or engaging in certain regulated activities.

Please direct questions to Eric Jacobs in the HMWMD at 303-692-3430.

Sincerely,

Kent Kuster

Environmental Specialist

Colorado Department of Public Health and Environment

--

Kent Kuster

Environmental Protection Specialist

Colorado Department of Public Health and Environment

4300 Cherry Creek Drive South

Denver, CO 80246-1530

303-692-3662 | kent.kuster@state.co.us

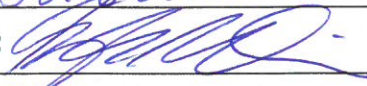
REFERRAL RESPONSE REQUESTDate sent: August 4, 2017Comments due by: **August 25, 2017**

Fax: 303.660.9550

Project Name: Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2**Project File #:** SP2017-056**Project Summary:**

The applicant is requesting approval of a Site Improvement Plan (SIP) for a trash transfer facility in PA-4 of the Compark Planned Development. The 11.52-acre site is zoned Planned Development and is located north of Grasslands Drive, approximately 900 feet west of its intersection with S Chambers Road.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐	No Comment
☐	Please be advised of the following concerns:
☒	See letter attached for detail.
Agency: <u>ACPAA</u>	Phone #: <u>303 218 2921</u>
Your Name: <u>Dylan Heberlein</u> (please print)	Your Signature: 
	Date: <u>8/24/17</u>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,



Brett Thomas, AICP, Chief Planner

Enclosure



CENTENNIAL AIRPORT
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY
7800 South Peoria Street, Unit G1
Englewood, Colorado 80112
main: 303.790.0598
fax: 303.790.2129
www.centennialairport.com

August 24, 2017

Mr. Brett Thomas
Douglas County Department of Community Development
100 Third Street, Suite 220
Castle Rock, CO 80104

Re: SP2017-056; Compark Filing 2, 6th Amd, Lots 6A-1 & 6A-2

Dear Mr. Thomas,

Thank you for the opportunity to review the Site Plan. We have the following comments to make on the project:

- The proposed development lies within the Restricted Development Area (RDA) and Approach Zone (AZ) of the Airport Influence Area (AIA), and will be subjected to numerous aircraft overflights and their associated effects. These effects include, but are not limited to: noise, smoke, dust, fumes and vibrations.
- Any objects on the site (including cranes used during construction) that penetrate a 100:1 slope from the nearest point of the nearest runway, penetrates the FAA Part 77 airspace surface, impede signals associated with navigational equipment or any other reason the FAA deems necessary will require the filing and approval of FAA Form 7460-1. This form may take 90 days or more for approval. Please visit <https://oeaaa.faa.gov> to utilize the notice criteria tool to confirm filing requirements and to file the FAA Form 7460-1. **Please note that this is a State and Federal regulatory requirement. Our calculations show that a Form 7460-1 will be required for both the building and associated cranes.** In addition, please have crane operators advise the airport prior to erecting any cranes.
- An aviation easement is recommended for development within the AIA and highly recommended for proposed development near the AIA.
- Book and page number of the aviation easement must be included on all plats and plans.

Please feel free to call me if you have any questions.

Sincerely,

Dylan Heberlein
Noise & Environmental Specialist



CENTENNIAL AIRPORT
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY

7800 South Peoria Street, Unit G1
Englewood, Colorado 80112
main: 303.790.0598
fax: 303.790.2129
www.centennialairport.com

December 19, 2017

Mr. Brett Thomas
Douglas County Department of Community Development
100 Third Street, Suite 220
Castle Rock, CO 80104

Re: SP2017-056; Compark Filing 2, 6th Amd, Lots 6A-1 & 6A-2

Dear Mr. Thomas,

As a response to the recent concerns pertaining to the proposed Vista South, LLC waste transfer facility the Arapahoe County Public Airport Authority has the following additional comments to make on the project:

- The site plans presented identifies this as an *indoor* waste and recycling transfer facility. However, if the site becomes a bird attractant it could pose a hazard to aircraft arriving and departing the Airport environment. Per 14 CFR Part 77 and FAA Advisory Circular 150/5200-33B, **Vista South, LLC will be responsible for mitigating any and all wildlife attractants and would be held liable if this facility creates a hazard to aircraft regardless of their "use by right" on this property.**
- The proposed development falls within the Restricted Development Area (RDA) and is within 3,900 feet of the nearest end of the crosswind runway. The RDA is intended to prevent incompatible development in the close proximity of the Airport, it will see numerous overflights and the associated effects at all hours of the day.
- At a minimum we would recommend an aviation easement that names both Douglas County and the Airport for this property.

Please feel free to call me if you have any questions.

Sincerely,

Dylan Heberlein
Noise & Environmental Specialist



August 24, 2017

Via Electronic and U.S. Mail

Douglas County Government
Department of Community Development
Attn: Terence Quinn and Brett Thomas
100 Third Street
Castle Rock, CO 80104

Denver Office

Marc D. Sarmiento

Direct 303.992.2014

msarmiento@hindmansanchez.com

Re: *Dove Meadows Homeowners Association, Inc. / Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2; Project
File No. SP2017-056
Our File No. 3886.0002*

Dear Mr. Quinn and Mr. Thomas:

Our firm represents the Dove Meadows Homeowners Association, Inc. (the "Association"). The Board of Directors for the Association has asked that we provide your office with this letter addressing the Site Improvement Plan for a Recycle/Trash Transfer Facility submitted by Galloway & Company, Inc., an authorized representative of Vista South LLC. From a review of County records, the transfer facility is proposed to be located on an 11.52-acre site north of Grasslands Drive, approximately 900 feet west of its intersection with South Chambers Road (the "Proposed Location").

The Association and its Members respectfully urge this office and any of its affiliate offices and agencies to deny the plans to develop the Recycle/Trash Transfer Facility on the Proposed Location. The Association is located directly across the street from the Proposed Location and is currently made up of approximately one hundred and sixty (160) Members. Approval of the project will result in lower property values for the surrounding residential area; increased truck traffic; the emission of noxious odors and noises; increased health hazards to the Members of the Association and its surrounding residents; displacement of economic activity; the attraction of rodents and other pests; amplified storm-water run-off; and stray litter in and around the community. Due to such negative impacts so close to a residential area, the Association believes there is a better alternative for the facility's location.

The Association has yet to receive formal notice regarding the Site Improvement Plan or the proposed Recycle/Trash Transfer Facility and is apprehensive that its Members' concerns will not be addressed. Several Members of the Association have already decided to try and sell their homes in light of the County's consideration of the Site Improvement Plan. Remaining Members are hopeful that the County will seriously consider another location for the facility.

Should you have any information regarding this matter, such as dates, times and locations for public meetings, if any, please send them to the Association's Manager, Kim Herman, at:

CliftonLarsonAllen LLP
8390 East Crescent Parkway, Suite 500
Greenwood Village, CO 80111
Attn: Kim Herman
Email: Kim.Herman@claconnect.com
Phone: 303-265-7923

Page 2

Douglas County Government
Department of Community Development
August 24, 2017

Despite the lack of formal notice to the Association thus far, the Association Members and other surrounding residential communities have mobilized to garner opposition to the project. The Association is hopeful that the County will hear their concerns.

Thank you for your time and attention to this matter.

Sincerely,



Marc D. Sarmiento
HindmanSanchez P.C.

EBC/mds

cc: Board of Directors (via email)
CliftonLarsonAllen LLP (via email)
Douglas County Board of County Commissioners (via email)
Town of Parker Planning Manager (via email)
Town of Parker Mayor (via email)
Town of Parker Councilmember John Diak: (via email)
Town of Parker Councilmember Amy Holland (via email)
Town of Parker Councilmember Debbie Lewis (via email)
Town of Parker Councilmember Josh Martin (via email)
Town of Parker Councilmember Joshua Rivero (via email)
Town of Parker Councilmember Renee Williams (via email)
Galloway & Company, Inc. (via email)
South Metro Fire Rescue Authority (via email)
Stonegate Village Metropolitan District (via email)
Compark Metropolitan District (via email)
Denver Broncos (via email)
Centennial Airport (via email)

06448260.DOCX

DOVE VALLEY METROPOLITAN DISTRICT
141 Union Blvd., Suite 150
Lakewood, CO 80228
303-987-0835

September 12, 2017

To: Terrence Quinn: tquinn@douglas.co.us

Cc: Brett Thomas, Douglas County Chief Planner: bthomas@douglas.co.us
Douglas County Board of County Commissioners: bocc@douglas.co.us
Town of Parker, Bryce Matthews, Planning Manager: bmatthews@parkeronline.org
Town of Parker Mayor Mike Waid: mwaid@parkeronline.org Town
Town of Parker Councilmember John Diak: jdiak@parkeronline.org
Town of Parker Councilmember Amy Holland: aholland@parkeronline.org
Town of Parker Councilmember Debbie Lewis: deblewis@parkeronline.org
Town of Parker Councilmember Josh Martin: jmartin@parkeronline.org
Town of Parker Councilmember Joshua Rivero: jrivero@parkeronline.org
Town of Parker Councilmember Renee Williams: rwilliams@parkeronline.org
Patrick Gunn, Galloway & Company, Inc: patrickgunn@gallowayus.com

Re: Project File # SP2017-056, Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2, Trash Transfer Facility

On behalf of the Dove Valley Metropolitan District, we are writing to express our opposition to the above referenced project and request Mr. Quinn deny the application. Our concerns are many, but the primary issues are as follows:

- 1) The Traffic Study does not take into account traffic patterns north of the Douglas / Arapahoe County line. Your applicant is proposing a right in and right out off of Chambers Road. As a result, they'll be likely looping through Dove Valley to gain access to the facility, which will adversely affect roads, parks, and development. Please ask your applicant to revise their study to take the Arapahoe County, Centennial, and Parker jurisdictions into consideration.
- 2) While we understand trash transfer facilities are beneficial and needed, appropriate placement is critical. The current, proposed site may have once been an appropriate location, but now that homes, schools, parks, and upscale businesses have been developed, it is no longer an appropriate use at the proposed site. You and your staff should work with the applicant to find a more ideal/appropriate location for this facility.
- 3) Per the EPA, Trash Transfer Facilities should be located, designed, and operated to ensure the public health, safety, and welfare of the community and environment. They should be located so as to minimize incompatibility with the character of the surrounding area. A trash transfer facility should be located deep within a heavily industrial area, not adjacent to custom homes, a medical university, a Performing School of Arts for children, a business complex that includes a medical treatment facility, and certainly not so near to a large, regional park.
- 4) These facilities should be located where traffic patterns to, or from the facility minimize the impact on existing traffic flows. Traffic studies may not have taken into account traffic flow when school is in session, nor the impact on Chambers Rd to the north where these sizable and numerous garbage and semi-trucks will be going in and out of this 12-acre facility, 24 hours a day. The applicant expects 500 trucks will come in and out of the trash transfer daily (which is a gross underestimate based on their expansion project and shift from residential service to commercial service) Dove Valley, the Broncos Training Facility, a gorgeous Dove Valley Regional Park, Cherry Creek School District Career Innovation Academy, not to mention the

beautiful and expanding Dove Meadows, Ridge, and other homes / condos, create a huge impact on Chambers Road already. Will road impact fees be paid to all jurisdictions being impacted by this high traffic use?

- 5) Besides traffic, noise, and odor...there are a multitude of problems that occur from an improperly designed or operated facility, which include infestations of rodents, bugs, and birds (there is an RV Park and Storage facility adjacent to the property – rodents are notorious for taking up residence in the engines of long-term, parked vehicles and destroying electrical), litter, air emissions, fire and other hazards from the waste materials that are often illegally disposed of and carried by these transfer company vehicles. Even if this facility incorporates best practices (and actually uses them without being constantly policed by the public), there is still a huge concern over storm water run-off. What steps are being proposed by the applicant to mitigate these issues/concerns? How do we assure market our vacant parcels adjacent to your site for sale? This will grossly and negatively impact our development and land values.

Thank you for your consideration.

Sincerely,

The Dove Valley Metropolitan District, Board of Directors



August 25, 2017

VIA EMAIL to bthomas@douglas.co.us

August 25, 2017

Brett Thomas, AICP, Chief Planner
Department of Community Development
Douglas County
100 3rd Street
Castle Rock, CO 80101

**RE: SITE IMPROVEMENT PLAN, VISTA SOUTH, LLC, LOT 6A-1 AND 6A-2,
COMPARK FILING NO. 2 – 6TH AMENDMENT (SP2017-056)**

Dear Mr. Thomas:

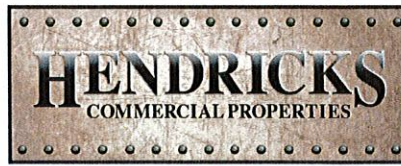
We are in receipt of a courtesy notice regarding the above-mentioned case. Our company owns two properties immediately across Grasslands Drive from the property that is the subject of the application. These properties are home to companies like Charter Communications, Community Power Corporation, and Laboratory Corporation of American. Nearby are other tech and healthcare companies like Baxter Healthcare Corporation and Quantum Corporation. In short, despite the allowance for heavier industries in Planning Area 4 of the Compark PUD, the area has grown into a high quality light industrial, research, and technology park.

We respectfully submit that the introduction of a waste transfer station into this context is a matter of great sensitivity. Although it is true that the transfer station is a "permitted use" in Planning Area 4, it is also true that permitted uses cannot be approved unless they comply with all other applicable County requirements. For the reasons set out in this letter, we do not think that the proposed development meets the County's technical requirements. We therefore request that the County deny the application as currently presented, or require substantial redesign and/or changes to the scale of proposed operations to achieve compliance.

Analysis

We have reviewed the SIP and traffic study, and we believe that the proposed project's design and operation (as presented in the available materials) does not comply with County standards and further, it raises significant concerns regarding how the proposed facility will fit into its context without materially compromising the function and value of the surrounding businesses.¹

¹ Our attorney discussed the application with you last week. He told us that the operations plan required by CDPHE has not yet been submitted. We trust that the operations plan will address odors, hours of operation, outdoor storage, and other operational parameters, and we look forward to reviewing it.



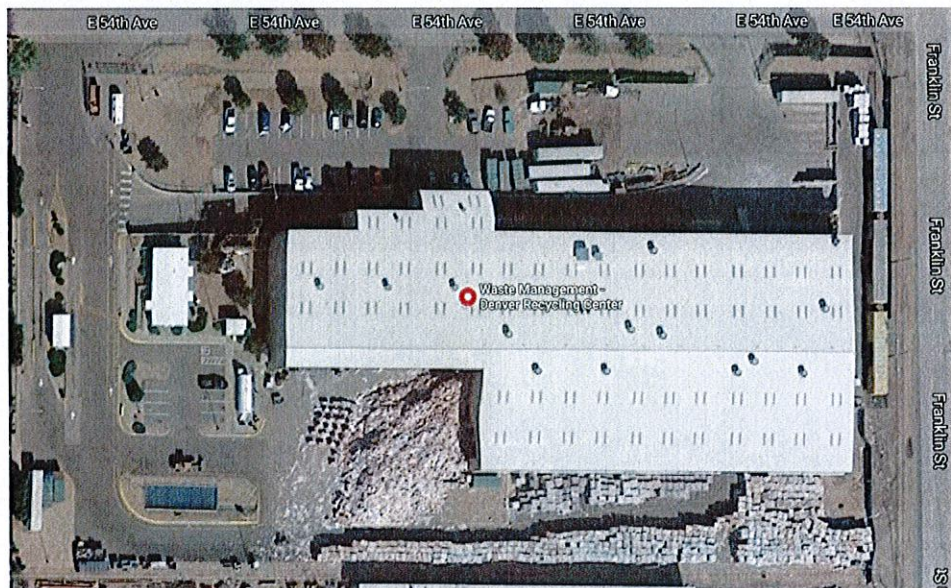
Outdoor Storage

First, although the other application materials do not make this clear, the traffic study says that the facility will be for the “management and distribution of recyclable materials, organics, and municipal solid waste.” Waste transfer station is an allowed use in this location, but Section 208, Douglas County Zoning Resolution does not allow the transfer station site to be used for outdoor storage of refuse:

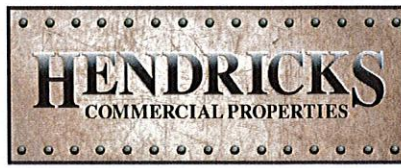
No land may be used as an outside storage area for the purpose of collecting, dismantling, storing, or selling of junk, trash, rubbish, refuse of any kind, remnants of wood, metal, or plastic, discarded materials, inoperative vehicles or dismantled machinery, whether or not the same could be put to any reasonable use, unless approved as a use by special review in the GI zoning district.

Since outdoor storage of trash is not addressed by the PUD, the Zoning Resolution controls the approval of an SIP in this regard. *See* Sec. 2703, Douglas County Zoning Resolution.

Our survey of aerial photography of these types of facilities along the front range shows that they often involve unsightly outdoor storage of garbage, recyclable materials, and other debris. By way of example, Waste Management’s Denver Recycling Center has piles of loose and palletized materials along its southern property line:



We assume that the applicant’s work with organics will not include on-site mulching, but would request a condition of approval that prohibits the use of the site for mulching or composting.



The SIP does not appear to meet the requirements of Section 13.2.3.1, Private Access, Douglas County Roadway Design and Construction Standards.

The proposed SIP shows an emergency access on the west side of the property, an employee parking access on the south side of the property, a truck access 275 feet east of the employee access, and another truck access on the east side of the property (at Chambers Road). Section 13.2.3.1 of the Douglas County Roadway Design and Construction Standards ("Roadway Standards") says:

No more than one access shall be provided to an individual parcel or to contiguous parcels under the same ownership unless it can be shown that (1) allowing only one access conflicts with safety regulations (i.e., fire access), or (2) additional access would significantly benefit safety and operation of the highway or street and its necessary to the safe and efficient use of the property.

We do not see anything in the application materials that supports the request for three proposed primary points of access to the property, as well as an additional emergency access. Compliance with the Roadway Standards is required by Section 2703, Douglas County Zoning Resolution.

The numbers in the traffic study don't add up.

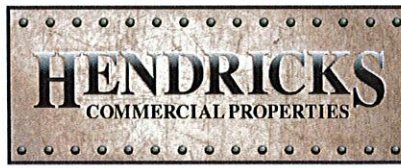
Figures 10 and 11 of the traffic study purport to show the projected average daily trips ("ADT") on studied streets with the combination of project and background traffic in 2025 and 2040. Between the project site and Chambers Road, Figure 10 shows 4,239 ADT in 2025 and Figure 11 shows 6,057. Baseline traffic for this same area in 2025 is shown as 4,200 ADT in 2025, and 6,000 ADT in 2040. We submit that the study mistakenly added peak hour trips from Figures 8 and 9 (which were mistakenly labeled as ADT in the legend) to these baseline ADT numbers to obtain the results in Figures 10 and 11, which dramatically understate the ADT traffic impacts.

According to the analysis in Section 4.1 of the traffic study, the project is anticipated to generate 2,560 ADT, broken out as follows:

Trucks

- 100 service collection vehicles x 2 round trips per day (4 trips total) = 400 ADT
- 634 third-party collection vehicles x 1 round trip per day (2 trips total) = 1,268 ADT
- 250 semi-truck roundtrips = 500 ADT

Total Truck ADT = 2,168



Cars

- 100 collection truck drivers x (1 inbound + 1 outbound trip per day) = 200 ADT²
- 40 employees x (1 inbound + 1 outbound trip per day) = 80 ADT
- 20 night-shift employees x (1 inbound + 1 outbound trip per day) = 40 ADT
- 36 semi-truck drivers x (1 inbound + 1 outbound trip per day) = 72 ADT

Total Cars ADT = 392 ADT

Figure 6 shows that 65% of the traffic that leave the employee lot will head east toward Chambers Road, and 65% of the inbound employee lot traffic will come from Chambers Road. That means that in terms of ADT, car traffic on the eastern segment of Grasslands Drive is projected to increase by 254.8 trips.

Figure 7 shows that 75% of truck traffic that leaves the subject property will exit onto Grasslands Drive (45% headed west and 30% making a left turn to go east), and 70% of the truck traffic that enters the site will access from Grasslands Drive. That means that there will be 813 exiting trucks and 758.8 entering trucks, a total of 1,571.8 new *truck trips* on Grasslands Drive each day.

These numbers are quite different from the numbers shown in the traffic study figures, and we believe that they may spill over into other parts of the analysis, resulting in a material underestimate of the impacts of this project on public streets, and an understatement of the corresponding public improvements that should be provided by the applicant to mitigate those impacts.

The SIP appropriates the function and character of Grasslands Drive for itself, at the expense of existing property owners and businesses.

The proposed project will have a major impact on the function of Grasslands Drive and surrounding streets. The traffic study assumes that there are currently 3,400 ADT on Grasslands between the subject property and Chambers Road, a figure that, without the proposed project, is anticipated to grow to 6,000 by 2040. This project will add more than 2,100 new truck trips and almost 400 new car trips each day. That means at build-out, this single project will account for a grossly disproportionate share of ADT for its location in Compark, appropriating for itself the function (and character) of the streets at the expense of other property owners in the development.

The SIP depends upon substantial investments of public money. These investments should be committed before approval of a project that will substantially worsen the existing condition.

The traffic study acknowledges the existing failing level of services at Grasslands Drive and Chambers Road, and suggests investments of public dollars to signalize the intersection:

² Some trucks may have more than one person on the crew, adding to the number of inbound and outbound cars.



Based on existing traffic volumes and intersection operations, it is recommended that Douglas County and the Town of Parker consider signalizing the intersection of Grasslands Drive and Chambers Road. It is believed that the intersection warrants and requires signalization today based on the existing traffic volumes.

Table 6 of the traffic study shows that the existing condition at Grasslands Drive and Chambers Road is LOS F for eastbound left turns, LOS E for eastbound through traffic, and LOS F for westbound left turns. With a traffic signal, the existing condition could be brought to LOS B (C in 2025 and D in 2040) if the project is approved. The applicant does not apparently offer to construct the signal, but instead assumes that its additional loading on the intersection will be addressed through public investments made by the County and Parker.

Given that 85% of the new traffic from the proposed project is anticipated to be trash collection vehicles and semi-trucks, both of which are larger and slower than cars, and both of which create significantly more air pollution on idle and startup after a full stop, the County should not approve this project without the traffic signal improvement in place.

The 24-hour distribution of truck traffic probably underestimates the likely impacts of additional truck traffic on Grasslands.

Section 4.1 of the traffic study assumes that 634 third-party collection vehicles will make a total of 1,268 trips (one in and one out). In terms of temporal distribution, the study states, "It is believed that these vehicles will arrive uniformly through the day over a 24-hour period." We do not believe that this is a reasonable assumption. Trash collection vehicles, which are not long-haul vehicles, do not operate "uniformly" over a 24-hour period. We believe a 10 to 14 hour window would be a more reasonable assumption. Using a 12 hour window, the peak hour impacts of truck traffic (and the corresponding impacts of that traffic) are doubled, as are potential conflicts with other users of the street during daylight hours.

We are concerned about the proximity of the two access points onto Grasslands Drive.

The truck access on Grasslands Drive is just 275 feet east of the employee parking access, which is aligned with our access on the south side of Grasslands Drive. We are concerned that, given the volume of truck traffic, 275 feet may be insufficient for safe operations along Grasslands Drive. We note that it is the policy of the County to limit the number of points of conflict on commercial and industrial streets. See Sec. 13.2.7, Roadway Standards.

The applicant's design narrative states that the applicant has extensive experience with these facilities. We have not found evidence of recent experience, and would be interested in reviewing the operations of facilities that the applicant also owns or controls.



The applicant's design narrative says, "The ownership and management of Vista South, LLC has extensive experience operating facilities of this nature. Their experience is not only in Colorado, but in other areas of the country." As we understand it, Vista South, LLC is controlled by Mountain Waste and Recycling, and the owner of Mountain Waste and Recycling also owns Pro Disposal, Inc.³ We have not been able to identify a comparable facility that is owned or operated by any of these companies.

Conclusion

For the reasons stated above, Hendricks Commercial Properties LLC opposes the Site Improvement Plan application by Vista South, LLC for Lots 6A-1 and 6A-2, Compark Filing No. 2 – 6TH Amendment, SP2017-056. We believe that the application should be denied as it is currently presented, or that the applicant should be required to revise the traffic study, re-evaluate the impacts of the project, and create a revised plan that complies with the County's technical requirements.

Sincerely,
HENDRICKS COMMERCIAL PROPERTIES LLC

A handwritten signature in black ink, appearing to be "MML", is written over a horizontal blue line.

Mark Membrino
First Vice President – Asset Management

³ Vista South, LLC has a mailing address of 10100 E. 102nd Avenue, Henderson, CO, which is the headquarters for Pro Disposal, Inc. Pro Disposal's web site shows that its principals left Waste Management in 1999, and that the company was purchased in April 2016 by Scott Eden. Scott Eden is the founder of Mountain Waste and Recycling in Carbondale. The Colorado Real Estate Journal reported that Mountain Waste and Recycling acquired the subject property as the signatory for Vista South, LLC on December 16, 2016.



PARKER PERFORMING
ARTS SCHOOL

September 3, 2017

Brett Thomas, Chief Planner
Douglas County Planning Department

Dear Brett:

Over the past several weeks, community members and parents have brought to our attention information regarding the plans for the trash transfer facility approximately one-half mile north of our school. As you can imagine, we are concerned about how environmental safety and air quality will impact the quality of our students' school environment.

We would greatly appreciate updates you can provide regarding the facility and keeping us posted on developments.

Thank you,

Jan Payne, President, Board of Directors
On behalf of PPA Board of Directors

REFERRAL RESPONSE REQUEST

 Date sent: August 4, 2017

 Comments due by: August 25, 2017
 Fax: 303.660.9550

Project Name: Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2

Project File #: SP2017-056

Project Summary: The applicant is requesting approval of a Site Improvement Plan (SIP) for a trash transfer facility in PA-4 of the Compark Planned Development. The 11.52-acre site is zoned Planned Development and is located north of Grasslands Drive, approximately 900 feet west of its intersection with S Chambers Road.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment	
☐ Please be advised of the following concerns: 	
☒ See letter attached for detail.	
Agency: South Metro Fire Rescue	Phone #: 303-901-4422
Your Name: Fred James	Your Signature:
(please print)	Date: August 4, 2017

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,



Brett Thomas, AICP, Chief Planner

Enclosure



SOUTH METRO FIRE RESCUE AUTHORITY

LIFE SAFETY BUREAU

9195 E Mineral Ave, Centennial, CO 80112
PHONE: 720.989.2230 www.southmetro.org FAX: 720.989.2030

Brett Thomas
Planner
Douglas County Community Development Department
Planning Division
100 Third St
Castle Rock Co 80104-2425
303.660.7460
303.660.9550 Fax

File #/Name: **ZR2017-056 Compark Filing 2, 6th amendment, Lots 6A-1 and 6A-2**
Project Type: **Planned Development**
Referral Received: August 4, 2017
Comments Due: August 25, 2017

S Metro Review # **REFSI17-00082**
Review date: August 4, 2017
Plan reviewer: Fred James
720.989.2256
fred.james@southmetro.org

Narrative: The applicant is requesting approval of a Site Improvement Plan (SIP) for a trash transfer facility on PA-4 of the Compark Planned Development. The 11.52 acre site is zoned Planned Development and is located north of Grasslands Drive, approximately 900 feet west of its intersection with S. Chambers Road.

Owner: Vista south LLC-Kirk Nimitz
10100 E. 102nd Avenue,
Henderson, CO 80640
720-512-4385

Applicant Representative: Galloway and Company, Inc. (Patrick Gunn)
6162 S. Willow Drive,
Greenwood Village, CO 80111
303-770-8884
<PatrickGunn@GallowayUS.com>

Code Reference: 2012 International Fire Code, 2012 International Building Code

South Metro Fire Rescue's Life Safety Bureau has reviewed this submittal, application dated 06/28/17 (Site plan dated 6/23/17), for the above project and does not approve those plans due to the following unresolved issues:

UNRESOLVED ISSUES:

- 1) Applicant to please provide an auto turn analysis for fire department access throughout the proposed project. A template of South Metro Fire Rescue Apparatus is attached. See C. below also.
- 2) Applicant to provide construction types and occupancy types of proposed buildings on a site plan for fire flow calculations and to determine number of fire hydrants and correct spacing. This will also be necessary

for the determination of fire alarm requirements, FDC locations, and fire sprinkler requirements. See A, note 6 below.

3) Applicant to provide water distribution system documents for review.

4) Proposed "future" compressed natural gas fueling facility will be required to meet the fire code adopted by Douglas County, which currently is the 2012 IFC Chapter 23. This will reference NFPA 52 and International Fuel Gas Code requirements as well.

SITE SPECIFIC ISSUES

A. Water Supply [SMFR SRR 05-03 11/10/05]

Areas without water supply systems:

1. In general, all new facilities, structures, and additions to existing structures must meet the fire flow requirements of the International Fire Code Appendices B and C, except as modified by this Supplemental Rule.
2. Douglas County: For one- and two-family dwellings constructed in Douglas County in areas without a water supply, the provisions of IBC Appendix Chapter 59, *Standard for Water Supplies for Rural Fire Fighting*, shall apply.
3. Exterior storage areas for recreational vehicles, boats, and similar items shall comply with the following:
 - A minimum water supply capable of providing 30,000 gallons shall be available within 500 feet of the facility in an approved location. If the water supply is not located on the property, the owner shall furnish to the Fire District a copy of a joint use agreement with the property owner where the tank is located.
 - Static water supplies shall have two dry hydrants located 10 to 15 feet apart that are both capable of a draft or for filling the tank. Markers shall be placed near the dry hydrants for fire apparatus spotting.
 - Vehicles shall be divided into groups of 20. Each group shall be separated from other groups by a fire break consisting of at least 20 feet of clear space free of combustible materials. Irrigated landscaping materials, fire lanes, bollards or other similar materials shall be placed in the fire breaks to prevent storage of vehicles or materials.
 - Fire lanes shall be provided within 150 feet of all portions of the perimeter of each group of vehicles and shall meet all applicable requirements of Section 503.
 - The storage of hazardous materials including containers, aboveground fuel tanks, propane cylinders, etc. is prohibited throughout the facility. Propane cylinders attached to the vehicle for normal use are acceptable.
 - Maintenance of vehicles is prohibited throughout the facility.
 - Water supplies shall be designed and maintained in accordance with the International Fire Code Section 508.
4. The use of NFPA 1142, *Standard on Water Supplies for Suburban and Rural Fire Fighting*, may be accepted under the following conditions:
 - The structure, use, and contents must be consistent with the scope and purpose of NFPA 1142.
 - NFPA 1142 can be used as an alternate water supply standard only when there is an alteration to an existing building or facility, change of use or occupancy classification that does not significantly increase the hazard of an existing building or facility, construction of a minor structure on a site that already has existing buildings, minor addition to an existing structure, or other approved situations. Each request for the use of NFPA 1142 will be reviewed on an individual basis, taking into consideration the scope, hazards, and other unique characteristics of the project.
 - The NFPA 1142 analysis and corresponding system design shall be prepared by a Professional Engineer.
 - The minimum acceptable water supply shall have a capacity of at least 30,000 gallons. The proximity of the water supply to the building or facility, the method of conveying water to the building or facility, and other fireground operational parameters will be determined by South Metro.
 - Water supplies shall be designed and maintained in accordance with the International Fire Code Section 508.

5. Other reduced water supplies will be reviewed on a case-by-case basis under the modifications and alternate materials and methods provisions of the International Fire Code. Such proposals shall not result in a significant shift of the physical or financial burden onto the Fire District.
6. Water Supplies – Civil drawings and calculations (wet stamped by a Colorado licensed engineer) shall be submitted to the Fire District for review and approval for the purpose of ensuring minimum fire flow requirements for facilities, structures and outside storage of materials. An application with one set of documents shall be submitted electronically in .pdf format to the District for review and approval. Water supplies available for firefighting purposes shall meet the minimums established by the adopted fire code and as approved by the Fire District.

Fire flow requirements can only be determined and approved when the construction type and total fire area for each building (or worst case) are identified. Provide information on whether fire sprinkler systems will be installed since they may provide a means to reduce fire flow, hydrant number and access requirements.

B. Security Gates [SMFR SRR 05-02 11/10/05]

Section 503.2.1: Approved security gates shall provide a clear open width of at least 12 feet when serving a single lane of travel or 20 feet when serving multiple lanes/directions of travel. Residential driveways provided for fire apparatus access shall have an unobstructed width of at least 12 feet. Other decreases in road width may be approved on a case-by-case basis such as small medians or traffic-control devices. Proper turning radii shall be provided at all times.

Section 503.6: A permit is required for the installation of security gates across a fire apparatus access road. Where manual security gates are installed, they shall have an approved Knox Co. padlock. Where electrically operated security gates are installed, they shall have the following means of emergency operation:

1. An approved Knox Co. Key switch (dual access for FD and PD, if appropriate) or Opticom sensor
2. The gates shall open upon loss of power or be provided with battery backup.
3. The gates shall be capable of being manually operated or provided with battery back-up.

C. Site Access

One set of civil drawings and documentation (wet stamped by a Colorado licensed engineer) shall be submitted to the Fire District for review and approval of street and fire lane access to the site and facilities. The drawings shall include an evaluation of Fire District apparatus turning radius requirements (Autoturn or equivalent).

1. Per IFC Section 503.2.1, fire apparatus access roads shall have a minimum unobstructed width of 20 feet. Additional details of the improved road need to be provided to show that all areas possible are being 20 feet in width, along with specific reasons why certain areas cannot be increased to that width. Alternatives to make up for narrow width should also be shown, such as increasing portions of the road to 28 feet in width (to accommodate parked cars).
2. The Fire District may accept conditions that are outside the scope of the adopted fire code – IF the developer or contractor can provide engineering documentation in accordance with the Alternative Methods and Materials provision of the fire code. Any such condition shall be shown to provide equivalency to the code provisions and the level of safety. The engineering documentation shall be signed and sealed by an engineer meeting the Technical Assistance provision of the adopted fire code. An application shall be submitted electronically to the Fire District for review and approval
3. Provide a copy of the approved address plat for the project prior to submitting building plans.

GENERAL COMMENTS

All engineering documents submitted to the Fire District shall bear the wet signature and seal of the engineer or architect in responsible charge of the design.

Water distribution and site access components shall be installed and in service prior to the construction of any portion of the structure, except by special permit issued by the Fire District.

Underground fire lines

When thrust blocks are used as part of the pipe restraint system, submitted plans for permit shall provide detailed documentation that the thrust blocks satisfy all requirements of NFPA 24, including specific thrust block dimensions and mathematical calculations for block dimensions per guidelines provided in Annex A.



August 25, 2017

Douglas County Government
Attn: Mr. Brett Thomas, Chief Planner
100 Third Street
Castle Rock, CO 80104

**Re: Compark Village Filing 2, 6th Amendment, Lots 6A-1 and 6A-2
SP2017-056**

Dear Brett,

The Stonegate Village Metropolitan District (SVMD) appreciates the opportunity to provide the following comments regarding this proposed Site Improvement Plan.

1. The proposed Development is located within the Compark Village Business Campus Metropolitan District ("Compark"). SVMD Serves Compark with water and sanitary sewer service by Agreement.
2. SVMD has water and sanitary sewer mains in the vicinity of this property capable of providing those services.
3. The Developer is required to follow all SVMD Rules and Regulations for design and construction related to this proposed development. The proposed Developer's consultants should contact the SVMD directly to schedule a preliminary design meeting to discuss all pertinent issues related to this site.
4. A request for Water & Sanitary Sewer Service must be submitted to the General Manager.
5. In general, the plans must be prepared in conformance with the Rules and Regulations regarding design and construction, require permits and fees and are subject to all prior agreements.

If you have any questions please do not hesitate to call me at 303-649-9857.

Sincerely,
STONEGATE VILLAGE METROPOLITAN DISTRICT

Scott Barnett P.E.
District Engineer



SpencerFane®

MATTHEW R. DALTON
DIRECT DIAL: (303) 839-3706
mdalton@spencerfane.com

File No. 5107974.0200

August 24, 2017

VIA FEDEX PRIORITY
AND ELECTRONIC MAIL
BTHOMAS@DOUGLAS.CO.US
TQUINN@DOUGLAS.CO.US
BOCC@DOUGLAS.CO.US

Douglas County Government
Attn: Mr. Brett Thomas, Chief Planner
100 Third Street
Castle Rock, CO 80104

Re: **Compark Village Filing 2, 6th Amendment, Lots 6A-1 and 6A-2
SP2017-056**

Dear Sir:

This office represents the Stonegate Village Metropolitan District. In that capacity, we have been asked to present the District's Board of Directors' position regarding the above Land Use Application.

During its regular meeting on August 16, 2017, the Board reviewed the Application and heard testimony from District constituents. Upon due consideration and after considering the totality of the facts at hand, ***the Board unanimously resolved to oppose the Application.*** Several factors entered into the decision, including:

1. The use is no longer appropriate for the site or the area.
 - a. There are new homes directly across the street from the proposed facility.
 - b. There are not one but two schools across the street from the proposed facility.
2. The Board was informed that large truck traffic would begin at 500 trips a day.
3. The odors and other results of both the proposed facility and the truck traffic will be detrimental to the health and property values of the surrounding population and area.

The Board joins others who have voiced similar concerns in requesting that the approval or denial of the Application be given more than the administrative review it is now receiving.

DN 2684665.2



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Douglas County Government
August 24, 2017
Page 2

Thank you for your consideration.

Respectfully submitted,


Matthew R. Dalton

MRD/

cc: SVMMD Board
Paul Dannels

From: PCMS Corporate Office <corpoffice@pcms.net>
Sent: Friday, August 25, 2017 11:10 AM
To: Brett Thomas
Subject: FW: Douglas County eReferral (SP2017-056) Is Ready For Review

Dear Mr. Thomas:

Please see comments below on behalf of the Stonegate Village Owners Association, Inc.

Thanks
Jessica Moser
PCMS

- Traffic concerns, larger trucks, facility smell and health risks, overall negative impact to neighboring residential communities that includes the potential in lowering property values.

-----Original Message-----

From: bthomas@douglas.co.us [mailto:bthomas@douglas.co.us]
Sent: Thursday, August 03, 2017 7:00 PM
To: corpoffice@pcms.net
Subject: Douglas County eReferral (SP2017-056) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
<https://apps.douglas.co.us/planning/projects/Login.aspx>

SP2017-056

Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2

The applicant is requesting approval of a Site Improvement Plan (SIP) for a trash transfer facility in PA-4 of the Compark Planned Development. The 11.52-acre site is zoned Planned Development and is located north of Grasslands Drive, approximately 900 feet west of its intersection with S Chambers Road.

This referral will close on Friday, August 25, 2017.

If you have any questions, please contact me.

Sincerely,

Brett Thomas, AICP
Chief Planner
Planning Services
100 Third Street
Castle Rock, CO 80104
303-660-7460 (main)



August 25, 2017

Brett Thomas
Douglas County Planning
100 Third Street
Castle Rock, CO 80104

RE: Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2, SP2017-056
TCHD Case 4558

Dear Mr. Thomas:

Thank you for the opportunity to review and comment on the Site Improvement Plan for the development of a trash transfer and recycling facility located north of Grasslands Drive, approximately 900 feet west of its intersection with South Chambers Road. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations. After reviewing the application, TCHD has the following comments.

Solid Waste Management and Recycling Regulations

Non-hazardous solid waste transfer stations and recycling facilities have the potential to cause odors, ground water contamination, and nuisance conditions. The Hazardous Materials and Waste Management Division of Colorado Department of Public Health and Environment (CDPHE) regulates recycling facilities. This facility must meet the requirements of Sections 7 and 8 of the CDPHE Regulations Pertaining to Solid Waste Disposal Sites and Facilities 6CCR 1007-2, Part 1 (Regulations). More information can be found at <https://www.colorado.gov/pacific/cdphe/recycling>.

Technical Review of the Facility Operations Plan

The development of a comprehensive operation plan for solid waste transfer stations and recycling facilities is one of the best management practices to ensure that operators are well-prepared to address all health, safety and nuisance conditions on the site. TCHD recommends that the County require a technical review of the facility's operation plan by CDPHE and TCHD to ensure that all health, safety, and nuisance conditions are adequately addressed. Section 7.1 B of the Regulations specifies that the governing body having jurisdiction can request, in writing, that CDPHE conduct a technical review of the site and facility documents and its operations plan. Additionally, the CDPHE shall be notified by the governing body having jurisdiction when a permit approving a transfer station is issued.

Operational Oversight for solid waste transfer and recycling facilities

Operational oversight is another best management practice to ensure that a solid waste transfer station and recycling center is adequately addressing all health, safety, and

nuisance conditions. Operational oversight could include a third party operational oversight component funded by the operator. TCHD recommends that the County consider a plan for operational oversight to ensure regular compliance with all applicable regulations and best management practices for this type of facility. TCHD performs this type of oversight at other transfer stations and solid waste disposal sites in Adams, Arapahoe and Douglas Counties and would be happy to discuss with the County what this might look like.

Fugitive Dust

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, heart disease, and low birth weight. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions, including fugitive dust. TCHD recommends that the applicant employ on-site dust control measures that includes procurement of street sweeping services to minimize the amount of dust created at the project site and ensure that trucks leaving the facility are covered. More information is available at <https://www.colorado.gov/pacific/cdphe/categories/services-and-information/environment/air-quality/business-and-industry>.

Vector Control – Solid Waste Facility and Building Demolition

Rodents such as mice and rats carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. Often, solid waste and recycling facilities can attract rodents such as mice and rats which carry diseases that can be spread to humans through contact with rodent feces, urine, or saliva. To prevent rodent infestations, TCHD recommends that the applicant keep the facility as clean as possible and create a plan for regular pest control. Information on rodent control can be found at <http://www.tchd.org/400/Rodent-Control>.

Above Ground Storage Tanks

Leaking storage tanks have the potential to contaminate the soil and groundwater around the tank. The fuel storage tanks and piping shall comply with the regulations of the Environmental Protection Agency (EPA) and the Oil Inspections Section of the Colorado Department of Labor and Employment's Division of Oil and Public Safety. Compliance with these regulations will reduce the likelihood of a tank or piping leak and release of fuel, and provide for detection if a leak occurs. The Oil Inspections Section (OIS) can be reached at (303) 318-8507 or (303) 318-8547, or information can be obtained from the web site <https://www.colorado.gov/ops>.

Pollution Prevention for Vehicle Repair

The application indicates that a vehicle maintenance facility will be included on site. Businesses that conduct auto maintenance and repair are at risk for leaking fluids such as fuels, antifreeze, brake fluids, and cleaning agents which may be harmful to exposed site workers, pollute the soil on the site, or be discharged into nearby water sources. For

the safety of site workers and the public, we recommend that the applicant adopt any of the following practices that are not already in place:

1. As it is received, inspect each vehicle for potential leaks. The inspection should be conducted over an impervious area, e.g., a concrete slab with curbs, where spills and leaks will be contained and will not infiltrate into the ground. In addition, drip pans should be used pending repair of vehicles brought in for service, and absorbents should be on hand to clean up fluid leaks or spills that might occur. All repairs should be conducted indoors.
2. Develop a spill response plan to promptly repair any detected leaks. If a leak cannot be repaired, completely drain all fluid(s) from the vehicle before placing it in storage.
3. Develop a plan to recover and either recycle or properly dispose of waste automotive fluids and cleaning agents. Waste fluid management should include the following:
 - a. Collection and recycling of waste petroleum-based products including used oil, transmission and brake fluids, and radiator coolants;
 - b. Placement of these fluids in Department of Transportation (DOT) approved waste receptacles;
 - c. Disposal of all waste fluids in accordance with applicable federal, state and local regulations;
 - d. Place absorbents and rags used to clean up spills in DOT approved receptacles, store them so as to prevent fire hazards, and dispose of them regularly in accordance with applicable federal, state and local regulations.
 - e. Installation of a sand/oil interceptor
4. Secondary containment is required for storage of automotive fluids
5. If painting occurs on site, an Air Pollution Emission Notes (APEN) to the Air Pollution Control Division (APCD) of Colorado Department of Public Health and Environment (CDPHE) is required.

Mosquito Control - Stormwater Facilities

The site plan indicates that a detention pond is proposed. Detention ponds can become sites for mosquito breeding. To reduce the potential for human exposures to West Nile and other mosquito-borne viruses, TCHD recommends that the applicant prepare a mosquito control plan. Elements of the plan should include proper design, construction and regular inspection and maintenance of stormwater quality facilities, and mosquito

Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2, SP2017-056
August 25, 2017
Page 4 of 4

larvaciding if the insects become a problem. The applicant may submit the mosquito control plan to TCHD for review. More information is available here <http://www.tchd.org/276/Mosquitoes-West-Nile-Virus>.

Please feel free to contact me at (720) 200-1571 or slynch@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheila Lynch". The signature is fluid and cursive, with the first name "Sheila" being more prominent than the last name "Lynch".

Sheila Lynch
Land Use, Built Environment, and Health Program Manager

cc: Brian Hlavacek, Keith Homersham, Lisa Oliveto, TCHD; Eric Jacobs, CDPHE



January 19, 2018

Brett Thomas
Community Development
100 Third Street
Castle Rock, Colorado 80104

Re: Douglas County Transfer Station/ Compark Filing 2, 6th AMD Lot 6 A-1 & 6 A-2, Case 4558

Dear Mr. Thomas,

Thank you again for the opportunity to meet with you and discuss the aforementioned Site Improvement Plan submittal for the construction and operation of a municipal solid waste transfer station and material recovery facility in Douglas County. Tri-County Health Department (TCHD) hereby submits the following additional recommendations for consideration during this review process in conjunction with the TCHD referral letter dated August 25, 2017. These recommendations are for the sole purpose of protecting the public health and environment of the citizens of Douglas County.

Technical Review and Regulatory Oversight

Vista South, LLC shall submit for review a facility Operations Plan meeting the criteria set forth in the Regulations Pertaining to Solid Waste Sites and Facilities, 6CCR 1007-2, Part I, Section 7 & 8 (the Regulations). This Operations Plan shall be submitted to Douglas County for technical review. Upon written request from Douglas County, the Colorado Department of Public Health and Environment (CDPHE) and TCHD will conduct technical reviews of the Operations Plan and provide comments.

To assist with the assurance of the proposed facility's compliance with the Regulations it would be beneficial to the County to contract with a third party regulatory agency to conduct quarterly oversight activity inspections. These inspections would support regulatory compliance of the facility pertaining to site operations and record keeping. Financial responsibility for the inspections should be the responsibility of the facility owner. TCHD can provide these services similar other oversight services provided to Adams, Arapahoe and Douglas Counties.

Best Management Practices for Solid Waste Transfer and Material Recovery Facilities

The solid waste received at a transfer station shall be transferred as soon as practicable. All solid wastes arriving at the transfer station that are not transferred within twenty-four (24) hours of receipt shall be placed in closed containers or in totally enclosed buildings, structures, or other means of cover acceptable to the Department, that deter water, birds, insects, rodents and other vectors from reaching wastes. The facility shall also provide operational procedures to insure asbestos contaminated material and contaminated soils are not received at the facility.

Recently, the Colorado Department of Public Health and Environment identified in a letter dated November 7, 2017 and a stakeholder clarification email dated December 15, 2017, that several radioactive waste streams have been disposed of at solid waste disposal sites throughout Colorado. These

waste streams are no longer permitted for disposal unless the facility has been designated and approved to accept such waste. Installation of radioactive monitoring devices at all scales receiving inbound loads would subsequently prevent this type of waste stream from being deposited and transferred from the proposed transfer/ material recovery facility to a solid waste disposal facility.

Final closure plans for the transfer station/ material recovery facility should be included in the Operational Plan to insure removal of all solid wastes and washed down liquids. The County and TCHD shall be notified, in writing, 60 days prior to temporary or permanent closure of the facility.

Fire Protection Best Management Practices

The installation of an infrared thermal monitoring system should be included in the facility design and installed in the interior of the building to monitor for potential hot spots within waste loads deposited within the facility. There have been several fires that have occurred at transfer stations in the Denver metro area during this past year. Installation of an internal infrared monitoring system would greatly minimize this risk. In addition to infrared thermal monitoring system design, the facility should also include an interior fire suppression system to suppress and control a fire source if the situation should arise. Front end loader buckets should be installed with rubber cutting edges on the front end loader buckets. Installation of the rubber cutting edges will greatly reduce and minimize the potential for generation of ignitable sparks when a loader bucket comes in direct contact with a concrete floor.

Environmental and Life Safety Best Management Practices

A structurally sound perimeter wall/ fencing should be constructed to 1) to limit unauthorized persons from gaining access to the facility, 2) deflect noise, 3) reduce windblown debris, and 4) enhance the aesthetics of the facility from the surrounding businesses and residential neighborhoods. Due to the surrounding residential and business demographics of the area, hauling onto or off the site should not be permitted between the hours of 5:00 pm and 7:00 am, except on an emergency basis. Such emergencies should be reported to the County by noon the following day. Furthermore, the facility should provide an attendant on duty, at all times, and able to operate equipment, while the facility is in operation in case an emergency situation were to occur. County personnel and/or contracted representatives of the County shall be allowed access to the subject property at any time during normal business hours. Contracting with a wet street sweeping company would greatly minimize fugitive dust emissions in the yard and the surrounding haul roads to and from the facility.

Thank you for your consideration and the opportunity to provide comments and recommendations for the review of this proposed Transfer Station/ Material Recovery facility operation located in Douglas County. Please contact me should you have additional questions or concerns.

Sincerely,



Shelia Lynch, MCP, AICP
Land Use, Built Environment, and Health Program Manager



Lisa Oliveto, REHS
Solid Waste Specialist

ec: Brian Hlavacek
Keith Homersham
TCHD File



Right of Way & Permits

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

August 18, 2017

Douglas County Department of Community Development
100 Third Street
Castle Rock, CO 80104

Attn: Brett Thomas

Re: Compark Filing No, 2, 6th Amendment, Lots 6A-1 and 6A-2 – Case # SP2017-056

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has determined **there is a possible conflict** with the above captioned project. Public Service Company has an existing high pressure natural gas transmission pipeline and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. **PSCo is requesting that, prior to any final approval of the development plan,** it is the responsibility of the property owner/developer/contractor to contact PSCo's Encroachment Team for development plan review and execution of a License Agreement (upload all files in PDF format) at:

https://www.xcelenergy.com/working_with_us/builders/encroachment_requests

The property owner/developer/contractor must complete the **application process** for any new gas service, or modification to existing facilities via FastApp-Fax-Email-USPS (go to: https://www.xcelenergy.com/start_stop_transfer/new_construction_service_activation_for_builders). 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** at 1-800-922-1987 to have all utilities located prior to any construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

From: Brett Thomas
Sent: Tuesday, December 19, 2017 10:19 AM
To: 'Greg Zabikow'
Subject: RE: Trash Transfer Station

Greg,

Your additional comments regarding the recycle/trash transfer facility have been received and read. They will be forwarded to the applicant and uploaded to the file later this week.

While there are several lots in close proximity to this lot that also permit recycle/trash transfer facilities as a permitted use (use by right), an application was submitted by the owner/applicant for this lot and the application will continue to be processed in accordance with Section 27 of the Zoning Resolution.

No additional submittal items have been received since the end of the referral period, therefore, Douglas County has not received responses to address referral comments and community concerns. The applicant has indicated they are working towards a resubmittal and all new information will be uploaded to the project file

<https://apps.douglas.co.us/planning/projects/Default.aspx?PossePresentation=SIPJob&PosseObjectId=53964308> once it is received and scanned.

Brett Thomas, AICP | Chief Planner
Douglas County Government
Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4369 **Main** | 303-660-7460
Email | bthomas@douglas.co.us

From: Greg Zabikow [mailto:gzabikow@gmail.com]
Sent: Tuesday, December 19, 2017 8:03 AM
To: Brett Thomas <bthomas@douglas.co.us>
Subject: Trash Transfer Station

Mr. Thomas:

Re: Douglas County Project No. SP2017-056, Site Improvement Plan for a Trash Transfer Facility, submitted by Vista South, LLC (aka Pro Disposal / Mountain Waste) on July 10, 2017

I am a resident of the Dove Ridge neighborhood. I am concerned with the news report from December 12, 2017 and updated response information on the Douglas County Planning website regarding this trash transfer station project.

<http://coloradocommunitymedia.com/stories/neither-side-backing-down-on-proposed-trash-transfer-facility.256995>

<https://apps.douglas.co.us/planning/projects/Default.aspx?PossePresentation=SIPJob&PosseObjectId=53964308>

Here are statements from the Douglas County Planning website.

“Communities do not just happen. Choices concerning the development of communities should reflect widely held community values that consider citizen health, safety, conservation of resources, efficiency, beauty and equity. The vision of the County’s citizens is embodied in the Comprehensive Master Plan (CMP), the keystone to the County’s growth management program. The Planning Services Division facilitates implementation of the CMP through review of land use applications, which are presented to the Board of County Commissioners as the decision-making body. The vision of the CMP is further expressed in policy and regulatory documents, including the Parks, Trails and Open Space Master Plan, Transportation Plan, and Subdivision and Zoning Resolutions.”

I believe it is the responsibility of the planning group to act upon the following statement: “Choices concerning the development of communities should reflect widely held community values that consider citizen health, safety, conservation of resources, efficiency, beauty and equity.”

Acting in a fiduciary manner and supporting desires of the residential, commercial, and vacant land owners should be first and foremost when planning decisions in the community. These groups have made investments in this area prior to the transactions by the trash transfer group. The local community has expressed their desire for not having the trash transfer business in the area for various safety, loss of value, and nuisance reasons. Are there alternative spaces in Douglas County that are less intrusive to the existing residential and commercial community?

My concerns and requests for the Trash Transfer Station project are:

Loss of future tax revenue, land development, and land/home values

The trash transfer station will occupy 12 acres, but will have an impact on a 10 mile radius in the community. The impact on the broader community will result in a loss of tax revenue for Douglas County. The risk of lost revenue will be due to the exiting vacant land continuing not to be developed as future commercial customers may consider other locations. The difference between undeveloped land tax rates and developed tax rates are significant. The Dove Valley area itself currently has significant acres of undeveloped land. In addition, residential values are at risk of value loss or not appreciating at the same rate as the area market, which will also impact tax revenue for the county.

The Compark Business Campus Metropolitan District states on their website, “The District is committed to providing quality services while managing resources wisely for the local community.” Bringing a trash transfer station into the proposed location seems to be at conflict with this statement.

Moreover, the existing businesses in Compark were provided a picture of how this area was going to be developed. They are being provided a disservice by a trash transfer station proposal. If this potential was presented to them when they were considering their investment, they may have reconsidered. They are owed a level of protection for their investment, tax revenue paid, and commitment to the community.

I realize the importance of trash transfer stations. However, the EPA and CDPHE recommend these types of facilities are located in heavy industrial or rural area away from residences, schools, parks, water ways, and businesses. The trash transfer station in Commerce City is in a heavy industrial area. As a matter of fact this site has had fires and attracts a large number of birds. See the attached image.

Loss of jobs

RedBarre has stated they will not continue with their project in Compark if the trash transfer project is approved. I realize the RedBarre project will increase traffic. However, this traffic will not be commercial vehicles. Plus they will have peak periods of travel, and the RedBarre traffic would not be 24/7.

The risk here is not only could RedBarre relocate to another county, but could they locate to another state.

Keeping the unknown with the trash transfer project only expands the risk of loss for both Douglas County and the State of Colorado. A loss of the investment, tax revenue, and reputation value from the presence due to RedBarre to the community would be negative.

Charter Communication desires to invest in a data center project. Both Rocky Vista University and Parker Performing Arts have considered expanding their sites. A trash transfer station would put all these expansions, investments, and new jobs at risk. Although Denver is growing due people from other states relocating to the area the community needs good paying jobs to support this growth and RedBarre, Charter Communication, Rocky Vista University and Parker Performing Arts would be helping to address this need with a potential 4,000 to 6,000 new jobs.

Traffic

I am requesting a new traffic study to be conducted along Chambers Rd due to recent residential development and the Parker Performing Arts School during the school year period. Even with the current traffic levels making a left turn out of Dove Ridge can be challenging. The high volume of commercial truck traffic will lead to additional levels of congestion, noise, and pollution along the truck routes in the residential area.

Safety

There are five schools in the area: Arapahoe Community College, Chaparral High School, Mammoth Heights Elementary School, and Parker Performing Arts. The increased truck traffic on Chambers Rd would put these youth at risk. Truck traffic will also increase the wear and tear on the streets, which the tax payers would have to bear even though the damage is enhanced by the trash transfer station's activity.

The air quality will be exposed to unpleasant smells for a residential community along with increased petro emissions due to the truck traffic. Moreover, there is a stream in the Compark area which as the risk of increase pollution due to petro emissions, trash residual run off, and blowing trash in the community.

In addition, the trash transfer center in Commerce City experienced a fire this summer. Again this a major health and safety risk for the residence and businesses in the area.

<http://www.9news.com/news/local/crews-battle-large-fire-at-commerce-city-recycling-center/449426448>

Moreover, the concerns and information requested from other concerned parties seem to be missing responses:

- Centennial Airport
- Denver Broncos Training Facility
- Town of Parker
- Arapahoe County Engineering Services Division
- South Mero Fire Rescue Authority
- Tri-County Health Department
- Revised traffic study
- Hendricks Commercial Properties
- Dove Meadows Homeowners Association

- Dove Valley Metropolitan District
- Parker Performing Arts School
- E-470 Public Highway Authority
- Stonegate Village Metropolitan District
- Stonegate Village Owners Association
- Xcel Energy

Regards,

Greg Zabikow

15818 Club Rush Ct

Parker, CO 80134

From: TOM WAYBURN <tom16264@comcast.net>
Sent: Friday, September 29, 2017 9:10 AM
To: Brett Thomas
Cc: Tom
Subject: Trash Transfer Facility in Parker, CO

Good Morning -

Since 1995, I live in the Stonegate Community near Chambers Road and E-470. I understand that a trash transfer facility is proposed to be built northwest of E-470 and Chambers Road. I realize the area in question is zoned for commercial use since 1998 but a lot has changed here since 1998. I don't understand the reason the county would approve a trash transfer facility to be built in close proximity to residential homes, schools, institutions of higher learning, and a medical facility.

Surely there is another location that Douglas County could approve for the building of a trash transfer facility. A location that is not surrounded by homes, a place remote from where children play, an area that is further away from our residential communities. I have seen space in the business parks west and northwest of the proposed building plot that would be better suited for a trash transfer facility.

There are also less inhabited areas in unincorporated Douglas County that would be better suited for a trash transfer facility. I am certain you can find more suitable places to approve building for such purpose. One such location is between the American Furniture building and Peoria Road. There are no homes near-by and it is also located near 470.

Times change and Douglas County has approved residential construction in many, many areas since 1995. I have witnessed the County grow quite a bit since I first relocated to Parker and surrounding areas. The County has approved the building of residential homes in these areas. One certainly does not want a smelly, noisy, traffic congesting, business to be built near their home. I am certain you also do not want such a business in your back yard.

I add my voice to those opposing the construction of a trash transfer facility in the proposed area near Chambers Road and E-470. Please consider and respect the people who live here in Douglas County, in the areas the County approved for residential building, and disapprove the construction of this trash transfer facility. Please let me know if this proposed facility is approved for building.

Thank-you,

Thomas Wayburn, 16264 Stonebriar Drive, Parker, CO 80134 (tom16264@comcast.net)

From: Brett Thomas
Sent: Thursday, September 28, 2017 4:39 PM
To: sheyne Keys
Subject: RE: Douglas County Project No. SP2017-056, Site Improvement Plan for a Trash Transfer Facility, submitted by Vista South, LLC (aka Pro Disposal / Mountain Waste) on July 10, 2017.

Sheyne,

Douglas County has received your additional correspondence regarding the application.

Douglas County has created a webpage for project [SP2017-056](#) to help disseminate information regarding the application and process. The ***Project Records Online*** link provides access to the project file, including all documents received to date that are associated with the application. In addition, the website includes various links to other documents that are relevant to the processing of this application.

Brett Thomas, AICP | Chief Planner
Douglas County Government
Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4369 **Main** | 303-660-7460
Email | bthomas@douglas.co.us

From: sheyne Keys [mailto:sheyneannkeys@gmail.com]
Sent: Sunday, September 24, 2017 9:00 AM
To: Brett Thomas <bthomas@douglas.co.us>
Subject: Re: Douglas County Project No. SP2017-056, Site Improvement Plan for a Trash Transfer Facility, submitted by Vista South, LLC (aka Pro Disposal / Mountain Waste) on July 10, 2017.

September 12, 2017

Brett Thomas, Douglas County Chief Planner: bthomas@douglas.co.us
Terrence Quinn, Director of Community Development: tquinn@douglas.co.us

Re: Douglas County Project No. SP2017-056, Site Improvement Plan for a Trash Transfer Facility, submitted by Vista South, LLC (aka Pro Disposal / Mountain Waste) on July 10, 2017.

The traffic volume and character of this facility is totally inconsistent with the current and future development in the immediate area. Traffic volumes proposed by Vista South LLC, at full capacity, include: One inbound trash truck traversing either Peoria or Chambers Rd (or both) every two minutes. And one outbound Semi Tractor Trailer load on either Peoria or Chambers (or both) every eight minutes. These volumes of truck traffic will inappropriately stress and degrade local road infrastructure. These volumes of truck traffic will create a noise pollution problem of the highest order for local businesses and residences. These volumes of truck traffic will create vibration issues for the surrounding area structures, businesses, and people. These truck traffic volumes will create traffic density issues for local businesses and residences that will directly harm business and the

quality of life for local residents. These volumes of diesel vehicles will create excessive air pollution, degrading the quality of the air in the immediate vicinity with grave, potential impacts to health.

The proposed Trash Transfer Facility Site consists of two lots, totaling nearly 12 acres with access easements across two other lots to get to Chambers Road. These two lots are owned by the Compark Developer and the Compark Metro District. The citizens and area businesses do hope access is not granted by these property owners and as of today's meeting, there are no access agreements or easements on record with the Clerk and Recorder. Further, it is our understanding, for the Trash Transfer Facility to have access to Chambers Road, they must seek Town of Parker approval. The citizens and area businesses also hope that the Town of Parker denies access to Chambers Road. If access to Chambers Rd is not granted, then the applicant is left with Grasslands Drive for site access. However, Grasslands Drive is NOT an appropriate access for this facility and was not designed for the heavy truck traffic Vista South LLC is proposing. A new traffic study is called for and a new round of internal/external referrals is needed.

I understand the need for a trash transfer facility; however, as recommended by the EPA and CDPHE this facility needs to be located in a heavy industrial or rural area, far from residences, businesses, parks, and schools.

There is a myriad of issues with the project as submitted, which include, but are not limited to:

- 1) Missing Approved Operations Plan required by CDPHE
- 2) Lot line vacation is required and that application has yet to be submitted
- 3) There are several unresolved issues with the South Metro Fire Rescue Authority
- 4) The Town of Parker does not support this project
- 5) The proposal presents several nuisance conditions which include odor, air pollution, pest control and mitigation, debris/blowing trash, and noise which have not been addressed by the applicant
- 6) The proposed use is not compatible with the surrounding area
- 7) The Planned Development (PD) does not allow for 24-hour operation, 7 days a week so should require a rezoning, which would require a public hearing process
- 8) A fueling station is not a use listed in the PD as a use by right or accessory use, as such, a rezoning is required and a public hearing process required
- 9) The proposed access to Chambers Rd will not be permitted, per the Town of Parker and Grasslands Drive is not designed to handle the truck traffic that is being proposed. A geotechnical analysis on the roadway should be completed to determine its adequacy and any mitigation should be the responsibility of South Vista LLC
- 10) The traffic study submitted by the applicant warrants a traffic signal today, without any impact from the project and is inadequate. This traffic study needs to be revised and should take into consideration traffic routes proposed from the north. Further the anticipated traffic from trucks and cars appears to be horribly underestimated and should be recalculated
- 11) The current Site Plan allows for outdoor storage, which is not a permitted use in the PD
- 12) The proposed Site Plan does not appear to meet the requirements of Douglas County's roadway design and construction standards
- 13) The proposed project will have a major impact on the function of Grasslands Dr and surrounding streets because the proposed Trash Transfer Facility project will add 2,100 truck trips per day and 400 new car trips each day, with anticipated growth of 6,000 truck trips per day by 2040, all at the expense of other property owners at a disproportionate share
- 14) Did I say this facility is Incompatible with the surrounding area?
- 15) The proposed development lies within a restricted area and approach zone of the Centennial Airport Influence Area, bird strikes are a serious concern to small aircraft
- 16) Three fires have occurred in like facilities over the past 6 months, so safety is a valid concern and another reason this facility should be located farther from business, schools, and residences
- 17) No access easements/agreements are currently in place, or on record with, the Clerk and Recorder's Office

18) Stonegate Village Metro District is the water and sanitary sewer service provider for these lots and they DO NOT support this project and are asking for denial of the application

19) Xcel Energy has a possible conflict with this project due to existing high pressure natural gas transmission pipeline and associated land rights within the property.

For these reasons and many yet to be revealed, as a result of the Tri-County Health Department (TCHD) and the Colorado Department of Public Health and Environment (CDPHE) review of this case, I ask you to deny this application.

Sincerely,

Sheyne Wiggans
8379 Grasslands way
Parker, Co 80134

720 427 3412

From: rich russo <brtcmfn1@yahoo.com>
Sent: Tuesday, September 26, 2017 7:05 PM
To: Terence T. Quinn; Brett Thomas
Subject: Douglas County Project No. SP2017-056

September 26, 2017

Dear Mr. Quinn, and Mr. Thomas;

This is my 2nd letter to have on record with Douglas County of my concern and displeasure being a resident in the area for the last 11 years, below is the summary which I am sure you have heard already, but it all very important. Please find it in the best interests for the town, county, residents, and businesses to deny this project and have it approved in another area.

Respectfully Yours,

Rich Russo

8489 Canyon Rim Circle- Unit # 301

Englewood, CO 80112-4733

The traffic volume and character of this facility is totally inconsistent with the current and future development in the immediate area. Traffic volumes proposed by Vista South LLC, at full capacity, include: One inbound trash truck traversing either Peoria or Chambers Rd (or both) every two minutes. And one outbound Semi Tractor Trailer load on either Peoria or Chambers (or both) every eight minutes. These volumes of truck traffic will inappropriately stress and degrade local road infrastructure. These volumes of truck traffic will create a noise pollution problem of the highest order for local businesses and residences. These volumes of truck traffic will create vibration issues for the surrounding area structures, businesses, and people. These truck traffic volumes will create traffic density issues for local businesses and residences that will directly harm business and the quality of life for local residents. These volumes of diesel vehicles will create excessive air pollution, degrading the quality of the air in the immediate vicinity with grave, potential impacts to health.

The proposed Trash Transfer Facility Site consists of two lots, totaling nearly 12 acres with access easements across two other lots to get to Chambers Road. These two lots are owned by the Compark Developer and the Compark Metro District. The citizens and area businesses do hope access is not granted by these property owners and as of today's meeting, there are no access agreements or easements on record with the Clerk and Recorder. Further, it is our understanding, for the Trash Transfer Facility to have access to Chambers Road, they must seek Town of Parker approval. The citizens and area businesses also hope that the Town of Parker denies access to Chambers Road. If access to Chambers Rd is not granted, then the applicant is left with Grasslands Drive for site access. However, Grasslands Drive is NOT an appropriate access for this facility and was not designed for the heavy truck traffic Vista South LLC is proposing. A new traffic study is called for and a new round of internal/external referrals is needed.

I understand the need for a trash transfer facility; however, as recommended by the EPA and CDPHE this facility needs to be located in a heavy industrial or rural area, far from residences, businesses, parks, and schools.

There is a myriad of issues with the project as submitted, which include, but are not limited to:

- 1) Missing Approved Operations Plan required by CDPHE
- 2) Lot line vacation is required and that application has yet to be submitted
- 3) There are several unresolved issues with the South Metro Fire Rescue Authority
- 4) The Town of Parker does not support this project
- 5) The proposal presents several nuisance conditions which include odor, air pollution, pest control and mitigation, debris/blowing trash, and noise which have not been addressed by the applicant
- 6) The proposed use is not compatible with the surrounding area
- 7) The Planned Development (PD) does not allow for 24-hour operation, 7 days a week so should require a rezoning, which would require a public hearing process
- 8) A fueling station is not a use listed in the PD as a use by right or accessory use, as such, a rezoning is required and a public hearing process required
- 9) The proposed access to Chambers Rd will not be permitted, per the Town of Parker and Grasslands Drive is not designed to handle the truck traffic that is being proposed. A geotechnical analysis on the roadway should be completed to determine its adequacy and any mitigation should be the responsibility of South Vista LLC
- 10) The traffic study submitted by the applicant warrants a traffic signal today, without any impact from the project and is inadequate. This traffic study needs to be revised and should take into consideration traffic routes proposed from the north. Further the anticipated traffic from trucks and cars appears to be horribly underestimated and should be recalculated
- 11) The current Site Plan allows for outdoor storage, which is not a permitted use in the PD
- 12) The proposed Site Plan does not appear to meet the requirements of Douglas County's roadway design and construction standards
- 13) The proposed project will have a major impact on the function of Grasslands Dr and surrounding streets because the proposed Trash Transfer Facility project will add 2,100 truck trips per day and 400 new car trips each day, with anticipated growth of 6,000 truck trips per day by 2040, all at the expense of other property owners at a disproportionate share
- 14) Did I say this facility is Incompatible with the surrounding area?
- 15) The proposed development lies within a restricted area and approach zone of the Centennial Airport Influence Area, bird strikes are a serious concern to small aircraft
- 16) Three fires have occurred in like facilities over the past 6 months, so safety is a valid concern and another reason this facility should be located farther from business, schools, and residences
- 17) No access easements/agreements are currently in place, or on record with, the Clerk and Recorder's Office
- 18) Stonegate Village Metro District is the water and sanitary sewer service provider for these lots and they DO NOT support this project and are asking for denial of the application
- 19) Xcel Energy has a possible conflict with this project due to existing high pressure natural gas transmission pipeline and associated land rights within the property.

For these reasons and many yet to be revealed, as a result of the Tri-County Health Department (TCHD) and the Colorado Department of Public Health and Environment (CDPHE) review of this case, I ask you to deny this application.

From: BYRON BARB <bjrydland@msn.com>
Sent: Sunday, October 8, 2017 12:01 PM
To: Brett Thomas
Subject: Transfer station

I hope you are reconsidering building the transfer station off chambers road. I bet there are several different sites that wouldn't ruin property values, be placed next to a school and several housing developments. Even considering this is really foolish for the government. Bet it wouldn't go next to where you live.

Please be courteous and think of the many people this would affect and change the site to someplace that is far away from homes.

Have you considered what this site would do to the movie complex that is being considered by American Furniture Warehouse? I wonder if they will reconsider?

Just stop and think of what you propose to do.

Really frustrating when "the people" really aren't listened to...

Barbara Rydland

Homeowner off 470 & Chambers

Sent from my iPad

From: tpmccar@yahoo.com
Sent: Saturday, October 7, 2017 1:04 PM
To: Brett Thomas
Subject: Proposed trash transfer station at e470

Mr Thomas,

I can't imagine that this development is a good idea. First, increased bird populations can't be good for an airport. Second, this type of development shouldn't be so close to a school and college. Third, the film studio that is proposed will not like the eye sore or increased truck traffic...not sure what you were thinking.

tim McCarthy

stoneware

Tpmccar@yahoo.com

From: Melanie Urso <melanieurso@yahoo.com>
Sent: Monday, August 14, 2017 8:44 AM
To: Brett Thomas
Subject: Waste Transfer Facility - Grasslands Dr. & Chambers

Hello Mr. Thomas,

It has recently come to my attention that a waste transfer station is planned for the property located at Grasslands Drive and Chambers. I am a homeowner in Dove Meadows on Grasslands Drive.

I am writing to express my deep concerns and disappointment. I never received any notification or any information prior to last week that this was going to happen. I simply cannot understand how a waste transfer station can be located directly across a beautiful brand new subdivision, Rocky Vista University and a new charter school -not to mention, walking trails and nearby parks. I moved to this area because of it's fantastic location and beautiful views. I'm concerned about the noise, litter, rodents, smell, etc.

I don't believe our HOA, community members or anyone in the area has had an opportunity to voice their opinion against this facility. Was there a city counsel meeting? Why wasn't anyone notified? What, if anything can be done to re-locate the facility from the planned location?

Kind Regards,

Melanie Urso

15301 Grasslands Drive

Parker, CO 80134

303-941-4991

From: Dr. Anne Khalifeh <drkhalifeh1@gmail.com>
Sent: Monday, August 14, 2017 7:58 AM
To: Brett Thomas
Subject: Dove Meadows and Trash Transfer Facility on Grasslands

Dear Mr. Thomas,

I am a resident of the Dove Meadows community on Grasslands Drive. I am writing regard disturbing news that our neighbors shared on Friday about plans for a trash transfer facility at the corner of Grasslands Drive and Chambers Road. We have all since learned that our HOA and our community, which will be impacted the most greatly by this decision was never notified; however, communities that are farther away from this site had the courtesy of a notification. While I cannot possibly fathom why Douglas County and its employees think it is reasonable and appropriate to build a trash transfer facility next to an elementary and middle school, a University and half-million dollar homes, I would have hoped that the county would have had the decency to notify those of us most impacted. If this project presents no hazard and will support the community, why wouldn't you want to let us know? I can understand that there might not have been a "requirement" to notify us due to where we live; but it seems like for something so significant, your office should have done the right thing and sent out a notification. The fact that this information was not openly provided to us, with an opportunity to ask questions and learn more about the facility now raises a myriad of questions regarding the safety of this site, potential hazards that will be posed to the residents as well as local students, and traffic safety issues, and the underlying intentions of your office. Clearly this is going to be a hazard and a nuisance to our community which is why no attempts were made to notify us. Perhaps you were just hoping that by the time we learned of this travesty, it would be too late for us to intervene.

I implore you to explain the justification behind this and provide our community and the local educational institutions proper information regarding this site. Furthermore, I strongly urge you to do what you can to move this site out of our community.

Sincerely,

Dr. Khalifeh

Dr. Anne Khalifeh, Psy.D., ABPP

Board Certified Clinical Psychologist

Neuropsychologist

(720) 696-1068

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From: Anthony Martin <tirith42@gmail.com>
Sent: Monday, August 14, 2017 7:06 AM
To: Brett Thomas
Subject: Project SP2017-056, Trash Transfer Facility

Mr. Thomas,

I am writing to protest in the strongest possible way the construction of a trash transfer facility at the intersection of S. Chambers Rd. and Grasslands Drive. Important points:

The homeowners, including myself, right across Chambers on Grasslands Drive were never notified of this project, nor were our opinions solicited or considered. This facility will negatively affect health, safety, road traffic, smells and odors, and home values.

It is right next to homes and families, a university, and a school. This is completely inappropriate, and I cannot understand how this ever got off the drawing board or approved.

Everyone in this neighborhood is very strongly against the planned construction of this facility at this location, and it needs to be changed immediately. I expect you will hear from most if not all of them. I am lending my voice to the crowd: please stop this right now and find a different location.

Thanks for listening, and I appreciate your time. I hope to see some positive action in the very near future

Tony Martin

15329 Grasslands Drive

Parker, CO

From: Rick Heins <rickmaryheins@comcast.net>
Sent: Monday, August 14, 2017 12:03 PM
To: Brett Thomas
Subject: Transfer Station

Dear Sir and Others involved in this decision:

For the record, I am very surprised that this transfer station is being considered at this location. The location is so close to so many different type of business's that contradict it's nature.

There are two schools within close proximity as well as neighborhoods that do fit well with this type of facility.

The amount of truck traffic in this area of Chambers is already excessive. This would lead to additional traffic and danger to the local neighborhood residents.

I urge you to reconsider this option.

Sincerely,

Rick and Mary Heins
16001 Brooklime Ct.
Parker, Co.
316-749-0521

Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4369 Main | 303-660-7460
Email | bthomas@douglas.co.us

-----Original Message-----

From: MICHELLE Cole [mailto:mchelle2470@msn.com]
Sent: Sunday, August 13, 2017 7:49 PM
To: Brett Thomas <bthomas@douglas.co.us>
Subject: Trash Transfer facility

I learned of the intent for a trash transfer facility to be built directly across the street from my home on Grasslands Drive only yesterday. I need for you to know that I'm absolutely sick to my stomach at the thought of this facility being built across from our beautiful brand new half million dollar homes and medical University. Many of the people in the surrounding developments have already contacted a local news station who is going to do a story in protest!!! I think this is extremely poor planning that something like this could be built amongst beautiful homes, a brand new arts school and university!!!! Why allow such a facility to be built in this of all areas??!!! There has got to be another location better suited for such a facility. The smell alone will be terrible! This information has shocked and devastated all of us in our new small neighborhood and we refuse to stand by quietly and allow this to be built across from our new beautiful homes. After tomorrow there will be much light shed on this development plan !!!

Sincerely,
Michelle Cole
15357 Grasslands Drive

Sent from my iPhone

Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4369 Main | 303-660-7460
Email | bthomas@douglas.co.us

-----Original Message-----

From: Marc Malezija [mailto:mmalezija@gmail.com]
Sent: Saturday, August 12, 2017 12:09 PM
To: Brett Thomas <bthomas@douglas.co.us>
Subject: Project SP2017-056

Brett,

My name is Marc Malezija. I am a home owner in the dove meadows community. It has just come to mine and many other home owners attention that there will be a trash transfer facility being built across Chambers's from our particular neighborhood on Grasslands dr. To say I'm concerned about a trash transfer facility being that close to a beautiful new neighborhood is an understatement. We have about 100+ residents in this community all of which I'm sure would be highly opposed to this project going in. I know of at least 80 homes that are furious with the plan. My question to you is, what legal action do we have to perhaps stop this build? We have many residents saying they are going to contact local media and start there, but I would like to know if there is a public hearing or anything of that matter to voice our communities concern. Please let me know when you have a chance. Thanks Brett, I look forward to hearing from you.

Marc Malezija
303-726-9989

Sent from my iPhone

From: sheyne Keys <sheyneannkeys@gmail.com>
Sent: Tuesday, August 15, 2017 6:47 AM
To: Brett Thomas
Subject: Grasslands Dr. Trash transfer station

Good day Mr. Thomas,

My name is Sheyne Wiggans. I'm directly across the street from the proposed trash transfer site. There are many reasons why this isn't the appropriate site for this infrastructure. This community is alive now and ready to take this on for as long as we need. These poor children in the schools and community are far too close to this facility. It sits in the absolute worst location.

Please help us!!!

We have kids with disabilities in this community which live directly across the street. Their disabilities make them susceptible to illness. A trash dump would harm these kids. My husband has kidney disease, this site would make him more susceptible to illness.

This was bad planning on someone's behalf. Let's fix it.

Lets suggest a different location away from homes, schools and the University. Let's not make people sick.

This seem like a common sense situation.

Thanks for your help!

Sheyne Wiggans

8379 Grasslands way

Parker, CO 80134

720 427 3412

From: Tracy Burlingame <kntburl@comcast.net>
Sent: Tuesday, August 15, 2017 7:27 PM
To: Brett Thomas; Terence T. Quinn; BOCC
Subject: Vista South LLC Trash Transfer Facility

To Whom It May Concern:

Please be advised that as an ORIGINAL Dove Ridge HOA homeowner, I am extremely angry and upset over the Trash Transfer Facility that is being planned a mere blocks from my home. Our neighborhood already has one transfer facility at Jordan and Fremont in Englewood. To have another so close to residential neighborhoods and schools is simply not acceptable.

We were NEVER notified (I am diligent about reading communications from my HOA and governments) at any point in the recent past; although I have heard of notices being sent to Stonegate residents - who are farther away than we are. Why would they be notified living a mile away when we are across the street??? That makes NO sense. And merely posting a poorly-lettered sign that is impossible to be read from the road at 40 mph is not acceptable either.

I will join my neighbors in the fight to keep the project from moving forward. There have to be other remote locations away from residential areas that this project can locate. As you have been inundated with other angry emails that surely duplicate my concerns, I will not waste your time itemizing them for you again.

We expect and deserve our concerns to be addressed not only in a public forum but privately via official communication as well. Our corner of Douglas County and our corner of the City of Parker have been long neglected and we are fed up.

Thank you,

Tracy and Ken Burlingame

Dove Ridge HOA

From: Ray Ibarra <ocrayray@hotmail.com>
Sent: Thursday, August 17, 2017 8:59 AM
To: Brett Thomas
Subject: Compark Trash facility

I am writing to express my opposition to the Trash Transfer facility that was originally approved under the Compark Planned Development (Compark PD Planning Area #4) in 2008. While this might have been an appropriate location in 2008, I have serious concerns regarding the facility's negative impact on the community and the environment now that the area has been developed. Nine years later, the area is no longer just a business park. There are new custom homes, a medical school, and a new charter school. As a Stonegate resident, I have seen the area develop right before my eyes. With this new development, I do not feel this is the best location for a new trash transfer facility.

As a concerned citizen, I feel it is my civil duty to express my opposition for the following reasons:

1. Significant increase in traffic (up to **500 trucks a day** traveling the area)
 - Is this really what is needed with charter school directly across the street? Talk about serious safety concerns for these K-8 students, as well as residents who walk, run, and bike in the area.
- Odor of trash and exhaust from the trucks and facility
- Blowing trash
- The increased risk of rodents such as mice, etc
- Increased noise
- Increased health risks such as air pollution, ground water contamination, etc
- And most importantly..... a decrease in home values

Because of the potential impacts of this facility, I would strongly urge that this case be elevated to a public hearing with the Douglas County Board of County Commissioners. This would allow concerned citizens, such as myself, to voice their concerns.

Lastly, please take into consideration that this facility has a direct impact on our livelihood. This is our neighborhood, and the place we call home. Please give us the opportunity.

Sincerely,

Raymond Ibarra
15617 Greenstone Ln
Parker, CO 80134
720-237-1271

From: Lindsay <trilindsay12@gmail.com>
Sent: Thursday, August 17, 2017 8:46 AM
To: Brett Thomas
Cc: Terence T. Quinn; BOCC; bmatthews@parkeronline.org; mwaid@parkeronline.org; jdiak@parkeronline.org; aholland@parkeronline.org; deblewis@parkeronline.org; jmartin@parkeronline.org; jrivero@parkeronline.org; rwilliams@parkeronline.org
Subject: Trash Transfer Facility

To whom it may concern,

As a resident of the Dove Meadows community and of the town of Parker I would like to voice my concerns over the trash transfer facility proposed for the site at Chambers and Grasslands Dr.

My first concern is health. I have 3 young children. The trash debris, pollution from trucks, rodent infestation, and general un sanitary conditions of a trash facility are troublesome at the very least. What steps will be taken to minimize risks?

My second concern lies in what this will do the property values of the homes. Our home is currently a half million dollar home- statistics have shown that homes within viewing distance of a trash facility decrease in value anywhere from 3-15%. That's \$15,000-\$75,000 not a number I am comfortable with accepting. What can be said for this? Are there measures being taken to protect the value of the homes?

My third concern lies with traffic. With 500 trucks entering the facility daily I am curious as to the steps that will be taken to control traffic, minimize noise, and control air pollutants. The traffic during the school year is already backed up from Parker Performing Arts, what will be the trash facilities peak hours?

My last concern comes in how the trash transfer facility was handled. The Dove Meadows community, Dove Ridge, Rocky Mountain Vista University, Parker Performing Arts School are just a few of the communities that are directly effected by this facility that we're NOT notified of the plans or proposal. This seems like poor practice as the surrounding neighborhoods and businesses should work WITH the facility to make sure the negative impacts are minimized. We are a community that works together and WILL continue to work together to protect our homes and our families.

Sincerely,

The Beaudreau Family

Lindsay Beaudreau

Sent from my iLinz

From: Terence T. Quinn
Sent: Thursday, August 17, 2017 12:00 PM
To: Brett Thomas
Subject: Fwd: Douglas County Trash Transfer Station

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Dave Metzler <dvmetz@msn.com>
Date: 8/17/17 11:36 AM (GMT-07:00)
To:
Subject: Douglas County Trash Transfer Station

Here are many issues that the citizens of Douglas County in the area of the proposed Trash Transfer Station are concerned about and are opposed to:

- 1) We were not notified of this project. Why is that? The Planner always has the discretion to extend notices beyond what their code/regulations require. In this case, Douglas County absolutely should have notified Dove Meadows HOA because we will be hugely impacted by this development and we are adjacent to the project with only Chambers separating us.
- 2) There is no public hearing process scheduled to allow citizens to address their concerns with either the Planning Commission or the BOCC.
- 3) While this use might have been an appropriate use when there was nothing but industrial development in the area, it no longer is. Now there are new, custom houses across the street, many of which are homes for young families with young children. At the school, just across the street from the proposed development, with the Parker School of Arts just behind that campus, students who are trying to make use of the outdoor tables and areas to study, between classes, will be unable to focus on their studies due to the noise, allergens, and odor from the adjacent trash transfer facility.
- 4) As mentioned in the letter from the applicant's representative, Douglas County Planning Staff recommended these lots to the applicant as appropriate for their project. Why did Douglas County recommend this site when there are homes across the street, not to mention two nearby schools? What was the logic behind this recommendation? Are your Planners actually walking the project site, doing a visit to get a visual impact their proposed cases might have on the community? In this case, I don't believe so.
- 5) We understand this facility needs to go someplace; however, a site situated farther from schools and residences would be more appropriate.
- 6) The Fire District submitted concerns about this project. Have those concerns been addressed to

their satisfaction?

7) What document allows this use and when was it approved?

8) Does your Comprehensive Plan support this project?

9) Were concerns from the neighboring jurisdiction, Town of Parker, considered?

10) How does the applicant plan to address the following concerns/issues?

1. Trash Odor

2. Exhaust smell from idle trucks

3. Trash back up warming beepers (obnoxious)

4. Blowing Trash

5. Rodent Control

6. Traffic? Garbage/Semi Trailers make the most noise and release the most exhaust pulling out of the facility onto Chambers, very close to our homes.

7. Bright Lights

8. Screening/Landscaping/Fencing

9. Controlled hours of operation

10. Fire Hazards

11. Air Pollution / Health Concerns (Asthma-Allergies-known carcinogens polluting our air)

11) We would like this case elevated to a public hearing with the Douglas County Board of County Commissioners, preferably during a night meeting so the working citizens can be available to attend. We deserve to have our concerns heard and addressed.

12) Did this case get referred to Tri-County Health Department?

My Serious Question is what kind of representation is this for tax payers??

Dave Metzler

Douglas County Dove Ridge Citizen

From: Strickoff Jr., Raymond J <Raymond.Strickoff@charter.com>
Sent: Friday, August 18, 2017 1:36 PM
To: Brett Thomas; Terence T. Quinn
Cc: BOCC; bmatthews@parkeronline.org; mwaid@parkeronline.org; jmartin@parkeronline.org
Subject: Waste transfer facility SP2017-056 (Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2)

Brett and Terrence,

I am writing to you to voice my opposition of the plan to put a waste transfer facility on Grasslands Drive. I write to you not only as a nearby resident of Stonegate but also to represent my interests at Charter Communications which owns the building directly across the street from the proposed site.

I'm sure you've already fielded numerous communications from the public related to health, safety and comfort of the nearby residential developments so I won't belabor those points as I feel they are rather self-evident. From my point of view I think the next biggest concern is in the overall development of the land in the immediate area. There are severe incompatibility issues when you talk about putting a waste management facility in this area. Neighborhoods aside for a moment, you have the following businesses already in operation in the immediate area (in no particular order):

- American Furniture Warehouse – HQ and flagship store
- Charter Communications - Engineering HQ
- Liberty Media – HQ and distribution facility for Starz/Encore
- Western Union - HQ
- The Denver Broncos - HQ
- Rocky Vista University College of Osteopathic Medicine
- Parker Performing Arts School
- Centennial Airport
- CH2M International - HQ

This isn't even a complete list. Also, don't forget that Redbarre deal that's in the works.

Exactly what does a waste transfer facility have in common with the 2nd largest Internet Service Provider in the country, the International Headquarters locations of any of these other multi-billion dollar companies, elementary and higher education? Absolutely nothing.

This plan cannot go forward. I have ties to a majority of the companies listed above and have already begun engaging them to raise awareness to this issue.

Mayor Waid and Councilman Martin,

I am aware that this land falls in unincorporated Douglas County and there isn't much you can do here. However, I know you'll represent the Town of Parker's interests here. The one point I wanted to make to you guys – When driving southbound on Chambers Rd from Broncos Pkwy there is that big beautiful sign that says "Welcome to Parker". Directly to the west/southwest of the sign is the proposed location of this Waste Transfer facility. Do we really want a waste transfer facility to be the backdrop of our welcome sign? We'll have to change the sign to read "Welcome to Parker... we've got trash!"

Thanks all for your time and consideration,



Ray Strickoff | Director, Advanced Engineering | 720.518.2399
14810 Grasslands Drive | Englewood, CO 80112

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From: Emily Byer <emilitab@gmail.com>
Sent: Sunday, August 20, 2017 8:35 PM
To: BOCC; Brett Thomas; Terence T. Quinn
Subject: Proposed Trash Facility at Chambers/Grassland

Hello Douglas County Planners,

I was just made aware of a potential plan to put a trash transfer facility across the street from my condo in Parker. This is unacceptable. You simply cannot allow a trash company to buy land and build a trash facility after you zone this area for residences and allow citizens to build houses right across the street before you release any plans.

Trash transfer facilities belong in industrial areas, not residential areas.

Further, this road is used for recreational use including cycling, where there are dedicated endorsed cycling lanes. This will be extremely dangerous for anyone using this road, even with bike lanes, as huge trash trucks constantly coming in and out will cause more traffic with industrial trucks.

You are talking about placing a landfill with trash here. The odor will overcome this area, just as it does on Jordan near the Waste Management transfer facility, yet that one is in an industrial area so it's tolerable.

This area was just recently built up with houses, and the area is thriving. Putting a trash facility here will tank the home values in the area. This will force people to either take a huge loss for their house, or potentially be stuck with it because no one wants to buy a house in a nice neighborhood with the smell of trash overtaking their house. These neighborhoods have kids - what parent will allow their kids to play outside with the smell of trash overwhelming the Colorado air.

And, it feels unethical that this is sprung on this community without any notice and shortly after so many houses were built. It is not as if the trash facility was here and these community members chose to live here knowing this was coming.

Until a member of the community alerted me to this, there has been NO DISCLOSURE of this plan to the neighbors who are within yards of this proposed facility. This will have severe impact on my life and that of my neighbors.

The smell, noise, traffic, safety issues, and decreased home value are all reasons you must not proceed with this plan and use that land for houses or other residential/non-intrusive buildings.

Please provide an answer on how this is going to be solved in a favorable manner to the community, or how you believe that this is not a severe impact to the residents who will be forced to live in a trash dump with the poor planning of this concept.

Thank you,
Emily Byer

From: Terri Baker-Maulik [<mailto:bakedfish@hotmail.com>]

Sent: Monday, August 21, 2017 3:11 PM

To: Brett Thomas <bthomas@douglas.co.us>; Terence T. Quinn <TQuinn@douglas.co.us>; BOCC <BOCC@douglas.co.us>; bmatthews@parkeronline.org; mwaid@parkeronline.org; jdiak@parkeronline.org; aholland@parkeronline.org; deblewis@parkeronline.org; jmartin@parkeronline.org; jrivero@parkeronline.org; rwilliams@parkeronline.org; patrickgalloway@gallowayus.com; chip.kerkhove@southmetro.org; generalquestion@svmd.org; bob.blodgett@CLAconnect.com; leann.granic@claconnect.com; suggestions@broncos.nfl.net; kim.herman@CLAconnect.com; Stephanie.Net@CLAconnect.com

Subject: TRASH TRANSFER FACILITY - DOUGLAS COUNTY PROJECT NO. SP2017-056 - COMMENTS IN RESPONSE TO PROPOSE PROJECT

August 21, 2017 – Comments are due prior to August 25, 2017

To:

Brett Thomas, Douglas County Chief Planner: bthomas@douglas.co.us

Terrence Quinn: tquinn@douglas.co.us

Douglas County Board of County Commissioners. bocc@douglas.co.us

Town of Parker, Bryce Matthews, Planning Manager: bmatthews@parkeronline.org

Town of Parker Mayor Mike Waid: mwaid@parkeronline.org

Town of Parker Councilmember John Diak: jdiak@parkeronline.org

Town of Parker Councilmember Amy Holland: aholland@parkeronline.org

Town of Parker Councilmember Debbie Lewis: deblewis@parkeronline.org

Town of Parker Councilmember Josh Martin: jmartin@parkeronline.org

Town of Parker Councilmember Joshua Rivero: jrivero@parkeronline.org

Town of Parker Councilmember Renee Williams: rwilliams@parkeronline.org

Patrick Gunn, Galloway & Company, Inc: patrickgalloway@gallowayus.com

South Metro Fire Rescue Authority, Chip Kerkhove, chip.kerkhove@southmetro.org

Stonegate Village MD: generalquestion@svmd.org

Compark MD: bob.blodgett@CLAconnect.com

Dove Meadows HOA: Kim Herman, Stephanie Net, LeAnn Granic kim.herman@CLAconnect.com
Stephanie.Net@CLAconnect.com leann.granic@claconnect.com

Denver Broncos: suggestions@broncos.nfl.net

Centennial Airport: mfronapfel@centennialairport.com

From: Terri L Maulik, 15314 Grasslands Dr., Parker, CO 80134 – 720-981-9383 Email:
bakedfish@hotmail.com

Re: Project File # SP2017-056, Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2, Trash Transfer Facility

Mr. Brett Thomas, et. al.,

I am writing to submit comments regarding this project and to voice my deep concerns over the proposed Trash Transfer Facility off Grasslands Dr., just west of Chambers Rd, in unincorporated Douglas County. I am vehemently opposed to this facility. My concerns are many; however, the primary issues are as follows:

1. Douglas County needs to revise its Land Development Code to allow the Director of Planning to elevate administrative cases to a public hearing process. Many jurisdictions have this option in their code for contentious cases. Douglas County's code does not. It muffles your constituent's voices and gives us no option but to appeal an already approved case, which is far more difficult and costly a process than blocking a development *before* it's been approved.
2. Douglas County needs to further amend their code or policies / procedures to require case referrals be sent to adjacent property owners, even those that are not within unincorporated Douglas County, as a matter of good planning practice and as a good neighbor. While the residents of the Town of Parker are not in *unincorporated* Douglas County we still elect the Board of County Commissioners and live in Douglas County. We deserve a voice in matters that gravely impact our lives. To defer this responsibility to the Town of Parker and the HOAs (which our HOA was **not** notified) is irresponsible. You put the burden of referring a project that is a Douglas County project on the Town of Parker? Are the Town of Parker Planners on the Douglas County Payroll? Are you covering the cost of the mailings/sign postings? It is DOUGLAS COUNTY's RESPONSIBILITY to notify adjacent property owners and send out referrals.
3. While I understand trash transfer facilities are beneficial and needed, appropriate placement is critical. The current, proposed site may have once been an appropriate location, but now that homes, schools, parks, and businesses have been developed, it is no longer an appropriate use at the proposed site. Douglas County staff needs to help this applicant find a more ideal location, one away from homes, schools, businesses, and children. Why didn't the Planner actually complete a site visit prior to the location being endorsed by staff? I firmly feel if staff had walked the site, saw the new homes, parks, businesses, and schools in the area, staff would have not supported this

project and the applicant would have looked elsewhere. I feel there is a huge disconnect when the Planner works more than 30 minutes away, in the Town of Castle Rock and does not take the time to visit these sites prior to a recommendation. Things have changed since the PD was originally approved (and amended a number of times).

4. Per the EPA, Trash Transfer Facilities should be located, designed, and operated to ensure the public health, safety, and welfare of the community and environment. They should be located so as to minimize incompatibility with the character of the surrounding area. A trash transfer facility should be located deep within a heavily industrial area, not adjacent to custom homes, a medical university, a Performing School of Arts for children, and a business complex that includes a medical treatment facility. These facilities should be located where traffic patterns to, or from, the facility minimize the impact on existing traffic flows. Traffic studies may not have taken into account traffic flow when school is in session, nor the impact on Chambers Rd to the north where these sizable and numerous garbage and semi-trucks will be going in and out of this 12-acre facility. The applicant expects 500 trucks will come in and out of the trash transfer daily, with an increase in that number expected with continued development. Dove Valley, the Broncos Training Facility, a gorgeous Dove Valley Regional Park, not to mention the beautiful and expanding Dove Meadows, Ridge, and other homes / condos, create a huge impact on Chambers Road already. Are road impact fees being paid to all jurisdictions being affected including Douglas County, Town of Parker, Arapahoe County, Centennial, and Aurora?
5. Besides traffic, noise, and odor...there are a multitude of problems that occur from an improperly designed or operated facility, which include infestations of rodents and birds (there is an RV Park and Storage facility adjacent to the property – rodents are notorious for taking up residence in the engines of long-term, parked vehicles and destroying electrical), litter, air emissions, fire and other hazards from the waste materials that are often illegally disposed of and carried by these transfer company vehicles. Even if this facility incorporates best practices (and actually uses them without being constantly policed by the public), there is still a huge concern over storm water run-off. What steps are being proposed by the applicant to mitigate these issues/concerns?
6. What regulations/standards apply to waste transfer station siting, design, operation and who enforces them?
7. Is there a solid waste planning committee and, if so, when does it meet and how does one become an active member/participant?
8. What are the proposed hours of operation for this facility?
9. Is there a hotline with the name and number of someone who will act on and respond to complaints?
10. What does the appeal process involve? Can you please provide me with needed information to appeal an approval of this case, should our attempts to thwart the project fail? Can you please send me paperwork, code reference, and deadlines?

Thank you sharing my concerns with your applicant and other key stakeholders.

Terri L Maulik

15314 Grasslands Dr

720-981-9383

From: Terri Baker-Maulik <bakedfish@hotmail.com>
Sent: Wednesday, August 23, 2017 6:35 PM
To: Brett Thomas
Subject: Re: TRASH TRANSFER FACILITY - DOUGLAS COUNTY PROJECT NO. SP2017-056 - COMMENTS IN RESPONSE TO PROPOSE PROJECT

Thank you Brett. A dozen or so of us, including the Mayor of the Town of Parker and the COO from RedBarre attended the BOCC meeting on Tuesday. We used the public comment period to speak to the Board and voice concerns over this project. The Chair kept asking speakers to share concerns with Terrence Quinn. I stated we had all been emailing Terrence, but received no response. I can only assume that burden has fallen to you or Quinn is working on a canned response with your attorneys.

I just wanted to keep you in the know on our grass root efforts to thwart this project.

Terri Maulik

From: Brett Thomas <bthomas@douglas.co.us>
Sent: Wednesday, August 23, 2017 5:55 PM
To: Terri Baker-Maulik
Subject: RE: TRASH TRANSFER FACILITY - DOUGLAS COUNTY PROJECT NO. SP2017-056 - COMMENTS IN RESPONSE TO PROPOSE PROJECT

Terri,

Thank you for your correspondence regarding SP2017-056 (Compark Filing 2, 6th Amendment, Lots 6A-1 and 6A-2). The application that is in process is for a Site Improvement Plan (SIP), which is processed in accordance with [Section 27 of the Zoning Resolution](#).

The project is currently in the referral process to obtain comments from referral agencies and the public. All correspondence received from referral agencies, as well as members of the public, are forwarded to the applicant and included in the project file as part of staff's assessment. At the conclusion of the SIP process, the Director of Community Development makes the final determination on the SIP request and may approve, approve with conditions, or deny the SIP based upon an assessment of the SIP approval standards.

The decision of the Director may be appealed to the Board of Adjustment, which for Douglas County, is the Board of County Commissioners. In accordance with Section 2704.10 of the *Zoning Resolution*, any person aggrieved shall submit a written appeal to the Director within 30 calendar days from the date on the Notice of Action – Final Status. An appeal is processed in accordance with [Section 26A of the Zoning Resolution](#).

Additional information on the project, including documents submitted, can be found on the project website at <https://apps.douglas.co.us/planning/projects/Default.aspx?PossePresentation=SIPJob&PosseObjectId=53964308>.

Do not hesitate to contact me if you have any questions.

Brett Thomas, AICP | Chief Planner
Douglas County Government
Department of Community Development

From: [Marshal Ash](#)
To: [Planning; Mayor, Council, and TA](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Monday, March 19, 2018 3:12:33 PM

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

My name is Marshal Ash, and I am a current fourth-year medical student at Rocky Vista University College of Osteopathic Medicine. I ask you to please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property. As I graduate from Rocky Vista University this spring, I cannot help but think of how my experience at RVU would have been altered if a trash transfer facility had been placed next to my university. I spent many hours and many dollars in the area because of my studies, and I was very warmly welcomed by the town and citizens of Parker in doing so. However, I am unsure I could (or would) be able to encourage others to attend my university if I knew there would be such a great distraction (in terms of noise, perhaps smell, and overall nuisance) were next to my school. As a student and soon-to-be physician, I cannot help but STRONGLY support the proposed annexation to preserve the area around my medical school.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

The list of approval considerations I see it meeting are as follows.

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected
- 4 There have been significant changes in the area to warrant a zone change This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
- 5 Adequate circulation exists and traffic movement would not be impeded by development The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning

6 Additional municipal costs will not be incurred which the Town is not prepared to meet As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant impacts

7 There are minimal environmental impacts or impacts can be mitigated The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area

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

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 Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Blessings -Marshal Ash

Marshal Ash, OMS-IV
Rocky Vista University, College of Osteopathic Medicine
National Health Service Corps Scholarship Program
Rural and Wilderness Medicine Honors Track
marshal.ash@rvu.edu
(320) 260-9752

From: [Jo Brogus](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Tuesday, March 27, 2018 3:11:35 PM
Attachments: [image003.png](#)
[image004.png](#)

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

Thank you,

Jo Brogus

Senior CME Coordinator

Rural & Wilderness Medicine Track

Coordinator

*Achieving New Heights in Medical
Education*

Rocky Vista University

8401 S. Chambers Road • Parker, CO

80134

(720) 874-2416

jbrogus@rvu.edu

www.rvu.edu



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From: [J. Steven Brooks](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Support Annexation
Date: Tuesday, March 20, 2018 5:33:30 PM

Council & Planning...

We greatly appreciate Parker's support to help maintain a viable community for everyone!

Please continue to help us by voting for the annexation!

Thank you,

Brooks-Wozniak Family

From: [Tracy Burlingame](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Annexation Petition
Date: Monday, March 19, 2018 11:24:03 PM

Town of Parker

Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138

Attention: Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email as evidence of our favor for the Town of Parker annexing the area near Grasslands/Prairie Trail/Chambers.

Much has changed in the last 20 years of not only the surrounding community, but within the area itself that necessitates a zoning change for the benefit of future and current residents. Significant additions of residential development and commuter traffic makes it imperative to develop appropriate and complimentary projects. Industrial use is no longer appropriate and mixed-use retail, office and single-family residential makes much more sense. Commuter traffic is already significant - allowing more truck and commercial vehicle traffic (that comes with industrial use) will only serve to overwhelm current infrastructure and add to congestion.

Not only would the additional sales tax from future retail development benefit the Town of Parker, but the Annexation proposal is consistent with the Town of Parker Master Plan and few changes to city utilities, schools, and recreation would be needed.

We believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

We also believe that Douglas County has acted in bad faith seeking to terminate the Intergovernmental Agreement and because of that move, it makes it extremely critical that the Town act swift to protect the citizens and businesses in our community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

Please enter our email into the documents for this process, and thank you for your time and consideration regarding this important Petition. We have been long-time residents and former business-owners in this unincorporated area of Douglas County and wish to remain. This Annexation will be the positive move that will keep us anchoring our community.

Ken and Tracy Burlingame

16046 Brooklime Ct

Parker, CO 80134

From: [Cristina Cosner](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands at Prairie Trail
Date: Sunday, March 25, 2018 9:12:28 AM

To Whom It May Concern:

I am a 4th year medical student about to graduate from Rocky Vista University and enter a competitive general surgery intern year. When choosing between medical schools I saw that this school in Parker was in a quiet part of town and easily accessible from many roads. The school has large windows in the library that overlook some of the most beautiful views, which is another reason for me choosing this school. I arrived at this school every week day morning no later than 5AM and stayed as long as needed, becoming my home away from home. In order to stay healthy while sitting behind a desk for 80+ hours a week I would run around the block and adjacent areas. I ask that the town of Parker be very careful in considering what developments to surround the school with. Industrial businesses will draw students away and I most certainly would not buy a house in that area either. Excessive noise would have made it nearly impossible to become the best possible applicant and lock in my residency of choice. Please hear my voice and know that I stand for myself and medical students alike. Vote in a positive manner to approve this annexation and zoning at the April meetings.

Respectfully,
Cristina Cosner
2dLt, USAF, HPSP
RVUCOM, OMS-IV
301-448-8726

From: Melissa Davidson [<mailto:mdavidson@rvu.edu>]
Sent: Monday, March 19, 2018 3:43 PM
To: Mayor, Council, and TA
Subject: Grasslands/Prairie Trail Property's Annexation Petition

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and as someone who works across the street from this location, I see that as a very positive action.

The list of approval considerations I see it meeting are as follows.

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development. The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning. The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected
- 4 There have been significant changes in the area to warrant a zone change This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
- 5 Adequate circulation exists and traffic movement would not be impeded by development The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning
- 6 Additional municipal costs will not be incurred which the Town is not prepared to meet As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant impacts
- 7 There are minimal environmental impacts or impacts can be mitigated The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area
- 8 The proposal is consistent with the Town Master Plan maps, goals and policies This use is consistent with the Master Plan
- 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 Services already exist in the area and very minimal impacts will be created by the proposed land uses.

I have worked at Rocky Vista University for over eight years. Eight years of spending in this community, during my lunch time. A trash facility across the street, with smells and rodents and extra traffic would mean I may not go out at lunch, and would do my shopping and errands out of the area after work.

There is no guarantee we would not notice a trash transfer facility directly across the school from our MEDICAL SCHOOL. This school houses future doctors and PAs; we have a medical clinic onsite. Of course trash and educational and medical facilities do not mix.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Melissa Davidson

3717 S Ensenada St, 80013

Working member of the Parker Community for eight years at: 8401 S Chambers Rd, 80134



Melissa Davidson

Office of Testing Coordinator

Achieving New Heights in Medical Education

Rocky Vista University

8401 S. Chambers Road • Parker, CO 80134

(720) 874-2425

mdavidson@rvu.edu

For expedited assistance, please email:

officeoftesting@rvu.edu

www.rvu.edu



From: [Laura Dement](#)
To: [Mayor, Council, and TA](#)
Cc: [Planning](#)
Subject: Property Annex Please
Date: Tuesday, March 20, 2018 8:14:11 AM
Attachments: [image003.png](#)
[image004.png](#)

Town of Parker

Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

The list of approval considerations I see it meeting are as follows. The writing in RED is the actual wording from the Code

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected
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- 7 There are minimal environmental impacts or impacts can be mitigated The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area
- 8 The proposal is consistent with the Town Master Plan maps, goals and policies This use is consistent with the Master Plan
- 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 Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area almost 3 years ago with the thought that this would be our retirement home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Laura Dement, MA ED

Title IX Coordinator and

Compliance Specialist

Achieving New Heights in Medical Education

Rocky Vista University

8401 S. Chambers Road • Parker, CO 80134

(720) 874-2481

ldement@rvu.edu

www.rvu.edu



From: [Kelly Farr](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Parker Trash Transfer Facility
Date: Tuesday, March 27, 2018 3:44:02 PM
Attachments: [image003.png](#)
[image004.png](#)

Dear Council and Planning Teams,

Thank you for allowing us to submit comments regarding the proposed trash transfer facility coming to Grasslands and South Chambers Roads.

I understand and respect the difficulty you must have in finding an acceptable place to put the transfer facility. This is a difficult task with all the building taking place in this area.

Before making a decision about placing the transfer facility at Grasslands and S. Chambers, consider the Rocky Vista Health Clinic on the Rocky Vista University campus. Granted, it won't be right across the street, but there will be fumes from the garbage and the trucks. The number of seagulls will also increase substantially, which will cause increased bird droppings and dropped pieces of trash from the facility in this area.

Again, I can understand the difficulty in finding a suitable location, but thank you for your consideration.

Kelly Farr, MA, SHRM-CP
HR Coordinator

Rocky Vista University
8401 S. Chambers Road • Parker, CO 80134
(720) 874-2430
kfarr@rvu.edu
www.rvu.edu

Achieving New Heights in Medical Education



From: [Fernando Gomez](#)
To: [Planning](#)
Subject: In support of Grasslands/Prairie Trail Property's Annexation Petition
Date: Tuesday, March 27, 2018 3:31:49 PM
Attachments: [image003.png](#)
[image004.png](#)

Town of Parker
Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property. I understand this will annex the property into the Town of Parker and allow alteration of current zoning to more appropriate use of the property, a very positive action.

I understand the annexation will meet all criteria of the Parker CO Municipal Code.

The list of approval considerations are as follows:

1. A need exists for the proposal; Annexation will allow appropriate development and protection of the area in accordance with the needs of the Parker, CO community.
2. The particular parcel of ground is indeed the correct site for the proposed development; The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning; The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected for current needs.
- 4 There have been significant changes in the area to warrant a zone change; This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants a change from industrial zoning as this area is no longer appropriate for any industrial use.
- 5 Adequate circulation exists and traffic movement would not be impeded by development; The area is developing, but the proposed change in annexation and zoning will assist in preventing problems with circulation and traffic movement in the area.
- 6 Additional municipal costs will not be incurred which the Town is not prepared to meet; Impact should be minimal as the property is directly adjacent to the current Parker city limits.
- 7 There are minimal environmental impacts or impacts can be mitigated; The zoning change to eliminate industrial use will help ensure that there will be minimal environmental impacts to the area
- 8 The proposal is consistent with the Town Master Plan maps, goals and policies; This use is consistent with the Master Plan
- 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; Services already exist in the area and very minimal impacts will be created by the proposed land uses.

I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents. I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the Parker community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection. The proposed area

has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements. Annexing the property in the proposal will help in allowing consistency of the development of this property in a manner that will allow the community to grow responsibly. This petition will help with growth and property values in the area which may otherwise cause a decline in property values of adjacent properties within current Parker city limits.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately. This action is 100% positive for our community and surrounding communities.

Thank you for your consideration of such an important Petition.

Fernando Gomez, MD

Professor of Pathology

Achieving New Heights in Medical Education

Rocky Vista University

8401 S. Chambers Road • Parker, CO 80134

(720) 874-2464

fgomez@rvu.edu

www.rvu.edu



From: [Kathy Hayes](#)
To: [Mayor, Council, and TA](#)
Cc: [Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Sunday, March 18, 2018 2:49:13 PM

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

We understand this will annex the property into the Town of Parker and alter the zoning. We see this as a very positive action.

We truly believe that a need for the annexation exists to help with the growth and protection of the area.

There have been significant changes in the area to warrant a zone change from current zoning of industrial use. This area is now filled with residential housing, medical facilities, education, office spaces and similar uses. This area is no longer appropriate for any industrial use.

The fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The vast majority want this annexation and zone change. We purchased a home in this area 2 years ago with the thought that this would be our retirement home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area. We would have never purchased our home if we knew of the purpose uses such as trash transfer center or correction facility.

We see no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear our voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the [April 12th](#) Planning Commission meeting and the [April 16](#) Town Council meeting.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Curt and Kathy Hayes
15825 Club Rush Ct., Parker, CO

From: [Katy Hunsberger](#)
To: [Planning](#)
Subject: Proposed Trash Transfer Facility - Grasslands/Prairie Trail Property
Date: Tuesday, March 20, 2018 10:23:21 AM
Attachments: [image003.png](#)
[image004.png](#)

Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell.

The Town of Parker has done much to attempt to block this very inappropriate trash transfer facility from being constructed in the immediate area around Rocky Vista University and the surrounding neighborhoods. I am writing in whole hearted support of the annexation of the Grasslands/Prairie Trail Property by the Town of Parker.

My name is Katy Hunsberger, and I am the Associate Director of Admissions at Rocky Vista University and have been employed at the College since the first class was seated in July 2012. At that time, the area surrounding the school was primarily open space. Since then, there have been significant changes: addition of a medical clinic at the school, addition of a charter school, residential housing, and office spaces. These changes have made the area an asset to the Town of Parker. To allow industrial use, of this adjacent property, in the current environment, would increase the risks of those of us who live and work in this specific area. Since I am unable to make either the Town Council Meeting or the Planning Commission Meeting due to out of town engagements, I am writing this email to express my support of the annexation effort by the Town of Parker.

To allow the trash transfer facility in the midst of these non-industrial areas would create a hazard to the entire area. Traffic, with heavy trucks, would increase the danger to our children and the elderly and could potentially impact the clientele of the health clinic; the noise level of the area will increase exponentially with the number of large trucks coming and going from the facility; trash trucks frequently have some of their contents blown out of the truck into the surrounding area, thus increasing the trash in the area. Increased trash results in increased vermin which is unhealthy for the medical clinic, schools, and the homes in the area. Allowing one industrial facility in the area opens the door for others of like kind which would negatively impact the culture of the area.

There is a need for the annexation of the above mentioned property. I have mentioned the demographic changes above, but there is more. The Town of Parker could benefit by adding this property to its tax base with very little environmental impact. Traffic circulation and movement is adequate to meet the current needs of the area – no additional construction would be necessary at this time; waste and sewage disposal appears to be adequate; services in schools, parks, and recreation areas already exist; and, as far as I can tell, the annexation proposal is consistent with the Town of Parker Master Plan maps, goals and policies.

Please continue your efforts to annex the Grasslands/Prairie Trail Property. This will benefit all of us.

Katy Hunsberger

Associate Director of Admissions

Achieving New Heights in Medical Education

Rocky Vista University

8401 S. Chambers Road • Parker, CO 80134

(720) 875-2803

khunsberger@rvu.edu

www.rvu.edu



From: [Yiwei \(Vince\) Jiao](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Tuesday, March 20, 2018 12:30:59 PM

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

The list of approval considerations I see it meeting are as follows. The writing in RED is the actual wording from the Code

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected
- 4 There have been significant changes in the area to warrant a zone change This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
- 5 Adequate circulation exists and traffic movement would not be impeded by development The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning
- 6 Additional municipal costs will not be incurred which the Town is not prepared to meet As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant impacts
- 7 There are minimal environmental impacts or impacts can be mitigated The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area
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- 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 Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area almost 3 years ago with the thought that this would be our retirement home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Yiwei Jiao, 2nd Year Student Doctor
3466 Craftsbury Dr
Highlands Ranch, CO 80126

Rocky Vista University | College of Osteopathic Medicine
Yiwei.Jiao@rvu.edu
(720) 412-3388

From: [Kelley, Mandy](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Friday, March 30, 2018 4:51:10 PM

Town of Parker
Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

The list of approval considerations I see it meeting are as follows.

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development. The surrounding areas are compatible with the proposed annexation and zoning change.
3. There has been an error in the original zoning. The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected.
4. There have been significant changes in the area to warrant a zone change. This area is now filled with residential housing, medical facilities, schools, office spaces and similar uses which warrant this change from industrial zoning. This area is no longer appropriate for any industrial use.
5. Adequate circulation exists and traffic movement would not be impeded by development. The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning.
6. Additional municipal costs will not be incurred which the Town is not prepared to meet. As this will be in close proximity to the existing Town of Parker limits, I doubt there will be any significant impacts.
7. There are minimal environmental impacts, and any that may exist can be mitigated. The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area.

8. The proposal is consistent with the Town Master Plan maps, goals, and policies. This use is consistent with the Master Plan.
9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportionate degree necessary due to the impacts created by the proposed land uses. Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development, and I hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area a year ago with the thought that we could raise our family in this home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. **This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town.** I believe

positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Justin and Mandy Kelley
8335 Feather Grass Ct, Parker, CO 80134

From: pkent@csa.canon.com
To: [Mayor, Council, and IA: Planning](#)
Subject: re: Trash Transfer Facility
Date: Monday, March 19, 2018 11:37:37 AM
Attachments: [ATT00002.png](#)
[ATT00003.png](#)
[ATT00004.png](#)
[ATT00005.png](#)
[ATT00006.png](#)
[ATT00007.png](#)
[ATT00008.png](#)
[ATT00009.png](#)

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

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As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

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I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area almost 15 years ago with the thought that this would be the home I raise my family in. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Sincerely

Patty Kent

15935 Brooklime Ct

Parker CO 80134



Patty Kent
Senior Account Manager

Canon Solutions America, Inc.
7002 S. Revere Pkwy, Ste 80 Centennial CO 80112
www.csa.canon.com
pkent@csa.canon.com
T 303.209.8367



From: [Dr. Anne Khalifeh](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Compark Annexation into Parker
Date: Wednesday, March 21, 2018 11:30:04 AM

To Whom it May Concern,

Re: Grasslands/Prairie Trail Property's Annexation Petition I purchased my home on Grasslands Drive in June 2015, with plans to start my family in this home and no plans to move within the foreseeable future. When the news of the trash transfer facility first surfaced in August 2017, I had to make some difficult decisions for myself and for my future family. Although I was very happy living in the area and had developed relationships with my neighbors, I made the decision to sell my home and move in January 2018, despite the added financial burden. The prospect of living across from a trash transfer facility, a jail, or whatever other inappropriate business that the county wants to dump in this location was too significant for me to ignore both in terms of physical health concerns, but also property values and safety of the community.

As a neuropsychologist, I am very cognizant of the myriad of adverse cognitive and physical effects for individuals living within a 5 mile radius of a trash transfer facility. These effects are clearly documented in the research literature. There are several neurotoxic effects impacting rates of childhood neurodevelopment disorders, childhood cancers, respiratory problems in children and adults, to name a few. Not only does this present significant risks and consequences for the children and adults living in the local area, there are also medically compromised patients receiving treatment at Rocky Vista University, as well as the children attending the nearby Parker Performing Arts School that must be considered. The fact that Douglas County recommended this site without consideration of newly built homes, a medical school, and a charter school is extremely concerning and shows disregard for the families and residents of this neighborhood.

This prospect has already had some significant impacts on our community, as there are others who have opted to sell and move as well, and there are many more who are faced with this difficult choice if the annexation is not approved. I am still a Parker resident and care about what happens to our community, and to my former neighbors and friends. I am submitting this letter in full support of annexation, and hope that the Town of Parker will take all action needed to protect the integrity of our town, our community, local businesses, and property values. Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action. I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code. The list of approval considerations I see it meeting are as follows:

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development. The surrounding areas are compatible with the proposed annexation and zoning change.
3. There has been an error in the original zoning. The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected.
4. There have been significant changes in the area to warrant a zone change This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
5. Adequate circulation exists and traffic movement would not be impeded by development The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning.
6. Additional municipal costs will not be incurred which the Town is not prepared to meet As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant

impacts.

7. There are minimal environmental impacts or impacts can be mitigated. The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area

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

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. Services already exist in the area and very minimal impacts will be created by the proposed land uses. As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents. I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection. The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform. I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time. The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately. Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting. I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities. Also please enter my email into the documents for this process. Thank you for your consideration of such an important Petition.

Sincerely,
Dr. Anne Khalifeh

Dr. Anne Khalifeh, Psy.D., ABPP
Board Certified Clinical Psychologist
Neuropsychologist
(720) 696-1068

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or proprietary information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, immediately contact the sender by reply e-mail and destroy all copies of the original message.

From: [Lex Mangin](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Monday, March 19, 2018 5:11:29 PM

Dear Sirs,

The letter below was sent to you by one of my neighbors (Mitch Maulik). As an ex board member on the Dove Meadows HOA, I have worked closely with Mitch to assess the impact on our community if the area covered under this annexation proposal is allowed to be used for industrial use.

As Mitch states below, the area has changed tremendously since it was originally zoned. It is now filled with homes, condos, schools, business offices etc... Allowing the immediate areas (the Grasslands/Prairie Trail property) around these homes, schools and office buildings to be used for industrial purposes is no longer appropriate. It would have an extremely negative impact on our community, and will deter further non-industrial developments in the area.

As such, I fully support the annexation and re-zoning plans for the Grasslands/Prairie Trail property.

Thank you for your services and all that you do to protect the investment we've made in our town of Parker.

Kind Regards,

Lex M.

Town of Parker
Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

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I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

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The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area almost 3 years ago with the thought that this would be our retirement

home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Mitch Maulik
15314 Grasslands Dr Parker, CO 80134

From: [Terri Baker-Maulik](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition - Letter of Support from Maulik, Terri - 15314 Grasslands Dr., Parker, CO 80134
Date: Friday, March 16, 2018 5:48:48 PM

March 16, 2018

Town of Parker
Parker Town Hall
Town Council and Planning Commission
20120 E Mainstreet
Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and

Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

I am writing to express my support of the proposed Grasslands/Prairie Trail Property's Annexation Petition submitted to the Town of Parker and being considered for review and referral by the **Planning Commission on April 12, 2018** and by the **Town Council on April 16, 2018**. I support the annexation of these parcels into the Town, for the following reasons:

1. Annexation of the proposed parcels is desirable and necessary because it is smart for the area businesses, schools, residents, future development, and the overall good of the Town of Parker.
2. The area sought to be annexed meets the requirements of state statute and there is mutual and overwhelming interest in this annexation between the property owners and the Town of Parker.
3. Unincorporated areas of the state are meant for eventual annexation and government by municipalities.
4. Because Douglas County has determined to terminate an Intergovernmental Agreement with the Town of Parker, which IGA serviced to protect and secure mutual ideas/interests in development in the overlay district and along the fringes of our jurisdictions, it is crucial these parcels be annexed into the Town of Parker to protect this impressive Commercial, Business, Educational, Medical, and Tech corridor from future bad development and to solidify and secure future development to the overall good of the Town.
5. This annexation is a positive action that will greatly enhance and protect our community.

The annexation of the Grasslands/Prairie Trail Properties is a very wise decision that is desired by a majority of your electorate. I ask you to cast your vote for the annexation and in doing so, voting in favor of good development and smart growth for the Town of Parker.

Thank you for ensuring my voice is heard and that this letter is entered into the record at both the April 12th Planning Commission meeting and the April 16th Town Council meeting.

Sincerely and Respectfully,

Terri L Maulik
15314 Grasslands Dr
Parker, CO 80134

From: [Mitch Maulik](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Annexation
Date: Sunday, March 18, 2018 10:32:28 AM

Town of Parker
Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

The list of approval considerations I see it meeting are as follows. The writing in RED is the actual wording from the Code

1. **A need exists for the proposal;** I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. **The particular parcel of ground is indeed the correct site for the proposed development** The surrounding areas are compatible with the proposed annexation and zoning change.
3. **There has been an error in the original zoning** The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected
4. **There have been significant changes in the area to warrant a zone change** This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
5. **Adequate circulation exists and traffic movement would not be impeded by development** The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning
6. **Additional municipal costs will not be incurred which the Town is not prepared to meet** As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant impacts
7. **There are minimal environmental impacts or impacts can be mitigated** The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area

8. **The proposal is consistent with the Town Master Plan maps, goals and policies** This use is consistent with the Master Plan
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** Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area almost 3 years ago with the thought that this would be our retirement home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Mitch Maulik
15314 Grasslands Dr Parker, CO 80134



O-H-M ELECTRIC, LLC

Mitch Maulik

Master Electrician, Owner

Phone: 303-548-8118
Facsimile: 303-558-3811

mitch@ohmelectricllc.com
www.ohmelectricllc.com

15314 Grasslands Dr., Parker, CO 80134

From: [Molly Hunsberger](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Trash Transfer Facility
Date: Friday, March 23, 2018 8:17:37 AM
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Town of Parker

Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

The current Zoning will cause significant problems for the existing businesses in that area. The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected.

- There is an elementary school as well as a medical College right across the street.
 - The increase in rodents, and insects that a trash facility would bring in would be a health hazard for both
- There is a business park and residential housing in this area
 - The increase in traffic would cause a problem
 - The residences are mostly young families with small children. A trash facility would cause health and safety issues.
- The area is growing.

As I have shown above, I believe that this annexation and zoning change would greatly impact this area and make it a safer and more environmentally friendly location.

I also believe that the fact that Douglas County is seeking to terminate the

Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my co-workers and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

Thank you for your consideration of such an important Petition.

Molly Hunsberger
Administrative Assistant for
Primary Care Medicine, Global
Medicine, and Tracks and Special Programs *Achieving New Heights in
Medical Education*

Rocky Vista University
8401 S. Chambers Road • Parker,
CO 80134
(720) 875-2828
mhunsberger@rvu.edu
www.rvu.edu



From: [Craig Murk](#)
To: [Planning](#)
Subject: No more industrial land!
Date: Monday, March 19, 2018 2:50:18 PM

I support annexing the proposed industrial land.

Get [Outlook for iOS](#)

From: [Jill Pitcher](#)
To: [Planning](#)
Subject: Grasslands/Prairie Trail Annexation
Date: Monday, March 26, 2018 6:38:51 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Planning Commissioner Chair Poole, and Commissioners Howe, Hopkins, Levy, Burke, Foerster, Frandsen, Nelson and Rodell,

I am in strong favor of the proposed annexation and zoning update concerning the Grasslands/Prairie Trail property.

I am a full time associate professor at Rocky Vista University which is located directly across the street from the proposed trash transfer station in this location. I am also the serving Chair of Faculty Council of the University. I recognize the methodical, lawful, correct steps that have been taken by this company to obtain and plan this transfer station. I also greatly appreciate the mechanism counties, cities and towns installed to allow for ensuring the growth of any area stay within the culture, purpose and appearance that occurs as we grow. The ability of local governance to act on behalf of the population in this way has significant importance to the continued growth and stature of the entire area, well beyond the immediate land involved. It is my understanding, after reviewing criteria that must be met or considered for annexation, that this land qualifies for strong consideration.

I strongly believe annexation is an important step to maintain the flavor of the growth in this immediate area, and find strong support in this action noting that the initial code requirements were made 20 years ago when this area of Parker could support industry like this without any negative impact on the residential and service industry growth we have enjoyed.

I appreciate the foresight and planning that all of you have focused on making Parker one of the premier residential and living communities along the front range. I ask your help now to act on our behalf to maintain guided growth in our specific area that continues to promote these premier qualities people moving into and around Colorado find so attractive.

Thank you,

Jill Pitcher, DO, FACOFP

Jill Pitcher, DO
Associate Professor Primary Care
Course Director Year Two PCM
Rocky Vista University
8401 S. Chambers Road • Parker, CO 80134
(720) 875-2834
jpitcher@rvu.edu
www.rvu.edu

Achieving New Heights in Medical Education



From: [rich russo](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Support for the Grasslands/Prairie Trail Property's Annexation Petition-
Date: Tuesday, March 20, 2018 8:39:49 PM

Town of Parker

Parker Town Hall Town Council and Planning Commission

20120 E Mainstreet Parker, CO 80138

To the Honorable Mayor Mike Waid and Council Members: John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

The list of approval considerations I see it meeting are as follows:

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected.
- 4 There have been significant changes in the area to warrant a zone change This area is now filled with residential housing, medical facilities, education, office spaces, and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
- 5 Adequate circulation exists and traffic movement would not be impeded by development The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning
- 6 Additional municipal costs will not be incurred which the Town is not prepared to meet As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant impacts
- 7 There are minimal environmental impacts or impacts can be mitigated The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area
- 8 The proposal is consistent with the Town Master Plan maps, goals and policies This use is consistent

with the Master Plan

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. Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

I have been a resident in this area since the Canyon Creek Condo community was built in 2006 and want to know that the property I have purchased to call my home continues to be protected as it has expanded for the good of the community and as well as the town as a whole. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. I love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities. For a community to continue and prosper, it is essential to encourage the timely and planned annexation of land.

This enables the city to ensure that outward expansion is developed in an orderly manner and what's in the interest for the town, community, and residences.

Also please enter my email into the documents for this process.

Thank you for your consideration of such an important Petition.

Respectfully Yours,

Rich Russo

8489 Canyon Rim Circle- Unit # 301

Englewood, Co 80112-4733

From: [Beatriz Sutton](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Sunday, April 08, 2018 3:59:53 PM

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell.

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

Please don't let it become a trash facility!

Thank you,

Beatriz Sutton
Parker, 80134

From: [Ziggy Thoffer](#)
To: [Planning](#)
Subject: Trash Transfer Facility
Date: Wednesday, March 28, 2018 10:34:51 PM

Dear Parker Planning Committee,

I am a student at Rocky Vista University and I would like to voice my support in favor of the trash facility. I believe that annexation should never be used by government UNLESS it is for a vital infrastructural need. If that land was zoned in such a way that allows for the trash facility to be built, then it would be unethical to prevent them from doing so just because some people don't like it. We live in a democratic society and not everybody is going to like everything. I am a veteran and I believe in the democratic process. I say build the trash dump.

Sincerely,

An anonymous RVU student

From: [Roxana Valles](#)
To: [Mayor, Council, and TA; Planning](#)
Subject: Grasslands/Prairie Trail Property's Annexation Position
Date: Monday, March 19, 2018 8:13:08 PM

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Please accept this email in positive support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property. I am a second year medical student and view this environment as both my home and a conducive learning environment around my studies.

I understand this will annex the property into the Town of Parker and alter the zoning and I see that as a very positive action.

I have reviewed the Parker CO Municipal Code and believe it meets all of the criteria of the Code.

The list of approval considerations I see it meeting are as follows. The writing in RED is the actual wording from the Code

1. A need exists for the proposal; I truly believe that a need for the annexation exists to help with the growth and protection of the area.
2. The particular parcel of ground is indeed the correct site for the proposed development The surrounding areas are compatible with the proposed annexation and zoning change.
- 3 There has been an error in the original zoning The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected
- 4 There have been significant changes in the area to warrant a zone change This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any industrial use.
- 5 Adequate circulation exists and traffic movement would not be impeded by development The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning
- 6 Additional municipal costs will not be incurred which the Town is not prepared to meet As this will be in close proximity to the existing Town of Parker limits I doubt there will be any significant impacts
- 7 There are minimal environmental impacts or impacts can be mitigated The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area
- 8 The proposal is consistent with the Town Master Plan maps, goals and policies This use is consistent with the Master Plan
- 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 Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As I have shown above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing Code documents.

I also believe that the fact that Douglas County is seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have no such protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district and this annexation and zoning will help to keep it uniform.

I feel that every PUD that is over 10 years old should be evaluated to see if it is currently appropriate before any application is accepted for development and hope that all jurisdictions will seek to review any zoning that has been in place for extended periods of time.

The proposed annexation meets all the requirements as far as the affected and surrounding property owners. The vast majority want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area almost 3 years ago with the thought that this would be our retirement home. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We love this area, and feel that this petition will help with growth and property values in the area.

I see absolutely no negatives to this annexation and hope that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and pass this immediately.

Please hear my voice, and those of my neighbors and vote in a positive manner to approve this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

I also want to state one thing very clearly. A lot of the time things are brought before the Planning Commission and Town Council as a negative thing trying to resolve a problem. This petition is coming to you as a POSITIVE action to protect the Town and the citizens of the Town. I believe positive actions serve a much better purpose than negative, and this is 100% positive for our community and surrounding communities.

Thank you for your consideration of such an important Petition.

Roxana Valles, Student Doctor, Year II

SGA Officer of Student Wellness

Global Medicine Honors Track

Student Ambassador

Rocky Vista University College of Osteopathic Medicine

From: [Comcast](#)
To: [Planning](#)
Subject: Support for Grassland /Prairie Trail Annexation
Date: Sunday, March 18, 2018 10:12:59 AM

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams; and

Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

I am writing to express my support of the proposed Grasslands/Prairie Trail Property's Annexation Petition submitted to the Town of Parker and being considered for review and referral by the Planning Commission on April 12, 2018 and by the Town Council on April 16, 2018. I support the annexation of these parcels into the Town, for the following reasons:

1. Annexation of the proposed parcels is desirable and necessary because it is smart for the area businesses, schools, residents, future development, and the overall good of the Town of Parker.
2. The area sought to be annexed meets the requirements of state statute and there is mutual and overwhelming interest in this annexation between the property owners and the Town of Parker.
3. Unincorporated areas of the state are meant for eventual annexation and government by municipalities.
4. Because Douglas County has determined to terminate an Intergovernmental Agreement with the Town of Parker, which IGA serviced to protect and secure mutual ideas/interests in development in the overlay district and along the fringes of our jurisdictions, it is crucial these parcels be annexed into the Town of Parker to protect this impressive Commercial, Business, Educational, Medical, and Tech corridor from future bad development and to solidify and secure future development to the overall good of the Town.
5. This annexation is a positive action that will greatly enhance and protect our community. Further, there have been significant changes in the area to warrant a zoning change.

The annexation of the Grasslands/Prairie Trail Properties is a very wise decision that is desired by a majority of your electorate who will be greatly impacted otherwise. I ask you to cast your vote for the annexation and in doing so, voting in favor of good development and smart growth for the Town of Parker.

Thank you for ensuring my voice is heard and that this letter is entered into the record at both the April 12th Planning Commission meeting and the April 16th Town Council meeting.

Sincerely and Respectfully,

Kelly Wagner-Grull
720-425-0555

From: [GARY WISEMAN](#)
To: [Planning](#)
Subject: Grasslands / Prairie Trail Annexation and Zoning, TRAKiT No.: ANX18-001
Date: Monday, April 02, 2018 7:39:01 PM

This is to register my full support for Town of Parker proposed ordinances for annexation and zoning change for the referenced property. I believe this is appropriate for consistent development in the area. I urge the Planning Commission to approve the proposed ordinances.

Respectfully,

Gary Wiseman

8459 Dove Ridge Way

Parker, CO 80134

From: [Greg Zabikow](#)
To: [Mayor, Council, and TA](#); [Planning](#); [Waid, Mike](#)
Subject: Grasslands/Prairie Trail Property's Annexation Petition
Date: Sunday, April 08, 2018 3:04:26 PM

Honorable Mayor Mike Waid

Council Members: John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams

Planning Commissioners: Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Please accept this email as full support of the proposed annexation/zoning change for the Grasslands/Prairie Trail property. I acknowledge this will annex the property into the Town of Parker and alter the zoning. This action will provide a positive result for the town along with the residential and commercial landowners in the area.

The annexation will meet the following criteria:

- A need exists for the proposal. Annexation of this land will ensure a coordinated effort to protect existing residential and commercial landowners, while providing new job growth for the region.
- The particular parcel of ground is indeed the correct site for the proposed development. The surrounding areas are compatible with the proposed annexation and zoning change.
- There has been an error in the original zoning. The original zoning may have been correct in 1998 when there was no growth in the area, but it needs to be corrected as many residential and commercial owners have made significant investments in the surrounding area.
- There have been significant changes in the area to warrant a zone change. This area is now filled with residential housing, medical facilities, education, office spaces and similar uses which warrants this change from industrial zoning. This area is no longer appropriate for any heavy industrial use.
- Adequate circulation exists and traffic movement would not be impeded by development. The area is growing, but at a rate that the circulation and traffic will not be negatively impacted by this change in annexation and zoning.
- Additional municipal costs will not be incurred which the Town is not prepared to meet. As this will be in close proximity to the existing Town of Parker limits.
- There are minimal environmental impacts or impacts can be mitigated. The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area.
- The proposal is consistent with the Town Master Plan maps, goals, and policies. This use is consistent with the Master Plan and will allow for improved alignment in carrying out the Master Plan in this area.

- 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. Services already exist in the area and very minimal impacts will be created by the proposed land uses.

As outlined above, I believe that this annexation and zoning change absolutely meets all of the standards of the governing code documents. I also believe that Douglas County seeking to terminate the Intergovernmental Agreement makes it critical that the Town act swiftly to protect the citizens and businesses of the community. The IGA was put in place to ensure future developments were consistent with the surrounding areas. Without that agreement in place, the Town, and citizens of the Town have coordinated effort or protection.

The proposed area has changed significantly since the original PUD. What may have been appropriate in 1998 is no longer appropriate. This area has grown into a much more residential and commercial district. The annexation and zoning will ensure a more holistic planning process for future development. The proposed annexation meets all the requirements as far as the affected and surrounding property owners. I believe a fiduciary responsibility is owed to these community members first and foremost. The vast majority of the impacted community want this annexation and zoning change. I understand there may be some who are not in favor of this petition, but the rules are stated as to the requirements of the affected property owners and the numbers clearly meet the requirements.

We moved to this area 2 years ago with the thought that we would be in this location for year to come as our two children progress through there grade school to high school years. Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly. We enjoy Parker and the surrounding area. I feel that this petition will help with growth and property values in the area.

Moreover, there are limited negative results from this annexation. My request is that the Planning Commission and Town Council will take into consideration the overwhelming response of the citizens of our community and move forward with the annexation process. Please hear my voice and those of my neighbors to vote in favor of this annexation and zoning at both the April 12th Planning Commission meeting and the April 16 Town Council meeting.

Also please enter my email into the documents for this process. Thank you for your consideration of such an important petition.

Regards,

Greg Zabikow
gزابikow@gmail.com
15818 Club Rush Ct
Parker, CO 80134

From: [Anne Zogg](#)
To: [Planning](#)
Subject: Fwd: Grasslands/Prairie Trail Property's Annexation Petition
Date: Friday, March 30, 2018 2:05:02 PM

I apologize but I originally sent this to the incorrect email address . . .

Begin forwarded message:

From: Anne Zogg <aoneillus@yahoo.com>
Date: March 30, 2018 at 1:56:44 PM MDT
To: council@parkeronline.org, lanning@parkeronline.org
Cc: Dennis Zogg <denniszogg@yahoo.com>
Subject: Grasslands/Prairie Trail Property's Annexation Petition

Town of Parker
Parker Town Hall Town Council and Planning Commission
20120 E Mainstreet Parker, CO 80138
council@parkeronline.org and planning@parkeronline.org

Honorable Mayor Mike Waid and Council Members John Diak, Amy Holland, Debbie Lewis, Josh Martin, Joshua Rivero, and Renee Williams;
and Planning Commissioners Gary Poole, Chair, John Howe, Vice Chair, Duane Hopkins, Acting Vice Chair, Sasha Levy, Eliana Burke, Richard Foerster, and Alternate Commissioners Erik Frandsen, Ruth Ann Nelson, and Kimberly Rodell

Re: Grasslands/Prairie Trail Property's Annexation Petition

Please accept this email in support of the proposed annexation/zoning change that concerns the Grasslands/Prairie Trail property. I believe the following points support annexation:

- A need exists for the annexation to help with the growth and protection of the area.
- The surrounding areas are compatible with the proposed annexation and zoning change therefore the parcel is the correct site for the proposed development.
- The original zoning needs to be changed in order to support the growth in the area that was not anticipated in 1998.
- There have been significant changes in the area to warrant a zone change: This area is no longer appropriate for industrial use - it is now filled with residential housing, medical facilities, education, and office spaces.
- Adequate circulation exists and traffic movement would not be impeded by annexation and a zoning change. In fact, adequate circulation does not exist and traffic movement would be impeded by industrial development.
- The zoning change to eliminate industrial use will actually ensure that there will be minimal environmental impacts to the area
- The proposal is consistent with the Town Master Plan maps, goals and

policies

- Services already exist in the area and very minimal impacts will be created by the proposed land uses.

Annexing the property in the proposal will help in maintaining the consistency of the development in a manner that will allow the community to grow responsibly.

Thank you for your consideration.

Anne & Dennis Zogg
8611 Dove Ridge Way
Parker, CO 80134
(703)371-1261