

**TOWN OF PARKER COUNCIL
MINUTES
DECEMBER 13, 2021**

Mayor Toborg called the meeting to order at 7 p.m. All Councilmembers were present.

The Mayor led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

The Mayor recognized Tanner Brown, the 2021 5A High School State Cross Country Champion.

PUBLIC COMMENTS – None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. **ORDINANCE NO. 1.555 First Reading**
A Bill for an Ordinance Stating the Intent of the Town of Parker to Acquire Certain Property Interests for the Purpose of Making Roadway Improvements to North Parker Road, a Town Roadway, Through the Utilization of the Town's Power of Eminent Domain, and Directing the Town's Staff and Town Attorney to Notify All Persons Affected Thereby of the Above-Stated Intent of the Town, and Thereafter to Comply With All Pertinent Provisions of C.R.S. § 38-1-101, et seq., Relating to Good Faith Negotiations
Department: Engineering and Public Works, Alex Mestdagh
Second January 3, 2022
Reading:
- B. **ORDINANCE NO. 4.116 - First Reading**
A Bill for an Ordinance Establishing the Vertical and Horizontal Alignment and the Grade of the Dransfeldt Road Extension from Motsenbocker Road to Twenty Mile Road and Motsenbocker Road from Todd Drive to Longland Parkway
Department: Engineering and Public Works, Chris Hudson
Second January 3, 2022
Reading:

C. CONTRACTS OVER \$100,000

Preliminary Design Contract for Pikes Peak Drive Sidewalks (Sulphur Gulch Bridge to Mainstreet)

Amount: \$154,550
Contractor: Felsburg Holt & Ullevig
Department: Engineering and Public Works, Bob Exstrom

John Diak moved to approve Consent Agenda Items 5A through 5C.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. STONEGATE VET CLINIC - Use by Special Review

Applicant: PetWell Clinic
Location: 17021 Lincoln Avenue, Unit C
Department: Community Development, Julia Duncan
TRAKiT No.: Z21-018

The Public Hearing was opened at 7:12 p.m.

The applicant, PetWell Clinic, has submitted a Use by Special Review application to allow a walk-in veterinary clinic in the Stonegate commercial area. The proposed site is located in the existing multi-tenant commercial shopping center at the northeastern corner of the intersection of Lincoln Avenue and Jordan Road, known as the Crossing at Stonegate.

Applicant:

Alysse Scaturro, 17021 Lincoln Avenue, was present to answer any questions.

Public Comment:

Jason Brown, 17103 E. Champion Lane, asked about the pet waste station.

The Public Hearing was closed at 7:22 p.m.

The applicant responded that there would be a pet waste station located on a parking island and would be emptied twice per day.

Joshua Rivero moved to approve, based on staff findings, with the following conditions contained in the staff report:

1. That PetWell Clinic shall install and maintain a small dog waste/bag station in the grassy area in the parking lot per the landlord's approval. Costs and maintenance will be covered by PetWellClinic. The station will be checked and emptied each day during business hours and again upon closing the clinic.
2. Approval of this site plan does not include signage. All signage for this site and building will be required to meet the Town of Parker Sign Code Chapter 13.09 and will require a separate sign permit application submittal.
3. No boarding is allowed with the approved use.
4. Outpatient services are the only services allowed with the approved use.
5. A building permit shall be required for any interior or exterior work completed on-site.

John Diak seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

B. ORDINANCE NO. 3.193.6 – Second Reading (Continued from 11-15-21)
A Bill for an Ordinance Amending the Parker Auto Plaza Development Guide
Pursuant to the Town of Parker Land Development Ordinance
Department: Community Development, Julia Duncan

The Public Hearing was opened at 7:26 p.m.

The applicant is proposing to amend the Parker Auto Plaza Planned Development (PD) zoning within the commercial use areas of the PD to allow *Automotive Repair, Minor* as a use allowed by-right and *Automotive Repair, Major* as a use allowed through the use by special review process. This proposal would result in auto body repair being allowed as a use by special review that is subject to an enhanced level of review, evaluation under the nine (9) criteria for such uses in the Land Development Ordinance by the Town Council at a public hearing.

The Applicant: Dan Ramirez, 9895 Twenty Mile Road, Parker, Colorado

Public Comment: None.

The Public Hearing was closed at 7:36 p.m.

Anne Barrington moved to approve Ordinance No. 3.193.6 on second reading.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

ORDINANCES

ORDINANCE NO. 3.01.127 – Second Reading

A Bill for an Ordinance to Amend Section 13.02.010 of the Parker Municipal Code Concerning the Definition of Dwelling and Dwelling Unit, and Section 13.04.180 of the Parker Municipal Code Concerning Home Occupations

Department: Town Attorney, Jim Maloney

On October 21, 2019, the Town Council approved Ordinance No. 3.01.118 to add a definition of the term “*tourist home*” that was contained in the Parker Land Development Ordinance. *Tourist home* was defined to mean “any dwelling, dwelling unit or portion of any dwelling unit rented or leased for valuable consideration to a particular person or persons for periods of time less than thirty (30) days.” Short-term rentals (tourist homes) have been prohibited in residential areas of the Town since as early as 1981, when the Town first adopted its zoning ordinance. The definition was added to simply clarify that tourist homes constituted short-term rentals. The purpose of Ordinance No. 3.01.127 is to provide further clarification that short-term rentals (tourist homes) are a prohibited use in any *dwelling* or *dwelling unit*.

The Planning Commission moved to deny the ordinance at the December 9, 2021 Planning Commission meeting.

Public Comment: None.

Cheryl Poage moved to approve Ordinance No. 3.01.127 on second reading.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

RESOLUTIONS

A. RESOLUTION NO. 21-046

A Resolution to Exempt Certain Real Property Commonly Known as Parker Central Area Filing No. 1, Second Amendment, from the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance

Department: Community Development, Julia Duncan

The Town of Parker is proposing an Exemption Plat to dedicate right-of-way to the Town from property located at the northeastern corner of Mainstreet and Victorian Drive (east) and owned by Parker Authority for Reinvestment (PAR). The Exemption Plat will dedicate right-of-way to be used for future sidewalk and streetscape improvements along Mainstreet. The PAR property, which is currently vacant, will be replatted as Lot 1A-1 and Tract B is to be dedicated to the Town of Parker for right-of-way purposes. Tract B is 1,112 square feet or approximately .026 acres.

Joshua Rivero moved to approve Resolution No. 21-046.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

B. RESOLUTION NO. 21-057

A Resolution to Allow a Partial Waiver of Subsections 13.07.080(g)(2) and 13.07.080(h)(1) of the Parker Municipal Code to Extend the Expiration Date of the Cottonwood Highlands Filing No. 2C, Amendment No. 1, Replat

Department: Community Development, Stacey Nerger

John Diak moved to withdraw Resolution No. 21-057.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

C. RESOLUTION NO. 21-059

A Resolution to Allow Continued Service and Billing for School Resource Officers During Intergovernmental Agreement Negotiations

Department: Town Attorney, Jamie Wynn

This resolution provides that the Town Council agrees to continue to perform the service of providing school resource officers to the Douglas County School District ("School District") and the Town will invoice the School District for those services, until such time as a new intergovernmental agreement can be finalized.

Public Comment: None.

Cheryl Poage moved to approve Resolution No. 21-059.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

D. RESOLUTION NO. 21-058**A Resolution Finding Satisfaction of Requirements Under the Carousel Farms Metropolitan District Service Plan Regarding Inclusion of Property****Department: Town Attorney, Kristin Hoffmann**

The Mayor stated the final item on the agenda was a resolution for Town Council's consideration of matters related items to the Carousel Farms Metropolitan District, which is a residential metropolitan district. On June 15, 2020, the Town Council found that conflict of interest existed for Councilmember Poage that precludes her from participating in any public hearing that involves a residential metropolitan district.

Cheryl Poage left the meeting at 8:06 p.m., due to a conflict of interest.

The Service Plan for Carousel Farms Metropolitan District (the "District") was approved on September 15, 2014. The Service Plan included a 0.65-acre area that was anticipated to be included within the District (the "Inclusion Area"). Section V.A.8(b) of the Service Plan provides that the District shall not issue any Debt until the Inclusion Area: (i) is included within the boundaries of the District, as evidenced by the recording of an Order for Inclusion for the Inclusion Area as entered by the Douglas County District Court, in the real property records of Douglas County; (ii) is made subject to the Annexation Agreement for the Project by an amendment thereto signed by the Town; and (iii) is included within and made subject to an Approved Development Plan for the Project ((i) through (iii) collectively referred to as the "Inclusion Requirements"). The Service Plan provides that satisfaction of the Inclusion Requirements shall be evidenced by the adoption of a resolution by Town Council.

Public Comment: None.

Joshua Rivero moved to approve Resolution No. 21-058.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

ADJOURNMENT

Laura Hefta moved and Todd Hendreks seconded to adjourn the meeting at 8:14 p.m.

A roll call vote was taken:

Joshua Rivero - Yes

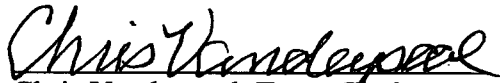
Todd Hendreks - Yes

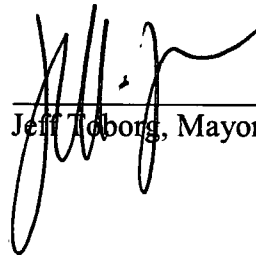
John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.


Chris Vanderpool, Town Clerk


Jeff Toborg, Mayor