

**TOWN OF PARKER COUNCIL
MINUTES
DECEMBER 6, 2021**

Mayor Jeff Toborg called the Town Council meeting to order at 5 p.m. All Councilmembers were present.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(b) there was one (1) item which was to receive legal advice on specific legal questions regarding Section 13.04.200 of the Parker Municipal Code concerning use by special review for Parker Auto Plaza Development Guide. Under C.R.S. § 24-6-402(4)(e) there were two (2) items; the first item was concerning My Mainstreet Plan and Downtown Development; and the second item was concerning Carousel Farms Metropolitan District concerning satisfaction of inclusion requirements to issue debt.

Mayor Toborg stated there was one item on the Executive Session agenda related to the Carousel Farms Metropolitan District, which is a residential metropolitan district. On June 15, 2020, the Town Council found that a conflict of interest existed for Councilmember Poage that precludes her from participating in any executive session that involves matters related to a residential metropolitan district service plan. He added that Councilmember Poage would leave the Pikes Peak Conference Room before item three (3) on the Executive Session agenda was discussed by Town Council.

EXECUTIVE SESSION

Joshua Rivero moved and Cheryl Poage seconded to go into Executive Session at 5:02 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); and 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).

The motion was approved unanimously.

Cheryl Poage left the meeting at 5:32 p.m.. due to a conflict of interest.

Joshua Rivero moved and Todd Hendreks seconded to come out of Executive Session at 5:41 p.m.

The motion was approved unanimously.

Todd Hendreks moved and Joshua Rivero seconded to recess the regular Town Council Meeting until 7 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Toborg reconvened the Town Council meeting at 7 p.m.

The Mayor led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Dr. Doug Resler with Parker Evangelical Presbyterian Church and Darrin Kessler with Douglas County Christian Counseling Center, were recognized for their exceptional mental and emotional health services to Parker.

Council also recognized the Legend High School CHSAA 5A State Softball Champions.

PARKER CHAMBER OF COMMERCE UPDATES

TJ Sullivan provided an update of Chamber activities for the month of December. He also provided a brief update on Parker Days 2022.

DOWNTOWN BUSINESS ALLIANCE UPDATES

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

The Mayor recognized Kris Schnell for his hard work and dedication as president in 2020-2021.

PUBLIC COMMENTS

There was one written general public comment that will be attached to the approved minutes.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. *APPROVAL OF MINUTES - November 15, 2021*

B. *ORDINANCE NO. 3.01.127 – First 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

Second December 13, 2021

Reading:

C. RESOLUTION NO. 21-056

A Resolution to Set a Fee for Communal Outdoor Dining Area and Festival Permit Applications Pursuant to Section 5.02.710 of the Parker Municipal Code

*Department: Town Clerk, Chris Vanderpool
Town Attorney, Jamie Wynn*

D. CONTRACTS OVER \$100,000

1. Give 5 Productions - Footloose

*Amount: Not to exceed \$130,000
Contractor: Give 5 Productions
Department: Cultural, Carrie Glassburn*

2. Parker Road Sidewalks East Side Multi-Use Trail Connection (CIP22-004) - Final Design Services - Phase 2

*Amount: \$ 154,366
Contractor: Stanley Consulting, Inc.
Department: Engineering and Public Works, Tom Gill*

Joshua Rivero moved to approve Consent Agenda items 7A through 7D.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage -Yes

Todd Hendreks - Yes

John Diak - Yes

Ann Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. TOWNHOMES AT PINE DRIVE SKETCH AND PRELIMINARY PLAN

Applicant: Chuck Micale, Parker Townhomes, LLC
Location: Northeast corner of Pine Drive and Summerset Lane
Department: Community Development, Stacey Nerger
TRAKiT No.: SUB20-043 and SUB20-044

The Public Hearing was opened at 7:35 p.m.

The applicant, Parker Townhomes L.L.C., submitted a Sketch and Preliminary Plan application to subdivide an existing 8.37 acre property for future residential and commercial development

with required parks, open space, landscaping and access. The subject property is located at the northeastern corner of the intersection of Pine Drive and Summerset Lane.

The proposed Sketch and Preliminary Plan incorporates a total of 85 lots for single-family townhomes at a residential density of 14.2 du per acre ($85 / 5.97 = 14.2$). The Sketch and Preliminary Plan also includes a 2.4 acre unbuildable tract for future commercial use, 1.3 acres of park(s), 1.25 acres of open space and associated road right-of-way, drainage and utility easements. The Plan design complies with the Town's park, open space and infrastructure requirements found in the Municipal Code and the Annexation Agreement. The proposed Sketch and Preliminary Plan as well as the future commercial and residential development are consistent with the Master Plan and compatible with the existing land use pattern of the surrounding area.

The Planning Commission held a public hearing on November 4, 2021, to consider the proposed Sketch and Preliminary Plan. The Commission voted unanimously to recommend Town Council approve the application(s).

Applicant:

Chuck Micale, 3094 Aspen Creek Drive, Highlands Ranch, Colorado, was present to answer any questions.

Public Comment: None.

The Public Hearing was closed at 7:46 p.m.

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

1. All Final Plats shall be substantially similar in design and layout and the inclusion of amenities to this Preliminary Plan, as determined by Town staff.
2. The applicant shall add the required Xcel easements to the Final Plat.
3. The applicant shall continue to work with Douglas County on street names and addresses, which will be finalized at the time of any final plats for the property.
4. The applicant shall meet required setbacks, stagger and zoning as stated within the Parker Land Development Ordinance.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - No

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion passed 5-1 (Poage voted no).

B. STROH RANCH FILING NO. 14 LOT 3 XCEL GAS REGULATOR STATION - Use by Special Review

Applicant: Cheryl Diedrich, Public Service Company of Colorado
Location: Southwest corner of Parker Road and J. Morgan Boulevard
Department: Community Development, Stacey Nerger
TRAKiT No.: Z21-002

The Public Hearing was opened at 7:50 p.m.

The applicant, Public Service Company of Colorado, requested a Use by Special Review approval to upgrade an existing natural gas regulator station. The site is located on the west (southbound) side of Parker Road south of the intersection with J. Morgan Boulevard. Xcel Energy has been upgrading their facilities within the Parker area to meet the substantial increase in demand for natural gas created by new development. The proposed expansion of the natural gas regulator station, along with the construction of additional connections to the existing natural gas pipeline under Parker Road, will support an increase in the capacity of the natural gas distribution network required for the southern section of the Town and adjacent areas.

The proposed upgrades to the natural gas regulator station are located within the existing easement area, but the applicant will be enlarging the station and acquiring the parcel in fee simple ownership. The expanded regulator station will continue to be unstaffed, but Xcel employees will make periodic visits for inspection and maintenance purposes only.

The applicant also submitted a Site Plan application #SP21-072 for the proposed natural gas regulator station that is currently under review and will be approved administratively if the Town Council approves the UBSR application. The applicant is required by the Land Development Ordinance (LDO) standards to fully screen the proposed facility and comply with all landscaping requirements.

The Planning Commission heard this request on November 18, 2021, and recommended unanimous approval.

Applicant:

Cheryl Diedrich, Xcel Energy, 1123 W. 3rd Avenue, Denver, Colorado, presented an overview of the project.

Public Comment: None.

The Public Hearing was closed at 8:18 p.m.

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

1. The Use by Special Review exhibits, submitted to the Town on October 29, 2021, will be the approved plan set. Any alteration or modification will require the applicant to file for an amendment to the approved set.

2. The parallel project applications for Stroh Ranch Filing No. 14 Amendment No. 1 Replat (Case No. SUB21-038) and Stroh Ranch Filing No. 14 Amendment No. 1 Lot 3 Site Plan (Case No. SP21-072) must be approved and, in the case of the replat, be recorded, before this Use by Special Review approval can be issued.

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.

C. KIME RANCH ANNEXATION

Applicant: PCS Group
Location: Kime North Parcel; 7611 E. Parker Road
Department: Community Development, Julia Duncan
TRAKiT No.: ANX21-005; Z21-007

The Public Hearing was opened at 8:21 p.m.

The applicant, PCS Group, proposes to annex 7.5 acres of undeveloped land along East Mainstreet into the Town of Parker on behalf of property owner Century Land Holdings L.L.C. The subject land will be consolidated with an adjoining 35.4 acre parcel known as Kime Ranch that is already in the Town. The combined 42.9 acre site is proposed to be zoned Planned Development (PD) for medium density residential use with a maximum yield of 150 single-family residential lots. The proposed residential development will be similar in character to the adjacent Parker Vista and Sunset Ridge residential neighborhoods with regard to use, bulk standards and parks/open space.

Applicant:

PCS Group, Paul Shoukas, 200 Kalamath Street, Denver, Colorado, provided a brief presentation for Council.

Owner, Cindy Myers, Century Communities, 8390 E. Crescent Parkway, Greenwood Village, stated they met with property owners from the east and north of the proposed development to discuss the buffer.

Public Comment:

Joanna Floyd, 7786 Lake Drive, Parker, Colorado (northern property line), was concerned about the buffer along the property line. She was not in favor of the project.

The Public Hearing was closed at 8:48 p.m.

1. RESOLUTION NO. 21-053

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

Joshua Rivero moved to approve Resolution No. 21-053.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - No

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion passed 5-1 (Poage voted no).

2. ORDINANCE NO. 2.278 – Second Reading

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

Todd Hendreks moved to approve Ordinance No. 2.278 on second reading.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - No

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion passed 5-1 (Poage voted no).

3. ORDINANCE NO. 3.360 – Second Reading

A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Kime Ranch 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

Joshua Rivero moved to approve Ordinance No. 3. 360 on second reading.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - No

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion passed 5-1 (Poage voted no).

4. Kime Ranch Annexation Agreement

Anne Barrington moved to approve the Kime Ranch Annexation Agreement.

John Diak seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - No

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion passed 5-1 (Poage voted no).

ORDINANCES

ORDINANCE NO. 3.01.126 - Second Reading

A Bill for an Ordinance to Amend Section 13.03.030 of the Parker Municipal Code concerning Planning Department Adjustments for Temporary Patios

Department: Town Attorney, Jim Maloney

To assist Parker businesses during the COVID pandemic, the Town Administrator issued an emergency order to allow for temporary patios. On July 12, 2021, prior to the expiration of the emergency order, the Town Council approved Ordinance No. 3.01.125, Series of 2021, to extend the period of time that a business owner may use a patio approved as a temporary use during the pandemic until December 31, 2021. Recently, the Colorado Department of Revenue extended the expiration date to May 31, 2022, for temporary modifications to a licensed premise to use patios and other outdoor areas for the consumption of alcohol. The purpose of this Ordinance is to further extend the temporary use of patios from December 31, 2021, to May 31, 2022.

Public Comment: None.

Todd Hendreks moved to approve Ordinance No. 3.01.126 on second reading.

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.

RESOLUTIONS

RESOLUTION NO. 21-050

A Resolution to Approve the Douglas County Local Mitigation Plan, Comprehensive 2021 Update, Volumes I and II

Department: Police, Andy Coleman

In June 2020, the Douglas County Office of Emergency Management (DCOEM) was tasked with updating the Natural Hazard Mitigation Plan for the entire County of Douglas to include the municipalities. The mitigation planning process includes the development of a Risk Assessment, Capability and Vulnerability Assessment, and Hazard Mitigation Actions (projects). FEMA requires a Hazard Mitigation Plan to be federally approved and updated every five years.

Public Comment: None.

Cheryl Poage moved to approve Resolution No. 21-050.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - No

Todd Hendreks - Yes

John Diak - Yes

Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.

ADJOURNMENT

Joshua Rivero moved to adjourn the meeting at 9:03 p.m.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - Yes

Cheryl Poage - Yes

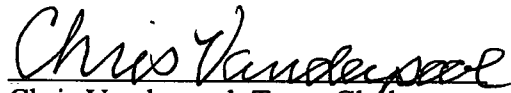
Todd Hendreks - Yes

John Diak - Yes

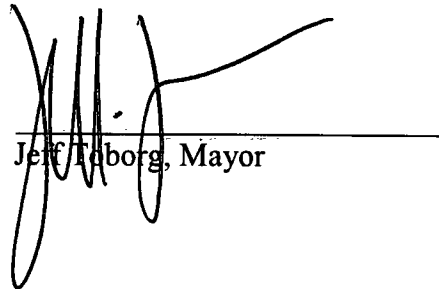
Anne Barrington - Yes

Laura Hefta - Yes

The motion was approved unanimously.



Chris Vanderpool, Town Clerk



Jeff Taborg, Mayor

Vanderpool, Chris

From: noreply@civicplus.com
Sent: Thursday, November 18, 2021 8:58 AM
To: Clerk; Robberson, Dannette; Sullivan, Cheri; Anderson, Andy; Penington, Elise
Subject: Online Form Submittal: Town Council Meetings - General Public Comment

Town Council Meetings - General Public Comment

Regular Town Council meetings are held on the first and third Monday of each month, unless announced otherwise. The general public comment period held during these meetings is an opportunity for the public to provide comments on items that are not on that meeting's agenda. Public comments can be made in writing via the online form below, live during the meeting via the Zoom application, or in person at the public meeting.

Written general public comments via the form below can be submitted from noon on the Friday prior to the next meeting until 5 p.m. Monday (the day of the meeting). To learn how to submit a live public comment during a meeting via the Zoom application, visit www.ParkerOnline.org/Calendar and go to the specific meeting date for details.

This online form will also be used for other virtual meetings held by the Town of Parker's Special Licensing Authority. Public comments that are provided by 5 p.m. on the day of the Special Licensing Authority meeting will be provided to the Authority and will be included with the approved meeting minutes.

General Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. No action will be taken on these items. Public comments will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting. For those unable to provide comments electronically through this form, please contact the Clerk's Office to make arrangements. The Town Clerk can be reached by phone at 303.805.3198.

First Name	Concerned
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Last Name	Citizen
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Address	Anthology
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City	Parker
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State	CO
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Zip Code	80134
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General Public Comment

As a resident of Anthology, I would like to express my concerns about the speed of traffic on Motsenbocker Road, between Hees Road and Stroh Road. Most of the drivers do not live in the area and many are using the road as a shortcut and travel at excessive speeds. The 40mph speed limit is treated as the minimum speed, with most drivers going much faster. The Parker police seem reluctant to issue citations unless a person is going 10mph or more over the speed limit. Drivers speeding pose a danger to residents who use Motsenbocker to enter and leave their neighborhood, and to pedestrians that cross Motsenbocker or that use sidewalks along Motsenbocker. Some of these speeding drivers are irresponsible when residents pull onto Motsenbocker.

As an example, a neighbor recently mentioned that they heard about a speeding/road rage incident that occurred northbound on Motsenbocker/French Creek several weeks ago. Apparently, a northbound vehicle traveling very fast came behind another vehicle. The driver then got out and punched the window of the first vehicle at a traffic light when they stopped because the first vehicle wasn't traveling fast enough. It's my understanding that this incident was reported to Parker Police as well.

Most people who live along and use Motsenbocker have witnessed cars going well over the speed limit that often get on the tail of vehicles not going well over the speed limit. These drivers treat Motsenbocker as an expressway, rather than as a residential road through a residential neighborhood. Speeding semi and dump trucks that are hauling dirt to construction sites are also using illegal Jake Brakes frequently which adds to the sound pollution and destruction of the neighborhood.

Also, there are several homes that are located along Motsenbocker that are approximately only 25 feet from the house itself to the roadway. Car's and trucks that are going 50-60 mph pose a collision risk to houses that are this close to the road. Per CDOT regulations, the speed limit for a residential area should be 30 mph. Thus, due to the close proximity of houses along Motsenbocker to the road, it seems that this road should be correctly zoned as a residential area and the speed limit reduced to 30mph in order to comply with CDOT regulations.

<https://leg.colorado.gov/content/state-speed-limits>

I respectfully request that the Town thus reduce the speed limit on Motsenbocker to 30mph, which is a speed more consistent

with the nature of the residential neighborhood through which it passes, and that the reduced speed limit be enforced.

Email not displaying correctly? [View it in your browser.](#)