

TOWN OF PARKER COUNCIL AGENDA

February 21, 2023

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 do 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.

Public comment for items that are not on the agenda may be made in person or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person or electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments submitted electronically through the website that are received by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.

Public Viewing Only - YouTube: Town Council meetings may be viewed live on YouTube at www.youtube.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through YouTube.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 6:00 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

- Recognition of Representative Kim Ransom

3. PUBLIC COMMENTS (No action will be taken on these items.) *Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.*

4. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

5. CONSENT AGENDA

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

- A. APPROVAL OF MINUTES - February 6, 2023

- B. *ORDINANCE NO. 9.355 - First Reading*
A Bill for an Ordinance to Approve the Second Replacement Intergovernmental Agreement By and Between the Town of Parker and the Town of Foxfield for Municipal Court Services
Department: Town Attorney, Jamie Wynn
Second Reading: March 6, 2023
- C. *RESOLUTION NO. 23-015*
A Resolution Accepting the Conveyance of a Public Sidewalk Easement from Parker Flats, LLC, for a Portion of Lot 1, The Hein Center, Filing No. 2, First Amendment
Department: Engineering and Public Works, Nathan Klass
- D. *CONTRACTS OVER \$100,000*
1. *Ice Mitigation Product Purchase*
Amount: \$290,000
Contractor: GMCO Corp.
Department: Engineering and Public Works, Scott Borzillo

6. **PUBLIC HEARINGS**

- A. **COYLE PROPERTY ANNEXATION AND ZONING** *(Continued from November 7, 2022 and to be continued to April 17, 2023)*
Applicant: Avalon Bay Communities, Inc.
Location: Southwest corner of Stroh Ranch and Crowfoot Valley Road
Department: Community Development, Julia Duncan
TRAKiT No.: ANX22-006 & Z22-017
1. **ORDINANCE NO. 2.281 - Second Reading**
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Coyle Property in Douglas County
- B. **ORDINANCE NO. 3.228.2 – Second Reading**
A Bill for an Ordinance to Amend the Westcreek Development Guide and Plan and the Westcreek Development Guide and Plan-1st Amendment, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
Department: Community Development, Julia Duncan
- C. **ORDINANCE NO. 3.355.1 – Second Reading**
A Bill for an Ordinance to Amend the Parker and Pine Mixed Use Development Planned Development Guide, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
Department: Community Development, Julia Duncan

D. TRACT Q - Annexation and Zoning

Applicant: Town of Parker

Location: Generally located on the east side of Chambers Road south of Mainstreet

Department: Community Development, Bryce Matthews

TRAKiT No.: ANX22-007 and Z22-022

1. **RESOLUTION NO. 23-008**
A Resolution to Establish the Findings of Fact and Conclusions Thereon Concerning the Eligibility of the Town-Owned Tract Q Property for Annexation
2. **ORDINANCE NO. 2.283 – Second Reading**
A Bill for an Ordinance Approving and Accomplishing the Annexation pf Contiguous Unincorporated Territory Known as the Town-Owned Tract Q Property
3. **ORDINANCE NO. 3.369 – Second Reading**
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Town-Owned Tract Q 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
4. **RESOLUTION NO. 23-009**
A Resolution to Exempt Certain Real Property Commonly Known as the Town-Owned Tract Q Property from the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance

7. TANTERRA FILING NO. 1

Tanterra Filing No. 1

Department: Town Attorney, Kelsey Hall
Town Attorney, Jim Maloney
Community Development, Bryce Matthews
Engineering and Public Works, Alex Mestdagh

1. **RESOLUTION NO. 23-012**
A Resolution to Allow a Partial Waiver of Section 13.07.080 of the Parker Municipal Code to Allow a Developer that Is Not the Owner of the Real Property Subject to the Tanterra Filing No. 1 Final Plat to Assume the Obligations to Complete the Public Improvements Described in the Subdivision Agreement for Tanterra Filing No. 1
2. **Final Plat for Tanterra Filing No. 1**
3. **Subdivision Agreement Tanterra Filing No. 1**

4. **RESOLUTION NO. 23-013**
A Resolution to Consent to the Assignment and Assumption Agreement for Tanterra Filing No. 1 Subdivision Agreement By and Between North Parker Investments, LLC, and Tanterra Development, LLC
5. **Seventh Amendment To Amended And Restated Stroh Ranch/Hess Annexation Agreement (Northern Property)**

8. **ORDINANCES**

- A. **ORDINANCE NO. 9.353 - Second Reading**
A Bill for an Ordinance Approving the Grant Agreement for Therapeutic Recreation Scholarships By and Between the Town of Parker and the Board of County Commissioners of the County of Douglas
Department: Parks, Recreation, & Open Space, Meagan Nakashima
- B. **ORDINANCE NO. 9.354 - Second Reading**
A Bill for an Ordinance Approving the Grant Agreement for Adaptive Water Safety & Swim Lessons By and Between the Town of Parker and the Board of County Commissioners of the County of Douglas
Department: Parks, Recreation & Open Space, Meagan Nakashima
- C. **ORDINANCE NO. 9.348.1 - Second Reading**
A Bill for an Ordinance Approving the First Amendment to Agreement Regarding Design and Construction of a Development Improvement Project for Drainage and Flood Control Improvements for Stroh Gulch Upstream of French Avenue, Tanterra, Town of Parker, By and Between Urban Drainage and Flood Control District dba Mile High Flood District and the Town of Parker (Agreement No. 22-03.35A Project No. 107465)
Department: Engineering and Public Works, Alex Mestdagh
- D. **ORDINANCE NO. 1.574 – Second Reading**
A Bill for an Ordinance Conveying Certain Real Property By Easement to Parker Water and Sanitation District for Salisbury Park
Department: Engineering and Public Works, Alex Mestdagh

9. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

10. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

February 21, 2023

“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. Intergovernmental Agreement Dissolving the Rueter-Hess Recreation Authority and Establishing the Douglas County Board of County Commissioners as the Managing Jurisdiction of Recreation Operations and Management at Rueter-Hess Reservoir
2. Right-of-Way located adjacent to 19553 East Mainstreet

**TOWN OF PARKER COUNCIL
MINUTES
FEBRUARY 21, 2023**

Mayor Jeff Toborg called the meeting to order at 6:00 p.m. All Councilmembers were present.

Town Attorney Kristin Hoffmann announced there were two topics for discussion in the Executive Session. Under C.R.S. § 24-6-402(4)(e), the first item was an Intergovernmental Agreement dissolving the Rueter-Hess Recreation Authority and establishing the Douglas County Board of County Commissioners as the managing jurisdiction of recreation operations and management at Rueter-Hess Reservoir, and the second item was concerning the right-of-way located adjacent to 19553 East Mainstreet.

Joshua Rivero advised that he had a conflict of interest on the second Executive Session item.

Brandi Wilks moved to find that Councilmember Rivero has a conflict of interest related to the second Executive Session item. Todd Hendreks seconded the motion.

A roll call vote was taken:

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously with Joshua Rivero abstaining.

EXECUTIVE SESSION

Anne Barrington moved and Laura Hefta seconded to go into Executive Session at 6:04 p.m. to hold a conference with the Town's attorney 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.

Joshua Rivero left the Executive Session at 6:29 p.m. due to a conflict of interest on Item 2.

Brandi Wilks moved and Todd Hendreks seconded to come out of Executive Session at 6:45 p.m.

The motion was approved unanimously.

Anne Barrington moved and Brandi Wilks seconded to recess the meeting until 7:00 p.m.

The motion was approved unanimously.

REGULAR SESSION

Mayor Toborg reconvened the regular Town Council meeting at 7:00 p.m. All Councilmembers were present.

Mayor Toborg led the Council and audience in the Pledge of Allegiance.

Mayor Toborg recognized Chaparral High School students from the A.P. Government class who were present to observe the Town Council meeting.

SPECIAL PRESENTATION

Mayor Toborg recognized Representative Kim Ransom, thanked her for her service and contributions to the community, and presented her with a certificate.

PUBLIC COMMENTS

None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. APPROVAL OF MINUTES - February 6, 2023

B. ORDINANCE NO. 9.355 - First Reading

A Bill for an Ordinance to Approve the Second Replacement Intergovernmental Agreement By and Between the Town of Parker and the Town of Foxfield for Municipal Court Services

Department: Town Attorney, Jamie Wynn

Second March 6, 2023

Reading:

C. RESOLUTION NO. 23-015

A Resolution Accepting the Conveyance of a Public Sidewalk Easement from Parker Flats, LLC, for a Portion of Lot 1, The Hein Center, Filing No. 2, First Amendment

Department: Engineering and Public Works, Nathan Klass

D. CONTRACTS OVER \$100,000

1. Ice Mitigation Product Purchase

Amount: \$290,000

Contractor: GMCO Corp.

Department: Engineering and Public Works, Scott Borzillo

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

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. COYLE PROPERTY ANNEXATION AND ZONING *(Continued from November 7, 2022 and to be continued to April 17, 2023)*

Applicant: Avalon Bay Communities, Inc.

Location: Southwest corner of Stroh Ranch and Crowfoot Valley Road

Department: Community Development, Julia Duncan

TRAKiT No.: ANX22-006 & Z22-017

1. ORDINANCE NO. 2.281 - Second Reading

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

Mayor Toborg left the meeting at 7:20 p.m.

Mayor Pro Tem Diak advised that staff requested this item be continued until April 17, 2023.

Joshua Rivero moved to continue the Public Hearing to consider Ordinance No. 2.281 to a date certain of April 17, 2023.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

B. ORDINANCE NO. 3.228.2 – Second Reading

A Bill for an Ordinance to Amend the Westcreek Development Guide and Plan and the Westcreek Development Guide and Plan-1st Amendment, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith

Department: Community Development, Julia Duncan

Mayor Pro Tem Diak opened the public hearing at 7:22 p.m.

The applicant is proposing to amend the Westcreek PD Development Plan to revise certain Planning Area boundaries and amend the Westcreek PD Development Guide to revise certain development standards, land use area boundaries and uses to permit restaurants with accessory drive-through elements.

The rezoning application proposes the following revisions from the existing PD zoning:

1. Previous R-Retail land use areas will be relabeled to C-Commercial to better align with the Land Development Ordinance.
2. The undeveloped MOB zoned land use area will be revised to C-Commercial and incorporate the permitted uses and terminology of this zone.
3. The boundaries of the MUR/C land use area will be revised to reflect the 3.45 acre parcel on which the Springhill Suites hotel was developed. The remnant 1.24-acre MUR/C parcel will be redesignated as C-Commercial.
4. The new C-Commercial areas within the PD are proposed to be further delineated into two planning areas, Planning Area-1 (PA-1) and Planning Area-2 (PA-2), with standards for certain uses in each planning area permitting a maximum of two drive-through restaurants in PA-1.
5. Development Standards have been revised for clarity and consistency within the PD zoning and to better align with the zoning revisions proposed through the Land Development Ordinance (LDO) Modernization project.

Staff has reviewed the proposal and has determined that it meets the nine criteria for rezoning set forth in the Land Development Ordinance and aligns with the goals and strategies of the Parker 2035 Master Plan. The Planning Commission held a public hearing on the proposed Westcreek rezoning application on January 26, 2023 and made a recommendation, with a 4-1 vote, for the Town Council to approve the zoning request.

Applicant: Jodi Newton made a brief presentation on behalf of the applicant.

Public Comments: None.

Mayor Pro Tem Diak closed the public hearing at 7:29 p.m.

Brandi Wilks moved to approve Ordinance No. 3.228.2 on second reading.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

C. ORDINANCE NO. 3.355.1 – Second Reading

**A Bill for an Ordinance to Amend the Parker and Pine Mixed Use Development Planned Development Guide, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith
Department: Community Development, Julia Duncan**

Mayor Pro Tem Diak opened the public hearing at 7:33 p.m.

The submitted rezoning application proposes the following major revisions to the existing Parker and Pine Mixed-Use PD:

1. Eliminate the standard that future use on Lot 1 at the hard corner of Parker Road and Pine Lane incorporate a 17,000 square foot (s.f.) multi-tenant commercial development or a 12,000 s.f. single user commercial development. The planned fast food restaurant will have a total floor area of 3,900 s.f., for a reduction of 8,100 s.f. or more.
2. Eliminate the standard that uses with drive-throughs must be located a distance of greater than 300-feet from the hard corner of Parker Road and Pine Lane. The intent of this standard was to preserve Lot 1 at the hard corner for high-end commercial use without a drive-through to support the town center development approach.
3. Add a standard that requires Lot 5 on Pine Lane off the hard corner of Parker Road and Pine Lane to incorporate a multi-tenant development in Commercial Area I with a total area of 10,000 s.f. The property owner has agreed to this standard to partially mitigate the reduction in commercial development on Lot 1 referenced in #2 above. A future applicant may propose a reduction in the size of the multi-tenant development on Lot 5 to 8,000 s.f. when the following applies:
 - The development design incorporates two (2) outdoor patio spaces with an area of 2,000 s.f. (1,000 s.f. each), creating usable outdoor space for restaurant use.
 - The development is dedicated entirely to active commercial use such as retail, restaurants, bars, etc.
 - The development is designed as a multi-tenant building to create commercial shop space for two (2) or more small businesses.
4. Amend the design standards in the PD zoning to add stucco and stone as a permitted material and allow Bone China and Sandcastle as permitted colors. This revision is an outcome of discussions with the applicant about modifying their prototype restaurant design to comply with the Town's development design standards.

Staff has reviewed the proposal and has determined that it meets the nine criteria for rezoning set forth in the Land Development Ordinance and generally aligns with the goals and strategies

of the Parker 2035 Master Plan. The Planning Commission held a public hearing on the proposed amendment to the Parker and Pine Mixed Use Development Planned Development Guide and rezoning application on January 26, 2023 and made a recommendation, with a 4-1 vote, for the Town Council to approve the zoning request.

Applicant: Katie Sanchez made a brief presentation and answered questions on behalf of the applicant.

Public Comments: None.

Mayor Pro Tem Diak closed the public hearing at 7:47 p.m.

Todd Hendreks moved to approve Ordinance No. 3.355.1 on second reading.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

D. TRACT Q - Annexation and Zoning

Applicant: Town of Parker

Location: Generally located on the east side of Chambers Road south of Mainstreet

Department: Community Development, Bryce Matthews

TRAKiT ANX22-007 and Z22-022

No.:

Mayor Pro Tem Diak opened the public hearing at 7:53 p.m.

The Town of Parker acquired the subject property, known as Tract Q, from Shea Homes, L.P. in April 2022 for future open space use. The property has a total area of 20.25 acres and is located at the southeastern corner of the intersection of Mainstreet and Chambers Road at a major gateway into Parker from the west. The Town plans to extend the Newlin Gulch Trail through Tract Q and will preserve the balance as open space. To accomplish this, the Town must annex the property and zone it with an OS - Open Space designation. Along with the annexation and zoning the Town desires to establish an Exemption Plat in Town known as the Newlin Gulch Open Space Exemption Plat to create a legal lot of record.

The Planning Commission held a public hearing on January 26, 2023 and recommended that the Town Council approve the proposed zoning.

Public Comments: None.

Mayor Pro Tem Diak closed the public hearing at 7:59 p.m.

1. RESOLUTION NO. 23-008

A Resolution to Establish the Findings of Fact and Conclusions Thereon Concerning the Eligibility of the Town-Owned Tract Q Property for Annexation

Joshua Rivero moved to approve Resolution No. 23-008.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

2. ORDINANCE NO. 2.283 – Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Town-Owned Tract Q Property

Joshua Rivero moved to approve Ordinance No. 2.283 on second reading.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

3. ORDINANCE NO. 3.369 – Second Reading
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Town-Owned Tract Q 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

Joshua Rivero moved to approve Ordinance No. 3.369 on second reading.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

4. RESOLUTION NO. 23-009
A Resolution to Exempt Certain Real Property Commonly Known as the Town-Owned Tract Q Property from the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance

Joshua Rivero moved to approve Resolution No. 23-009.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

TANTERRA FILING NO. 1

Department: Town Attorney, Kelsey Hall
Town Attorney, Jim Maloney
Community Development, Bryce Matthews
Engineering and Public Works, Alex Mestdagh

Mayor Toborg rejoined the meeting at 8:23 p.m.

The subject property is located on the south side of Hess Road between Chambers Road and Motsenbocker Road. The applicant, North Parker Investments LLC (NPI), is requesting the approval of a Final Plat for Tanterra Filing No. 1. NPI, the owner of the Anthology North property, is requesting a partial waiver of the Town's subdivision regulations related to the proposed final plat for Tanterra Filing No. 1, which is part of the Anthology North property. As a part of the request for a Partial Waiver, the Town Council will also need to address the Final Plat, Subdivision Agreement for Tanterra Filing No. 1, the Seventh Amendment to the Amended and Restated Stroh/Hess Annexation Agreement, and the Assignment and Assumption Agreement for the Tanterra Filing No. 1 Subdivision Agreement.

Filing 1 is the first Final Plat creating infrastructure and tracts implementing the Anthology North Sketch Plan and Preliminary Plans for Segment 1. Town Council approved the Anthology North Segment 1 Sketch and Preliminary Plans on August 2, 2021. Typically, Final Plats are reviewed and approved through an administrative process and are not considered by Town Council. Town Council is hearing this Final Plat because there is a partial waiver request associated with the concurrent subdivision agreement.

The proposed final plat will create 17 tracts for open space, landscaping, and drainage and 6 tracts for future residential development. It also reserves rights-of-way and allows for construction of arterial and collector roads, including the extension of Chambers Road from Hess Road south to the Stroh Road extension.

The subdivision agreement between the Town and the property owner, in which the property owner agrees to build public improvements related to a new subdivision, includes:

1. Construction of Chambers Road from Hess Road to Stroh Road,
2. Extension of Stroh Road from Spirit Trail Boulevard to the future Chambers
3. Collector roads associated with the development
4. Landscaping of open space and buffers and streetscaping, among other public improvements.

Applicant: Chris Elliot made a presentation on behalf of the applicant and answered questions of Council.

Public Comments: None.

1. RESOLUTION NO. 23-012

A Resolution to Allow a Partial Waiver of Section 13.07.080 of the Parker Municipal Code to Allow a Developer that Is Not the Owner of the Real Property Subject to the Tanterra Filing No. 1 Final Plat to Assume the Obligations to Complete the Public Improvements Described in the Subdivision Agreement for Tanterra Filing No. 1

Todd Hendreks moved to approve Resolution No. 23-012.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

2. Final Plat for Tanterra Filing No. 1

Laura Hefta moved to approve the Tanterra Filing No. 1 Final Plat, based on staff findings.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

3. Subdivision Agreement Tanterra Filing No. 1

Todd Hendreks moved to approve the Subdivision Agreement Tanterra Filing No. 1, based on staff findings.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

4. RESOLUTION NO. 23-013

A Resolution to Consent to the Assignment and Assumption Agreement for Tanterra Filing No. 1 Subdivision Agreement By and Between North Parker Investments, LLC, and Tanterra Development, LLC

Todd Hendreks moved to approve Resolution No. 23-013.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

5. Seventh Amendment To Amended And Restated Stroh Ranch/Hess Annexation Agreement (Northern Property)

Joshua Rivero moved to approve the Seventh Amendment to Amended and Restated Stroh Ranch/Hess Annexation Agreement (Northern Property).

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES**A. ORDINANCE NO. 9.353 - Second Reading****A Bill for an Ordinance Approving the Grant Agreement for Therapeutic Recreation Scholarships By and Between the Town of Parker and the Board of County Commissioners of the County of Douglas****Department: Parks, Recreation, & Open Space, Meagan Nakashima**

This item is for approval of a Grant Agreement for Therapeutic Recreation Programs (Scholarships) between the Town of Parker and the Board of County Commissioners of Douglas County for the Developmental Disabilities Mill Levy grant program. The grant is in the amount of \$12,620.20 and allows for families, individuals, and groups with developmental disabilities to participate in recreation activities for a reduced or waived fee.

Public Comments: None.

Joshua Rivero moved to approve Ordinance No. 9.353 on second reading.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

B. ORDINANCE NO. 9.354 - Second Reading**A Bill for an Ordinance Approving the Grant Agreement for Adaptive Water Safety & Swim Lessons By and Between the Town of Parker and the Board of County Commissioners of the County of Douglas****Department: Parks, Recreation & Open Space, Meagan Nakashima**

This item is for approval of a Grant Agreement for approval of the Grant Agreement for Adaptive Water Safety & Swim Lessons between the Town of Parker and the Board of County Commissioners of Douglas County for the Developmental Disabilities Mill Levy grant program. The grant is in the amount of \$6,762.00 for Adaptive Water Safety/Swim Lessons that enhance personal life-saving water skills.

Public Comments: None.

Brandi Wilks moved to approve Ordinance No. 9.354 on second reading.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

C. ORDINANCE NO. 9.348.1 - Second Reading

A Bill for an Ordinance Approving the First Amendment to Agreement Regarding Design and Construction of a Development Improvement Project for Drainage and Flood Control Improvements for Stroh Gulch Upstream of French Avenue, Tanterra, Town of Parker, By and Between Urban Drainage and Flood Control District dba Mile High Flood District and the Town of Parker (Agreement No. 22-03.35A Project No. 107465)

Department: Engineering and Public Works, Alex Mestdagh

Stroh Gulch is a major drainageway located within the southwest portion of the Town. A reach of the drainageway is located within the proposed Tanterra development, which is located south of Hess Road and west of the existing Anthology subdivision. In accordance with Town Code, the developer of the Tanterra subdivision is required to design and construct any master-planned improvements to the major drainageway. Additionally, the Tanterra development proposes to build two roadway bridges over another major drainageway in the area, Oak Gulch. These bridges will require the developer to construct localized realignments and improvements to Oak Gulch in those areas.

The Mile High Flood District has agreed to construct these improvements to Stroh Gulch and Oak Gulch as a Development Improvement Project (DIP). In a DIP arrangement, the developer funds 100% of the cost to design and construct the improvements, while the MHFD manages the design and construction contracts with assistance and input from Town staff.

The developer funding for the improvements will be codified and collected by the Town through the Subdivision Agreement for the Tanterra development. Thus, an IGA between the Town and MHFD is necessary to transfer the developer funding to the District and memorialize the improvements that will be designed and constructed by the MHFD. The IGA obligates the MHFD to construct the improvements with Developer funding provided by the Town. This amendment to the IGA finalizes the construction costs for Stroh Gulch and adds the construction costs for Oak Gulch.

Public Comments: None.

Joshua Rivero moved to approve Ordinance No. 9.348.1 on second reading.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

Todd Hendreks - yes

John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.

D. ORDINANCE NO. 1.574 – Second Reading

A Bill for an Ordinance Conveying Certain Real Property By Easement to Parker Water and Sanitation District for Salisbury Park

Department: Engineering and Public Works, Alex Mestdagh

This item proposes to dedicate an easement to Parker Water and Sanitation District (PWSD) over a portion of Salisbury Park to accommodate the construction of a new sanitary sewer line. PWSD is planning to construct a Filtration Annex building adjacent to their existing Regional Well House in the eastern portion of Salisbury Park. This should improve drinking water quality for the community through the use of gravity filters that will physically remove iron and manganese from the existing water sources. As part of this project, PWSD will need to relocate several existing raw waterlines in the area and construct a new sanitary sewer line that will carry water used to clean the filters periodically. The installation of the sanitary sewer line will require a new easement to be dedicated to the Town. The proposed easement would be located east of the equestrian areas and parking lots, and outside of areas of the park that are programmed. PWSD will be responsible for the restoration of all disturbed areas through the Town's Grading Permit Program.

Applicant: Jenna Barker made a brief presentation and answered questions on behalf of PWSD.

Public Comments: None.

Anne Barrington moved to approve Ordinance No. 1.574 on second reading.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

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 8:59 p.m.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Brandi Wilks - yes

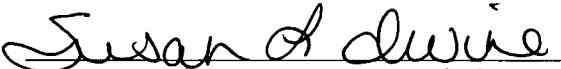
Todd Hendreks - yes

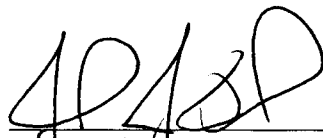
John Diak - yes

Anne Barrington - yes

Laura Hefta - yes

The motion was approved unanimously.


Susan L. Irvine, Deputy Town Clerk


John Diak, Mayor Pro Tem