

TOWN OF PARKER COUNCIL AGENDA

November 6, 2023

AMENDED

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.

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 Parker Police Citizens Academy Graduates

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 - October 23, 2023

- B. *ORDINANCE NO. 1.567.2 - First Reading*
A Bill for an Ordinance to Adopt the 2023 Revised Budget for the Town of Parker and to Make Appropriations for the Same
Department: Finance, Mary Lou Brown & Christine Brookshire
Second Reading: November 20, 2023
- C. *POPE PROPERTY ZONING*
Applicant: David Brehm, Plan West
Location: Southwest corner of Twenty Mile Road and Dransfeldt Road
Department: Community Development, Stacey Nерger
TRAKiT No.: Z22-032 & Z22-037
Second Reading: November 20, 2023
1. *ORDINANCE NO. 3.364 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pope Property to GD-Greater Downtown District, Market Center, Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
 2. *ORDINANCE NO. 3.365 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pope Property to A-Agricultural District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
 3. *ORDINANCE NO. 3.366 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pope 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. *ORDINANCE NO. 3.367 – First Reading*
A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known as the Pope I Remnant 1 Property from GD-Greater Downtown District to OS-Open Space District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
 5. *ORDINANCE NO. 3.368 – First Reading*
A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known as the Town-Owned Pope I Remnant 2 Property from GD-Greater Downtown District to A-Agricultural District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

- D. *RESOLUTION NO. 23-084*
A Resolution to Adopt the Town of Parker, Colorado, Three-Mile Area Plan
Department: *Community Development, Jeremiah Fettig*
- E. *RESOLUTION NO. 23-088*
A Resolution Accepting the Conveyance of a Drainage Easement from Nacho Lands LLC, for Cottonwood Highlands Filing No. 6, Amendment 1, Lot 2-2B
Department: *Engineering and Public Works, Michael Walton*
- F. *CONTRACTS OVER \$100,000*

1. *Legally Blonde The Musical*
Amount: *Walkout Potential \$130,000*
Contractor: *Sasquatch Productions Ltd.*
Department: *Cultural, Carrie Glassburn*
2. *Lincoln Median Landscaping Project Contract Award*
Amount: *\$242,068*
Contractor: *Land Ethics of Colorado LLC*
Department: *Engineering and Public Works, Nathan Klass*
3. *North Parker Road Operational Improvements - Construction Management*
Amount: *\$398,625*
Contractor: *Felsburg, Holt & Ullevig*
Department: *Engineering and Public Works, Alex Mestdagh*
4. *2024 Custodial Services Contract*
Amount: *\$600,000*
Contractor: *The Key People*
Department: *Engineering and Public Works, Jim Gilbert*

- G. *PROCLAMATION - Small Business Saturday - Pam Woo*

6. **TOWN MANAGER REPORT**

- **Town Manager Report - Autumn 2023**

7. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 13.111.1 - Second Reading**
A Bill for an Ordinance Approving the Exclusion of Certain Property From the Boundaries of the Downtown Parker Business Improvement District and Making Findings Related Thereto
Department: **Town Attorney, Kristin Hoffmann**

B. ORDINANCE NO. 1.593 - First Reading
A Bill for an Ordinance to Adopt the 2024 Budget and to Make Appropriations for the Same
Department: Finance, Mary Lou Brown & Christine Brookshire
Second November 20, 2023
Reading:

C. Shopping Center Assistance Program Agreement for Kings Point Retail, LLC
Department: Economic Development, Weldy Feazell

8. CONTRACTS OVER \$500,000

A. Jordan Road - Cedar Gulch Parkway Traffic Signal (CIP 22-056)
Amount: \$870,312
Contractor: Sturgeon Electric Company Inc.
Department: Engineering and Public Works, Chris Hudson & Nathan Klass

9. PUBLIC COMMENTS CONTINUED IF NECESSARY

10. ADJOURNMENT

Parker Town Council

Executive Session Agenda

November 6, 2023

“To consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f).”

1. Town Manager evaluation

“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).”

2. Colo. Rev. Stat § 32-1-1004(8), Section V.A.3. of the Model Service Plan and Section 7 of the Model Intergovernmental Agreement concerning covenant enforcement and design review powers

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 23, 2023**

Mayor Jeff Toborg called the meeting to order at 6:15 p.m. All Councilmembers were present, except for Laura Hefta.

Town Attorney Kristin Hoffmann announced there was one topic for discussion in the Executive Session under C.R.S. § 24-6-402(4)(b) regarding a CenturyLink Metro Ethernet Service Agreement. The second item for discussion, under C.R.S. § 24-6-402(4)(e), was about negotiations related to the proposed Annexation Agreement between the Town and the Denver Pope Family Limited Partnership concerning the real property commonly known as the Pope property, generally located adjacent to and west of the Kohl's Shopping Center.

EXECUTIVE SESSION

Brandi Wilks moved and Todd Hendreks seconded to go into Executive Session at 6:16 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 matter 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).

Brandi Wilks moved and Anne Barrington seconded to come out of Executive Session at 6:30 p.m.

The motion was approved unanimously.

Joshua Rivero moved and Todd Hendreks seconded to recess the Regular Meeting until 7:00 p.m.

The motion was approved unanimously.

REGULAR SESSION

Mayor Toborg reconvened the meeting at 7:00 p.m.

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

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 - October 2, 2023*

B. ORDINANCE NO. 13.111.1 - First Reading

A Bill for an Ordinance Approving the Exclusion of Certain Property From the Boundaries of the Downtown Parker Business Improvement District and Making Findings Related Thereto

Department: Town Attorney, Kristin Hoffmann

Second Reading: November 6, 2023

C. RESOLUTION NO. 23-086

A Resolution Approving the Release of the Slope Easement By and Between KPS Retail, LLC, and the Town of Parker Concerning Lot 2, Vantage Point Subdivision Filing No. 1, 1st Amendment

Department: Engineering and Public Works, Michael Walton

D. RESOLUTION NO. 23-087

A Resolution Accepting the Conveyance of a Drainage Easement from Kaiser Foundation Health Plan of Colorado for a Portion of Lot 3, Pine Bluffs Filing No. 4

Department: Engineering and Public Works, Michael Walton

E. CONTRACTS OVER \$100,000

1. Lumen Metro Ethernet Circuits Contract (Continued from October 2, 2023)

Amount: \$404,100

Contractor: Lumen Metro Ethernet Circuits

Department: Information Technology, Matt Lynch

2. Jon Dickey, LLC Roof Contract Modification - Second Amendment to Master Agreement for On-Call Professional Services

Amount: \$237,500 (Increase of \$82,500)

Contractor: Jon P. Dickey, LLC

Department: Community Development, Randy Sale

F. PROCLAMATION - Extra Mile Day - Christine Ott

Joshua Rivero moved to approve Consent Agenda Items 4A through 4F.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks – yes

The motion was approved unanimously.

PUBLIC HEARINGS

POPE PROPERTY ANNEXATION

Applicant: David Brehm, Plan West
Location: Southwest corner of Twenty Mile Road and Dransfeldt Road
Department: Community Development, Stacey Nerger
TRAKiT No.: ANX22-009

1. **ORDINANCE NO. 2.282 - Second Reading (Continued from February 6, 2023, May 1, 2023, July 17, 2023) (To be continued to November 20, 2023)**
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Pope Property in Douglas County

Joshua Rivero moved to continue the public hearing to consider Ordinance No. 2.282 to a date certain of November 20, 2023.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes
 Anne Barrington - yes
 Todd Hendreks - yes
 John Diak - yes
 Brandi Wilks - yes

The motion was approved unanimously.

ORDINANCES

- A. **ORDINANCE NO. 1.592 - Second Reading**
A Bill for an Ordinance Stating the Intent of the Town of Parker to Acquire Certain Property Interests for the Purpose of Widening, Constructing, and Improving a Portion of Jordan 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, Patrick Burke

This item was for an ordinance to provide notice of the Town's intent to acquire right-of-way and easements for proposed improvements on Jordan Road between Lincoln Avenue and Stonegate Parkway that are part of the Jordan Road/Newlin Gulch Improvements Project. This roadway will be improved by extending existing acceleration and deceleration lanes, constructing a new sidewalk along Jordan Road, and widening the existing Jordan Road/Newlin Gulch bridge. These improvements require additional right-of-way and easements affecting four property owners.

Public Comments: None.

Anne Barrington moved to approve Ordinance No. 1.592 on second reading.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

The motion was approved unanimously.

B. ORDINANCE NO. 5.28.33 - Second Reading

A Bill for an Ordinance to Amend Section 5.02.180 to Authorize the Administrative Approval of Retail Establishment Permits, and to Repeal Article V of Chapter 5.02 Regarding the Greater Downtown Special Private Art Permit

Department: Town Attorney, Kristin Hoffmann

This ordinance amended Section 5.02.180 of the Parker Municipal Code to authorize the administrative approval of retail establishment permits by the Town Clerk and repealed Article V of Chapter 5.02 regarding the Greater Downtown Special Private Art Permit. At its regular meeting on August 17, 2023, the Special Licensing Authority recommended that the Town Council approve an ordinance authorizing retail establishment permits.

Public Comments: None.

Brandi Wilks moved to approve Ordinance No. 5.28.33 on second reading.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak -yes

Brandi Wilks - yes

The motion was approved unanimously.

CONTRACTS OVER \$500,000**North Parker Road Operational Improvements****Amount: \$6,132,932.85****Contractor: Goodland Construction Inc.****Department: Engineering & Public Works, Alex Mestdagh**

The North Parker Road Operational Improvements project was originally advertised for competitive bids on July 5, 2023. No bids were received for the project from this original advertisement. This project was advertised for competitive bids a second time, and bids were opened on August 24, 2023. One bid was received with the second advertisement, from Goodland Construction Inc. in the amount of \$6,132,932.85. This bid exceeded the engineer's estimate for the project of \$5,081,844.

Following the second bidding period, staff contacted several contractors who chose not to submit a bid. Multiple contractors communicated that there were no issues that could be corrected through plan revisions. In staff's opinion, the segmented nature of the project, with multiple work areas along the Parker Road corridor, and the work and traffic control restrictions required by CDOT along Parker Road contributed to the lack of interest in the project. Staff feels that these elements, along with the extensive amount of construction work available in the Denver metro area, are likely to result in a similar contractor response should the project be bid for a third time.

For these reasons, staff recommended awarding the contract to Goodland Construction, Inc. Based on discussions with Goodland and positive feedback from references, staff feels that Goodland can satisfactorily complete this project. While the bid is approximately \$1.1M higher than the engineer's estimate, this amount is within the Town's appropriated funding for this project. This project has been awarded State and Federal funding, and Douglas County has contributed project funding as well. The funding breakdown includes: Federal Funds \$1,400,000; State Funds \$1,100,000; County Funds \$500,000; and Town Funds \$3,192,933.

Joshua Rivero moved to approve the staff recommendation, as a part of the regular agenda.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

The motion was approved unanimously.

ADJOURNMENT

Brandi Wilks moved to adjourn the meeting at 7:35 p.m.

Todd Hendreks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

Todd Hendreks - yes

John Diak -yes

Brandi Wilks - yes

The motion was approved unanimously.

Susan L. Irvine, Deputy Town Clerk

Jeff Toborg, Mayor



Request for Town Council Action

Date: November 6, 2023

Submitted By: Christine Brookshire, Finance Manager
Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 1.567.2 - First Reading**
A Bill for an Ordinance to Adopt the 2023 Revised Budget for the Town of Parker and to Make Appropriations for the Same
Department: Finance, Mary Lou Brown & Christine Brookshire
Second Reading: November 20, 2023

EXECUTIVE SUMMARY

This item is a revision to the 2023 annual budget. Details of the revision are listed as Exhibit A attached to the ordinance.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Budget adjustments for the current year's budget are submitted to Council for consideration several times per year. Supplemental amendments consist of additional/new appropriation requests that were not anticipated at the time of budget development. Section 9.12 of the Parker Municipal Code provides the authority under which these adjustments may occur. For supplemental amendments, additional revenue or available cash is the source of funding.

FINANCIAL IMPACT

	Supplemental Expenditures	Supplemental Revenue	Net Revenue
General Fund	\$ (225,000)	\$ -	\$ (225,000)
Cultural Fund	392,851	349,700	43,151
Recreation Fund	205,000	111,000	94,000
Public Improvement Fund	955,941	215,94	740,000
Capital Renewal and Replacement Reserve Fund	-	5,000,000	(5,000,000)
Stormwater Fund	3,126,348	7,206,348	(4,080,000)
Information Technology Fund	185,136	-	185,136
Total all funds	\$ 4,640,276	\$12,882,989	\$(8,242,713)

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. 2023 Budget Revision #2

RECOMMENDED MOTION

I move to approve Ordinance No. 1.567.2 on first reading and to schedule second reading for November 20, 2023 as part of the consent agenda.

ORDINANCE NO. 1.567.2, Series of 2023

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2023 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 2023 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 _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

2023 Revised Budget Ordinance 1.567.2

1st Reading

November 6, 2023

2nd Reading

November 20, 2023

	Revision	2023 Revised Budget
General Fund		
Beginning fund balance		\$ 28,097,655
Revenue		78,440,153
Revenue revision	-	-
Total revised revenue		78,440,153
Total available		106,537,808
Expenditures		75,128,207
Supplemental appropriation	(225,000)	
Total expenditure revision		(225,000)
Total revised expenditures		74,903,207
Ending fund balance		\$ 31,634,601
Cultural Fund		
Beginning fund balance		\$ 2,606,238
Revenue		5,961,545
Revenue revision	349,700	349,700
Total revised revenue		6,311,245
Total available		8,917,483
Expenditures		6,634,863
Supplemental appropriation	392,851	
Total expenditure revisions		392,851
Total revised expenditures		7,027,714
Ending fund balance		\$ 1,889,769

2023 Revised Budget Ordinance 1.567.2

1st Reading

November 6, 2023

2nd Reading

November 20, 2023

	Revision	2023 Revised Budget
Recreation Fund		
Beginning fund balance		\$ 2,777,778
Revenue		10,335,891
Revenue revision	111,000	111,000
Total revised revenue		10,446,891
Total available		13,224,669
Expenditures		11,008,028
Supplemental appropriation	205,000	
Total expenditure revisions		205,000
Total revised expenditures		11,213,028
Ending fund balance		\$ 2,011,641
Public Improvements Fund		
Beginning fund balance		\$ 55,589,837
Revenue		25,868,895
Revenue revision	215,941	215,941
Total revised revenue		26,084,836
Total available		81,674,673
Expenditures		70,096,342
Supplemental appropriation	955,941	
Total expenditure revisions		955,941
Total revised expenditures		71,052,283
Ending fund balance		\$ 10,622,390

2023 Revised Budget Ordinance 1.567.2

1st Reading

November 6, 2023

2nd Reading

November 20, 2023

	Revision	2023 Revised Budget
Capital Renwal and Replacement Reserve Fund		
Beginning fund balance		\$ 51,777,207
Revenue		2,660,000
Revenue revision	5,000,000	5,000,000
Total revised revenue		7,660,000
Total available		59,437,207
Expenditures		8,257,085
Supplemental appropriation	-	
Total expenditure revisions		-
Total revised expenditures		8,257,085
Ending fund balance		\$ 51,180,122
Stormwater Utility Fund		
Beginning fund balance		\$ 2,797,053
Revenue		8,612,300
Revenue revision	7,206,348	7,206,348
Total revised revenue		15,818,648
Total available		18,615,701
Expenditures		16,125,182
Supplemental appropriation	3,126,348	
Total expenditure revisions		3,126,348
Total revised expenditures		19,251,530
Ending fund balance		\$ (635,829)

2023 Revised Budget Ordinance 1.567.2

1st Reading

November 6, 2023

2nd Reading

November 20, 2023

	Revision	2023 Revised Budget
Technology Management Fund		
Beginning fund balance		\$ 941,680
Revenue		5,209,383
Revenue revision	-	-
Total revised revenue		5,209,383
Total available		6,151,063
Expenditures		5,181,033
Supplemental appropriation	185,136	
Total expenditure revisions		185,136
Total revised expenditures		5,366,169
Ending fund balance		\$ 784,894

Summary of Revisions to 2023 Budget Ordinance 1.567.2

1st reading 11/06/2023

2nd reading 11/20/2023

	Supplemental Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ (225,000)	\$ -	\$ (225,000)
Cultural Fund	392,851	349,700	43,151
Recreation Fund	205,000	111,000	94,000
Public Improvements Fund	955,941	215,941	740,000
Capital Renewal and Replacement Reserve Fund	-	5,000,000	(5,000,000)
Stormwater Fund	3,126,348	7,206,348	(4,080,000)
Information Technology Fund	185,136	-	185,136
Total all funds	\$ 4,640,276	\$ 12,882,989	\$ (8,242,713)

Detail of Supplemental Revisions to 2023 Budget Ordinance 1.567.2

1st reading 11/06/2023

2nd reading 11/20/2023

Expenditures**General Fund**

Jordan/Cedar Gulch Traffic Signal	-225,000
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Total General Fund expenditure supplemental revision	-225,000
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Cultural Fund

Increase expense for Adult Dance Musice	11,000
Increase expense for Youth Dance/Music	25,000
Increase expense for Youth Science	19,000
Increase expense for Bank Charges - credit card fees for Active, Spektrix and Aloha	42,851
Increase expense for Third Party Ticket Sales	295,000

Total Cultural Fund expenditure supplemental revision	\$392,851
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Recreation Fund

Increase expense for R&M Software expense line for registration software	20,000
Increase expense for Program Services - Youth	150,000
Increase expense for Program Services	35,000

Total Recreation Fund expenditure supplemental revision	\$205,000
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Public Improvements Fund

Bradbury Ranch Drive emergency culvert repair	350,000
Mainstreet/Jordan Improvements - Southwest corner improvements	165,000
Becket Drive acquisition and rebuilding	215,941
Jordan/Cedar Gulch Traffic Signal	225,000

Total Public Improvements Fund expenditure supplemental revision	\$955,941
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Stormwater Utility Fund

West Stroh Gulch at Anthology North	3,126,348
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Total Stormwater Utility Fund expenditure supplemental revision	\$3,126,348
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Technology Services Fund

Axon software license 2022 payment	185,136
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Total Technology Services Fund expenditure supplemental revision	\$185,136
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Total expenditure supplemental revision	\$4,640,276
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Detail of Supplemental Revisions to 2023 Budget Ordinance 1.567.2

1st reading 11/06/2023

2nd reading 11/20/2023

Revenues

Cultural Fund

Increase revenue for Adult Dance	12,700
Increase revenue for Youth Science	10,600
Increase revenue for Youth Art	31,400
Increase revenue for Third Party Ticket Sales	295,000

Total Cultural Fund revenue supplemental revision	\$349,700
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Recreation Fund

Increase revenue for Fieldhouse-Sports Instructions	66,000
Increase revenue for Youth Programs	45,000

Total Recreation Fund revenue supplemental revision	\$111,000
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Public Improvement Fund

Becket & Woodman Drive Connection	215,941
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Total Public Improvement Fund revenue supplemental revision	\$215,941
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Capital Renewal and Replacement Reserve Fund

Downtown Parking Garage	5,000,000
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Total Capital Renewal and Replacement Reserve Fund revenue supplemental revision	\$5,000,000
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Stormwater Utility Fund

West Sroh Gulch at Anthology North	7,206,348
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Total Stormwater Utility Fund revenue supplemental revision	\$7,206,348
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Total revenue supplemental revision	\$12,882,989
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Request for Town Council Action

Date: November 6, 2023

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

Reviewed By: Michelle Kivela, Town Manager

Title: **POPE PROPERTY ZONING**
Applicant: David Brehm, Plan West
Location: Southwest corner of Twenty Mile Road and Dransfeldt Road
Department: Community Development, Stacey Nerger
TRAKiT Z22-032 & Z22-037
No.:
Second Reading: November 20, 2023

EXECUTIVE SUMMARY

The Town of Parker Home Rule Charter and Land Development Ordinance (LDO) require property owners who wish to annex land into the Town to concurrently zone their properties for future use. The owner of a 38-acre property located in unincorporated Douglas County, known as the Pope property, has submitted an annexation petition to the Town and is proposing to zone this property into three (3) different zone districts: Open Space, Agricultural and Greater Downtown District - Market Center. The property is located in the Town's commercial core east of Cherry Creek and south of the Twenty Mile Road and Dransfeldt Road intersection. The subject ordinance(s) is for the first reading of the proposed zoning only at the November 6, 2023 Town Council meeting. The Council will consider an ordinance(s) for the proposed annexation and hold a public hearing for the proposed zoning on November 20, 2023.

LDO Criteria for Review

The Town Council, in reviewing this request, shall consider the following criteria in making its decision:

1. A need exists for the proposal;
2. The particular parcel of ground is indeed the correct site for the proposed development;
3. There has been an error in the original zoning; or
4. There have been significant changes in the area to warrant a zone change;
5. Adequate circulation exists and traffic movement would not be impeded by development; and
6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

7. There are minimal environmental impacts or impacts can be mitigated.
8. The proposal is consistent with the Town Master Plan maps, goals and policies.
9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the degree necessary due to the impacts created by the proposed land uses.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

State and Town Code Requirements

The applicant has submitted an annexation petition in accordance with the Colorado Municipal Annexation Act of 1965 (the Act), Title 31, Article 12, Part 1, C.R.S., for annexation of the subject property into the Town as described in the petition. The Town Clerk, as provided by C.R.S. § 31-12-107(1)(f), referred the annexation petition to the Town Council as a communication. The Town Council, as provided by C.R.S. § 31-12-107(1)(f), is required, without undue delay, to take appropriate steps to determine if the submitted annexation petition is in substantial compliance with the Act. Under Section 13.04.250(c) of the Town Code, the Town Council may determine the following:

1. The annexation petition substantially complies with the requirements of C.R.S. § 31-12-107(1)(a), which will require that the Town Council establish by resolution the date, time and place that the Town Council will hold the public hearing not less than thirty (30) days nor more than sixty (60) days after the resolution setting the public hearing, unless otherwise required by state law; or
2. The annexation petition does not substantially comply with the requirements of C.R.S. § 31-12-107(1)(a), which will require no further action; or
3. Table any action on the annexation petition for a period of time not to exceed one hundred eighty (180) days.

Prior Review and Actions

1. On October 3, 2022, the Town Council approved Resolution No. 22-048 that determined the submitted annexation petition substantially complies with the Colorado Municipal Annexation Act of 1965 (the "Act", § 31-12-107(1)) and which set a public hearing date of November 21, 2022 to determine eligibility for annexation into the Town.
2. On November 21, 2022, the Town Council approved Resolution No. 22-061 that determined the Pope property is eligible for annexation into the Town as provided by the Act. In addition, the annexation ordinance was scheduled for a public hearing of the Town Council on February 6, 2023.
3. On January 17, 2023, the Town Council approved the annexation ordinance on first reading with the public hearing on the ordinance scheduled for February 6, 2023.
4. On February 6, 2023, the Town Council continued the annexation ordinance public hearing to May 1, 2023 to allow the applicant additional time to negotiate the annexation agreement, complete the required inclusion into Parker Water and Sanitation District, and process the required zoning application.

5. On May 1, 2023, the Town Council again continued the annexation ordinance public hearing to July 17, 2023 to allow the applicant additional time to negotiate the annexation agreement, complete the required inclusion into Parker Water and Sanitation District, and process the required zoning application.
6. On July 17, 2023, the Town Council continued the annexation ordinance public hearing to October 16, 2023 to allow the applicant additional time to negotiate the annexation agreement, complete the required inclusion into Parker Water and Sanitation District, and process the required zoning application.
7. The October 16, 2023 Town Council hearing was continued to October 23, 2023. On October 23, 2023, the Town Council continued the annexation ordinance public hearing to November 20, 2023 to allow the applicant additional time to finalize the annexation agreement.

Summary of Proposal

The subject property, known as the Pope property, is an enclave parcel located in unincorporated Douglas County that is contiguous to the Town. The property has a total area of approximately 38 acres and is currently used as Flat Acres Farm, an "agritainment" and commercial recreation business.

The subject property fronts Twenty Mile Road and is bordered to the north by commercial uses at the Parker Valley Center (Target); to the south and west by the Cherry Creek open space and future Salisbury Park North; and to the east by commercial uses at FlatAcres Marketplace (Kohls). The property and adjacent areas in the Cherry Creek open space contain environmentally sensitive land including a 100-year floodplain and habitat for the Preble's Meadow Jumping Mouse, which is protected by the U.S. Endangered Species Act.

The Town surrounds the subject property and has identified it as a candidate for future annexation within its Municipal Planning Area (urban growth boundary). This is an existing land use policy recommendation supported by the annual Three-Mile Area Plan and the Parker 2035 Master Plan. It is also consistent with the Town's approach to annexation that prioritizes enclave parcels surrounded by the Town to promote orderly growth and rationalize service delivery.

The property owner is proposing to divide the 38-acre property into three (3) sections with different zoning as follows:

- **Western Section:** The western 9.2 acres of the property within the Cherry Creek 100-year floodplain, which includes Preble's Jumping Mouse habitat, will be zoned Open Space and dedicated to the Town.
- **Central Section:** The majority of the central section of the property consisting of approximately 11.791 acres will be zoned Agricultural and allow the applicant to continue the existing "agritainment" uses currently in operation.
- **Eastern Section:** The remainder, consisting of the upland central section and the area located east of the future Dransfeldt Road extension, has a total area of 17.48 acres and will be zoned to Greater Downtown District - Market Center. This zoning will permit

future commercial use for retail, restaurants, services, etc.

The Parker 2035 Master Plan identifies the subject property as located in the Central Commercial and Medium Density Residential Districts as well as the Cherry Creek 100-year floodplain. The Master Plan recommends a mix of uses in this area including commercial, open space, and transportation use. The proposed rezoning has been prepared in accordance with the Master Plan as to permitted uses, zone district boundaries, and development standards. Further, the Transportation Master Plan recommends the Dransfeldt Road extension through the subject property to expand the transportation system for greater vehicular, bicycle, and pedestrian mobility across Cherry Creek. The annexation petition and proposed zoning are therefore consistent with the Master Plan and its various elements.

The annexation petition has been submitted in accordance with the Act as described in the petition. Further, the subject property is eligible for annexation because it is located within the Town's Planning Area (urban growth boundary) and satisfies the statutory requirements for contiguity. The Town Charter and Section 13.04.250 of the LDO require that annexation petitions must be processed concurrently with zoning so the property owner is seeking Town Council approval of their annexation request and proposed zoning as described above.

Planning Commission Review

The Planning Commission has scheduled a public hearing for the proposed zoning on November 9, 2023 and will make a recommendation to the Town Council at that time.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

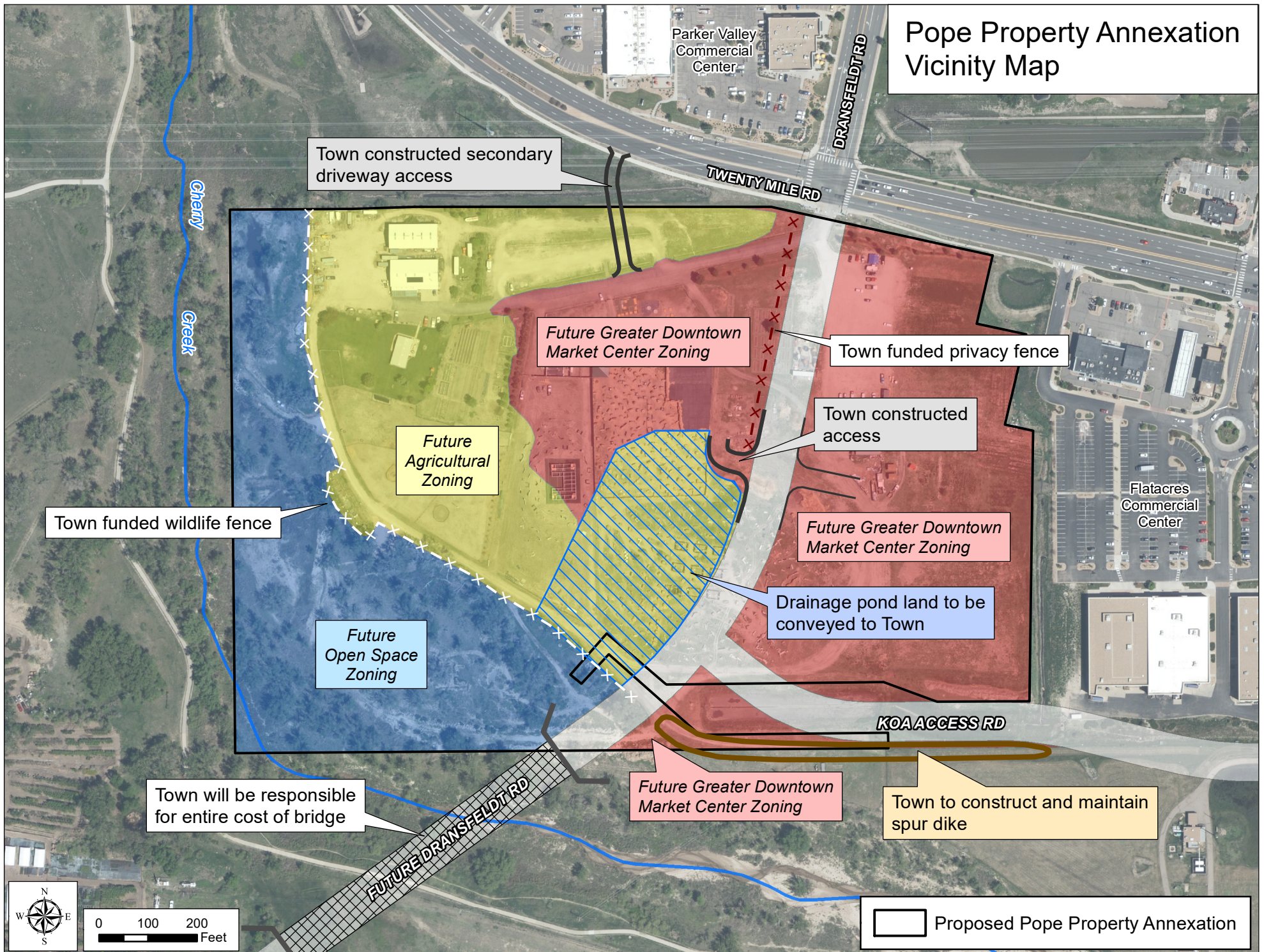
1. Pope Property Annexation Vicinity Map
2. Vicinity Map
3. Pope Zoning Map
4. Ordinance No. 3.364
5. Ordinance No. 3.365
6. Ordinance No. 3.366
7. Ordinance No. 3.367
8. Ordinance No. 3.368

RECOMMENDED MOTION

1. I move to approve Ordinance No. 3.364 on first reading and to schedule second reading for November 20, 2023, as part of the consent agenda.
2. I move to approve Ordinance No. 3.365 on first reading and to schedule second reading for November 20, 2023, as part of the consent agenda.
3. I move to approve Ordinance No. 3.366 on first reading and to schedule second reading for November 20, 2023, as part of the consent agenda.

4. I move to approve Ordinance No. 3.367 on first reading and to schedule second reading for November 20 , 2023, as part of the consent agenda.
5. I move to approve Ordinance No. 3.368 on first reading and to schedule second reading for November 20 , 2023, as part of the consent agenda.

Pope Property Annexation Vicinity Map



Pope Property

Annexation and Zoning



EXISTING ZONING

A – AGRICULTURAL DISTRICT
(DOUGLAS COUNTY)

PROPOSED ZONING

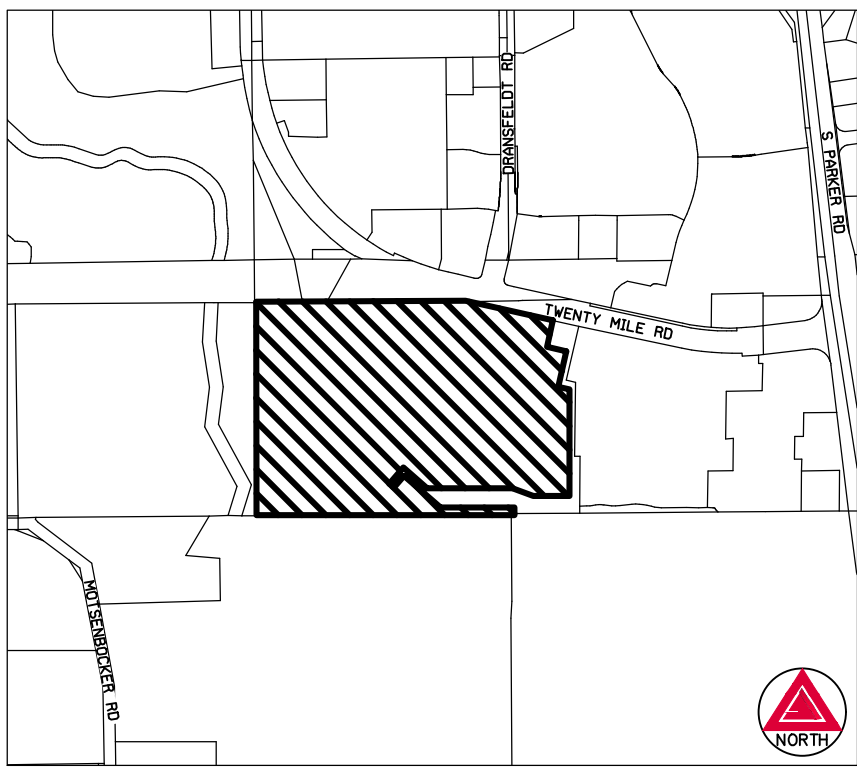
A – AGRICULTURAL DISTRICT
(TOWN OF PARKER)

D – GREATER DOWNTOWN MARKET CENTER DISTRICT
(TOWN OF PARKER)

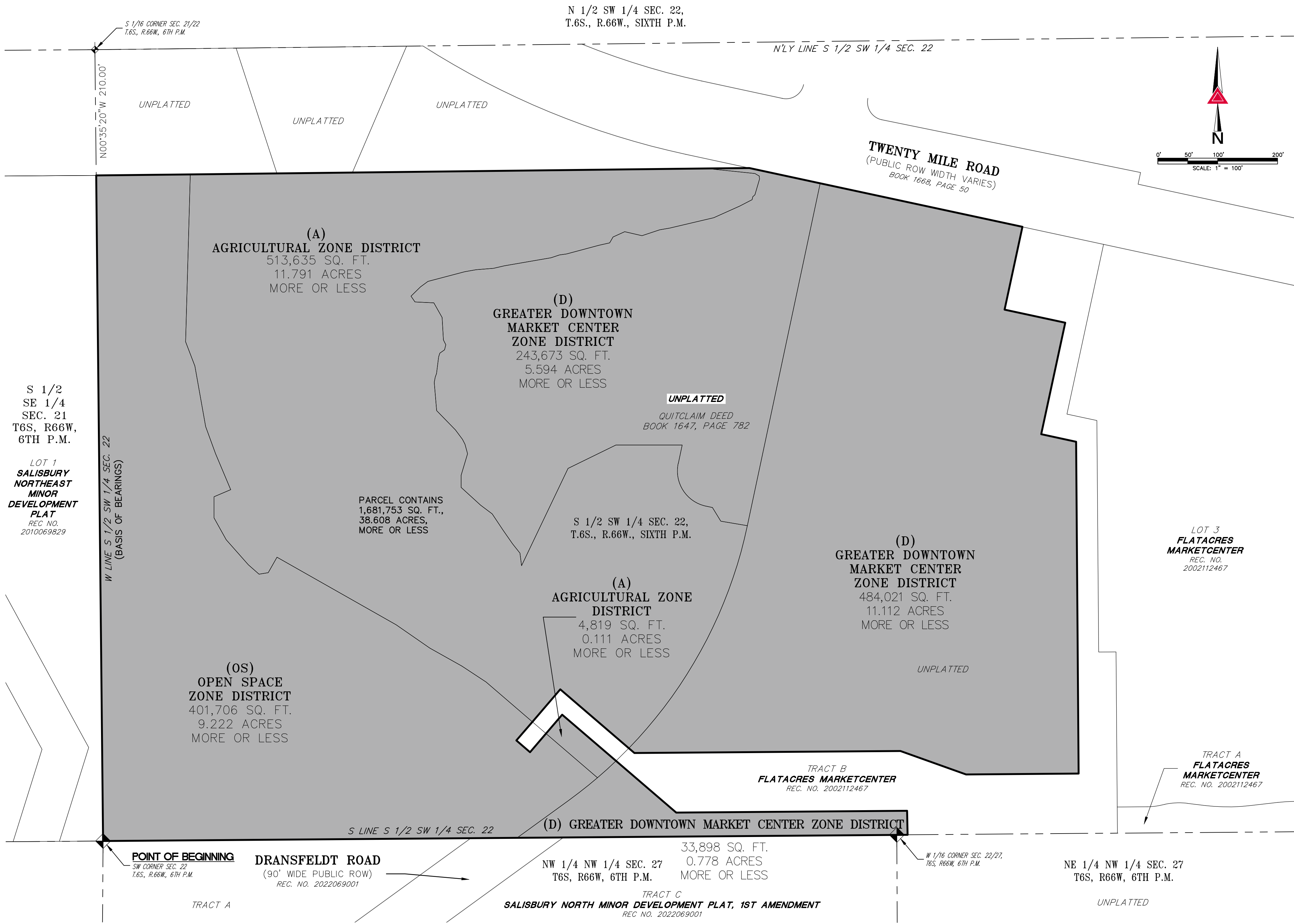
OS – OPEN SPACE DISTRICT
(TOWN OF PARKER)

ZONE DISTRICT	ACRES	SQUARE FEET
OPEN SPACE	9.222	401,706
AGRICULTURE	11.902	518,454
GREATER DOWNTOWN – MARKET CENTER	17.484	761,593

LEGEND	
	ZONING PARCEL BOUNDARY
	LOT OR PARCEL LINE
	RIGHT-OF-WAY LINE



VICINITY MAP
SCALE 1" = 1000'



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF QUITCLAIM DEED RECORDED IN BOOK 1647, AT PAGE 782 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER, NORTH 00°35'20" WEST, A DISTANCE OF 1,111.71 FEET;

THENCE DEPARTING SAID WESTERLY LINE, NORTH 89°20'54" EAST, A DISTANCE OF 1,091.10 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF TWENTY MILE ROAD, AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED FEBRUARY 12, 1999, IN BOOK 1668, PAGE 50, IN THE OFFICE THE CLERK AND RECORDER OF SAID COUNTY; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 77°50'17" EAST, A DISTANCE OF 466.50 FEET TO THE NORTHWESTERLY CORNER OF TRACT B, FLATACRES MARKETCENTER, PER PLAT RECORDED OCTOBER 25, 2002 AT RECEPTION NO. 2002112467, IN SAID OFFICE OF THE CLERK AND RECORDER; THENCE ALONG THE WESTERLY, SOUTHERLY AND NORTHERLY BOUNDARY OF SAID TRACT B THE FOLLOWING 15 COURSES:

- 1) SOUTH 12°09'43" WEST, A DISTANCE OF 141.39 FEET;
- 2) SOUTH 77°50'17" EAST, A DISTANCE OF 103.64 FEET;
- 3) SOUTH 12°09'26" WEST, A DISTANCE OF 190.51 FEET;
- 4) SOUTH 77°50'34" EAST, A DISTANCE OF 59.58 FEET;
- 5) SOUTH 00°26'44" EAST, A DISTANCE OF 554.32 FEET;
- 6) SOUTH 89°34'32" WEST, A DISTANCE OF 188.02 FEET;
- 7) NORTH 70°20'27" WEST, A DISTANCE OF 116.48 FEET;
- 8) SOUTH 89°33'42" WEST, A DISTANCE OF 444.37 FEET;
- 9) NORTH 49°20'42" WEST, A DISTANCE OF 163.19 FEET;
- 10) SOUTH 40°39'18" WEST A DISTANCE OF 112.51 FEET;
- 11) SOUTH 49°20'42" EAST, A DISTANCE OF 30.00 FEET;
- 12) NORTH 40°39'18" EAST, A DISTANCE OF 82.51 FEET;
- 13) SOUTH 49°20'42" EAST, A DISTANCE OF 250.94 FEET;
- 14) NORTH 89°33'42" EAST, A DISTANCE OF 385.67 FEET;
- 15) SOUTH 01°20'26" EAST, A DISTANCE OF 40.07 FEET TO THE SOUTHERLY LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°33'16" WEST, A DISTANCE OF 1,343.96 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1,681,753 SQ. FT. OR 38.608 ACRES, MORE OR LESS.

GENERAL NOTES

1. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR NORTH 00°35'20" WEST.
2. DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.
3. THIS ZONING MAP WAS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE IN DOUGLAS COUNTY, COLORADO, TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.
4. THIS ZONING MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PLANNING COMMISSION CERTIFICATE

THIS ZONING MAP WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING HELD ON _____.

COMMUNITY DEVELOPMENT DIRECTOR ON BEHALF OF THE PLANNING COMMISSION

TOWN COUNCIL ACCEPTANCE

THIS ZONING MAP WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THE ____ DAY OF _____, 2023, FOR THE PROPERTY DESCRIBED ABOVE. THE ZONING INFORMATION SHOWN HEREON WAS CONFIRMED WITH THE ADOPTION OF ORDINANCE NO. _____.

MAYOR, TOWN OF PARKER

ATTEST: TOWN CLERK

SURVEYOR'S CERTIFICATE

I, BRADY J. MOORHEAD, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING 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 ZONED IN THE TOWN OF PARKER.

BRADY J. MOORHEAD
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 38668
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.

NOTICE:
PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

I HEREBY CERTIFY THAT THIS ZONING MAP WAS FILED IN MY OFFICE ON THIS _____

DAY OF _____ 2023 A.D., AT _____ A.M./P.M. AND WAS

RECORDED AT RECEPTION NO. _____

COUNTY CLERK AND RECORDER

SCALE
1" = 100'

DATE
9/28/2023

BY

DATE

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

AZTEC
CONSULTANTS, INC.

POPE PROPERTY ZONING MAP
SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M.

PREPARED FOR
TOWN OF PARKER, PUBLIC WORKS DEPARTMENT
20120 EAST MAIN STREET, PARKER, CO 80138

SHEET
ONE

OF 1 SHEETS

24922-13

JOB NO.

ORDINANCE NO. 3.364, Series of 2023

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE POPE PROPERTY TO GD-GREATER DOWNTOWN DISTRICT, MARKET CENTER, PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE 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. Application has been made for zoning certain property described in attached **Exhibit A**, within the Town of Parker, Colorado (the “Property”), as GD-Greater Downtown District, pursuant to the Town of Parker Land Development Ordinance.
- b. 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.
- 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 contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for zoning the Property to GD-Greater Downtown District, as described in the Parker Land Development Ordinance.

Section 2. Zoning. The Property is hereby zoned GD-Greater Downtown District, Market Center. The uses permitted for the Property are specifically described in the GD-Greater Downtown District, Market Center.

Section 3. The Property Owner shall be permitted to continue the agricultural use on the Property that is the subject of this zoning ordinance, until such use is abandoned as provided by the Parker Municipal Code, as amended, or the Town’s approval of the first final plat for the development of the Property, whichever comes first.

Section 4. Amendment to Zoning Ordinance and Zoning Map. The Zoning Ordinance and Zoning Map for the Town are hereby amended to conform with the zoning changes to the Property.

Section 5. No Vested Property Rights. 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 6. Legal Nonconforming Uses. Pursuant to Section 13.04.230 of the Parker Municipal Code, existing legal uses on the Property may continue so long as they comply with the provisions of the Code.

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 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 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. Effective Date. This Ordinance shall become effective upon the later to occur of: (i) the date that is ten (10) days after final publication; or (ii) the date the Annexation Ordinance for the Property goes into effect, whichever occurs last.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND BEING A PORTION OF QUITCLAIM DEED RECORDED IN BOOK 1647, AT PAGE 782 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT B, FLATACRES MARKETCENTER, RECORDED UNDER RECEPTION NO. 2002112467 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT B, SOUTH 89°33'16" WEST, A DISTANCE OF 350.47 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTHERLY BOUNDARY, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, SOUTH 89°33'16" WEST, A DISTANCE OF 652.26 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 54°00'24" EAST, A DISTANCE OF 107.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 762.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°39'28", AN ARC LENGTH OF 101.84 FEET TO THE SOUTHERLY BOUNDARY OF SAID TRACT B;

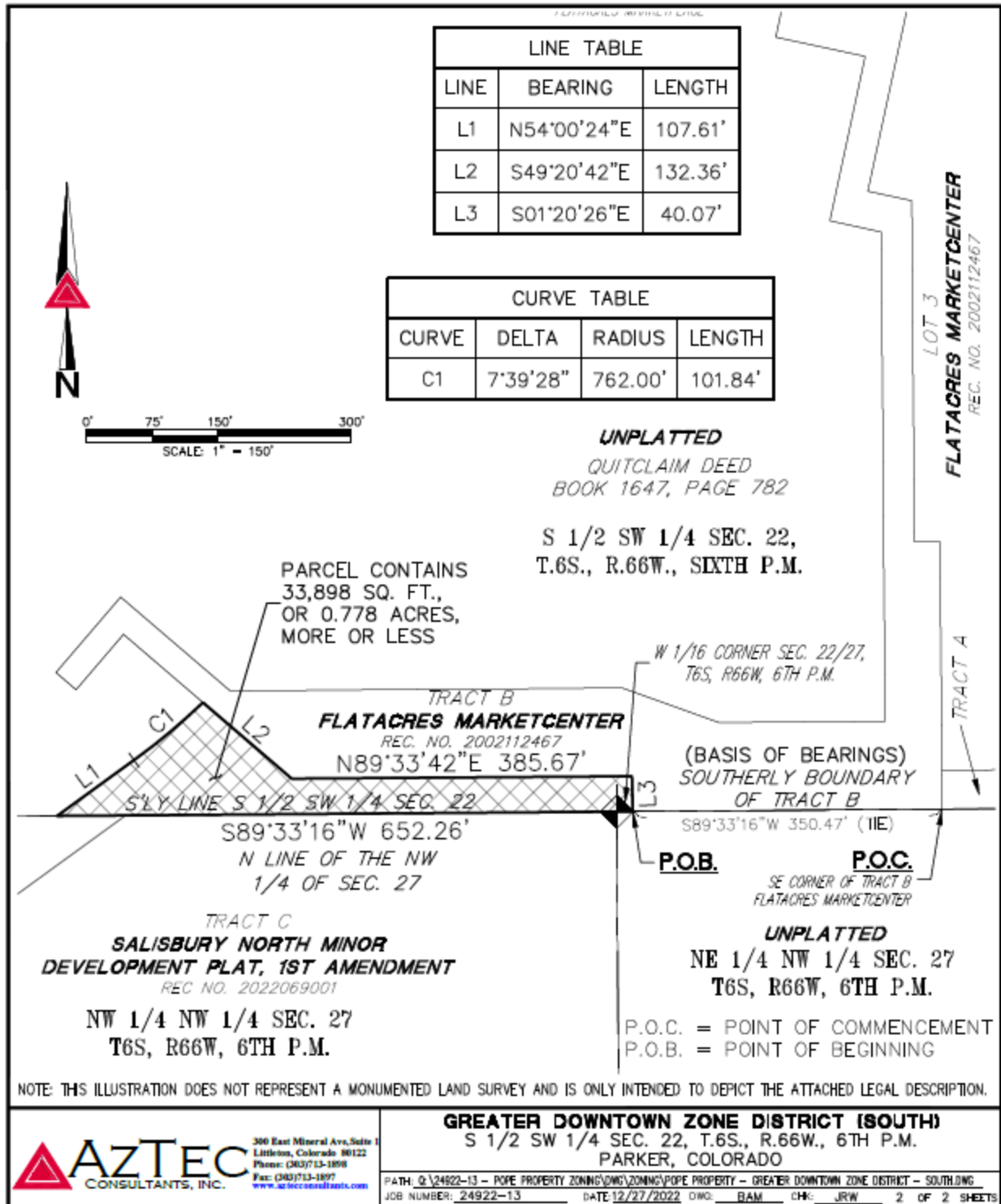
THENCE ALONG SAID SOUTHERLY BOUNDARY, THE FOLLOWING THREE (3) COURSES:

1. SOUTH 49°20'42" EAST, A DISTANCE OF 132.36 FEET;
2. NORTH 89°33'42" EAST, A DISTANCE OF 385.67 FEET;
3. SOUTH 01°20'26" EAST, A DISTANCE OF 40.07 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.778 ACRES, (33,898 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



A PARCEL OF LAND BEING A PORTION OF QUITCLAIM DEED RECORDED IN BOOK 1647, AT PAGE 782 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT B, FLATACRES MARKETPLACE, RECORDED UNDER RECEPTION NO. 2002112487 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE BOUNDARY OF SAID TRACT B, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 12°09'43" WEST, A DISTANCE OF 141.39 FEET;
2. SOUTH 77°50'17" EAST, A DISTANCE OF 103.64 FEET;
3. SOUTH 12°09'26" WEST, A DISTANCE OF 190.51 FEET;
4. SOUTH 77°50'34" EAST, A DISTANCE OF 59.58 FEET;
5. SOUTH 00°26'44" EAST, A DISTANCE OF 554.32 FEET;
6. SOUTH 89°34'32" WEST, A DISTANCE OF 188.02 FEET;
7. NORTH 70°20'27" WEST, A DISTANCE OF 116.48 FEET;
8. SOUTH 89°33'42" WEST, A DISTANCE OF 444.37 FEET;
9. NORTH 49°20'42" WEST, A DISTANCE OF 12.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 762.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 45°54'50" WEST;

THENCE DEPARTING THE BOUNDARY OF SAID TRACT B, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°04'45", AN ARC LENGTH OF 426.64 FEET;

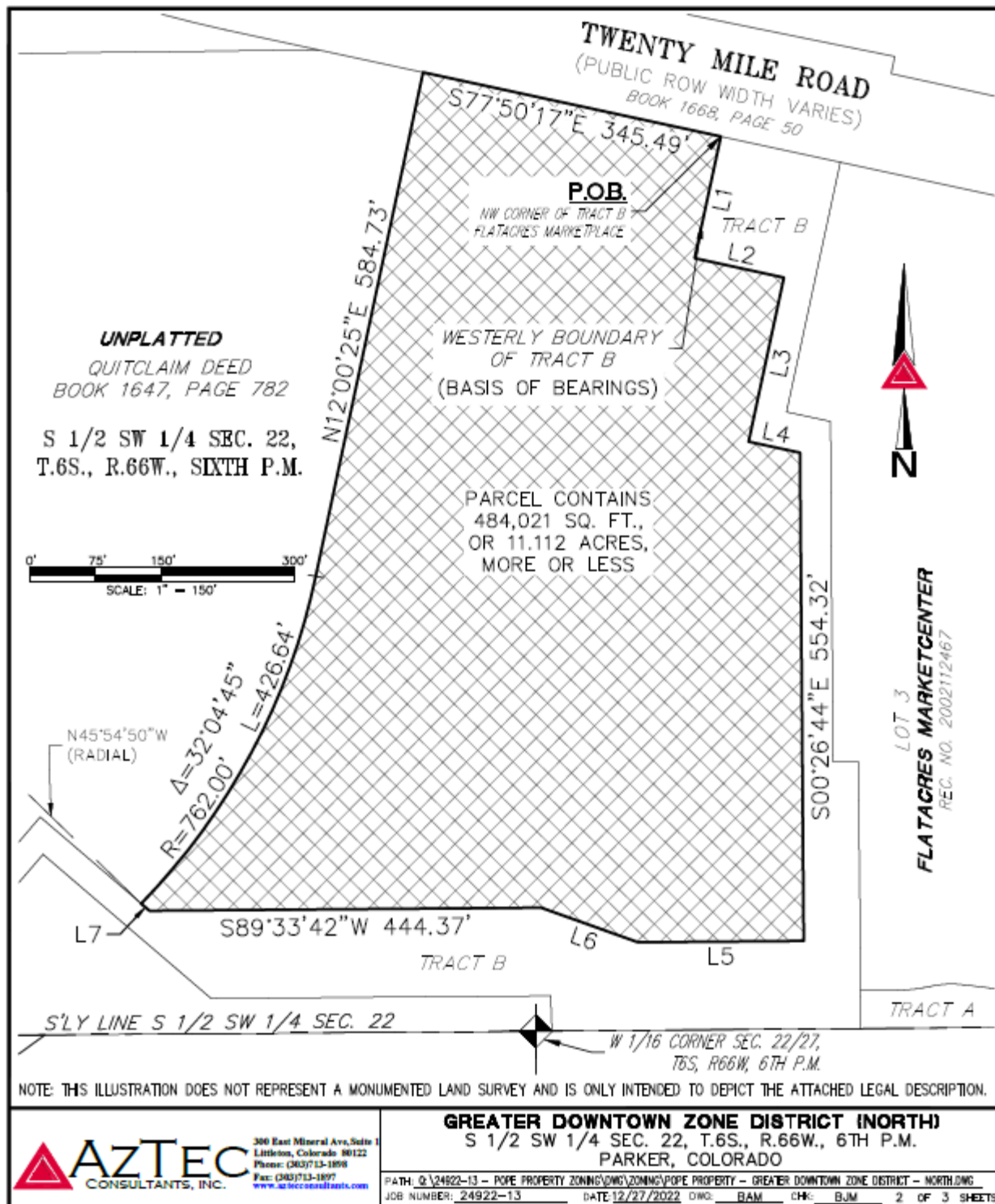
THENCE TANGENT TO SAID CURVE, NORTH 12°00'25" EAST, A DISTANCE OF 584.73 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF TWENTY MILE ROAD RECORDED IN BOOK 1688 AT PAGE 50, IN SAID OFFICIAL RECORDS;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 77°50'17" EAST, A DISTANCE OF 345.49 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 11.112 ACRES, (484,021 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



LINE TABLE		
LINE	BEARING	LENGTH
L1	S12°09'43"W	141.39'
L2	S77°50'17"E	103.64'
L3	S12°09'26"W	190.51'
L4	S77°50'34"E	59.58'
L5	S89°34'32"W	188.02'
L6	N70°20'27"W	116.48'
L7	N49°20'42"W	12.22'

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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

GREATER DOWNTOWN ZONE DISTRICT (NORTH)
S 1/2 SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M.
PARKER, COLORADO

PATH: Q:\24922-13 - POPE PROPERTY ZONING\DWG\ZONING\POPE PROPERTY - GREATER DOWNTOWN ZONE DISTRICT - NORTH.DWG
JOB NUMBER: 24922-13 DATE: 12/27/2022 DWG: B.A.M. CHK: B.J.M. 3 OF 3 SHEETS

A PARCEL OF LAND BEING A PORTION OF QUITCLAIM DEED RECORDED IN BOOK 1647, AT PAGE 782 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22, WHENCE THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER BEARS NORTH 00°35'20" WEST, A DISTANCE OF 1,321.71 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO; THENCE ALONG SAID WEST LINE, NORTH 00°35'20" WEST, A DISTANCE OF 1,111.71 FEET TO THE NORTH BOUNDARY OF SAID QUITCLAIM DEED; THENCE DEPARTING SAID WEST LINE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°20'54" EAST, A DISTANCE OF 1,023.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°20'54" EAST, A DISTANCE OF 67.28 FEET; THENCE SOUTH 77°50'17" EAST, A DISTANCE OF 121.01 FEET; THENCE SOUTH 12°00'25" WEST, A DISTANCE OF 584.73 FEET; THENCE NORTH 80°15'04" WEST, A DISTANCE OF 45.04 FEET; THENCE NORTH 31°25'17" WEST, A DISTANCE OF 26.74 FEET; THENCE NORTH 77°59'35" WEST, A DISTANCE OF 11.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 60.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'02", AN ARC LENGTH OF 94.23 FEET; THENCE TANGENT TO SAID CURVE, NORTH 11°59'26" EAST, A DISTANCE OF 31.54 FEET; THENCE NORTH 89°59'35" WEST, A DISTANCE OF 110.85 FEET; THENCE SOUTH 63°56'40" WEST, A DISTANCE OF 88.81 FEET; THENCE SOUTH 25°33'53" WEST, A DISTANCE OF 180.11 FEET; THENCE NORTH 07°16'39" WEST, A DISTANCE OF 21.04 FEET; THENCE NORTH 38°18'09" WEST, A DISTANCE OF 19.94 FEET; THENCE NORTH 34°58'59" WEST, A DISTANCE OF 27.29 FEET; THENCE NORTH 33°34'31" WEST, A DISTANCE OF 33.18 FEET; THENCE NORTH 53°15'13" WEST, A DISTANCE OF 24.29 FEET; THENCE NORTH 47°31'51" WEST, A DISTANCE OF 44.14 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 19.97 FEET; THENCE NORTH 16°53'06" EAST, A DISTANCE OF 37.66 FEET; THENCE NORTH 15°33'17" WEST, A DISTANCE OF 16.46 FEET; THENCE NORTH 26°38'17" WEST, A DISTANCE OF 9.11 FEET; THENCE NORTH 36°48'12" WEST, A DISTANCE OF 19.91 FEET; THENCE NORTH 44°19'57" WEST, A DISTANCE OF 44.82 FEET; THENCE NORTH 04°51'50" WEST, A DISTANCE OF 47.38 FEET; THENCE NORTH 11°06'34" EAST, A DISTANCE OF 8.96 FEET; THENCE NORTH 19°00'01" EAST, A DISTANCE OF 6.35 FEET; THENCE NORTH 07°19'39" EAST, A DISTANCE OF 28.06 FEET; THENCE NORTH 18°32'17" EAST, A DISTANCE OF 6.50 FEET; THENCE NORTH 54°17'03" EAST, A DISTANCE OF 9.56 FEET; THENCE NORTH 14°33'55" EAST, A DISTANCE OF 8.70 FEET; THENCE NORTH 26°34'14" WEST, A DISTANCE OF 9.08 FEET; THENCE NORTH 03°14'33" WEST, A DISTANCE OF 37.55 FEET; THENCE NORTH 29°35'17" WEST, A DISTANCE OF 28.15 FEET; THENCE NORTH 87°27'37" WEST, A DISTANCE OF 31.50 FEET; THENCE NORTH 34°34'12" WEST, A DISTANCE OF 11.73 FEET; THENCE NORTH 45°17'46" EAST, A DISTANCE OF 22.23 FEET; THENCE NORTH 54°08'51" EAST, A DISTANCE OF 15.56 FEET; THENCE NORTH 75°12'36" EAST, A DISTANCE OF 63.59 FEET; THENCE NORTH 80°03'55" EAST, A DISTANCE OF 19.01 FEET;

Page 1 of 6
8/30/2023

Q:\24922-13 - Pope Property Zoning\Legals\2023-08-30 Pope Property - Greater Downtown Market Center District.docx

THENCE NORTH 85°21'24" EAST, A DISTANCE OF 29.30 FEET;
THENCE NORTH 77°13'05" EAST, A DISTANCE OF 18.57 FEET;
THENCE NORTH 80°08'19" EAST, A DISTANCE OF 79.28 FEET;
THENCE NORTH 72°03'43" EAST, A DISTANCE OF 14.70 FEET;
THENCE NORTH 81°32'10" EAST, A DISTANCE OF 11.90 FEET;
THENCE NORTH 75°03'15" EAST, A DISTANCE OF 56.15 FEET;
THENCE NORTH 77°16'31" EAST, A DISTANCE OF 18.21 FEET;
THENCE NORTH 30°35'46" EAST, A DISTANCE OF 11.34 FEET;
THENCE NORTH 65°19'54" EAST, A DISTANCE OF 21.47 FEET;
THENCE SOUTH 76°50'22" EAST, A DISTANCE OF 29.49 FEET;
THENCE NORTH 71°49'14" EAST, A DISTANCE OF 31.26 FEET;
THENCE NORTH 80°06'23" EAST, A DISTANCE OF 16.80 FEET;
THENCE NORTH 76°44'00" EAST, A DISTANCE OF 75.74 FEET;
THENCE NORTH 65°53'45" EAST, A DISTANCE OF 47.23 FEET;
THENCE NORTH 62°45'14" EAST, A DISTANCE OF 23.70 FEET;
THENCE NORTH 10°34'09" EAST, A DISTANCE OF 4.89 FEET;
THENCE NORTH 48°11'46" EAST, A DISTANCE OF 5.00 FEET;
THENCE NORTH 16°10'03" EAST, A DISTANCE OF 27.20 FEET;
THENCE NORTH 04°29'17" WEST, A DISTANCE OF 5.30 FEET;
THENCE NORTH 60°53'44" WEST, A DISTANCE OF 8.31 FEET;
THENCE NORTH 83°59'12" WEST, A DISTANCE OF 75.49 FEET;
THENCE NORTH 66°54'59" WEST, A DISTANCE OF 1.52 FEET TO THE POINT OF BEGINNING.

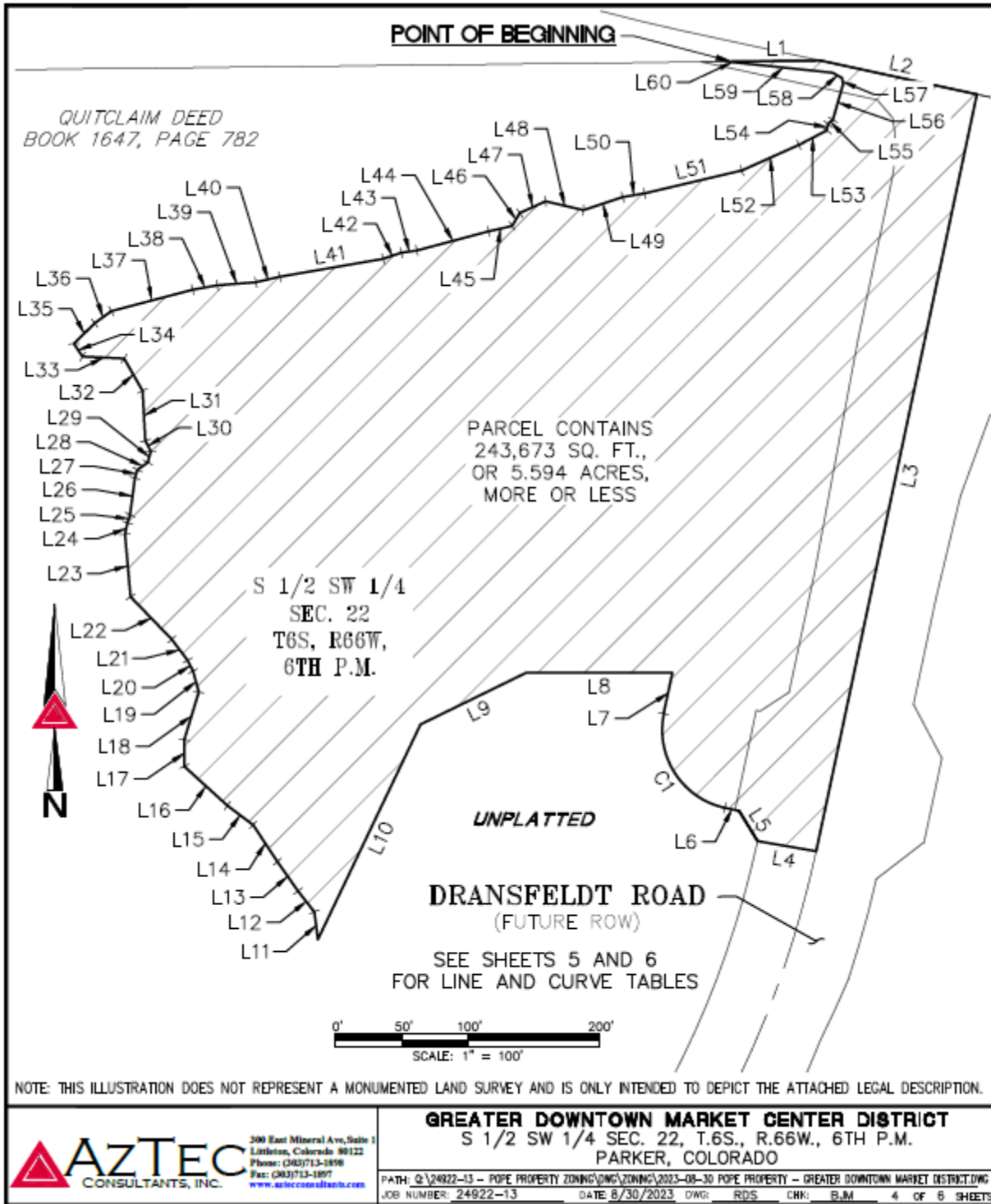
CONTAINING AN AREA OF 5.594 ACRES, (243,673 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

Page 2 of 6
8/30/2023

Q:\24922-13 - Pope Property Zoning\Legals\2023-08-30 Pope Property - Greater Downtown Market Center District.docx



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°20'54"E	67.28'
L2	S77°50'17"E	121.01'
L3	S12°00'25"W	584.73'
L4	N80°15'04"W	45.04'
L5	S31°25'17"E	26.74'
L6	N77°59'35"W	11.11'
L7	N11°59'26"E	31.54'
L8	N89°59'35"W	110.85'
L9	S63°56'40"W	88.81'
L10	S25°33'53"W	180.11'
L11	N07°16'39"W	21.04'
L12	N38°18'09"W	19.94'
L13	N34°58'59"W	27.29'
L14	N33°34'31"W	33.18'
L15	N53°15'13"W	24.29'

LINE TABLE		
LINE	BEARING	LENGTH
L16	N47°31'51"W	44.14'
L17	N00°00'00"E	19.97'
L18	N16°53'06"E	37.66'
L19	N15°33'17"W	16.46'
L20	N26°38'17"W	9.11'
L21	N36°48'12"W	19.91'
L22	N44°19'57"W	44.82'
L23	N04°51'50"W	47.38'
L24	N11°06'34"E	8.96'
L25	N19°00'01"E	6.35'
L26	N07°19'39"E	28.06'
L27	N18°32'17"E	6.50'
L28	N54°17'03"E	9.56'
L29	N14°33'55"E	8.70'
L30	N26°34'14"W	9.08'

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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

GREATER DOWNTOWN MARKET CENTER DISTRICT
S 1/2 SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M.
PARKER, COLORADO

PATH: Q:\24922-13 - POPE PROPERTY ZONING\DWG\ZONING\2023-08-30 POPE PROPERTY - GREATER DOWNTOWN MARKET DISTRICT.DWG
JOB NUMBER: 24922-13 DATE: 8/30/2023 DWG: RDS CHK: BJM 5 OF 6 SHEETS

LINE TABLE		
LINE	BEARING	LENGTH
L31	N03°14'33"W	37.55'
L32	N29°35'17"W	28.15'
L33	N87°27'37"W	31.50'
L34	N34°34'12"W	11.73'
L35	N45°17'46"E	22.23'
L36	N54°08'51"E	15.56'
L37	N75°12'36"E	63.59'
L38	N80°03'55"E	19.01'
L39	N85°21'24"E	29.30'
L40	N77°13'05"E	18.57'
L41	N80°08'19"E	79.28'
L42	N72°03'43"E	14.70'
L43	N81°32'10"E	11.90'
L44	N75°03'15"E	56.15'
L45	N77°16'31"E	18.21'

LINE TABLE		
LINE	BEARING	LENGTH
L46	N30°35'46"E	11.34'
L47	N65°19'54"E	21.47'
L48	S76°50'22"E	29.49'
L49	N71°49'14"E	31.26'
L50	N80°06'23"E	16.80'
L51	N76°44'00"E	75.74'
L52	N65°53'45"E	47.23'
L53	N62°45'14"E	23.70'
L54	N10°34'09"E	4.89'
L55	N48°11'46"E	5.00'
L56	N16°10'03"E	27.20'
L57	N04°29'17"W	5.30'
L58	N60°53'44"W	8.31'
L59	N83°59'12"W	75.49'
L60	N66°54'59"W	1.52'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	89°59'02"	60.00'	94.23'

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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GREATER DOWNTOWN MARKET CENTER DISTRICT
S 1/2 SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M.
PARKER, COLORADO

PATH: Q:\24922-13 - POPE PROPERTY ZONING\DWG\ZONING\2023-08-30 POPE PROPERTY - GREATER DOWNTOWN MARKET DISTRICT.DWG
JOB NUMBER: 24922-13 DATE: 8/30/2023 DWG: RDS CHK: BJM 6 OF 6 SHEETS

ORDINANCE NO. 3.365, Series of 2023

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE POPE PROPERTY TO A-AGRICULTURAL DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE 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. Finding of Fact.

a. Application has been made for zoning certain property described in attached **Exhibit A**, within the Town of Parker, Colorado (the “Property”), as A-Agricultural District, pursuant to the Town of Parker Land Development Ordinance.

b. 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.

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 contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for zoning the Property to A-Agricultural District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby zoned A-Agricultural District. The uses permitted for the Property are specifically described in the Parker Land Development Ordinance.

Section 3. The Zoning Ordinance and Zoning Map for the Town are hereby amended to conform with the zoning changes 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 upon the later to occur of: (i) the date that is ten (10) days after final publication; or (ii) the date the Annexation Ordinance for the Property goes into effect, whichever occurs last.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF TRACT B, FLATACRES MARKETCENTER RECORDED UNDER RECEPTION NO. 2002112467 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT B, THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 48°54'15" EAST, A DISTANCE OF 30.00 FEET;
2. NORTH 41°05'45" EAST, A DISTANCE OF 42.39 FEET TO THE POINT OF BEGINNING;
3. CONTINUING, NORTH 41°05'45" EAST, A DISTANCE OF 40.12 FEET;
4. SOUTH 48°54'15" EAST, A DISTANCE OF 118.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 762.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 43°12'06" WEST;

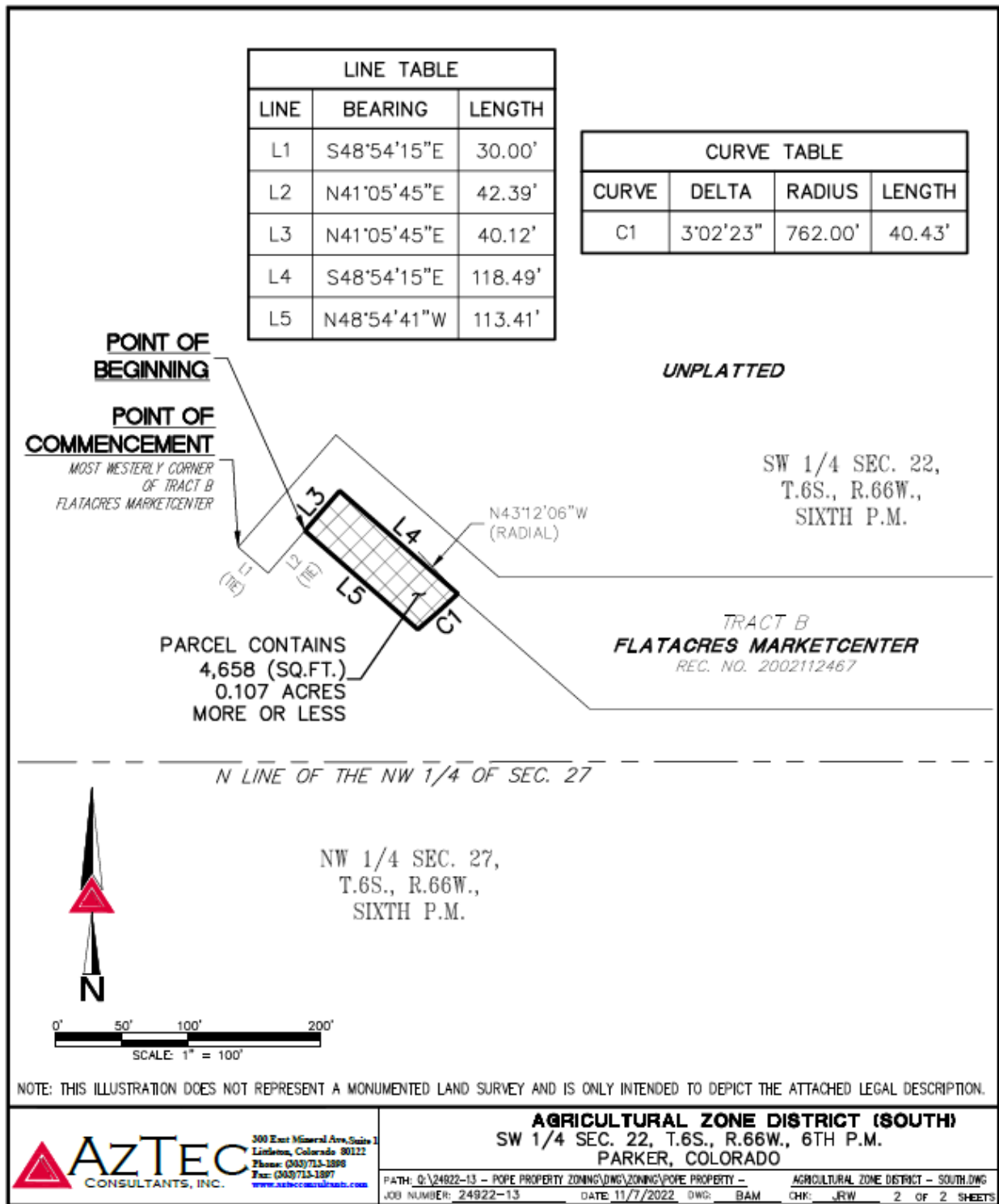
THENCE DEPARTING SAID SOUTHERLY BOUNDARY, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°02'23", AN ARC LENGTH OF 40.43 FEET;

THENCE NORTH 48°54'41" WEST, A DISTANCE OF 113.41 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.107 ACRES, (4,658 SQUARE FEET), MORE OR LESS

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



A PARCEL OF LAND BEING A PORTION OF QUITCLAIM DEED RECORDED IN BOOK 1647, AT PAGE 782 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22, WHENCE THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER BEARS NORTH 00°35'20" WEST, A DISTANCE OF 1,321.71 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE ALONG SAID WEST LINE, NORTH 00°35'20" WEST, A DISTANCE OF 1,111.71 FEET TO THE NORTH BOUNDARY OF SAID QUITCLAIM DEED;

THENCE DEPARTING SAID WEST LINE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°20'54" EAST, A DISTANCE OF 157.19 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY BOUNDARY, NORTH 89°20'54" EAST, A DISTANCE OF 866.63 FEET;

THENCE DEPARTING SAID NORTHERLY BOUNDARY, SOUTH 66°54'59" EAST, A DISTANCE OF 1.52 FEET;

THENCE SOUTH 83°59'12" EAST, A DISTANCE OF 75.49 FEET;

THENCE SOUTH 60°53'44" EAST, A DISTANCE OF 8.31 FEET;

THENCE SOUTH 04°29'17" EAST, A DISTANCE OF 5.30 FEET;

THENCE SOUTH 16°10'03" WEST, A DISTANCE OF 27.20 FEET;

THENCE SOUTH 48°11'46" WEST, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 10°34'09" WEST, A DISTANCE OF 4.89 FEET;

THENCE SOUTH 62°45'14" WEST, A DISTANCE OF 23.70 FEET;

THENCE SOUTH 65°53'45" WEST, A DISTANCE OF 47.23 FEET;

THENCE SOUTH 76°44'00" WEST, A DISTANCE OF 75.74 FEET;

THENCE SOUTH 80°06'23" WEST, A DISTANCE OF 16.80 FEET;

THENCE SOUTH 71°49'14" WEST, A DISTANCE OF 31.26 FEET;

THENCE NORTH 76°50'22" WEST, A DISTANCE OF 29.49 FEET;

THENCE SOUTH 65°19'54" WEST, A DISTANCE OF 21.47 FEET;

THENCE SOUTH 30°35'46" WEST, A DISTANCE OF 11.34 FEET;

THENCE SOUTH 77°16'31" WEST, A DISTANCE OF 18.21 FEET;

THENCE SOUTH 75°03'15" WEST, A DISTANCE OF 56.15 FEET;

Page 1 of 7
10/12/2023

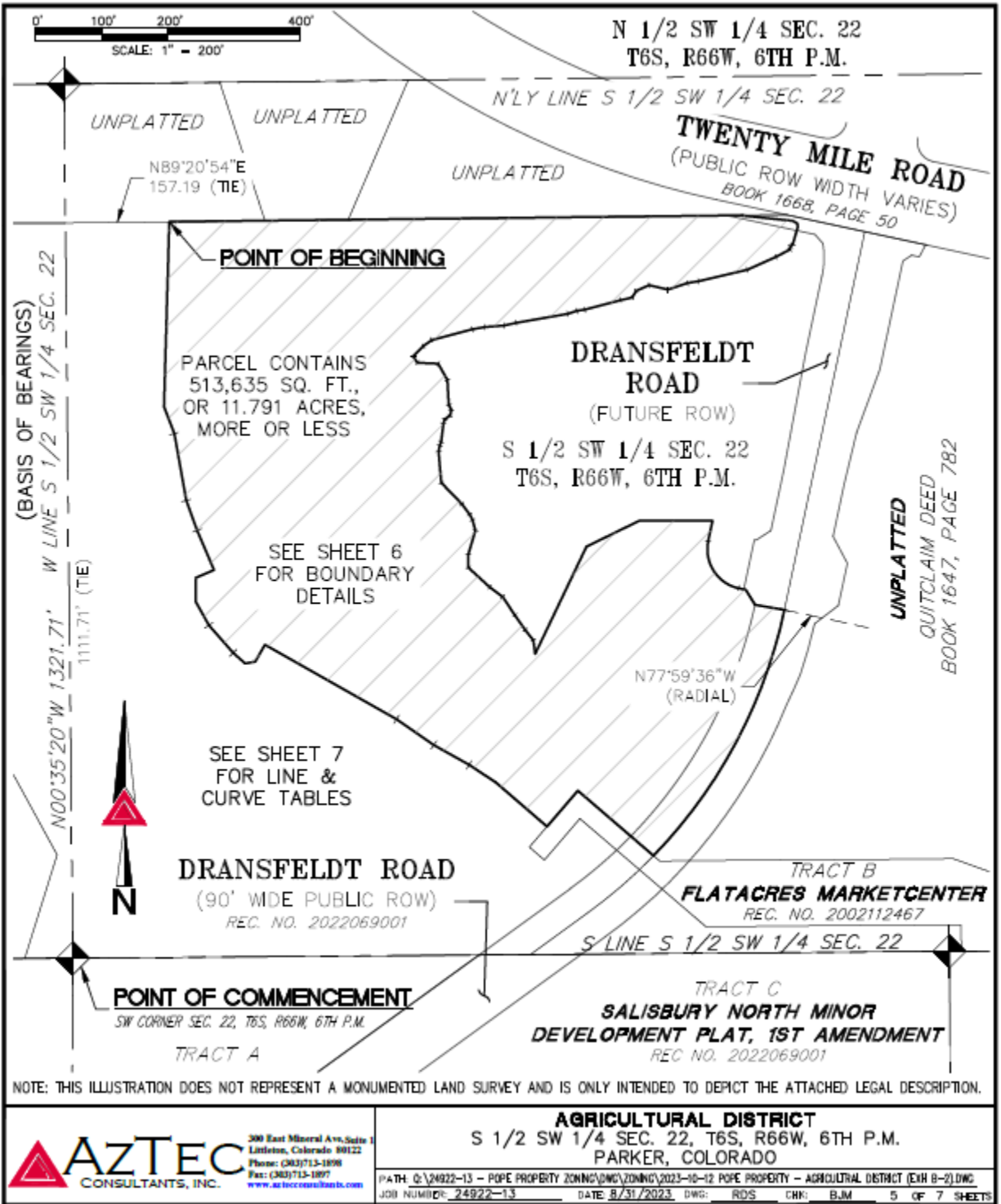
Q:\24922-13 - Pope Property Zoning\Legals\2023-10-12 Pope Property - Agricultural District (Exh B-2).docx

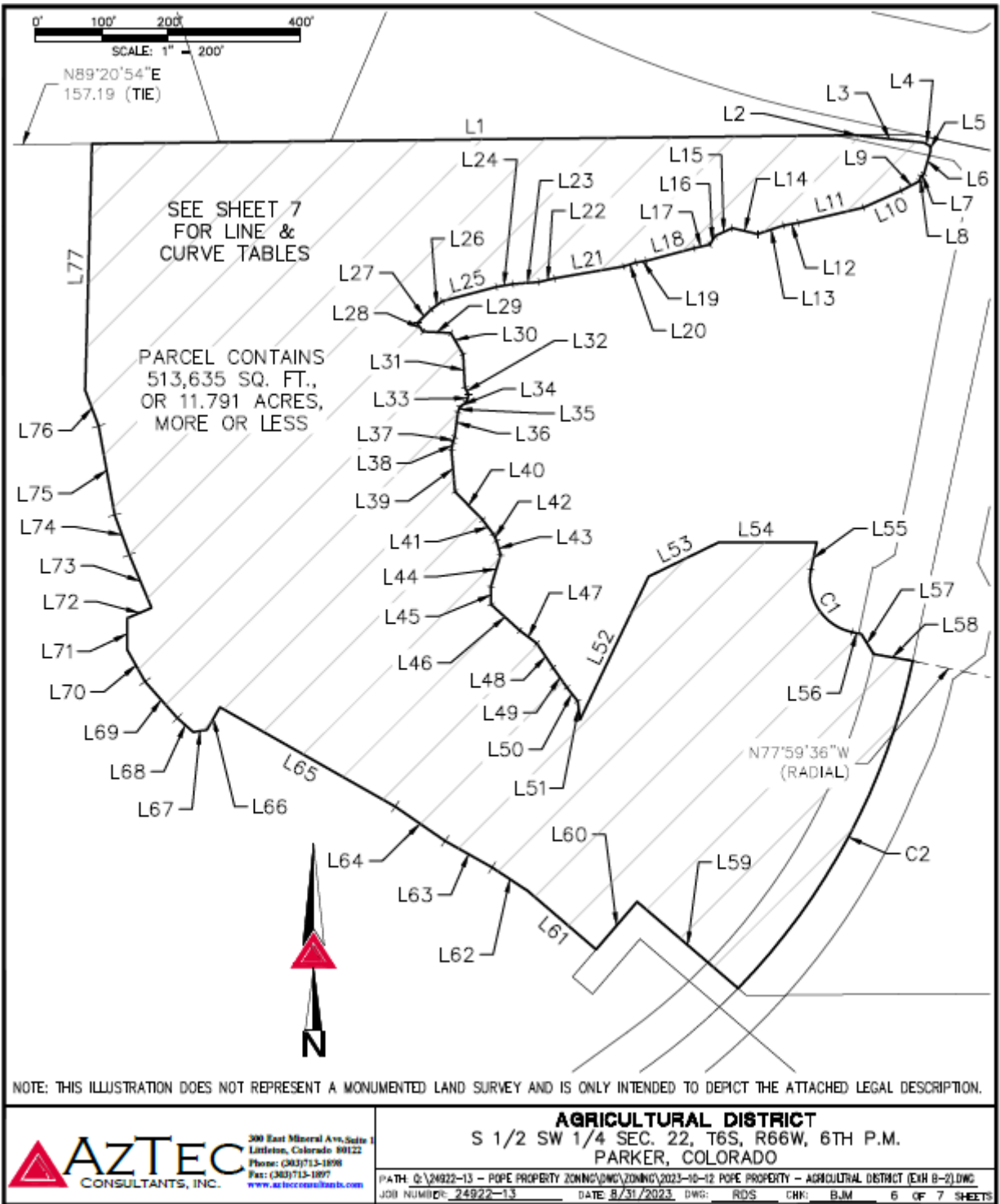
THENCE SOUTH 81°32'10" WEST, A DISTANCE OF 11.90 FEET;
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THENCE SOUTH 80°08'19" WEST, A DISTANCE OF 79.28 FEET;
THENCE SOUTH 77°13'05" WEST, A DISTANCE OF 18.57 FEET;
THENCE SOUTH 85°21'24" WEST, A DISTANCE OF 29.30 FEET;
THENCE SOUTH 80°03'55" WEST, A DISTANCE OF 19.01 FEET;
THENCE SOUTH 75°12'36" WEST, A DISTANCE OF 63.59 FEET;
THENCE SOUTH 54°08'51" WEST, A DISTANCE OF 15.56 FEET;
THENCE SOUTH 45°17'46" WEST, A DISTANCE OF 22.23 FEET;
THENCE SOUTH 34°34'12" EAST, A DISTANCE OF 11.73 FEET;
THENCE SOUTH 87°27'37" EAST, A DISTANCE OF 31.50 FEET;
THENCE SOUTH 29°35'17" EAST, A DISTANCE OF 28.15 FEET;
THENCE SOUTH 03°14'33" EAST, A DISTANCE OF 37.55 FEET;
THENCE SOUTH 26°34'14" EAST, A DISTANCE OF 9.08 FEET;
THENCE SOUTH 14°33'55" WEST, A DISTANCE OF 8.70 FEET;
THENCE SOUTH 54°17'03" WEST, A DISTANCE OF 9.56 FEET;
THENCE SOUTH 18°32'17" WEST, A DISTANCE OF 6.50 FEET;
THENCE SOUTH 07°19'39" WEST, A DISTANCE OF 28.06 FEET;
THENCE SOUTH 19°00'01" WEST, A DISTANCE OF 6.35 FEET;
THENCE SOUTH 11°06'34" WEST, A DISTANCE OF 8.96 FEET;
THENCE SOUTH 04°51'50" EAST, A DISTANCE OF 47.38 FEET;
THENCE SOUTH 44°19'57" EAST, A DISTANCE OF 44.82 FEET;
THENCE SOUTH 36°48'12" EAST, A DISTANCE OF 19.91 FEET;
THENCE SOUTH 26°38'17" EAST, A DISTANCE OF 9.11 FEET;
THENCE SOUTH 15°33'17" EAST, A DISTANCE OF 16.46 FEET;
THENCE SOUTH 16°53'06" WEST, A DISTANCE OF 37.66 FEET;
THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 19.97 FEET;
THENCE SOUTH 47°31'51" EAST, A DISTANCE OF 44.14 FEET;

THENCE SOUTH 53°15'13" EAST, A DISTANCE OF 24.29 FEET;
 THENCE SOUTH 33°34'31" EAST, A DISTANCE OF 33.18 FEET;
 THENCE SOUTH 34°58'59" EAST, A DISTANCE OF 27.29 FEET;
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 THENCE SOUTH 07°16'39" EAST, A DISTANCE OF 21.04 FEET;
 THENCE NORTH 25°33'53" EAST, A DISTANCE OF 180.11 FEET;
 THENCE NORTH 63°56'40" EAST, A DISTANCE OF 88.81 FEET;
 THENCE SOUTH 89°59'35" EAST, A DISTANCE OF 110.85 FEET;
 THENCE SOUTH 11°59'26" WEST, A DISTANCE OF 31.54 FEET TO THE BEGINNING OF A
 TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 60.00 FEET;
 THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'02", AN
 ARC LENGTH OF 94.23 FEET;
 THENCE TANGENT TO SAID CURVE, SOUTH 77°59'35" EAST, A DISTANCE OF 11.11 FEET;
 THENCE SOUTH 31°25'17" EAST, A DISTANCE OF 26.74 FEET;
 THENCE SOUTH 80°15'04" EAST, A DISTANCE OF 45.04 FEET TO THE BEGINNING OF A NON-
 TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 762.00 FEET, THE RADIUS
 POINT OF SAID CURVE BEARS NORTH 77°59'36" WEST;
 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°04'45", AN
 ARC LENGTH OF 426.64 FEET;
 THENCE NON-TANGENT TO SAID CURVE, NORTH 49°20'42" WEST, A DISTANCE OF 150.97 FEET;
 THENCE SOUTH 40°39'18" WEST, A DISTANCE OF 71.50 FEET;
 THENCE NORTH 49°20'44" WEST, A DISTANCE OF 101.94 FEET;
 THENCE NORTH 56°33'48" WEST, A DISTANCE OF 48.55 FEET;
 THENCE NORTH 60°42'24" WEST, A DISTANCE OF 61.27 FEET;
 THENCE NORTH 55°19'03" WEST, A DISTANCE OF 68.53 FEET;
 THENCE NORTH 60°26'15" WEST, A DISTANCE OF 228.69 FEET;
 THENCE SOUTH 29°33'45" WEST, A DISTANCE OF 29.75 FEET;
 THENCE SOUTH 80°59'47" WEST, A DISTANCE OF 15.59 FEET;
 THENCE NORTH 48°26'33" WEST, A DISTANCE OF 24.08 FEET;
 THENCE NORTH 41°33'07" WEST, A DISTANCE OF 55.45 FEET;
 THENCE NORTH 29°13'07" WEST, A DISTANCE OF 41.70 FEET;

THENCE NORTH 00°02'03" EAST, A DISTANCE OF 35.43 FEET;
THENCE NORTH 67°09'40" EAST, A DISTANCE OF 30.31 FEET;
THENCE NORTH 22°50'20" WEST, A DISTANCE OF 65.31 FEET;
THENCE NORTH 20°11'48" WEST, A DISTANCE OF 48.10 FEET;
THENCE NORTH 10°06'52" WEST, A DISTANCE OF 102.72 FEET;
THENCE NORTH 20°52'20" WEST, A DISTANCE OF 43.42 FEET;
THENCE NORTH 01°37'21" EAST, A DISTANCE OF 279.70 FEET TO THE POINT OF BEGINNING.
CONTAINING AN AREA OF 11.791 ACRES, (513,635 SQUARE FEET), MORE OR LESS.
ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122





LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N89°20'54"E	866.63'	L29	N87°27'37"W	31.50'	L57	S31°25'17"E	26.74'
L2	N66°54'59"W	1.52'	L30	N29°35'17"W	28.15'	L58	N80°15'04"W	45.04'
L3	N83°59'12"W	75.49'	L31	N03°14'33"W	37.55'	L59	N49°20'42"W	150.97'
L4	N60°53'44"W	8.31'	L32	N26°34'14"W	9.08'	L60	S40°39'18"W	71.50'
L5	N04°29'17"W	5.30'	L33	N14°33'55"E	8.70'	L61	N49°20'44"W	101.94'
L6	N16°10'03"E	27.20'	L34	N54°17'03"E	9.56'	L62	N56°33'48"W	48.55'
L7	N48°11'46"E	5.00'	L35	N18°32'17"E	6.50'	L63	N60°42'24"W	61.27'
L8	N10°34'09"E	4.89'	L36	N07°19'39"E	28.06'	L64	N55°19'03"W	68.53'
L9	N62°45'14"E	23.70'	L37	N19°00'01"E	6.35'	L65	N60°26'15"W	228.69'
L10	N65°53'45"E	47.23'	L38	N11°06'34"E	8.96'	L66	S29°33'45"W	29.75'
L11	N76°44'00"E	75.74'	L39	N04°51'50"W	47.38'	L67	S80°59'47"W	15.59'
L12	N80°06'23"E	16.80'	L40	N44°19'57"W	44.82'	L68	N48°26'33"W	24.08'
L13	N71°49'14"E	31.26'	L41	N36°48'12"W	19.91'	L69	N41°33'07"W	55.45'
L14	S76°50'22"E	29.49'	L42	N26°38'17"W	9.11'	L70	N29°13'07"W	41.70'
L15	N65°19'54"E	21.47'	L43	N15°33'17"W	16.46'	L71	N00°02'03"E	35.43'
L16	N30°35'46"E	11.34'	L44	N16°53'06"E	37.66'	L72	N67°09'40"E	30.31'
L17	N77°16'31"E	18.21'	L45	N00°00'00"E	19.97'	L73	N22°50'20"W	65.31'
L18	N75°03'15"E	56.15'	L46	N47°31'51"W	44.14'	L74	N20°11'48"W	48.10'
L19	N81°32'10"E	11.90'	L47	N53°15'13"W	24.29'	L75	N10°06'52"W	102.72'
L20	N72°03'43"E	14.70'	L48	N33°34'31"W	33.18'	L76	N20°52'20"W	43.42'
L21	N80°08'19"E	79.28'	L49	N34°58'59"W	27.29'	L77	N01°37'21"E	279.70'
L22	N77°13'05"E	18.57'	L50	N38°18'09"W	19.94'			
L23	N85°21'24"E	29.30'	L51	N07°16'39"W	21.04'			
L24	N80°03'55"E	19.01'	L52	S25°33'53"W	180.11'			
L25	N75°12'36"E	63.59'	L53	S63°56'40"W	88.81'			
L26	N54°08'51"E	15.56'	L54	N89°59'35"W	110.85'			
L27	N45°17'46"E	22.23'	L55	N11°59'26"E	31.54'			
L28	N34°34'12"W	11.73'	L56	N77°59'35"W	11.11'			

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	89°59'02"	60.00'	94.23'
C2	32°04'45"	762.00'	426.64'

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
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AGRICULTURAL DISTRICT
S 1/2 SW 1/4 SEC. 22, T6S, R66W, 6TH P.M.
PARKER, COLORADO

PATH: G:\24922-13 - POPE PROPERTY ZONING\DWG\ZONING\2023-10-12 POPE PROPERTY - AGRICULTURAL DISTRICT (EXH B-2).DWG
JOB NUMBER: 24922-13 DATE: 8/31/2023 DWG: RDS CHK: BJM 7 OF 7 SHEETS

ORDINANCE NO. 3.366, Series of 2023

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE POPE 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, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

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 (the “Property”), as OS-Open Space District, pursuant to the Town of Parker Land Development Ordinance.

b. 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.

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

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

e. The requirements contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for zoning the Property to OS-Open Space District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby zoned OS-Open Space District. The uses permitted for the Property are specifically described in the Parker Land Development Ordinance.

Section 3. The Zoning Ordinance and Zoning Map for the Town are hereby amended to conform with the zoning changes 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 upon the later to occur of: (i) the date that is ten (10) days after final publication; or (ii) the date the Annexation Ordinance for the Property goes into effect, whichever occurs last.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND BEING A PORTION OF QUITCLAIM DEED RECORDED IN BOOK 1647, AT PAGE 782 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 22, WHENCE THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER BEARS NORTH 89°35'20" WEST, A DISTANCE OF 1321.71 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE NORTH 00°35'20" WEST, A DISTANCE OF 1,111.71 FEET TO THE NORTH BOUNDARY OF SAID QUITCLAIM DEED;

THENCE DEPARTING SAID WEST LINE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°20'54" EAST, A DISTANCE OF 157.19 FEET;

THENCE DEPARTING SAID NORTH BOUNDARY, SOUTH 01°37'21" WEST, A DISTANCE OF 279.70 FEET;

THENCE SOUTH 20°52'20" EAST, A DISTANCE OF 43.42 FEET;

THENCE SOUTH 10°06'52" EAST, A DISTANCE OF 102.72 FEET;

THENCE SOUTH 20°11'48" EAST, A DISTANCE OF 48.10 FEET;

THENCE SOUTH 22°50'20" EAST, A DISTANCE OF 65.31 FEET;

THENCE SOUTH 67°09'40" WEST, A DISTANCE OF 30.31 FEET;

THENCE SOUTH 00°02'03" WEST, A DISTANCE OF 35.43 FEET;

THENCE SOUTH 29°13'07" EAST, A DISTANCE OF 41.70 FEET;

THENCE SOUTH 41°33'07" EAST, A DISTANCE OF 55.45 FEET;

THENCE SOUTH 48°26'33" EAST, A DISTANCE OF 24.08 FEET;

THENCE NORTH 80°59'47" EAST, A DISTANCE OF 15.59 FEET;

THENCE NORTH 29°33'45" EAST, A DISTANCE OF 29.75 FEET;

THENCE SOUTH 60°26'15" EAST, A DISTANCE OF 228.69 FEET;

THENCE SOUTH 55°19'03" EAST, A DISTANCE OF 68.53 FEET;

THENCE SOUTH 60°42'24" EAST, A DISTANCE OF 61.27 FEET;

THENCE SOUTH 56°33'48" EAST, A DISTANCE OF 48.55 FEET;

THENCE SOUTH 49°20'44" EAST, A DISTANCE OF 101.94 FEET TO THE NORTHWESTERLY BOUNDARY OF TRACT B, FLATACRES MARKETCENTER RECORDED UNDER RECEPTION NO. 2002112467, IN SAID OFFICIAL RECORDS;

THENCE ALONG THE BOUNDARY OF SAID TRACT B, THE FOLLOWING THREE (3) COURSES:

Q:\24922-13 - Pope Property Zoning\Legals\Pope Property - Open Space Zone District.docx
Page 1 of 4

THENCE SOUTH 40°39'18" WEST, A DISTANCE OF 41.01 FEET;

THENCE SOUTH 49°20'42" EAST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 40°39'18" EAST, A DISTANCE OF 41.01 FEET;

THENCE DEPARTING THE BOUNDARY OF SAID TRACT B, SOUTH 49°20'44" EAST, A DISTANCE OF 113.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 762.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 40°30'18" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°30'43", AN ARC LENGTH OF 60.01 FEET;

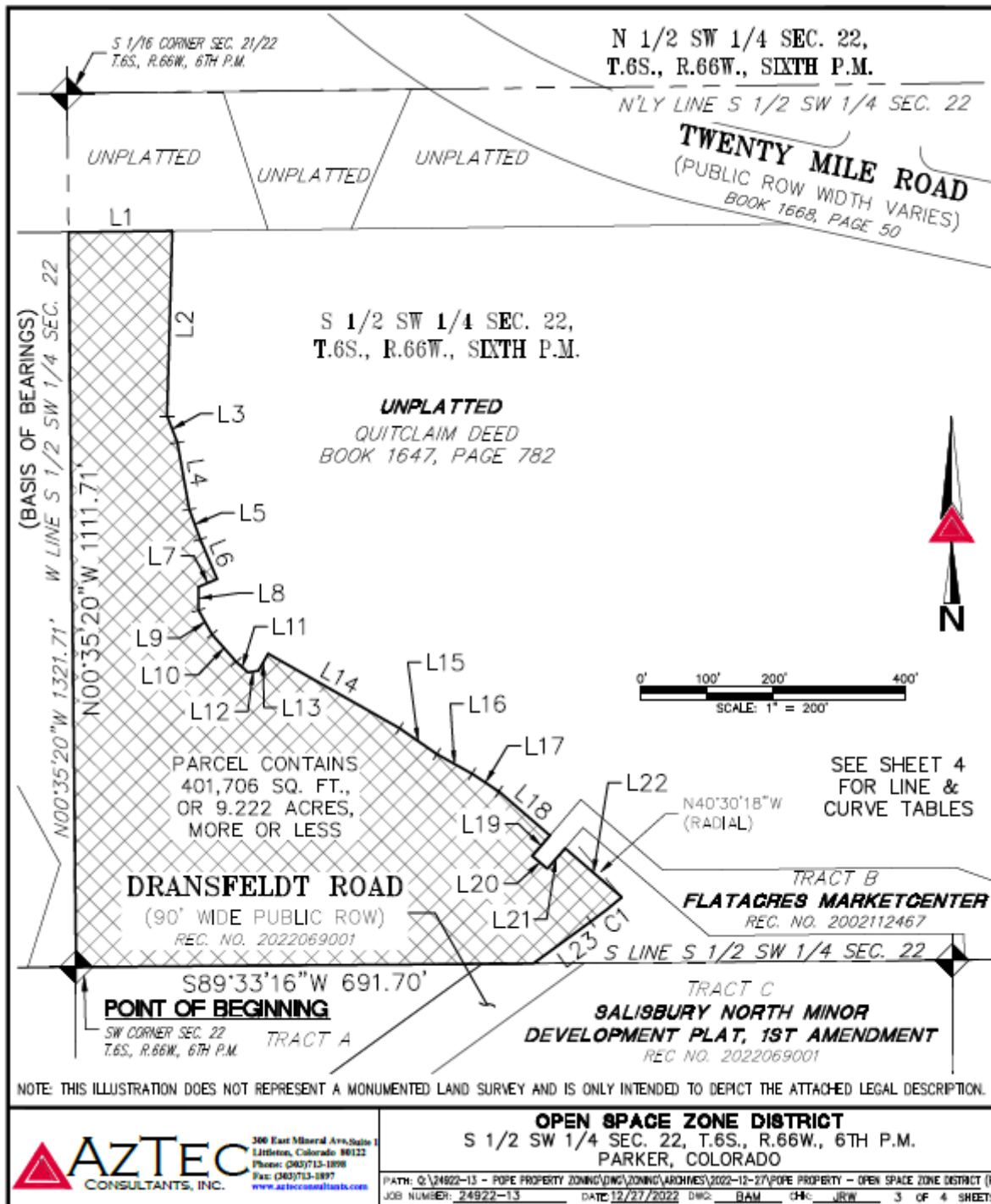
THENCE TANGENT TO SAID CURVE, SOUTH 54°00'25" WEST, A DISTANCE OF 107.61 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE ALONG SAID SOUTH LINE, SOUTH 89°33'16" WEST, A DISTANCE OF 691.70 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.222 ACRES, (401,706 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°20'54"E	157.19'
L2	S01°37'21"W	279.70'
L3	S20°52'20"E	43.42'
L4	S10°06'52"E	102.72'
L5	S20°11'48"E	48.10'
L6	S22°50'20"E	65.31'
L7	S67°09'40"W	30.31'
L8	S00°02'03"W	35.43'
L9	S29°13'07"E	41.70'
L10	S41°33'07"E	55.45'
L11	S48°26'33"E	24.08'
L12	N80°59'47"E	15.59'

LINE TABLE		
LINE	BEARING	LENGTH
L13	N29°33'45"E	29.75'
L14	S60°26'15"E	228.69'
L15	S55°19'03"E	68.53'
L16	S60°42'24"E	61.27'
L17	S56°33'48"E	48.55'
L18	S49°20'44"E	101.94'
L19	S40°39'18"W	41.01'
L20	S49°20'42"E	30.00'
L21	N40°39'18"E	41.01'
L22	S49°20'44"E	113.29'
L23	S54°00'25"W	107.61'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	4°30'43"	762.00'	60.01'

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

	OPEN SPACE ZONE DISTRICT S 1/2 SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M. PARKER, COLORADO		
	300 East Mineral Ave, Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com		
PATH: Q:\24822-13 - POPE PROPERTY ZONING\DWG\ZONING\ARCHIVES\2022-12-27\POPE PROPERTY - OPEN SPACE ZONE DISTRICT (REV1).DWG JOB NUMBER: 24822-13 DATE: 12/27/2022 DWG: BAM CHK: JRW 4 OF 4 SHEETS			

ORDINANCE NO. 3.367, Series of 2023

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE POPE I REMNANT 1 PROPERTY FROM GD-GREATER DOWNTOWN DISTRICT 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 rezoning certain property described in attached **Exhibit A** within the Town of Parker, Colorado, from GD-Greater Downtown District to 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 contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for rezoning the Property from GD-Greater Downtown District to OS-Open Space District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby rezoned OS-Open Space District. The uses permitted for the Property are specifically described in the 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. Effective Date. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND BEING A PORTION OF TRACT B, FLATACRES MARKETCENTER RECORDED AT RECEPTION NO. 2002112467 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID TRACT B;

THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID TRACT B, NORTH 41°05'45" EAST, A DISTANCE OF 42.39 FEET;

THENCE DEPARTING SAID NORTHWESTERLY BOUNDARY, SOUTH 48°54'41" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID TRACT B;

THENCE ALONG SAID SOUTHERLY BOUNDARY, THE FOLLOWING TWO (2) COURSES:

1. SOUTH 41°05'45" WEST, A DISTANCE OF 42.39 FEET;
2. NORTH 48°54'15" WEST, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

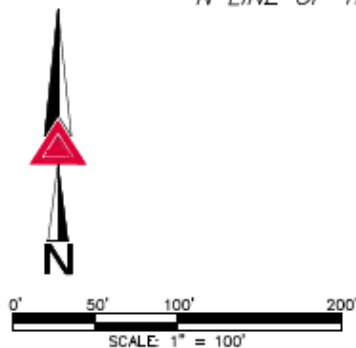
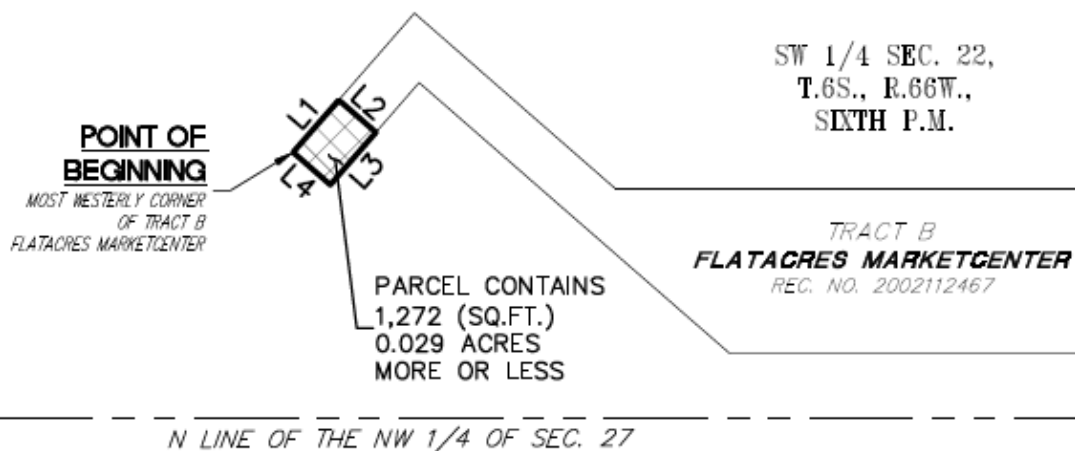
CONTAINING AN AREA OF 0.029 ACRES, (1,272 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

LINE TABLE		
LINE	BEARING	LENGTH
L1	N41°05'45"E	42.39'
L2	S48°54'41"E	30.00'
L3	S41°05'45"W	42.39'
L4	N48°54'15"W	30.00'

UNPLATTED



NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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

FINGER OPEN SPACE AREA
SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M.
PARKER, COLORADO

PATH: Q:\24922-13 - POPE PROPERTY ZONING\DWG\ZONING\POPE PROPERTY - FINGER OPEN SPACE AREA.DWG
JOB NUMBER: 24922-13 DATE: 11/7/2022 DWG: BAM CHK: JRW 2 OF 2 SHEETS

ORDINANCE NO. 3.368, Series of 2023

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE TOWN-OWNED POPE I REMNANT 2 PROPERTY FROM GD-GREATER DOWNTOWN DISTRICT TO A-AGRICULTURAL 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 rezoning certain property described in attached **Exhibit A** within the Town of Parker, Colorado, from GD-Greater Downtown District to A-Agricultural 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 contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for rezoning the Property from GD-Greater Downtown District to A-Agricultural District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby rezoned A-Agricultural District. The uses permitted for the Property are specifically described in the 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. Effective Date. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND BEING A PORTION OF TRACT B, FLATACRES MARKETCENTER RECORDED AT RECEPTION NO. 2002112467 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF PARKER, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID TRACT B;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID TRACT B, THE FOLLOWING THREE (3) COURSES:

1. NORTH 41°05'45" EAST, A DISTANCE OF 42.39 FEET TO THE POINT OF BEGINNING;
2. NORTH 41°05'45" EAST, A DISTANCE OF 70.12 FEET;
3. SOUTH 48°54'15" EAST, A DISTANCE OF 150.89 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 762.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 45°27'53" WEST;

THENCE DEPARTING SAID NORTHERLY BOUNDARY, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°15'47", AN ARC LENGTH OF 30.10 FEET TO THE SOUTHERLY BOUNDARY OF SAID TRACT B;

THENCE ALONG SAID SOUTHERLY BOUNDARY, THE FOLLOWING TWO (2) COURSES:

1. NORTH 48°54'15" WEST, A DISTANCE OF 118.49 FEET;
2. SOUTH 41°05'45" WEST, A DISTANCE OF 40.12 FEET;

THENCE DEPARTING SAID SOUTHERLY BOUNDARY, NORTH 48°54'41" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.131 ACRES, (5,697 SQUARE FEET), MORE OR LESS.

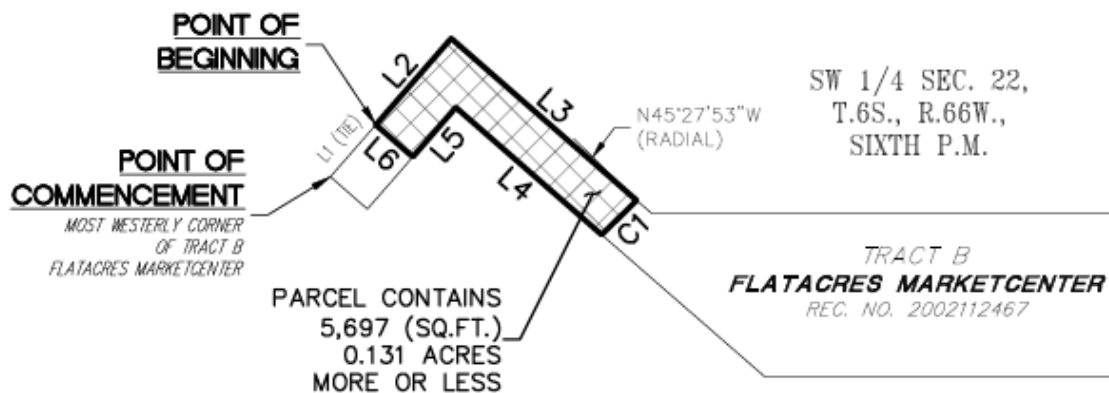
ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122

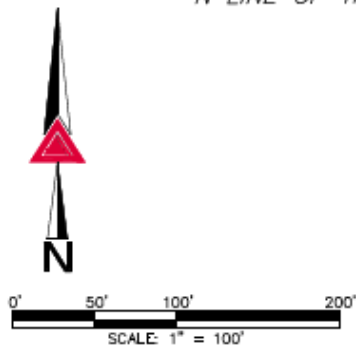
LINE TABLE		
LINE	BEARING	LENGTH
L1	N41°05'45"E	42.39'
L2	N41°05'45"E	70.12'
L3	S48°54'15"E	150.89'
L4	N48°54'15"W	118.49'
L5	S41°05'45"W	40.12'
L6	N48°54'41"W	30.00'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	2°15'47"	762.00'	30.10'

UNPLATTED



N LINE OF THE NW 1/4 NW 1/4 OF SEC. 27



NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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

FINGER

AGRICULTURAL AREA

SW 1/4 SEC. 22, T.6S., R.66W., 6TH P.M.
PARKER, COLORADO

PATH: Q:\24822-13 - POPE PROPERTY ZONING\DWG\ZONING\POPE PROPERTY - FINGER AGRICULTURAL AREA.DWG
JOB NUMBER: 24822-13 DATE: 11/7/2022 DWG: BAM CHK: JRW 2 OF 2 SHEETS



Request for Town Council Action

Date: November 6, 2023

Submitted By: Jeremiah Fettig, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Manager

Title: **RESOLUTION NO. 23-084**
A Resolution to Adopt the Town of Parker, Colorado, Three-Mile Area Plan

Department: Community Development, Jeremiah Fettig

EXECUTIVE SUMMARY

The Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-105 et. seq., requires that municipalities prepare and adopt a Three-Mile Area Plan prior to annexing property into their territorial boundaries. The Town of Parker prepares an updated Three-Mile Area Plan (the Plan) annually to comply with State law and support ongoing annexation activity. The Plan identifies unincorporated land that is located within three (3) miles of Town boundaries, depicts the Town's planning area for future annexation, and incorporates reference information for service provision.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker actively pursues annexation opportunities within the Parker 2035 Master Plan's designated planning area boundary. The 2023 Three-Mile Area Plan has been prepared to comply with the Municipal Annexation Act of 1965 to support annexation activity. The primary purpose of the Plan under State statute is to identify areas for potential annexation within three (3) miles of existing municipal boundaries, provide for an orderly annexation process, and require municipalities to consider how they will provide services if these areas are annexed.

The Annexation Act, at C.R.S. § 31-12-105(1)(e)(I), provides that: "Prior to the completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area." The Three-Mile Area Plan constitutes the plan required by State statute with cross-references to other plans adopted by the Town including the Parker 2035 Master Plan; Parks, Recreation and Open Space Master Plan; and Transportation Master Plan.

Overview of the 2023 Three-Mile Area Plan

Town staff has updated the previously adopted Three-Mile Area Plan to address the requirements as outlined in the Annexation Act; C.R.S. § 31-12-105(1)(e)(I), regarding unincorporated lands located within three (3) miles of the Town's current municipal boundaries. The changes found in the 2023 Plan include minor revisions to the map exhibits. The total unincorporated land within the three (3) mile boundary is approximately 49,291 acres or 77.01 square miles. The 2023 Three-Mile Area Plan has eight (8) components as follows:

1. Introduction
2. Overview of Sub-Areas
3. Transportation
4. Parks, Natural Areas and Open Land Related Items
5. Utilities and Related Items
6. Proposed Land Uses
7. Enclaves Located within Parker
8. Map Exhibits

The Three-Mile Area Plan also references multiple plans adopted by the Town and surrounding jurisdictions. It complies with State statute and will support the Town's annexation activities in 2024 if adopted.

The Planning Commission held a public meeting on October 26, 2023 and unanimously recommended that Town Council approve the proposed 2023 Three-Mile Area Plan.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Planning Commission Staff Report
2. Resolution No. 23-084

RECOMMENDED MOTION

I move to approve Resolution No. 23-084, as part of the consent agenda.



Planning Commission Staff Report

Planning Commission Date: 10/26/2023

Town Council Date: 11/6/2023

Hearing Type: **Public Meeting**
Adoption of the 2023 Three-Mile Area Plan

Location: **Town of Parker – Three-Mile Radius**

Project Planner: **Jeremiah Fettig, Associate Planner**

Applicant: **Town of Parker**

Executive Summary: The Town of Parker Three-Mile Area Plan (the ‘Plan’), was originally adopted by Town Council in 2006 and is developed to comply with the Municipal Annexation Act of 1965. State law requires that the Town update the Plan annually.

Staff Recommendation: **Approval**

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council adopt the 2023 Three-Mile Area Plan.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council deny adoption of the 2023 Three-Mile Area Plan.”

“I move the Planning Commission vote to continue the proposed adoption of the 2023 Three-Mile Area Plan to a future date.”

I. BACKGROUND/DISCUSSION

The Plan was prepared for the purpose of complying with the Municipal Annexation Act of 1965 which is intended to ensure that municipalities are able to provide services in newly annexed areas. Section 31-12-105(e)(I) of the Colorado Revised Statutes provides that:

“Prior to the completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area.”

Overview of 2023 Three-Mile Area Plan

The Plan was prepared to address the requirements as outlined in the Colorado Revised Statute Section 31-12-105(e)(I), regarding unincorporated lands located within three (3) miles of the Town's current municipal boundaries. The unincorporated land described in the Plan includes properties located in Douglas, Arapahoe and Elbert Counties. The Plan boundary perimeters also encompass incorporated areas located within portions of the City of Lone Tree, City of Centennial, Town of Foxfield, City of Aurora, Town of Castle Rock and the City of Castle Pines. Unincorporated lands within the three-mile boundary total approximately 49,291 acres or 77.01 square miles.

What the Plan does:

- References planning documents from the Town of Parker and nearby jurisdictions
- Complies with state law

What the Plan does not do:

- Change the Master Plan
- Change the Parker Planning Area
- Change the Town's regulations or zoning
- Obligate the Town to change any of the above

The 2023 Plan is brief since the Parker 2035 Master Plan establishes a Planning Area Boundary and already address many of the requirements of the Statute. The Plan framework has eight (8) chapters:

- Introduction
- Overview of Sub-Areas
- Transportation
- Parks, Natural Areas, and Open Land Related Items
- Utilities and Related Items
- Proposed Land Uses
- Enclaves Located within Parker
- Map Exhibits

These chapters refer to those plans, policies, maps and other documents adopted by the jurisdictions that are located within the Three-Mile Plan area. The 2023 Three-Mile Area Plan has only minor updates to the maps and lists of existing plans, to reflect changes that have occurred since the adoption of the 2022 Three-Mile Area Plan.

Plan Changes from 2022

- Updated the total unincorporated lands within the three-mile boundary from approximately 49,336 acres (77.08 square miles) in 2022 to 49,291 acres (77.01 square miles) in 2023
- Updated Town of Parker Bike Lane Plan to Town of Parker Bike and Pedestrian Master Plan
- Added Rueter-Hess Reservoir Watershed Management Plan

Map Changes from 2022

- **Map 1 Three-Mile Area:** Three annexations were completed within the Town's three-mile area and the Town's Planning Area:
 - Coyle/Perkins Annexation of 33.4 acres;
 - Tract Q Annexation of 20.25 acres; and
 - Chambers Road north of Belford Avenue Annexation of 1.092 acres.
- **Map 2 Transportation Facilities:** Bayou Gulch Road connection is under construction.
- **Map 3 Significant Waterways:** No changes from 2022 to 2023.
- **Map 4 Significant Parks:** Trails at Crowfoot Community Park is nearing completion.
- **Map 5 Water, Sanitation and Servicing Metro Districts:** Three changes were made:
 - Added Chambers Highpoint Metro District 1 & 2;
 - Parker Water and Sanitation District added future Douglas County School property; and
 - Parker Water and Sanitation District added future Kime Ranch development property.
- **Map 6 County Zoning:** Three rezonings were completed:
 - Douglas County rezoning from Agriculture (A-1) to Large Rural Residential (LRR);
 - Douglas County rezoning Agriculture (A-1) to Planned Development (PD); and
 - Elbert County rezoning from Residential – Agriculture 1 (RA-1) to Residential – Agriculture 2 (RA-2).

II. PRIOR ACTIONS

Date	Action
10-17-2022	Town Council Adopted the 2022 Three-Mile Area Plan

III. CONCLUSION

The annual update to the Town's Three-Mile Area Plan fulfills the requirements of state law and supports on-going annexation activity.

IV. RECOMMENDATION

Staff recommends the Planning Commission recommend Town Council adopt the 2023 Three-Mile Area Plan.

V. ATTACHMENTS

1. 2023 Three-Mile Area Plan with maps including changes

Report Approved By: Bryce Matthews, Assistant Director - Planning

RESOLUTION NO. 23-084, Series of 2023

**TITLE: A RESOLUTION TO ADOPT THE TOWN OF PARKER, COLORADO,
THREE-MILE AREA PLAN**

WHEREAS, the Municipal Annexation Act of 1965 provides that municipalities need a three-mile area plan (the "Plan");

WHEREAS, the Plan should generally describe the proposed location, character and extent of roads, bridges, parks, open spaces, public utilities and transportation facilities within the three-mile plan area; and

WHEREAS, the Municipal Annexation Act of 1965 requires the Plan to be updated at least once annually.

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 adopts the Three-Mile Area Plan, which is attached hereto as **Exhibit 1** and incorporated by this reference.

RESOLVED AND PASSED this _____ day of _____, 2023.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

Three-Mile Area Plan for the Town of Parker

2023 Update



Contents

I. Introduction	3
II. Overview of Sub-Areas	5
III. Transportation	5
IV. Parks, Natural Areas, and Open Land Related Items.....	6
V. Utilities and Related Items	7
V. Proposed Land Uses	8
VI. Enclaves Located within Parker	9
VII. Map Exhibits	10
Map 1 – Surrounding Jurisdictions	
Map 2 – Transportation Facilities	
Map 3 – Significant Waterways	
Map 4 – Significant Parks	
Map 5 – Water and Sanitation Districts	
Map 6 – County Zoning	

I. Introduction

Purpose

The Three-Mile Area Plan is a policy document developed to comply with the Municipal Annexation Act of 1965. The purpose of this Plan is to ensure the adequate provision of municipal services within newly annexed lands based on Section 31-12-105(e)(I) of the Colorado Revised Statutes which provides that:

“Prior to the completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area.”

The Statute requires a municipality to adopt an annexation plan prior to the annexation of any land into the municipality. Parker’s Three-Mile Area Plan provides a general description of all unincorporated lands located within three miles of the Town’s municipal boundaries. The Town of Parker’s 2035 Master Plan, as amended, provides guidance on proposed land uses within the Town’s planning area. Proposed annexations should be consistent with the Town’s Master Plan and Three-Mile Area Plan.

Methodology

The methodology used to develop the Three-Mile Area Plan focused on the use of GIS mapping, data collection, and research of unincorporated lands located within the Town’s three-mile boundary. Parker’s three-mile boundary was then divided into six (6) Sub-Areas (see Figure 1) to facilitate the analysis. Unincorporated lands located within each Sub-Area were examined to determine general character, land use, transportation, extent of infrastructure, open space, and parks and recreation, and are further defined on maps 1 through 6.

2023 Three-Mile Area Plan Town of Parker, Colorado

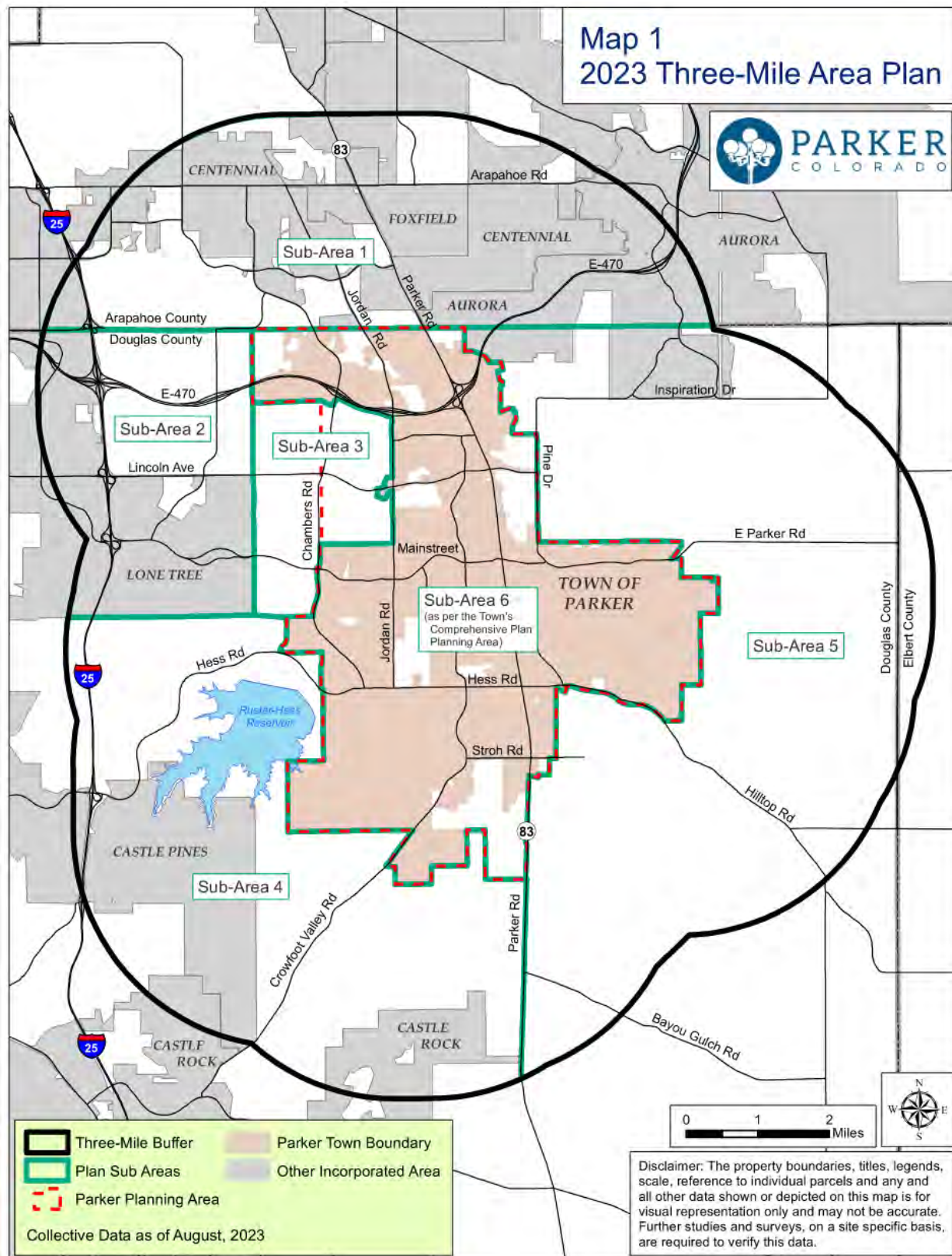


Figure 1 – Town of Parker Three-Mile Boundary – based on the Town’s Municipal Boundary

II. Overview of Sub-Areas

The land described in this Three-Mile Area Plan includes properties located in Douglas, Arapahoe, and Elbert Counties. The Three-Mile Area Plan boundary perimeters also encompass the municipal boundaries of the City of Lone Tree, City of Centennial, Town of Foxfield, City of Aurora, Town of Castle Rock, and the City of Castle Pines. The general character of land ranges from rolling hills, high plains grasslands, bluffs, forest, as well as highly developed urban areas. In 2023, unincorporated lands within the three-mile boundary total approximately 49,291 acres or 77.01 square miles (see Table 1).

Table 1 – Total acreage of all unincorporated land within Parker’s three-mile area boundary (excludes any municipal lands)

Parker Three-Mile Area Plan Sub-Areas	Total Unincorporated Acreage
Sub-Area One	4,256
Sub-Area Two	2,954
Sub-Area Three – Portion Within Town’s Planning Area	2,966
Sub-Area Four	12,859
Sub-Area Five	23,726
Sub-Area Six – Completely Within Town’s Planning Area	2,530
Total Acreage	49,291

Relevant Plans, Policies and Other Documents

Parker’s Three-Mile Area Plan references plans, policies, maps and other documents that have been adopted by the Town of Parker and other jurisdictions within the Three-Mile Area Plan area. These plans, policies, maps and documents describe the proposed location, character and extent of specific infrastructure and development characteristics.

III. Transportation

The following documents relate to the transportation specific issues within the Plan area:

Streets, Bridges and Parkways

- Town of Parker 2035 Master Plan
- Town of Parker Mainstreet Master Plan
- Town of Parker Transportation Master Plan
- Town of Parker Bike and Pedestrian Master Plan
- Town of Parker Complete Streets Policy
- Town of Parker; Parker Road Corridor Plan
- Town of Parker Chambers and Hess Roads Subarea Plan
- Town of Parker Salisbury Estates Neighborhood Objective
- Douglas County 2040 Comprehensive Master Plan
- Douglas County 2040 Transportation Plan
- Douglas County Comprehensive Bike Plan/Map
- Arapahoe County Comprehensive Plan
- Arapahoe County 2040 Transportation Plan

- Arapahoe County Bicycle/Pedestrian Master Plan
- City of Aurora Places Comprehensive Plan
- City of Aurora Bicycle and Pedestrian Master Plan
- City of Castle Pines Comprehensive Plan
- City of Castle Pines Master Transportation Plan
- City of Centennial Comprehensive Plan
- City of Centennial Transportation Master Plan
- City of Lone Tree Comprehensive Plan
- City of Lone Tree 2040 Transportation Master Plan
- Town of Castle Rock 2030 Comprehensive Plan
- Town of Castle Rock Transportation Master Plan
- Elbert County Comprehensive Plan
- West Elbert County Transportation Master Plan

Transit Services and Terminals for Public Transportation

- Town of Parker Transit Feasibility Study
- Town of Parker Fixed Guideway Transit Study
- Regional Transportation District Southeast Corridor Service Plan
- DRCOG 2050 Metro Vision Regional Transportation Plan
- CDOT Statewide 2045 Transportation Plan

Airport/Aviation Fields

The attached map entitled “Map 2: Transportation Facilities, Three-Mile Area Plan” locates the sole airport within the Plan, Centennial Airport. Airports and aviation fields are further referenced in Centennial Airport Authority’s Airport Influence Area (AIA) Map and Centennial Airport Land Use Guidelines.

Other Public Ways

- Town of Parker Open Space, Trails and Greenways Master Plan
- Town of Parker Parks, Recreation and Open Space Master Plan
- Douglas County Parks Trails and Open Space Master Plan
- Elbert County Open Lands, Parks and Trails Plan

IV. Parks, Natural Areas, and Open Land Related Items

The following documents relate to issues regarding parks, natural areas, and open land related items within the Town of Parker and in unincorporated areas in the Plan:

Waterways

- The attached map entitled “Map 3: Significant Waterways, Three-Mile Area Plan” locates all significant waterways within the Plan area
- Cherry Creek Basin Open Space Conservation and Stewardship Plan
- Major Drainageway Plan from Cherry Creek Reservoir to Scott Road
- Rueter-Hess Reservoir Watershed Management Plan
- Reuter-Hess Reservoir 2016 Recreation Master Plan
- Town of Parker Municipal Code, 13.05.010 Floodplain Regulations
- Town of Parker Storm Drainage and Environmental Criteria Manual

Waterfronts

Any and all waterfronts associated with waterways within the Plan area.

Playgrounds, Squares and Parks

The attached map entitled “Map 4: Significant Parks, Three-Mile Area Plan Boundary” locates all significant parks within the Plan area.

- City of Lone Tree 2017 South Suburban Parks and Recreation Master Plan
- City of Lone Tree RidgeGate East 2018 South Suburban Parks and Recreation Master Plan Addendum

Open Space

- Town of Parker Open Space, Trails and Greenways Master Plan
- Town of Parker Parks, Recreation and Open Space Master Plan
- Town of Castle Rock Parks and Recreation Master Plan
- City of Castle Pines Parks and Recreation Comprehensive Plan
- Douglas County Parks Trails and Open Space Master Plan
- Elbert County Open Lands, Parks and Trails Plan
- Arapahoe County Open Space Master Plan
- City of Lone Tree Walk & Wheel Plan
- City of Centennial Trails and Recreation Plan

V. Utilities and Related Items

The following documents relate to issues regarding utilities and related items for the Plan:

Public Utilities*

- The attached map entitled “Map 5: Water and Sanitation Districts, Three-Mile Area Plan”
- Cottonwood Water and Sanitation District Plan
- Parker Water and Sanitation District 2020 Water and Wastewater Master Plan Stonegate Village Metro District Master Plan
- The Town of Parker does not provide any terminals for water, light, sanitation, transportation and power

** Most water and sanitation districts located within the three-mile area have service plans that are not referenced in this plan. The Special District Control Act, requiring special districts to have a service plan, has been in existence since 1965 and was updated in 1981. Under C.R.S. § 32-1-208, Districts organized without a service plan are more or less deemed to have a service plan called a "statement of purposes." Districts with a "statement of purposes" for a service plan are not listed in this document.*

V. Proposed Land Uses

The following documents relate to issues regarding proposed land uses within the Town of Parker and in unincorporated areas in the Plan:

Land Uses defined within the Planning Area

- Town of Parker 2035 Master Plan
- Town of Parker Mainstreet Master Plan
- Douglas County Comprehensive Plan
- The attached map entitled “Map 6: County Zoning, Three-Mile Area Plan”

Land Use defined outside the Planning Area

- Douglas County Comprehensive Plan
- Arapahoe County Comprehensive Plan
- Elbert County Comprehensive Plan
- The attached map entitled “Map 6: County Zoning, Three-Mile Area Plan”

VI. Enclaves Located within Parker

Parker has unincorporated enclaves that are located entirely within the outer boundaries of the Town, within Douglas County. Predominant land uses for the enclaves are residential, rural residential, agricultural, outdoor storage, light industrial, landscape nursery, and farming activities. Each enclave is further described as follows:

List of Enclaves

Canyon Rim Circle & Chambers Road

Zoned: Planned Development

Land Use: Canyon Creek Condos Residential (NE Corner)

Jordan Road & Acer Drive

Zoned: Planned Development (Cottonwood 11 Amendment 1)

Land Use: Single Family Residential

Jordon Road & Apache Plume Drive

Zoned: Planned Development (Cottonwood 10B 1st Amd)

Land Use: Single Family Residential (East)

Jordon Road & Cottonwood Drive

Zoned: Planned Development (Cottonwood Mixed Commercial Industrial 1)

Land Use: Lt. Industrial, Residential, Open Space, a portion of the Cherry Creek Trail

Parkglenn Way & Longs Way

Zoned: Commercial (Parker Pro Park Amd 1 & Parker Professional Park)

Land Use: Commercial (NW Corner)

Newlin Gulch Blvd & E. Meadow Vista Circle

Zoned: Agricultural One

Land Use: Vacant (SE of East-West Trail)

Mainstreet & Newlin Gulch Blvd (North)

Zoned: Agricultural One

Land Use: Church Property (NW Corner)

Hess Road, Jordan Road, Todd Drive & Motsenbocker Road

Zoned: Agricultural One, Rural Residential and Light Industrial

Land Use: Douglas County Public Works, Cherry Creek Highlands Large Lot Residential, Outdoor RV Storage and Garden/Nursery

Motsenbocker Road (North of Parker's Parks & Open Space facility)

Zoned: Agricultural One

Land Use: Landscaping Company

Dransfeldt & Twenty-Mile Road

Zoned: Agricultural One

Land Use: Flat Acres Farm (SW Corner)

Motsenbocker Road & King Court

Zoned: Rural Residential

Land Use: Large Lot Residential (East)

Hess Road & Pine Bluffs Way (on Cockriel Drive)

Zoned: Agricultural One

Land Use: Cockriel Boarding Stables (South)

VII. Map Exhibits

Map 1 – Surrounding Jurisdictions

Map 2 – Transportation Facilities

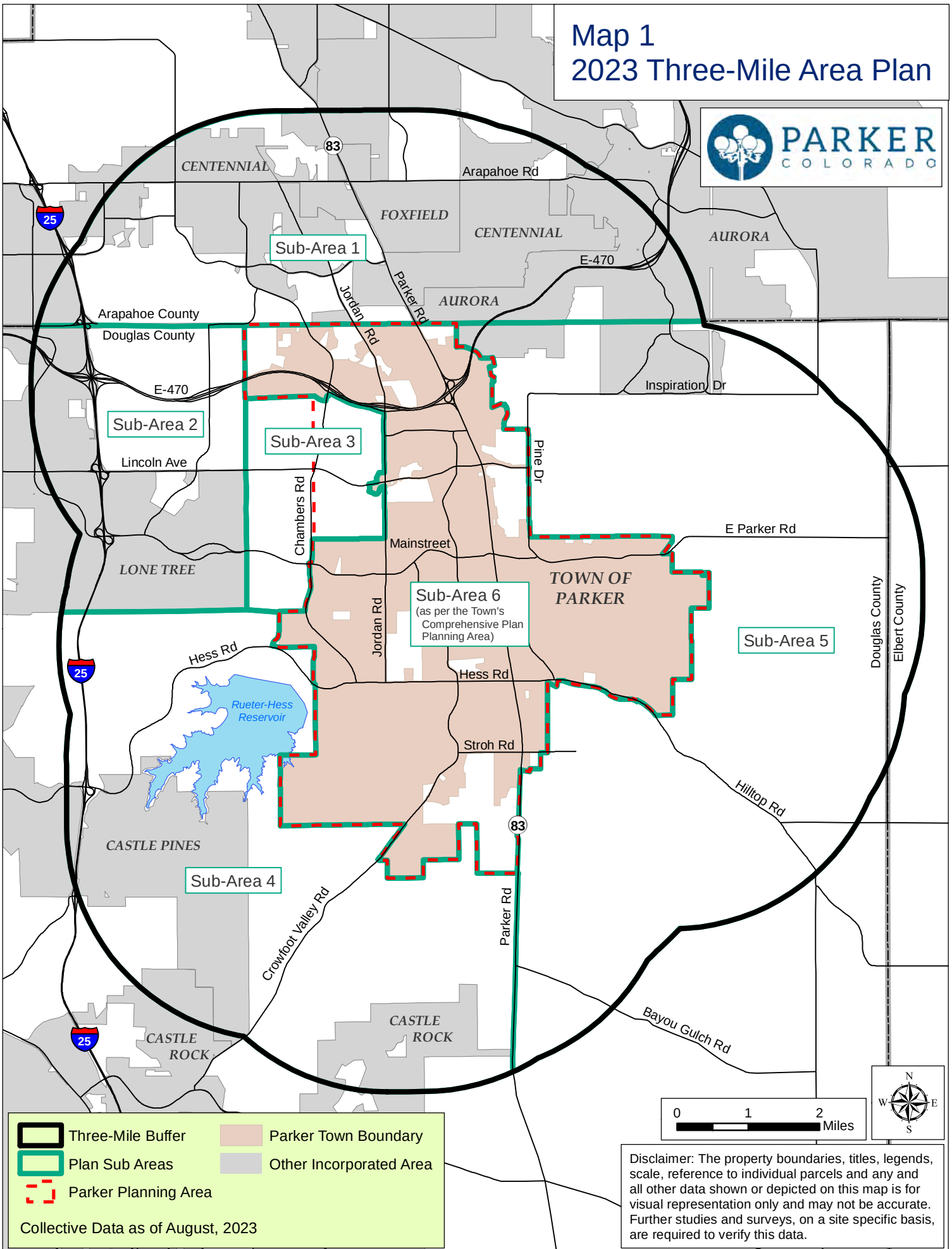
Map 3 – Significant Waterways

Map 4 – Significant Parks

Map 5 – Water and Sanitation Districts

Map 6 – County Zoning

Map 1 2023 Three-Mile Area Plan

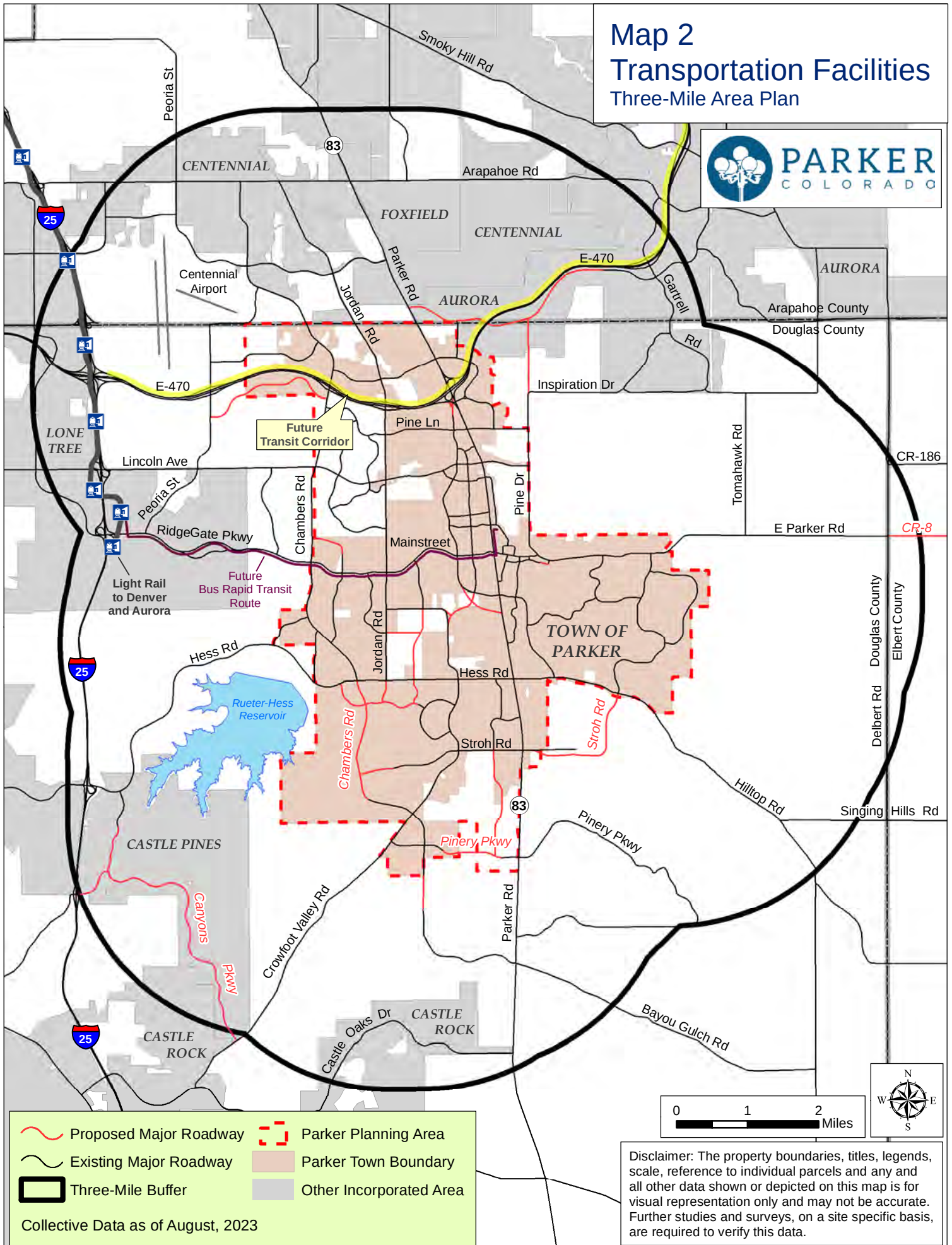


	Three-Mile Buffer		Parker Town Boundary
	Plan Sub Areas		Other Incorporated Area
	Parker Planning Area		

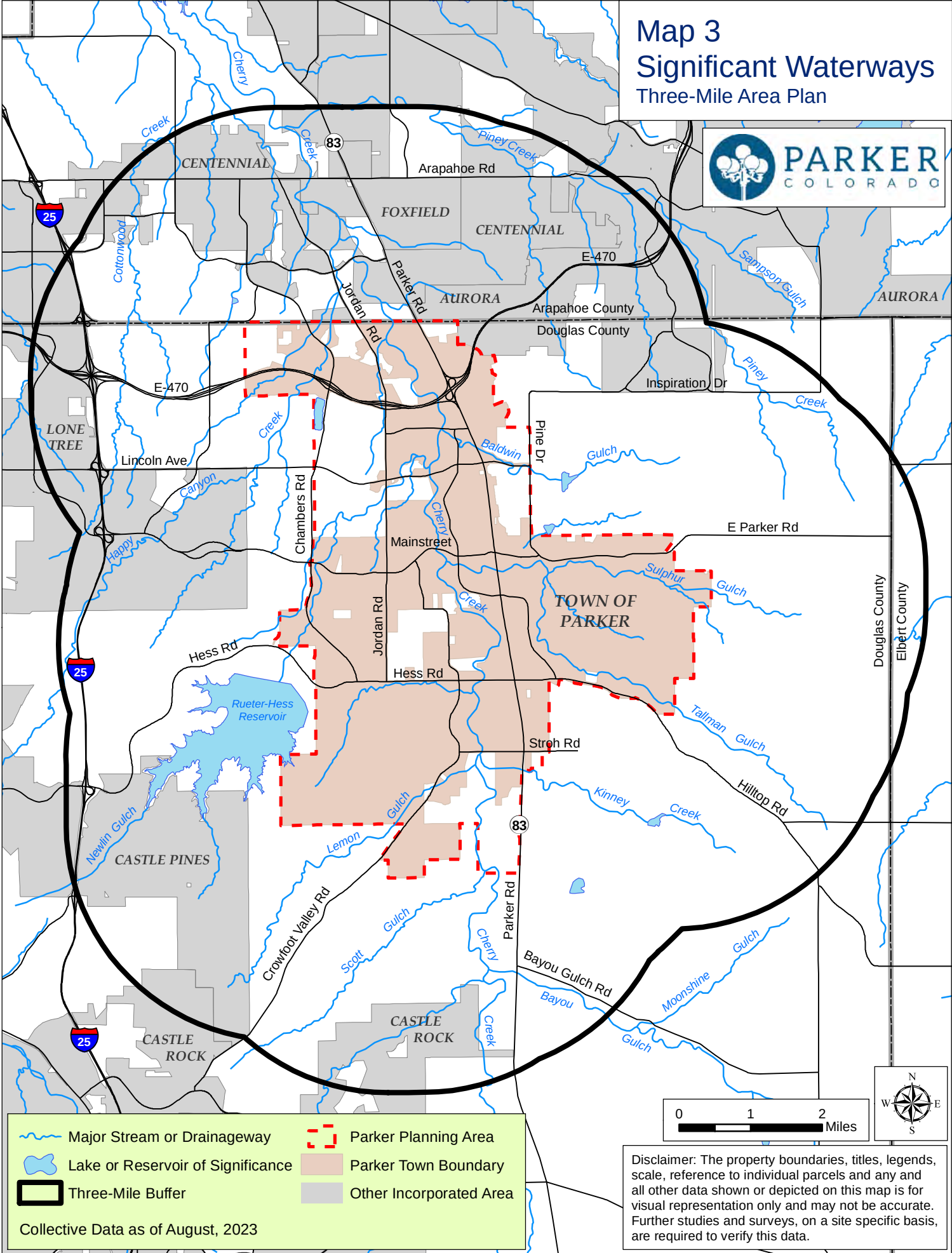
Collective Data as of August, 2023

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.

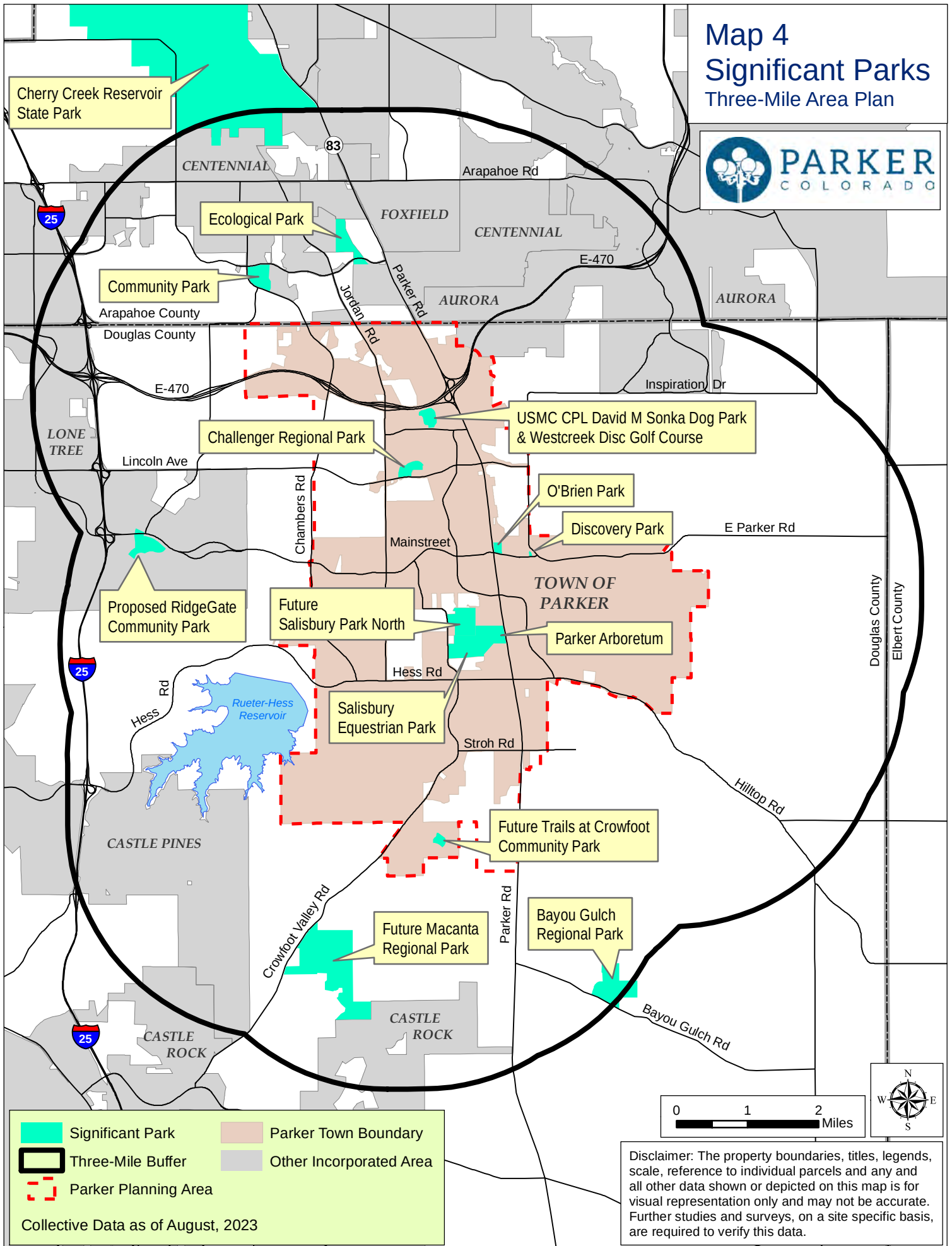
Map 2 Transportation Facilities Three-Mile Area Plan



Map 3 Significant Waterways Three-Mile Area Plan



Map 4 Significant Parks Three-Mile Area Plan



Significant Park

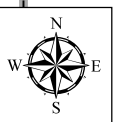
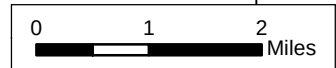
Parker Town Boundary

Three-Mile Buffer

Other Incorporated Area

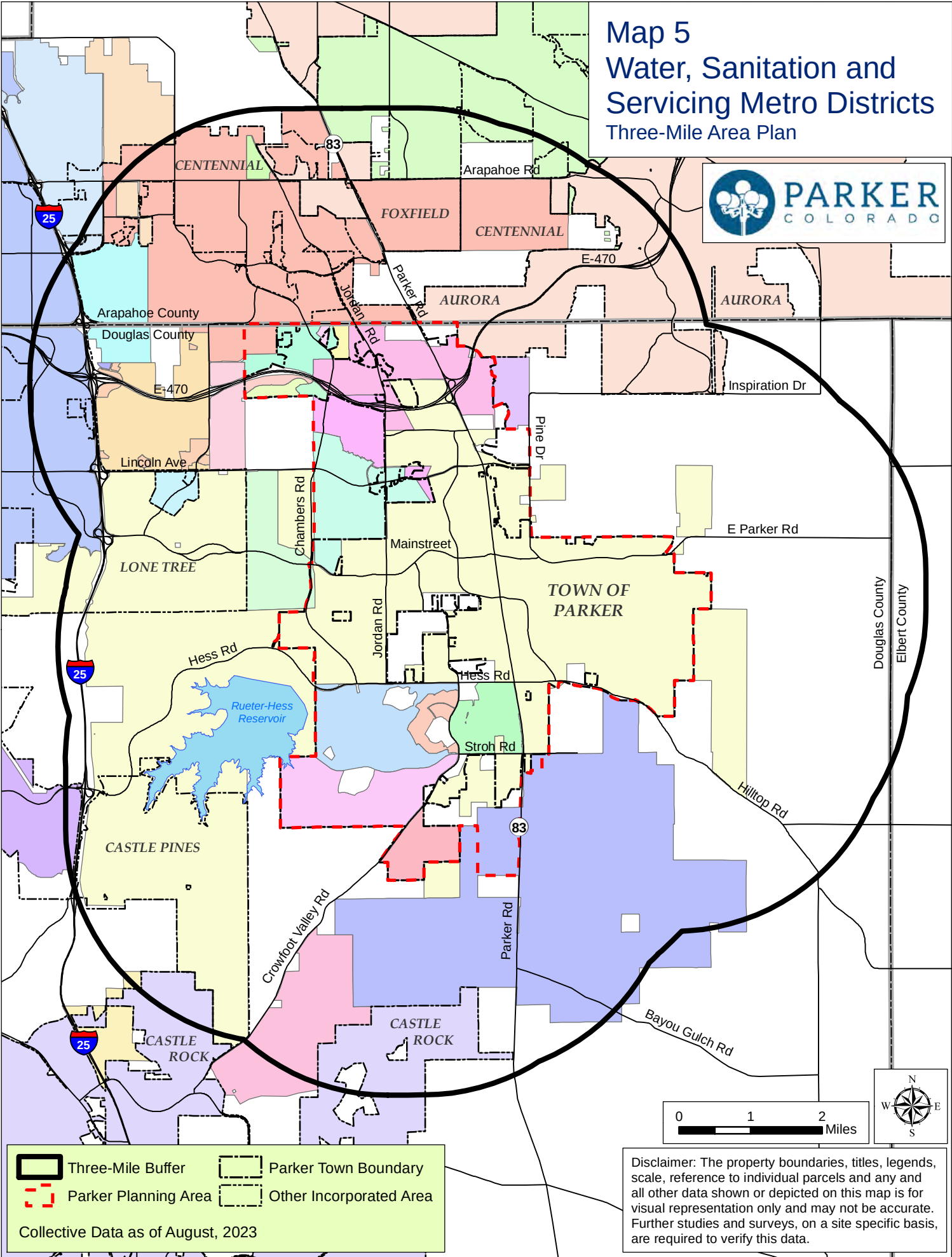
Parker Planning Area

Collective Data as of August, 2023



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Map 5
Water, Sanitation and
Servicing Metro Districts
Three-Mile Area Plan

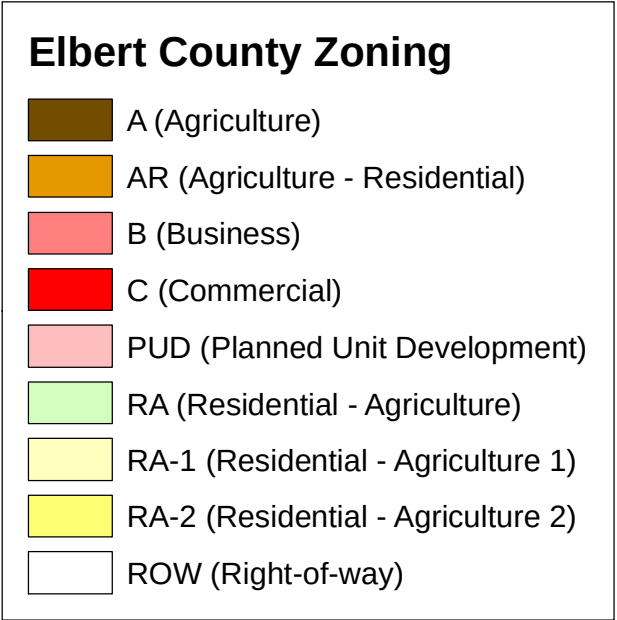
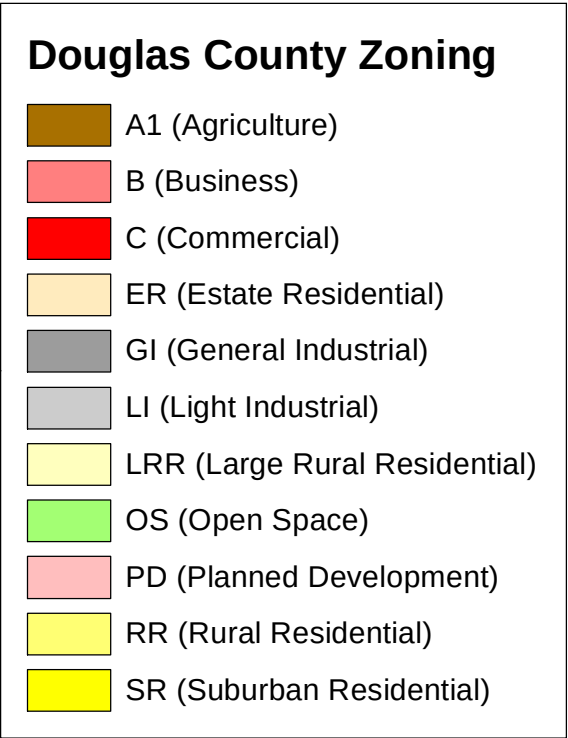
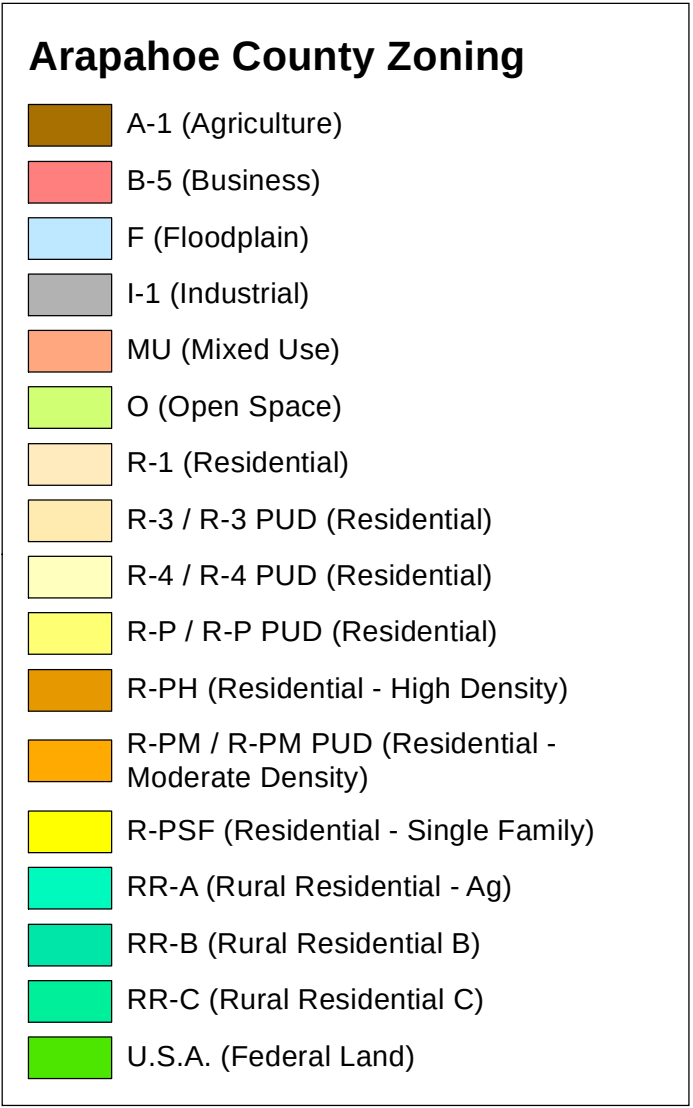
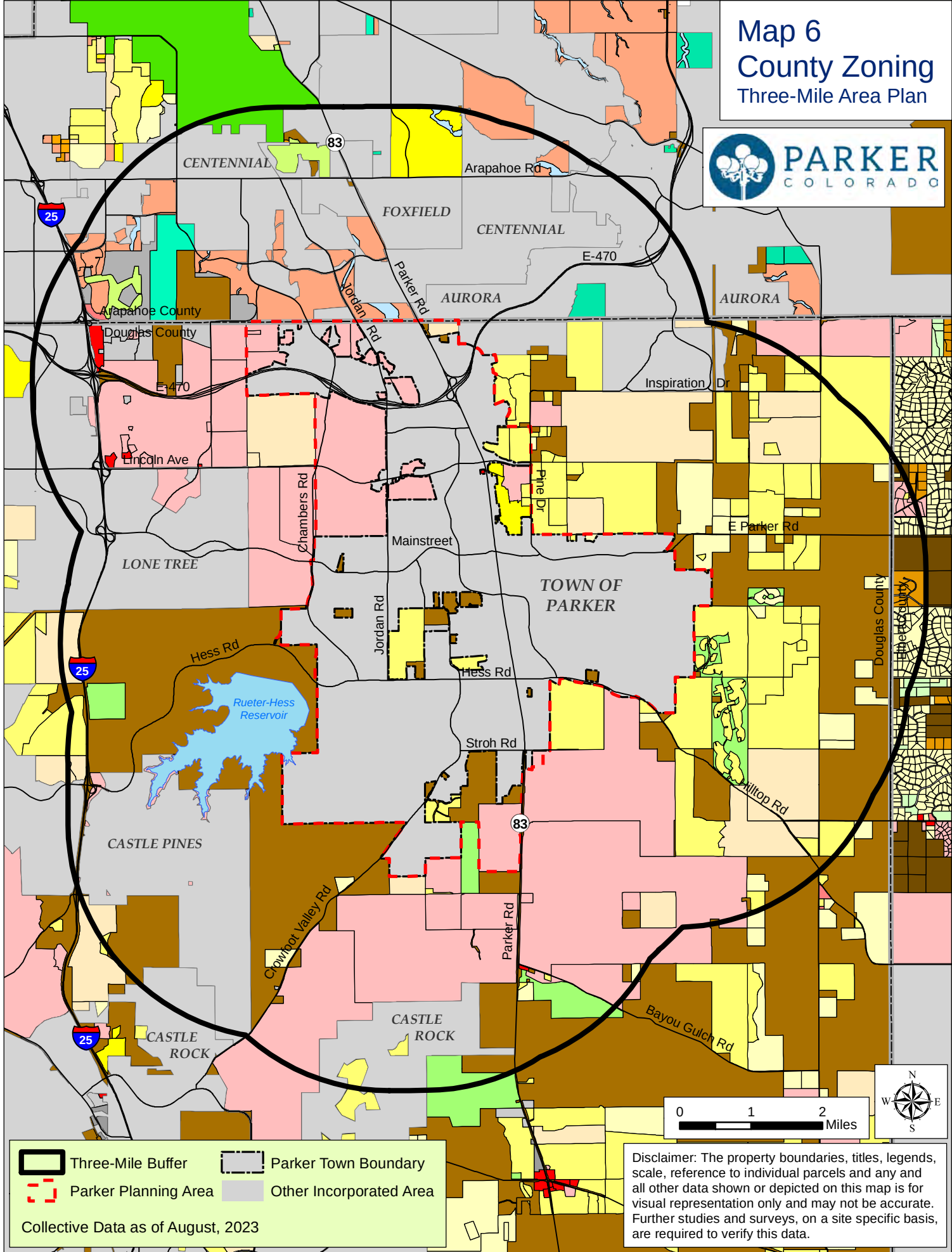


Water, Sanitation and Servicing Metro Districts

- | | |
|---|--|
| Airport Vista Metro District 2 | East Valley Metro Water & Sanitation District |
| Anthology West Metro District 2-6 | Havana Water & Sanitation District |
| Arapahoe County Water & Wastewater Authority | Hess Ranch Metro District 4-8 |
| Aurora Water | Inverness Water & Sanitation District and Debt Svc |
| Belford North Metro District | Meridian Metro District |
| Belford South Metro District | Meridian Metro District Debt Service 1 & 2 |
| Castle Pines North Metro District | Meridian Village Metro District 1 & 2 |
| Castlewood Water & Sanitation District A, B & D | North Meridian Metro District |
| Chambers Highpoint Metro District 1 & 2 | Parker Water & Sanitation District |
| Cherry Creek South Metro District 1 | Sierra Vista Douglas Mutual Water Co |
| Cherry Creek South Metro District 4-11 | Silver Heights Water & Sanitation District |
| Compark Business Campus Metro | South Meridian Metro District |
| Compark Business Campus Metro Dist Debt Svc 1 & 2 | Southgate Water and Sanitation District |
| Cottonwood Water & Sanitation District | Stonegate North Villages Metro Debt Service |
| Crowfoot Valley Ranch Metro District 2 | Stonegate North Villages Metro District |
| Denver SE Suburban Water & Sanitation District | Stonegate Village Metro District |
| E-470 Potomac Metro District | Town of Castle Rock |
| East Cherry Creek Valley Water & Sanitation Dist | Trails at Crowfoot Metro District 1-3 |

Three-Mile Buffer
 Parker Planning Area
 Parker Town Boundary
 Other Incorporated Area
Collective Data as of August, 2023

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.





Request for Town Council Action

Date: November 6, 2023

Submitted By: Michael Walton, Deputy Traffic Engineer

Reviewed By: Michelle Kivela, Town Manager

Title: **RESOLUTION NO. 23-088**
A Resolution Accepting the Conveyance of a Drainage Easement from
Nacho Lands LLC, for Cottonwood Highlands Filing No. 6,
Amendment 1, Lot 2-2B

Department: Engineering and Public Works, Michael Walton

EXECUTIVE SUMMARY

This resolution accepts the conveyance of a drainage easement covering onsite drainage improvements proposed with the site plan for Cottonwood Highlands F6 AMD 1 L2-2B - Scooters Coffee.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town's Stormwater criterion requires that drainage easements be dedicated over all 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 Cottonwood Highlands F6 AMD 1 L2-2B - Scooters Coffee. This site plan requires onsite drainage infrastructure which was not originally assumed with the replat of the property. Since the drainage facilities are being constructed as part of a site plan process, and not a plat, the easements need to be dedicated by a separate instrument.

FINANCIAL IMPACT

As the drainage improvements proposed within the easement will be the maintenance responsibility of the property owner, there is no financial impact to the Town.

STRATEGIC GOAL(S)



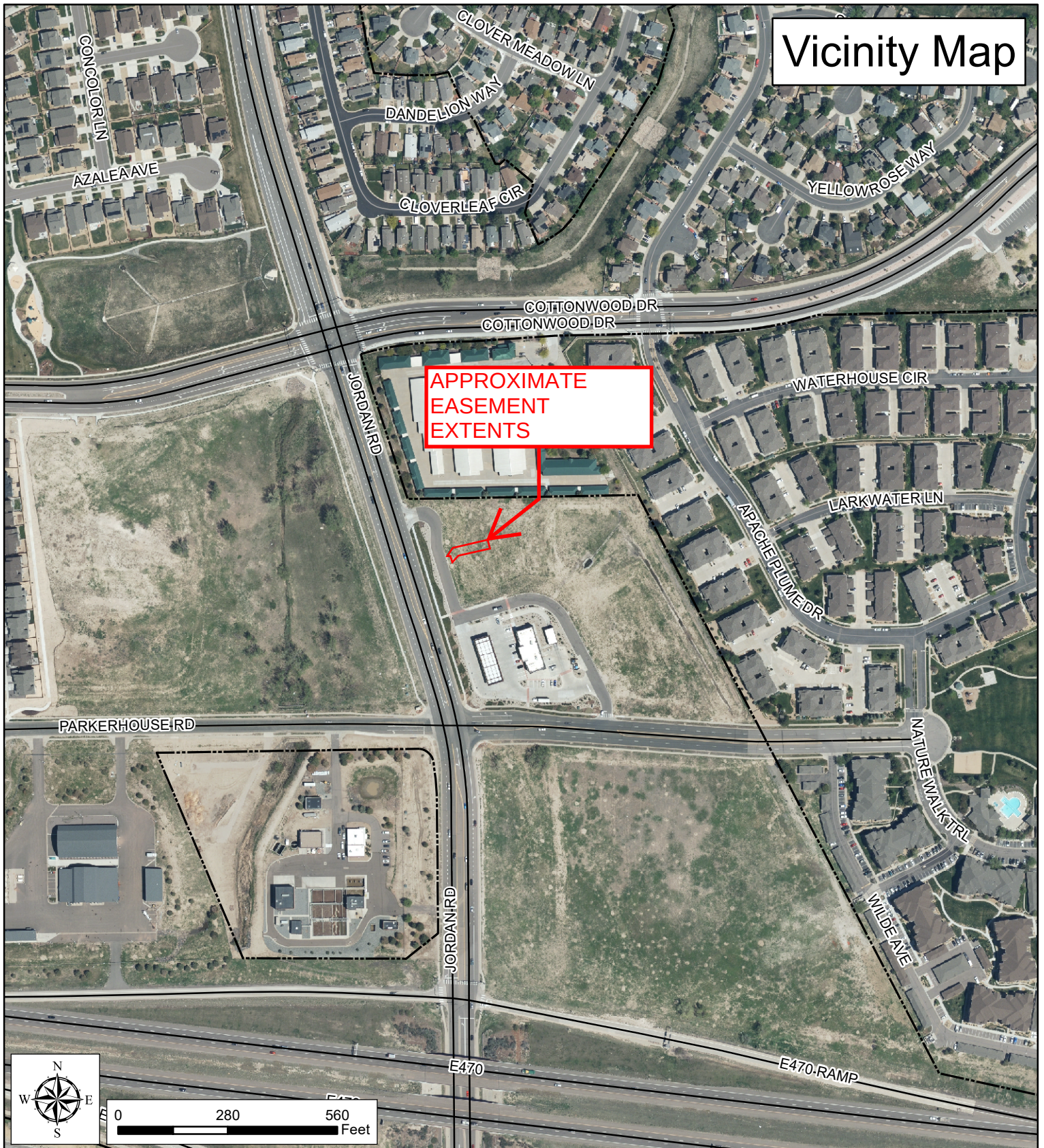
ATTACHMENTS

1. Vicinity Map
2. Resolution No. 23-088

RECOMMENDED MOTION

I move to approve Resolution No. 23-088, as part of the consent agenda.

Vicinity Map



0 280 560 Feet

Stormwater

- | | | |
|---------------------|------------------------------|----------------------------|
| Inlet | Storm Pipe | Drop or Check |
| Inlet - by Others | Storm Pipe - by Others | Drop or Check - by Others |
| Outfall | Culvert | Streams |
| Outfall - by Others | Culvert - by Others | Pond |
| Manhole | Channel or Swale | Pond - by Others |
| Manhole - by Others | Channel or Swale - by Others | Retention Pond |
| | | Retention Pond - by Others |

Other Features

- | |
|----------------------------|
| Floodway |
| 100 Year Floodplain |
| Riparian Conservation Zone |
| Maintenance Regions |
| Town Boundary |

* Layers displayed in the map image are dependent on active layers at the time of print and may not reflect all layers shown in this legend.

RESOLUTION NO. 23-088, Series of 2023

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A DRAINAGE EASEMENT FROM NACHO LANDS LLC, FOR COTTONWOOD HIGHLANDS FILING NO. 6, AMENDMENT 1, LOT 2-2B

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 Nacho Lands LLC, for Cottonwood Highlands Filing No. 6, Amendment 1, Lot 2-2B, 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 _____, 2023.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

EXHIBIT 1

DRAINAGE EASEMENT AGREEMENT

THIS DRAINAGE EASEMENT AGREEMENT (the "Easement Agreement") is made this ____ day of _____, 20__, by and between Nacho Lands LLC, a Colorado limited liability company having an address of 23064 E. Piccolo Dr, Aurora, CO 80016 ("Grantor"), and the TOWN OF PARKER, a Colorado home rule municipality, having an address of 20120 East Mainstreet, Parker, Colorado 80138 ("Grantee").

RECITALS

A. Grantor constructed a drainage pipe and appurtenant drainage facilities (the "Drainage Facilities") within its privately owned property.

B. Pursuant to Section 4.08.090(b) of the Parker Municipal Code, the Grantor is responsible for the maintenance of the Drainage Facilities. However, the Grantee may choose to maintain the Drainage Facilities if the Grantor fails to do so in order to protect the public health, safety, and welfare from stormwater runoff damage.

C. Grantee desires to acquire an easement for the purpose of the maintenance of the Drainage Facilities on and through the property more particularly described and depicted in **Exhibit A** ("Easement Property"), attached hereto and incorporated herein by this reference; and

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

AGREEMENT

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, the parties 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 the Drainage Facilities. Subject to the terms of this Easement Agreement, Grantee shall also have the specific rights of ingress and egress for the construction, reconstruction, operation and maintenance of a drainage pipe and appurtenant drainage facilities; additionally, Grantee shall have the right to remove impediments to operation and maintenance of the Easement Property such as trees, asphalt and sidewalks. Grantee further agrees to coordinate all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property with Grantor so as to minimize any disruption to Grantor's property. Grantor and Grantee agree that this Easement Agreement may be released in writing by the Town of Parker's Engineering/Public Works Director or designee, subject to the Grantor providing a suitable replacement for the drainage easement described herein, as determined in the sole discretion of the Town of Parker's Engineering/Public Works Director or designee.

2. Unencumbered Title. Grantor warrants that the Easement Property is free and clear of all liens and encumbrances that could have any impact on the easement granted to the Grantee by this Agreement.

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 Drainage Facilities in the event Grantee, in its sole discretion, determines to enter the Easement Property for the operation and/or maintenance of the Drainage Facilities 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 the Grantor (i) fails to correct the maintenance problem within fourteen (14) days after the date of written notice from Grantee (the "Correction Period"); or (ii) fails to begin to clean, cure or correct such problem within fourteen (14) days after receipt of notice if such problem cannot be reasonably cleaned, cured or corrected within the Correction Period, and fails to diligently prosecute such cleaning, cure or correction to completion, then Grantee may correct the maintenance problem 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 Douglas 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 the real property identified on **Exhibit A**. 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.

[Remainder of page intentionally left blank. Signatures on following page.]

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

GRANTOR: NACHO LANDS LLC, a Colorado limited liability company

Wesley Hudson, Manager

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by Wesley Hudson, as Manager of Nacho Lands LLC.

My commission expires: _____

SEAL

Notary Public

GRANTEE: TOWN OF PARKER

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office

EXHIBIT "A"

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 SOUTH,
RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
SHEET 1 OF 2

A (25') TWENTY FIVE FOOT WIDE PARCEL OF LAND UPON, OVER AND ACROSS A PORTION OF LOT 2-2A AND LOT 2-2B, COTTONWOOD HIGHLANDS FILING NO. 6, AMENDMENT 1 AS DESCRIBED IN THE RECORDS OF DOUGLAS COUNTY AT RECEPTION NO. 2021004731, RECORDED JANUARY 13, 2021, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, LYING (12.5') TWELVE AND ONE HALF FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

CONSIDERING THE SOUTH LINE OF LOT 2-2B, TO BEAR NORTH 72°48'45" EAST, A DISTANCE OF 337.96 FEET BETWEEN FOUND #5 REBARS WITH 1 1/2" ALUMINUM CAPS STAMPED "FLATIRONS SURV 29038", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2-2B, THENCE ALONG SAID SOUTH LINE, NORTH 72°48'45" EAST, A DISTANCE OF 184.04 FEET, THENCE DEPARTING SAID SOUTH LINE, NORTH 17°15'58" WEST, A DISTANCE OF 7.78 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 72°44'02" WEST, A DISTANCE OF 96.95 FEET;
THENCE SOUTH 35°40'15" WEST, A DISTANCE OF 29.36 FEET TO A POINT ON THE EXISTING 25 FOOT DRAINAGE EASEMENT AS DESCRIBED IN THE RECORDS OF DOUGLAS COUNTY AT RECEPTION NO. 2018043511, ALSO BEING THE POINT OF TERMINUS.

SAID SIDELINES BEING SHORTENED AND LENGTHENED SO AS TO PREVENT GAPS OR OVERLAPS.

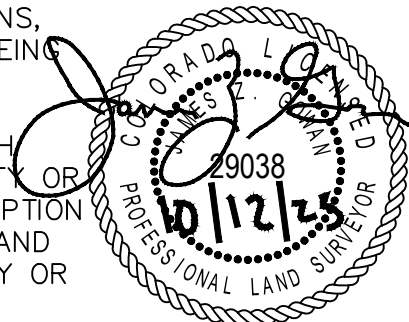
SAID PARCEL CONTAINING 3,270 SQUARE FEET OR 0.08 ACRES, MORE OR LESS.

I, JAMES Z. GOWAN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. SAID PARCEL DESCRIPTION AND EXHIBIT WERE PREPARED AT THE REQUEST OF THE CLIENT AND ARE NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JAMES Z. GOWAN
COLORADO P.L.S. #29038
VICE PRESIDENT, FLATIRONS, INC.

JOB NUMBER: 22-78,505
DRAWN BY: T. HENDERSON
DATE: OCT. 12, 2023

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.



Flatirons, Inc.
Land Surveying Services



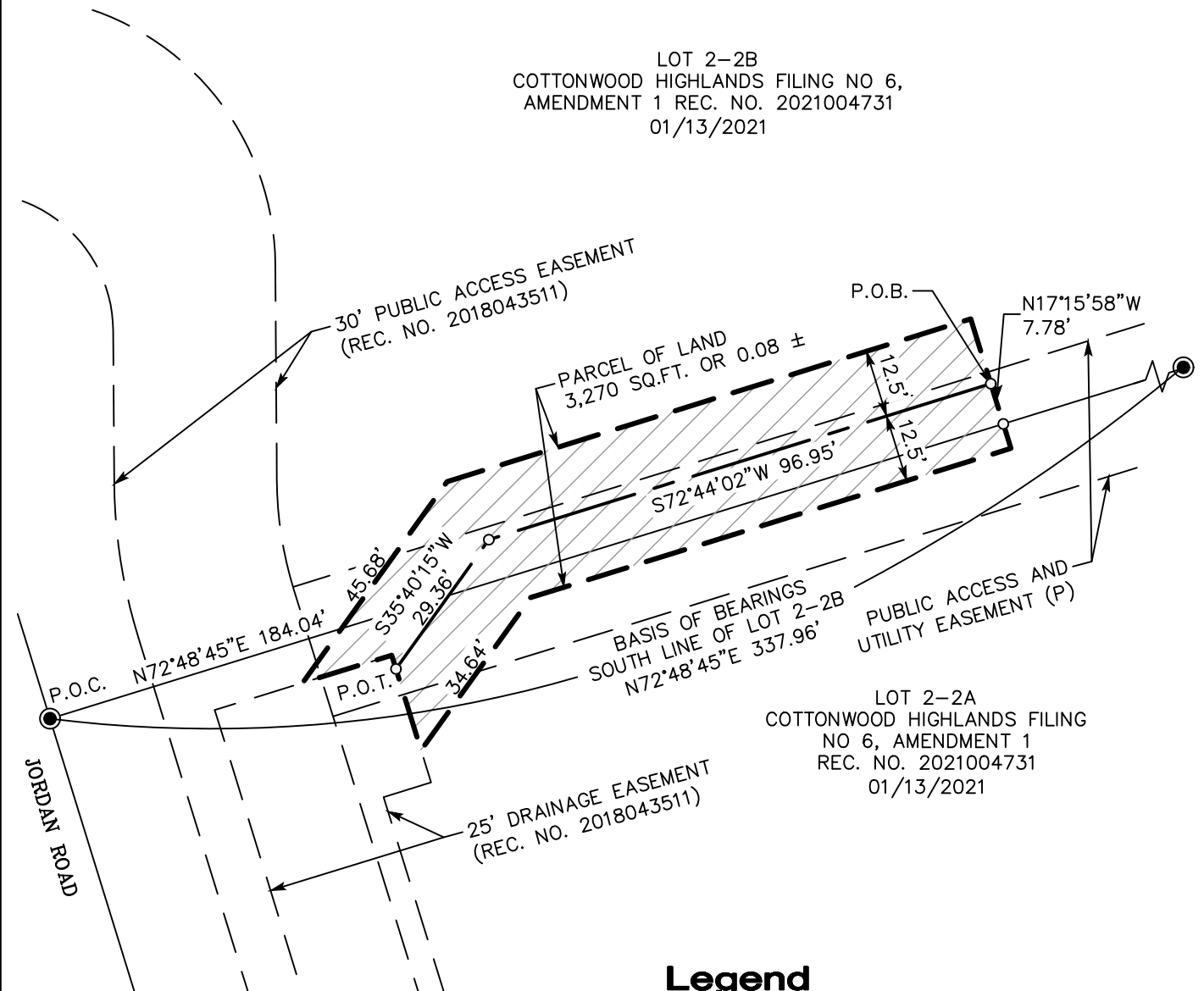
655 FOURTH AVE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355
www.FlatironsInc.com

EXHIBIT "A"

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 6 SOUTH,
RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 2

LOT 2-2B
COTTONWOOD HIGHLANDS FILING NO 6,
AMENDMENT 1 REC. NO. 2021004731
01/13/2021

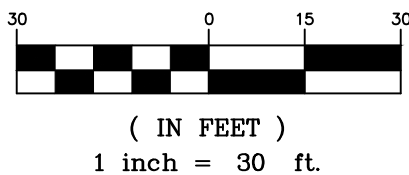


LOT 2-2A
COTTONWOOD HIGHLANDS FILING
NO 6, AMENDMENT 1
REC. NO. 2021004731
01/13/2021

Legend

- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRONS SURV 29038"
- (P) AS PER THE PLAT OF COTTONWOOD HIGHLANDS FILING NO 6, AMENDMENT 1 REC. NO. 2021004731 DATED 01/13/2021
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINUS

GRAPHIC SCALE



JOB NUMBER: 22-78,505
DRAWN BY: T. HENDERSON
DATE: OCT. 12, 2023

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Flatirons, Inc.
Land Surveying Services
655 FOURTH AVE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355
www.FlatironsInc.com

BY:T.HENDERSON FILE:78505 ALTA.DWG DATE:10/12/2023 10:27 AM



Request for Town Council Action

Date: November 6, 2023

Submitted By: Carrie Glassburn, Cultural Director

Reviewed By: Michelle Kivela, Town Manager

Title: **Legally Blonde The Musical**

Amount: **Walkout Potential \$130,000**

Contractor: **Sasquatch Productions Ltd.**

Department: **Cultural, Carrie Glassburn**

EXECUTIVE SUMMARY

This agenda item is to request Council approval of a Performance Agreement with Sasquatch Productions Ltd., a Colorado Limited Liability Company for production services of "Legally Blonde The Musical," which will be presented in June/July of 2024. Town Council previously approved Sasquatch Productions as one of three companies to receive a Master Agreement awarded under SOQ-19-005. This Master Agreement dictates that production costs may not exceed \$130,000 per production. For this production, Sasquatch Productions Ltd. will receive a guarantee of \$125,000, with an option for a \$5,000 bonus.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Our annual summer musical has become a very popular event over the years, with titles such as "Grease," "The Full Monty," "Footloose," and "Escape to Margaritaville" taking over our main stage. We were thrilled to be able to include "Legally Blonde The Musical," a well-known and highly engaging show, in our lineup this season. Tickets for this show went on sale in August of 2023. We forecast selling at least 75% of the total seats available for the 16 public performances of this production, which would result in an estimated gross ticket revenue of over \$255,432.

FINANCIAL IMPACT

Total production expenses and revenue for this theatrical production are in line with past years and have been accounted for in the 2024 Cultural budget.

STRATEGIC GOAL(S)



ATTACHMENTS

None

RECOMMENDED MOTION

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



Request for Town Council Action

Date: November 6, 2023
Submitted By: Nathan Klass, Engineering Service Manager
Reviewed By: Michelle Kivela, Town Manager
Title: **Lincoln Median Landscaping Project Contract Award**
Amount: **\$242,068**
Contractor: **Land Ethics of Colorado LLC**
Department: **Engineering and Public Works, Nathan Klass**

EXECUTIVE SUMMARY

This agenda item is to award a trade contractor agreement with Land Ethics of Colorado LLC for the Lincoln Median Landscaping Project (CIP23-031) for \$242,068.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town opened competitive bids on October 12, 2023 for the Lincoln Median Landscaping project. Work includes, but is not limited to, installation of Town standard globe lights, installation of a drip irrigation system, and small, medium, and large plants in the median of Lincoln Avenue between Jordan Road and Keystone Blvd.

The Town received bids from four (4) contractors with Land Ethics of Colorado LLC being the lowest responsible bidder. The engineer's estimate for this project was calculated at \$240,346.35, which is very close to the lowest responsible bidder. Land Ethics of Colorado LLC has completed previous landscaping projects with Town staff in the past with good results. Two references were contacted and gave positive reviews. Town staff recommends moving forward with the contract award. The bids were as follows:

Land Ethics of Colorado LLC	\$242,068
Goodland Construction Inc.	\$392,398
Powell Restoration Inc.	\$404,751
CDI	\$465,060

FINANCIAL IMPACT

Funding for this project is secured through Highway and Streets Capital fund (301-4310-7599), and the lowest responsible bid is within the funding allocation for this project.

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

None

RECOMMENDED MOTION

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



Request for Town Council Action

Date: November 6, 2023

Submitted By: Alex Mestdag, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Manager

Title: **North Parker Road Operational Improvements - Construction Management**

Amount: \$398,625

Contractor: Felsburg, Holt & Ullevig

Department: Engineering and Public Works, Alex Mestdag

EXECUTIVE SUMMARY

This item proposes to award a contract for construction management for the North Parker Road Operational Improvements project to Felsburg, Holt, & Ullevig.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The construction contract for the North Parker Road Operational Improvements project was awarded to Goodland Construction, Inc. at the October 23, 2023 Town Council Meeting. With construction beginning later this year and stretching through the end of 2024, a robust construction management effort will be needed in order to oversee the construction and manage all state and federal reporting requirements that accompany the funding for this project.

Under current staffing levels, the Town utilizes consultants to perform construction management services for capital improvement projects. The Town has selected Felsburg, Holt, & Ullevig (FHU) to perform these services for this project. FHU has performed similar services for Town projects in the past, and their past performance and qualifications make them the best choice for this project.

FHU has provided a scope of services for this work including construction observation, contract management, materials testing, and state and federal reporting. The total amount of the contract is \$398,625.

FINANCIAL IMPACT

The cost of these services is included in the appropriated funds for the project in the 2023 budget.

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY



ENHANCE ECONOMIC
VITALITY



PROMOTE A SAFE AND
HEALTHY 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: November 6, 2023
Submitted By: Jim Gilbert, Deputy Director of Operations
Reviewed By: Michelle Kivela, Town Manager
Title: **2024 Custodial Services Contract**
Amount: **\$600,000**
Contractor: **The Key People**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Town of Parker contracts out the custodial services at Town operated facilities. The current contract with “The Key People” expires at the end of 2023. Town staff performed a Request for Proposal (RFP) to secure custodial services for 2024 and beyond. The Town received five (5) responses to the RFP and, after review and consideration of the submittals, staff determined that awarding this contract to the incumbent provider was the best alternative.

Town staff concluded that this is in the best interest of the Town based on several factors including: the current level of service provided to the Town by the existing vendor is established and appropriate for the multiple facilities; the contracted dollar amount is deemed reasonable for continuance of the services being provided; and the issuance of the contract is established based on a competitive bid process ensuring that the Town is obtaining these services in concurrence with our policies.

This contract will be for a one-year period with the option to renew the contract annually for four (4) additional years.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker previously operated custodial services as an in-house function for several facilities, while it was also a contracted service for others. In 2013, the Town moved to a complete outsourcing of these services. It is a well-established position to contract these services out as they are typically not a core mission and can be performed more efficiently by a service provider.

The Town entered into a multi-year capable contract with The Key People to perform custodial services at all Town-operated facilities in 2013. The Facilities Maintenance Division currently acts as the primary point of contact between the Town and The Key People. This arrangement provides oversight on a consistent measure for all Town operated facilities and ensures proper

contract management.

The RFP process performed in 2023 for Custodial Services resulted in five (5) responses from vendors. The following table provides an overview of the quotes received.

ZTL Partners	\$497,662.40
The Key People	\$520,736.43
Environmental Control	\$589,620.00
Kleen Tech	\$662,232.00
AgTac	\$955,918.68

An additional \$80,000 is included in this contract for possible services requested that are outside of the contract terms but capable of being performed by The Key People. These services could include, but are not limited to, such tasks as window washing, special cleaning requests after facility use, additional work during annual shut-downs of facilities, etc..

The Key People quote is based on intrinsic knowledge and the expected levels of service required by the Town. Staff evaluated the submittals based on price, qualifications, and thoroughness of the responses. Based on this evaluation, staff recommended contracting again with The Key People. The primary reason for this decision is the long-standing trust developed by The Key People and their staff providing these services for the Town. Secondly, The Key People provide a consistent measure of cleanliness and level of service that has been demonstrated over a long period of time.

For these reasons, staff recommends that the Town continue to contract with The Key People for these services.

FINANCIAL IMPACT

These services and the costs associated with them are included in the annual budget. No additional financial impacts are anticipated at this time.

STRATEGIC GOAL(S)



**SUPPORT AN
ACTIVE COMMUNITY**



**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
SMALL BUSINESS SATURDAY

WHEREAS, the Town of Parker, Colorado, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 33.2 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62.7% of net new jobs created since 1995, and small businesses employ 46.4% of the employees in the private sector in the United States; and

WHEREAS, 68 cents of every dollar spent at a small business in the United States stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

WHEREAS, 72% of consumers reported that Small Business Saturday 2022 made them want to shop and dine at small, independently-owned retailers and restaurants all year long; and

WHEREAS, the Town of Parker supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, Jeff Toborg, Mayor of the Town of Parker, Colorado, do hereby proclaim November 25, 2023, as

SMALL BUSINESS SATURDAY

and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of November 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

TOWN MANAGER REPORT

Autumn 2023



PARKER
COLORADO

TOWN MANAGER REPORT

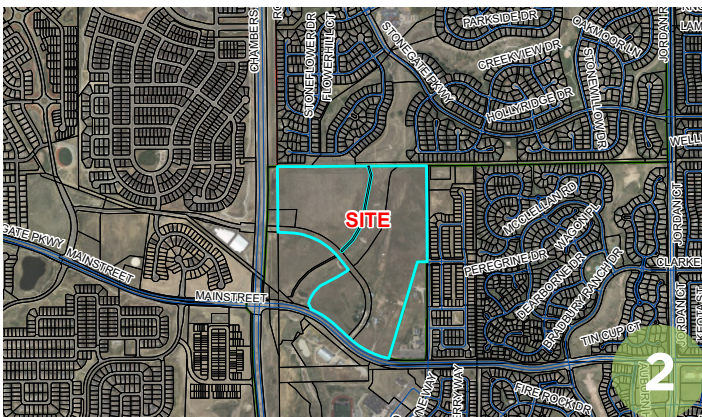
Town Council Meetings - Notable Actions

July 10

- **Coyle/Perkins Property Annexation and Zoning:** Town Council approved three items related to the annexation and zoning of the Coyle/Perkins Property, located at the southeast corner of the intersection of Stroh Road and Crowfoot Valley Road (*photo 1*). The approved zoning will permit a maximum of 343 residential dwelling units, more than eight acres of commercial development and several acres of parks, trails and open space.



- **Newlin Crossing Filing No. 2:** Town Council approved three items related to a final plat for Newlin Crossing Filing 2, a mixed-use development located at the northeast corner of Mainstreet and Chambers Road (*photo 2*). The final plat created 109 residential lots along with required parks, open space and trails. The lots will be developed with detached, single-family homes. Additional tracts are unbuildable until the applicant submits a future replat application to create additional lots for residential development.



July 17

- **Bike and Pedestrian Master Plan:** Town Council passed a resolution to adopt the Bike and Pedestrian Master Plan as part of the Town's Transportation Master Plan. The Transportation Master Plan was adopted in 2014 and incorporates prior transportation-related plans such as the 2005 Bike Lane Plan and the 2010 Open Space, Trails and Greenways Master Plan. The Bike and Pedestrian Master Plan updates these prior plans and serves as the Town's policy document for future bike and pedestrian mobility while serving as a road map to promote a safe, comfortable and well-connected bike and pedestrian network.
- **Parks, Trails, Open Space and Streetscape Design and Construction Manual:** Town Council approved an ordinance adopting the Parks, Trails, Open Space and Streetscape Design and Construction Manual, which is an update to the Town's former specifications, titled the Construction Specifications and Design Considerations for Parks, Trails and Streetscapes Manual. This project is a follow-up to the Town's 2019 adoption of revised standards in the Land Development Ordinance (LDO) for parks, trails and open space required with new residential development.
- **Stroh Ranch Planned Development Rezoning Application:** Town Council denied a rezoning application that would have amended the Stroh Ranch Planning Development (PD) zoning to add 275 residential units to the PD zoning for use in the MU - Mixed Use Planning Areas for Filings 14 and 15. The Mixed Use Planning Areas are planned and zoned for residential and commercial use, but all of the permitted residential yield has been developed elsewhere in Stroh Ranch PD.
- **Golf Carts on Public Roadways, Parklands and Trails:** Town Council voted to deny an amendment to the Municipal Code allowing the permitted use of golf carts on public roadways in certain areas of Parker.

TOWN MANAGER REPORT

Town Council Meetings - Notable Actions

Aug. 7

- **Parker Youth Commission Appointments:** Town Council passed a resolution to appoint three new members to the Parker Youth Commission (*photo 1*): Alisa Babic, Bella Harper and Izzy Sanchez. A fourth new member, Isabella Corriere, was added to the commission during the Oct. 2 Town Council Meeting.



- **Dransfeldt Road Extension Project Cost Sharing:** Town Council passed via resolution an intergovernmental agreement with Douglas County for partial funding of the proposed Dransfeldt Road Extension Project. The agreement commits Douglas County to contribute \$8 million to the project.

Aug. 21

- **Horseshoe Ridge Veterinary Clinic - Use by Special Review:** Town Council approved a Use by Special Review request to allow for a veterinary hospital within the Horseshoe Ridge Planned Development, located on the north side of Hess Road, west of Motsenbocker Road.
- **Downtown Parker Business Improvement District:** Town Council approved an ordinance to organize the Downtown Parker Business Improvement District (BID), provide for an appointed board, appoint members of the board, and approve the 2023-24 operating plan and budget for the district. A petition to form the BID was filed with the Town Clerk by eligible property owners located within the area on July 12, 2023.

Aug. 21 (con't)

- **Chambers Commercial Center Business Improvement District:** Town Council approved an ordinance to organize the Chambers Commercial Center Business Improvement District (BID), provide for an appointed board, appoint members of the board, and approve the 2023-24 operating plan and budget for the district. A petition to form the BID was filed with the Town Clerk by eligible property owners located within the area on July 18, 2023.
- **2023 Town Election Ballot Questions - Resolutions of Support:** Town Council passed four resolutions of support for Questions 2A, 2B, 2C and 2D, which will appear for on Parker residents' ballots for the 2023 Election.

Sept. 5

- **Stroh Road Widening 30 Percent Design Contract:** Town Council approved a professional services agreement for 30 percent of design services related to the proposed Stroh Road Widening Project. Construction for this project is tentatively scheduled for 2024.

Sept. 18

- **O'Brien Park Streetscape Construction Contract:** Town Council approved a trade contractor agreement for streetscape improvements along O'Brien Park's south and west perimeter, which includes new landscaping, irrigation, an art pad, concrete seat walls and berms (*photo 2*). Project construction is anticipated to begin in October 2023 and be completed by May 2024 before the active event season at O'Brien Park.



TOWN MANAGER REPORT

Town Manager's Office Updates

- **New Assistant Town Managers:** The Town of Parker announced the hiring of two new Assistant Town Managers to work in partnership with the Town Manager for providing key leadership, strategic direction and oversight of organizational operations.

Michael Lawson (*photo 1*) was named Assistant Town Manager - Operations and began work in his new role in August. He serves as a liaison and partner on Town-wide issues and oversee the Greater Parker Foundation, as well as the Cultural and Parks, Recreation and Open Space Departments.



Emily Hogan (*photo 2*) was named Assistant Town Manager - Administration and began work in her new role in October. She oversees the communications functions of the Town Manager's Office, including all aspects of internal and external outreach and engagement programs and events, as well as the organization's Human Resources Department.



- **Youth Commission Mural Service Project:** Local students recently added a mural to the Town's public art collection (*photo 4*). Spearheaded by resident Adi Aderhold, students from all Parker-area high schools beautified this once-blank canvas, turning it into a mythical creatures-themed delight. Eight student artists created the primary mural content, and an additional 25 students contributed through background painting and assisting where needed. The Parker Youth Commission is proud to have had the opportunity to contribute to the creation. The mural is located at the tunnel of the East-West Trail at Chambers Road.

- **My Mainstreet Project:** In August and September, Confluence Companies submitted the site plan application for the [proposed EastMain mixed-use development](#) located between Discovery Park and the Town and Country residential community, as well as a site plan for the [future PACE Center parking structure](#).

Confluence also held an Aug. 22 public open house to [introduce renderings of the proposed plans](#) for both the East Main lot and the Town parking garage. Final site plans were submitted to the Town in mid-September.

The proposed East Main lot plan (*photo 3*) includes a five-story mixed-use building with restaurants, retail, housing and underground parking. The proposed parking garage is a 297-space parking structure to be located on the current surface lot east of the PACE Center.



Additional Resources

- [Performance Measures Dashboard](#)
- [Upcoming Town Meetings and Events](#)
- [2023 Annual Budget](#)
- [2024 Projected Annual Budget](#)

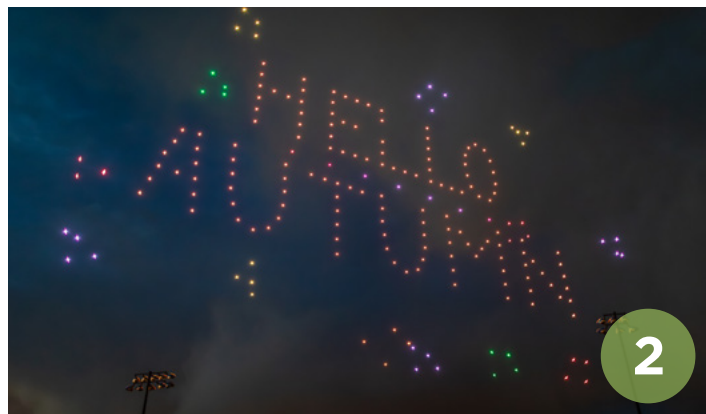
TOWN MANAGER REPORT

Communications Updates

- **Parker Fall Fest:** The addition of a new Town signature community event was a success, as nearly 4,000 residents and visitors participated in the expanded Parker Fall Fest event in late September.

A 10-day celebration that kicked off the start of autumn, Fall Fest was capped by Fun and Games Day in O'Brien Park on Sept. 30 featuring kids activities (*photo 1*) like inflatables, walk-around entertainers, giant table and lawn games, as well as the Colorado Avalanche's "Game On" street hockey program. Adults also were able to enjoy the festivities with a beer garden hosted by the Downtown Business Alliance and an axe-throwing booth, as well as a variety of popular food vendors.

Fall Fest concluded with a drone light show in the sky above O'Brien Park showcasing 200 drones, a new high for a drone show in Parker (*photo 2*).



- **Farmer's Market Community Outreach:** The Town Manager's Office Communications Team concluded another season of Parker Farmers Market outreach and engagement in September (*photo 3*). This year, staff coordinated five booth dates, the most in a single season for the Town. In addition to contributions from Town Council, departments represented at the summer booths included Engineering and Public Works, Community Development, Communications, Parks, Recreation and Open Space, Human Resources and Parker Arts.



- **Performance Measures Dashboard:** The Town introduced a [new online dashboard](#) to assist with the tracking of organizational performance metrics for key programs and services. Each metric is related to one of the Town's Strategic Priorities: Support an Active Community, Foster Community Creativity and Engagement, Enhance Economic Vitality, Promote a Safe and Healthy Community, Innovate with Collaborative Governance, and Develop a Visionary Community through Balanced Growth.

Additional Resources

- [Talk of the Town Community Newsletter](#)
- [Upcoming Town Meetings and Events](#)
- [Volunteer Opportunities](#)

TOWN MANAGER REPORT

Community Development Department Updates

Building Activity Summary

- **Single-Family Housing Permits Issued:** 504
- **Commercial Permits Issued:** 606 issued
- **Total Value of Permits:** \$386,294,626
- **Total Inspections:** 43,652

Development Activity Summary

- **Pre-application Requests:** 33
- **Active Applications:** 96
- **Approvals:** 79

Long-range Planning Projects

- **Bike & Pedestrian Master Plan:**
Town Council approved July 17, 2023
- **Parks Design & Construction Manual:**
Town Council approved July 17, 2023
- **Land Development Ordinance Modernization:**
Active, on-going

Major Development Applications

- **In-N-Out Burger:**
Site plan approved July 2023
- **Parker Town Center Mixed-Use (photo 1):**
Site plan approved August, 2023
- **Stroh Ranch Mixed-Use:**
Rezoning denied July 2023
- **Whole Foods (photo 2):**
Site plan submitted, under review
- **My Mainstreet Phase 1 Mixed-Use/Parking Structure:** Site plans submitted, under review

Planning Commission Update

- **Bike & Pedestrian Master Plan (photo 3):**
Recommended approval June 2023
- **Parks Design & Construction Manual:**
Recommended approval July 2023
- **Horseshoe Ridge Veterinary Clinic:**
Recommended use by special review approval August 2023
- **Newlin Crossing Townhomes:**
Recommended sketch/preliminary plat approval September 2023



Additional Resources

- [Active Development Map](#)
- [Monthly Building Reports](#)
- Ongoing Planning Projects:
 - * [Land Development Ordinance Modernization Project](#)

TOWN MANAGER REPORT

Cultural Department Updates

- **Crime and Wine Event:** Parker Arts held a new history event called “Crime and Wine” on Sept. 8. This was a completely new concept designed to educate patrons on the history of Parker through an interactive experience. We worked with the Douglas County Historians at the Castle Rock Library to spotlight a crime that happened in Parker in 1900. Patrons enjoyed food and wine while they toured the historic Schoolhouse and Ruth Memorial Chapel, and learned about local history and this particular murder. As the event sold out almost immediately, Parker Arts plans to offer it again in Spring 2024.
- **Honey Festival:** Parker Arts held its annual Honey Festival (*photo 1*) on Aug. 6 and saw the highest attendance yet, with over 3,500 people visiting the event. This year, 22 bee and honey-related vendors participated. Among many other activities, our Kids Hive offered arts and crafts and education on the vitally important honeybee, and the public got to pick the People’s Choice Award for the best honey.
- **Senior Memory Care Program:** In 2022, Parker Arts started a new program with the Senior Memory Care Community. This program has continued to grow, and we now bring both staff and volunteers to visit regularly with senior living and aging adult facilities around the area. We offer activities including: arts and crafts, Parker Arts Lecture Series recordings and discussion, book readings, teaching and singing songs, cookie decorating, games, and conversation exercises to share experiences.

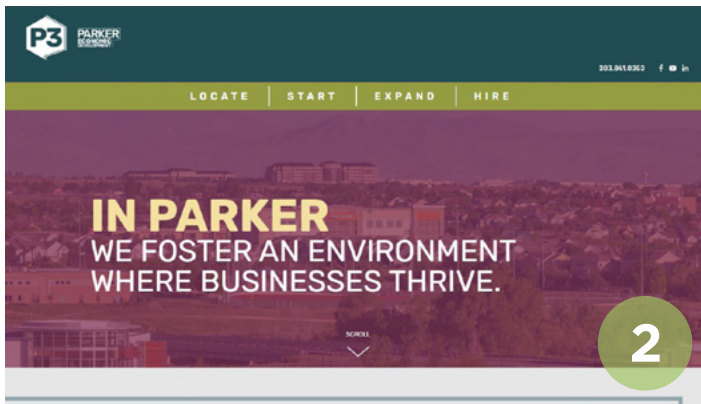


Additional Resources

- [Upcoming Parker Arts Shows and Events](#)

Economic Development Division Updates

- **New Website:** The Economic Development website (*photo 2*) has been relaunched with more tools and information for our Parker Businesses. Check out this new resource at www.ParkerEd.org.
- **Chicken N Pickle:** Chicken N Pickle [announced its plans to open its second Colorado location in Parker](#) (*photo 3*). The project is in the site plan process with an anticipated opening in 2025.



Additional Resources

- [Parker Business and Demographic Data](#)

TOWN MANAGER REPORT

Engineering and Public Works Department Updates

- **Townwide Traffic Data Collection:** A consultant working for our Traffic Division recently completed a traffic data collection project. Traffic counts, including turning movements at intersections, were recently collected for all of the Town's major roadways. This data will be used to update our traffic models, including signal timing, to improve traffic flow throughout Town.
- **Mainstreet North Sidewalk (Town and Country):** The Town's contractor completed this sidewalk and streetscape project (*photo 1*) which included a number of improvements including a widened sidewalk, landscaping, lighting, fencing and retaining walls. This project was a great success and improved pedestrian mobility and aesthetics for this segment of sidewalk in the downtown area. The project was completed ahead of schedule and within budget.
- **Pikes Peak Drive Sidewalk Project:** This project (*photo 2*) is substantially complete and our contractor will be working on various remaining items including landscape restoration, lighting, striping, signage and punch list items over the next couple of weeks. This project was a huge success and required a significant amount of coordination with Property owners and construction phasing to minimize the impacts to the adjacent businesses. This project was completed ahead of schedule and under budget.



- **New Traffic Signals:** Two traffic signals were recently completed and are currently operational. These include a new signal at the Chambers Road/Red Sky intersection (adjacent to the new McDonalds) and at the Jordan Road/Parker House Road intersection (north of E-470).
- **Cherry Creek Restoration at Dransfeldt Extension:** This project started construction in August and includes a number of improvements including creek restoration, trails, utility (sewer realignment), landscaping and other improvements required for the upcoming Dransfeldt Bridge (Extension) Project. This project is contracted through the Mile Hi Flood District and includes funding from the Town, Cherry Creek Basin Water Quality Authority and the Mile Hi Flood District. The project is expected to be complete by 2nd quarter of 2024.

Additional Resources

- [Capital Improvements Update](#)
- [Street Maintenance Project Map](#)

Human Resources Department Updates

- **Town Staff Recruitment Efforts:** The Town filled 20 vacant full-time positions in the third quarter. Across all positions (full-time, part-time, seasonal), the Town received 1,180 job applications.

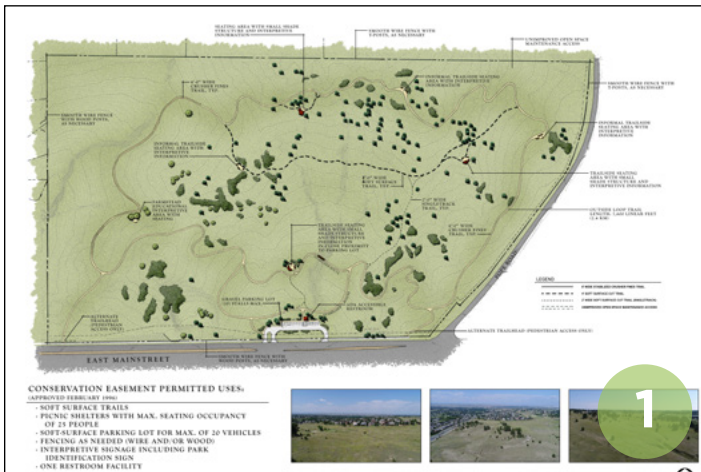
Additional Resources

- [Current Employment Opportunities](#)

TOWN MANAGER REPORT

Parks, Recreation and Open Space Department Updates

- **Harvie Open Space:** The Town acquired the 71.4-acre Ray J. Harvie Open Space (*photo 1*) located at Mainstreet and Canterbury Parkway in 2017 from Douglas County. A conservation easement outlines the specific uses and activities allowed on the property. These uses include soft surface trails, picnic shelters, fencing, a roadbase parking lot, a restroom, and signage. In 2017, a community process was initiated to gain input from Parker Town residents on the proposed improvements and comments from the participants were incorporated into the master plan. In May of 2023, the construction started on the new open space and great progress has been made. Construction is anticipated to be complete by the end of 2023.
- **So Long To Summer 5K/10K:** This annual race (*photo 2*) was held at Salisbury Park on Sept. 23, with 257 participants enjoying the always-delicious pancakes, as well as the inaugural Beer Garden sponsored by Fiction Brewery. We received positive feedback from both participants and the brewery staff on the opportunity for community engagement.
- **H2O'Brien Pool:** Despite a cold and rainy start to summer, the H2O'Brien Pool (*photo 3*) had a successful season through the summer months with high daily participation rates, summer pass sales, and very popular party/group rentals. Staff did a great job of promoting seasonal specials and the marketing team promoted the facility via social media to attract visitors.
- **Rowley Downs Trail Improvement Project:** This trail project, stretching from the Tallman Gulch Trail to Omaha Avenue, is now complete and includes a 10-foot wide concrete trail for a more enjoyable outdoor experience.
- **Trail Maintenance:** Parks, Forestry and Open Space staff continue with trail maintenance including repairs from summer flooding, concrete grinding, tree limb clean-up for fire mitigation purposes and ongoing trash removal of adjacent trail vegetation.



Additional Resources

- [Upcoming Parks and Recreation Events](#)

TOWN MANAGER REPORT

Police Department Updates

- **National Night Out:** More than 700 Parker residents attended National Night Out-Day Shift at O'Brien Park in July (*photo 1*). Mounted Patrol, Dispatch, Explorers, Crime Scene and Evidence and other Police Department units made this a fun event for community members of all ages. A car show, food trucks and face painting joined some of our community safety partners to round out this event.
- **CALEA Accreditation:** Since 2013, the Parker Police Department has been nationally accredited through The Commission on Accreditation for Law Enforcement Agencies (CALEA), and we are incredibly proud of our 4th award for advanced reaccreditation for Law Enforcement along with our 3rd award for Public Safety Communications (Dispatch Center) (*photo 2*).
- **Police Teen Academy:** More than 20 area teens joined members of the Parker Police Department for a behind-the-scenes look into the agency through the Parker Police Teen Academy (*photo 3*). Participants worked through a mock crime scene, watched K-9 Rico at work, stepped inside the Douglas County Regional SWAT Team's Bearcat, and got to take a spin on the driving track in a police car.
- **Tip-a-Cop Event:** Parker residents donated more than \$2,600 to Special Olympics Colorado at the Chili's Tip-A-Cop event on July 23. Parker Police Officers and staff joined Parker Special Olympics athletes, talking to residents and showing off their medals.
- **SPSC Training:** Sergeant Jacob Schuster graduated from Northwestern University's School of Police Staff and Command (SPSC). The SPSC is an intensive leadership and management education program that helps prepare experienced law enforcement professionals for success in senior command positions.



Additional Resources

- [Police Department Monthly Reports](#)
- [Community Crime Statistics](#)



Request for Town Council Action

Date: November 6, 2023

Submitted By: Kristin Hoffmann, Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 13.111.1 - Second Reading**
A Bill for an Ordinance Approving the Exclusion of Certain Property
From the Boundaries of the Downtown Parker Business Improvement
District and Making Findings Related Thereto
Department: Town Attorney, Kristin Hoffmann

EXECUTIVE SUMMARY

This ordinance excludes certain property from the Downtown Parker Business Improvement District.

STAFF RECOMMENDATION

None

BACKGROUND/DISCUSSION

On September 25, 2023, a petition for exclusion from the Downtown Parker Business Improvement District (the “District”) was filed with the Town. On October 2, 2023, the Town Council adopted a resolution setting the public hearing date for November 6, 2023.

Exclusion of property from the boundaries of a business improvement district is initiated through the filing of a petition by the owners of the proposed property requesting that the property be excluded from the District. The property owned by the petitioners, and sought to be excluded from the District, is described in the attached petition and ordinance. The Town Clerk caused notice of the filing of the petition to be given and published. The notice informed all persons having objections to appear at the hearing and show cause why the petition should not be granted.

The Town Council shall hear the petition and all objections that may be presented by any person showing cause why the petition should not be granted. The failure of any interested person to show cause shall be deemed an assent to the exclusion of the property.

If the change of boundaries of the District does not adversely affect the District and if the petition is granted, the governing body shall adopt an ordinance and file a certified copy with the county clerk and recorder. The property shall then be excluded from the District.

FINANCIAL IMPACT

None to the Town. The District's operating budget anticipates a mill levy of up to 8 mills (subject to voter approval). With an assessed value of \$1,306,060, the estimated taxes payable to the District are \$10,448.48.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Petition for Exclusion
2. Ordinance No. 13.111.1
3. PT Lot 3 Replat of Parker Central Area 5 Property Vicinity Map

RECOMMENDED MOTION

I move to approve Ordinance No. 13.111.1 on second reading.

**PETITION FOR EXCLUSION OF PROPERTY
FROM
DOWNTOWN PARKER BUSINESS IMPROVEMENT DISTRICT**

TO: Town Council, Town of Parker, Colorado.

The undersigned, BONBECK PARKER LLC, a Colorado limited liability company, hereby respectfully petitions the Town Council of the Town of Parker in accordance with the provisions of Sections 31-25-1208 and -1220, C.R.S., for the exclusion of the hereinafter described property from the Downtown Parker Business Improvement District (the "District").

The undersigned hereby requests that the property described in **Exhibit A**, which is attached hereto and incorporated herein (the "Property"), be excluded from the District, that an Ordinance be adopted by the Town Council excluding the Property from the District, and that from and after the entry of such Ordinance, the Property shall be free and clear of any contract, obligation, lien, or charge to which it may be liable as a part of the District.

The undersigned represents to the Town Council that it is the owner of the Property, and that no other persons, entity or entities own an interest in the Property.

The legal description of said property situated in the Town of Parker, County of Douglas, State of Colorado, is attached hereto as **Exhibit A**.

This is a verified petition.

[Signature page to follow]

**PETITIONER:
BONBECK PARKER LLC**

By: 

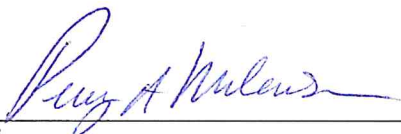
Name: Michael L. Becky, Manager

Petitioner's Street Address: 7844 S Magnolia Way, Centennial, CO 80112

STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 19th day of September, 2023, by Michael. L Becky as Manager of Bonbeck Parker LLC, a Colorado limited liability company, Petitioner.

Witness my hand and official seal.


Notary Public

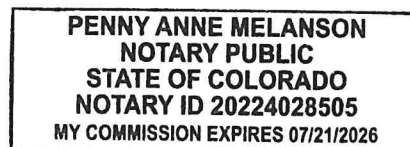


EXHIBIT A
Petition for Exclusion
Legal Description

PT LOT 3 REPLAT OF PARKER CENTRAL AREA #5 0.954 AM/L

Account #:
R0372673
State Parcel #:
2233-221-06-008

Parcel: PT Lot 3 Replat
of Parker Central Area 5
Vicinity Map



ORDINANCE NO. 13.111.1, Series of 2023

TITLE: A BILL FOR AN ORDINANCE APPROVING THE EXCLUSION OF CERTAIN PROPERTY FROM THE BOUNDARIES OF THE DOWNTOWN PARKER BUSINESS IMPROVEMENT DISTRICT AND MAKING FINDINGS RELATED THERETO

WHEREAS, by Ordinance No. 13.111, Series of 2023, adopted by the Town Council (the “Town Council”) of the Town of Parker (the “Town”) on August 21, 2023, the Town Council approved the organization and creation of the Downtown Parker Business Improvement District (the “BID”); and

WHEREAS, a petition for exclusion of certain property from the boundaries of the BID (the “Petition”) was filed with the Town Clerk on September 25, 2023; and

WHEREAS, the Petition sets forth, among other things:

- (a) the name of the owner of the property proposed to be excluded;
- (b) a description of the boundaries of the property proposed to be excluded;
- (c) a request that Town Council approve such exclusion; and

WHEREAS, if required, the Petition was to be filed with a cash deposit in such amount determined sufficient to cover all municipal expenses associated with these proceedings; and

WHEREAS, the Town Clerk verified the owner of the property proposed to be excluded and caused notice of the filing of the Petition to be given and published, and the date of the public hearing; and

WHEREAS, such notice informed all persons having objections to such exclusion to appear at the time and place of the public hearing and show cause as to why the petition should not be granted.

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

Section 1. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Council.

Section 2. That following a duly noticed and held public hearing and upon consideration of a recommendation that an ordinance be enacted excluding certain property from the BID, the Town Council finds:

- (a) That the Petition was filed in the Office of the Town Clerk of the Town of Parker, on the 25th day of September, 2023, by the owner of the property proposed to be excluded;

(b) That Town Council has heretofore fixed a place and time for a hearing on the Petition, which hearing was scheduled for Monday, November 6, 2023, at 7:00 p.m., to be held at Parker Town Hall, 20120 E. Mainstreet, Parker, Colorado, 80138;

(c) That notice of such hearing was duly published and given as required by Section 31-25-1220, C.R.S;

(d) That the Town Council heard the Petition and all objections thereto which were presented by any person showing cause as to why said Petition should not be granted;

(e) That the exclusion of said property from the boundaries of the BID does not adversely affect the BID.

Section 3. The Town Council hereby orders that said property be excluded from the boundaries of the BID.

Section 4. This ordinance approving the exclusion of such property from the boundaries of the BID shall be filed with the County Clerk and Recorder and thereupon said property shall be excluded from the BID.

Section 5. The actions of the Town Clerk in providing public notice of the public hearing on the sufficiency of the Petition and her other actions in furtherance hereof are hereby ratified and confirmed.

Section 6. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed, except that this section shall not be construed so as to revive any act, order, resolution, or ordinance, or part thereof previously repealed.

Section 7. This Ordinance shall be recorded in the records of the Clerk and Recorder for Douglas County, Colorado.

Section 8. 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 9. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

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

INTRODUCED AND PASSED ON FIRST READING this _____ day of October, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of November, 2023.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

EXHIBIT A

**Legal Description of the Area to be Excluded from the Boundaries of the
Downtown Parker Business Improvement District**

Owner Name	Street Address	Legal Description	Parcel No.
BONBECK PARKER LLC	11000 S PARKER RD 105	PT LOT 3 REPLAT OF PARKER CENTRAL AREA #5 0.954 AM/L	2233-221-06-008



Request for Town Council Action

Date: November 6, 2023

Submitted By: Christine Brookshire, Finance Manager
Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 1.593 - First Reading**
A Bill for an Ordinance to Adopt the 2024 Budget and to Make Appropriations for the Same
Department: Finance, Mary Lou Brown & Christine Brookshire
Second Reading: November 20, 2023

EXECUTIVE SUMMARY

This item requests Council approval for the Town of Parker 2024 Budget. This is the first of two public hearings.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Internal work on the 2024 Town of Parker budget began in mid-July and was followed by a Council budget retreat on October 6, 2023 and a Council study session on October 23, 2023. The 2024 Budget was posted to the internet on Monday, October 9, 2023, in advance of the legal deadline of October 15, 2023. Tonight is the first public hearing for the 2024 Budget, and the second public hearing is scheduled for November 20, 2023.

The 2024 Budget was prepared in conjunction with seven overall guidelines:

- Meet the General Fund required cash balance percentage
- Calculate the Cultural and Recreation Fund cash balances in the same manner as the General Fund
- Sustain level of funding for community programs
- Maintain repair and maintenance programs at the current activity levels
- Plan for potential compensation study recommendations
- Fund performance pay and PD officer step plans in line with other area agencies
- Contain growth in discretionary expense items

The sales tax growth rate has experienced considerable volatility from the 2021 and 2022 rates of 18.4% and 11.1%, respectively, to the 2023 projection of 4.0%. Based on this history, the sales tax growth rate for 2024 is budgeted at 5%.

In the General Fund, which is the main operational fund of the Town, expense growth is 14% percent due to twelve and a half additional employees being added to the Police Department and four in Public Works, \$1.13M added in Capital Outlay, and inflationary growth in most categories.

FINANCIAL IMPACT

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. 1.593

RECOMMENDED MOTION

I move to approve Ordinance No. 1.593 on first reading and to schedule second reading for November, 20, 2023.

ORDINANCE NO. 1.593, Series of 2023

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2024 BUDGET AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that a proposed budget be presented to the Town Council on or before the fifteenth day of October of each year;

WHEREAS, the proposed budget for 2024 was presented by the Town Administrator on October 6, 2023, October 23, 2023, and November 13, 2023; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget was open for inspection by the public at the Town Hall, and Public Hearings were held on November 6, 2023, and November 20, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

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

Section 1. The 2024 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 _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2022.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

Exhibit A
Town of Parker
2024 Budget

General Fund

Beginning Fund Balance	\$	34,532,407
Revenues		80,896,476
Expenditures		90,961,810
Ending Fund Balance	\$	<u>24,467,073</u>

Conservation Trust Fund

Beginning Fund Balance	\$	493,382
Revenues		729,500
Expenditures		844,800
Ending Fund Balance	\$	<u>378,082</u>

Parks and Recreation Fund

Beginning Fund Balance	\$	19,236,354
Revenues		14,091,376
Expenditures		9,980,553
Ending Fund Balance	\$	<u>23,347,177</u>

Cultural Fund

Beginning Fund Balance	\$	2,361,604
Revenues		7,861,083
Expenditures		8,177,992
Ending Fund Balance	\$	<u>2,044,695</u>

Recreation Fund

Beginning Fund Balance	\$	2,286,924
Revenues		11,218,060
Expenditures		10,979,629
Ending Fund Balance	\$	<u>2,525,355</u>

Public Improvements Fund

Beginning Fund Balance	\$	14,612,559
Revenues		49,196,437
Expenditures		50,785,000
Ending Fund Balance	\$	<u>13,023,996</u>

Excise Tax Fund

Beginning Fund Balance	\$	25,103,511
Revenues		8,750,000
Expenditures		24,160,000
Ending Fund Balance	\$	<u>9,693,511</u>

Capital Renewal and Replacement Fund

Beginning Fund Balance	\$	52,870,122
Revenues		9,225,000
Expenditures		39,700,000
Ending Fund Balance	\$	<u>22,395,122</u>

Public Works Impact Fees Fund

Beginning Fund Balance	\$	7,284
Revenues		250
Expenditures		-
Ending Fund Balance	\$	<u>7,534</u>

General Government Facilities Impact Fees Fund

Beginning Fund Balance	\$	10,864
Revenues		375
Expenditures		-
Ending Fund Balance	\$	<u>11,239</u>

Police Facility Impact Fees Fund

Beginning Fund Balance	\$	11,037
Revenues		375
Expenditures		-
Ending Fund Balance	\$	<u>11,412</u>

Court Facility Impact Fees Fund

Beginning Fund Balance	\$	1,028
Revenues		30
Expenditures		-
Ending Fund Balance	\$	<u>1,058</u>

Hess Ranch Fund

Beginning Fund Balance	\$	203,271
Revenues		45,000
Expenditures		-
Ending Fund Balance	\$	248,271

Cherry Creek South Metro District

Beginning Fund Balance	\$	127
Revenues		5
Expenditures		-
Ending Fund Balance	\$	132

General Debt Service Fund

Beginning Fund Balance	\$	-
Revenues		13,942,946
Expenditures		13,942,946
Ending Fund Balance	\$	-

Recreation Debt Service Fund

Beginning Fund Balance	\$	-
Revenues		1,587,644
Expenditures		1,587,644
Ending Fund Balance	\$	-

Stormwater Utility Fund

Beginning Fund Balance	\$	820,740
Revenues		9,865,000
Expenditures		9,503,534
Ending Fund Balance	\$	1,182,206

Fleet Services Fund

Beginning Fund Balance	\$	3,253,446
Revenues		3,649,021
Expenditures		3,197,259
Ending Fund Balance	\$	3,705,208



Request for Town Council Action

Date: November 6, 2023
Submitted By: Weldy Feazell, PAR & Economic Development Director
Reviewed By: Michelle Kivela, Town Manager
Title: **Shopping Center Assistance Program Agreement for Kings Point Retail, LLC**
Department: **Economic Development, Weldy Feazell**

EXECUTIVE SUMMARY

Kings Point Retail, LLC, the developer of the Whole Foods shopping center, has filed an application with the Town to participate in the Shopping Center Assistance Program (SAP) pursuant to Chapter 4.10 of the Parker Municipal Code for the development of an 8-acre site on the northwest corner of Cottonwood Drive and Kings Point Way. In considering the application, Council shall consider the following criteria:

- (1) The amount of fees and sales taxes which are reasonably anticipated to be derived by the Town through the establishment of the proposed shopping center.
- (2) The public benefits which are provided by the applicant through public works, public or public-related improvements, additional and/or retained jobs and employment opportunities for Town residents and others, include:
 - a. The quality of the proposed shopping center.
 - b. Utilization of an existing building(s).
 - c. The complementing of existing Parker businesses (i.e., a buyer or supplier that serves an existing business in the Town).
 - d. The representation of redevelopment to an area or building in the Town.
 - e. The creation or enhancement of a vibrant and unique downtown.
 - f. The contribution to the diversity of retail or to the diversity of jobs or employment opportunities within the Town.
 - g. Bringing a value-added result to the Town or a development within the Town (e.g., by moving the company's corporate headquarters to the Town).
 - h. The growth and expansion of an existing business in Parker.
 - i. The representation of expenditures which may be deferred by the Town, based upon public or public-related improvements to be completed by the applicant.
- (3) The amount of expenditures which may be deferred by the Town based upon public or public-related improvements to be completed by the applicant.
- (4) The conformance of the applicant's proposed shopping center with the comprehensive plan and zoning ordinances of the Town.
- (5) Whether a proposed Program Agreement required by Section 4.02.100 of this Chapter has been reached, which Program Agreement shall contain and conform to all requirements of said

Section 4.10.100 of this Chapter.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Project Description

Kings Point Retail LLC, is the land owner and developer of the 8-acre site. The proposed project consists of a shopping center with three buildings, a 40,000-square-foot building leased to Whole Foods, and two 2,500-square-foot retail buildings. A site plan for the Whole Foods building has been submitted and is currently going through the referral process.

Project Meets the Goals and Criteria of the Shopping Center Assistance Program

The location of the project and its proximity to the future connection of Aurora Parkway and Kings Point Way will provide an additional gateway into the Town for the residents coming from Aurora. The development location does present some extraordinary off-site and on-site infrastructure costs, primarily to compensate for stormwater and utility relocations.

Kings Point has submitted a request for financial assistance in the amount of \$3.2 million to offset a portion of the infrastructure and development cost associated with the project. Retail sales from the project are estimated to be \$36.6 million in year one and grow to \$59 million by year 10. Whole Foods operations can reasonably be anticipated to employ 50+ individuals when fully operational. Construction is anticipated to begin late in 2023 or early 2024.

The Kings Point development meets the basis for participation in the following:

Participants in the Program shall be limited to those proposed shopping centers that meet the following criteria pursuant to Section 4.10.040 of the Code to participate in the program:

1. The proposal includes the development of buildings as part of the proposed shopping center that are commercial in nature and located within areas of the Town's Master Plan that are identified as Community or Neighborhood Commercial Centers or are otherwise located in zones or areas identified as commercial in nature;
2. The proposal provides for the development of two or more commercial buildings with a collective gross floor area (GFA) of not less than thirty thousand (30,000) square feet within the Town that will be constructed as part of the proposed shopping center;
3. The proposal will identify types of retailers and establish a minimum threshold of fifty percent (50%) of leasable space as "retail sales tax generating business" for participation in sales tax share back as identified elsewhere in this section;
4. The proposal will anticipate an aggregate employment of not less than fifty (50) employees (full-time equivalent employees);
5. The proposal provides that the applicant has made, or be contractually obligated to make, all public improvements required in either the Town's zoning or subdivision ordinances;
6. Participation in the Program shall be based on the applicant's ability to provide for significant public or quasi-public improvements as referenced in Paragraph 4.10.090(2) of this Chapter;
7. Any proposed shopping center that meets or exceeds each of the criteria set forth

herein may apply to the Town for a rebate of taxes and fees generated by the proposed shopping center as follows:

- a. A percentage of fees not to exceed fifty percent (50%), as defined elsewhere in this Section, for a period not to exceed ten (10) years; and
- b. A percentage of sales taxes not to exceed fifty percent (50%), as defined elsewhere in this Section, generated by the proposed shopping center, for a period not to exceed ten (10) years and payable as outlined in Section 4.10.070 of this Chapter. The Finance Director may conduct an annual audit to determine if the proposed shopping center meets or exceeds the criteria contained in this Section during the term of the Agreement.

The project meets the criteria contained in Section 4.10.090 of the Code based upon the following:

Kings Point meets the following goals of the program:

- Development of a high-quality retail-supported commercial center
- Represents retail diversity
- Represents diversity of jobs and employment opportunities
- Develops public or quasi-public improvements associated with the project
- Creates new sales tax

Public Improvements identified in the application and verified by staff as required for the development include:

Sidewalks (along Cottonwood and Kings Point South):	\$41,000
Curbs and Gutter and Cross Pans:	\$11,500
Pedestrian Plaza and Canopy:	\$26,500
Water and Sewer line extension/loop:	\$385,000
Drainage Way excavation and fine grading:	\$49,500
Drainage Facilities (piped):	\$314,200
Drainage Facilities (pond, pond walls, railing):	\$1,025,600
Drainage Facilities Drop Structure:	\$96,200
Drainage Storm Outfall Structure:	\$92,400
Decorative Structure (corner element):	\$125,000
Public Art (pad):	\$11,000
Identification Sign (Sign Base):	\$9,300
EV Charging Stations conduit:	\$12,700
Architectural Enhancements (Building Canopies):	\$295,300
Relocation, Extension and Improvements of existing utility lines:	\$486,000
	\$2,700,900

Quasi-Public Improvements included in the application include:

Streets (asphalt, patch for utility tie-in includes sanitary main and water line in Kings Point):	\$121,500
Handicap Parking Symbols, Striping and Posts:	\$3,500
Site Lighting (poles, pole bases):	\$169,700
Landscaping:	\$274,400
Site Accessories (Benches, Bike Racks, Trash Receptacles):	\$15,000
Building Facades (assumed 40% of total cost):	\$647,200
Architectural Enhancements (Building Canopies):	\$295,300
	\$1,511,600

Project Financial Information:

- Total Project Cost - \$18,000,000
- Anticipated Food and Beverage Sales (ten years) - \$468,800,000

Anticipated Town Revenues (10- years)

- Parker Sales Tax (Parks & Recreation) - \$2,344,000
- Parker Sales Tax (General Fund) - \$11,720,000
- Total Anticipated Revenues (Direct only) \$14,064,000

FINANCIAL IMPACT

Maximum rebate of 50% of enhanced sales tax for 7 years or \$3.2 million dollars.

STRATEGIC GOAL(S)



ATTACHMENTS

1. KPS Retail LLC - Parker - Shopping Center Assistance Program Agreement

RECOMMENDED MOTION

I move to approve the Shopping Center Assistance Program Agreement with Kings Point Retail, LLC.

SHOPPING CENTER ASSISTANCE PROGRAM AGREEMENT

THIS SHOPPING CENTER ASSISTANCE PROGRAM AGREEMENT, made and entered into this ____ day of _____, 2023, by and between Kings Point Retail, LLC, a Colorado limited liability company (the "Owner"), and the Town of Parker, a Colorado home rule municipality (the "Town").

RECITALS:

A. The Town adopted Chapter 4.10 of the Parker Municipal Code, entitled SHOPPING CENTER ASSISTANCE PROGRAM (collectively referred to as the "Ordinance" or the "Program"), to encourage the establishment of new shopping centers that contain retail sales-tax-generating businesses, thereby stimulating the economy of and within the Town, providing employment for residents of the Town and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the Town, and further increasing the sales taxes collected by the Town, the collection of which will enable the Town to provide expanded and improved municipal services to and for the benefit of the businesses and residents of the Town, while at the same time providing public or public-related improvements at no cost, or at deferred cost, to the Town and its taxpayers and residents.

B. The Owner desires to participate in the Program and to share in the sales tax derived from the Shopping Center, the plan for which is generally depicted on **Exhibit A**, which is attached hereto and incorporated by this reference (the "Shopping Center"), which is generally located on the real property more particularly described in **Exhibit B**, which is attached hereto and incorporated by this reference (the "Property"), for the provision of public or quasi-public-related improvements described in **Exhibit C**, which is attached hereto and incorporated by this referenced (the "Improvements"), which Improvements will be constructed in and around the Shopping Center as necessary to provide necessary infrastructure to serve the Shopping Center, to the extent allowed in this Agreement.

C. The Owner is the record owner of the Property upon which the Shopping Center will be operated and is solely entitled to the reimbursement provided for herein for purposes of this Agreement.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants, promises, and agreements of each of the parties hereto, to be kept and performed by each of them, the parties agree as follows:

1. Term of Agreement.

Subject to the terms and conditions of this Agreement, the term of this Agreement shall commence when (1) the Improvements are completed and meet all Town standards and Code requirements and (2) a minimum of twenty-five percent (25%) of the leasable space of the Shopping Center is a "sales-tax-generating" retail business(es) that is open to the public, provided that the Owner may elect to delay the commencement of this Agreement until such time as the leasable space of the Shopping Center contains more than twenty-five percent (25%), not to exceed fifty-percent (50%) of "sales-tax-generating" retail business(es) that is open to the public. For

avoidance of doubt, condition (2) above will be satisfied once the Owner has completed and obtained certificate(s) of compliance for building core and shell, issued by the Town Building Department, for at least 30,000 square feet of leasable space, and has leased twenty-five percent (25%) of such space in a manner that is open to the public and is "sales-tax-generating." Once fifty percent (50%) of the leasable space of the Shopping Center is a "sales-tax-generating" retail business(es) that is open to the public, condition (2) above will be deemed satisfied. Upon the satisfaction of these two conditions, the Town and the Owner each shall promptly execute the Certificate of Compliance, attached as **Exhibit D** and incorporated by this reference, and this Agreement shall terminate one (1) year from the last date that the Certificate of Compliance is signed by the Town and the Owner, provided that, subject to the terms of the next succeeding sentence, this Agreement shall automatically renew on each termination date for additional one-year terms for up to six (6) additional one-year terms. This Agreement shall automatically renew for each additional one-year term, provided, however, amounts shall not be paid to the Owner in any year for which the Town has not appropriated sufficient funds for payment in such year, or the Town has disbursed the maximum amount, as provided in Paragraph 2.c. of this Agreement.

2. Qualification of Property for the Program. The Town agrees that the Shopping Center qualifies for the Program and the Improvements are improvements for public and/or quasi-public-related purposes that will enhance the competitive position of the Town within the Denver metropolitan area marketplace. The following provisions shall apply for each year in which this Agreement is in effect for the Shopping Center located on the Property:

a. Fifty percent (50%) of the "Shopping Center Sales Taxes," as defined in the Ordinance, collected by the Town and derived from the Shopping Center located on the Property, excluding the half percent (0.5%) Town sales tax described in Section 4.02.080(b) of the Parker Municipal Code ("Parks and Recreation Sales Tax"), shall be segregated by the Town Finance Director to be utilized for this Agreement.

b. The Owner shall share in the Sales Taxes derived from the Shopping Center located on the Property in the amount of Fifty percent (50%) of the Shopping Center Sales Taxes, excluding the Parks and Recreation Sales Tax, for the seven (7) one-year terms of the Agreement (the "Shared Sales Tax(es)"). The Shared Sales Tax shall be used for reimbursement of the Improvements, as described in Paragraph 2.c. of this Agreement.

c. The Shared Sales Taxes from the Shopping Center located on the Property shall be shared by the Town and the Owner's share thereof shall be disbursed by the Town to the Owner on a quarterly basis commencing on the date specified in Paragraph 1 of this Agreement for reimbursement of the cost of Improvements described in Exhibit C. The maximum period of time that this Agreement shall be in effect is seven (7) years (commencing on the last date the Certificate of Compliance is signed by the Town and the Owner as described in Paragraph 1) or until the maximum sum of Three Million Two Hundred Thousand Dollars (\$3,200,000.00) derived from the Shared Sales Taxes defined herein have been paid by the Town to Owner for reimbursement for the Improvements under this Agreement, whichever occurs first, at which time this Agreement shall terminate. It is expressly understood by the parties that this Agreement will terminate as provided in Paragraph 1 of this Agreement or upon the occurrence of the earlier to be reached of the maximum time as provided in the preceding sentence (whether or not the maximum amount to

be shared has been reached) or disbursement of the maximum amount to be shared as provided in the preceding sentence (whether or not the maximum time set forth has expired).

d. Notwithstanding anything to the contrary contained herein, there shall be no further sharing of the Shared Sales Tax if, within two (2) years of the date the Certificate of Compliance is signed by the Town and the Owner, the minimum threshold of fifty percent (50%) of leasable space of the Shopping Center in a “sales-tax-generating business(es)” open to the public is not satisfied by the Owner. In the event that the sharing of Shared Sales Tax ceases as provided in the preceding sentence, the sharing of the Shared Sales Tax will resume once the minimum threshold described in the preceding sentence is satisfied.

e. This Agreement is a personal agreement between the Town and the Owner which does not run with the land and shall not be recorded against the Property. Further, this Agreement shall never constitute a debt or obligation of the Town within any constitutional or statutory provision.

f. Any Shared Sales Taxes subject to this Agreement shall be escrowed by the Town in the event there is a legal challenge to the Program or the approval of this Agreement, until such legal challenge(s) are resolved, dismissed, or otherwise concluded.

g. This Agreement establishes obligations and benefits binding solely upon the parties hereto. The obligations, benefits and/or the provisions of this Agreement may not be assigned in whole or in part, except to any entity affiliated with or related to the Owner as evidenced by common ownership or membership, or a single successor in interest to Owner without the express authorization of the Parker Town Council and no third party shall be entitled to rely upon or enforce any provisions hereon. This Agreement does not run with the land, and no successor in interest to the Owner as to all or any portion of the Property will inure to the benefits or burdens of this Agreement solely by virtue of its ownership of such portion(s) of the Property.

h. At the end of the term of this Agreement as provided for herein, any monies segregated by the Town Finance Director which are not required to be and have not been disbursed to Owner as hereunder provided may be transferred to another account of the Town or used in any manner determined by the Town in its sole discretion, excluding any amounts escrowed pursuant to Paragraph 2.f. of this Agreement as the obligation to transfer such escrowed amounts shall survive termination of this Agreement.

i. The Owner shall provide documentation reasonably acceptable to the Town to establish that the obligations described in Exhibit C have been satisfied.

j. The Owner shall pay all fees and taxes, including building permit fees, plan check fees, impact fees, construction use taxes, excise taxes, and charges that are regularly and uniformly imposed on new development in the Town.

3. Nonappropriations/Multi-Fiscal Year Obligations. Notwithstanding anything in this Agreement to the contrary, this Agreement is specifically subject to annual appropriation of sufficient funds to pay Shared Sales Taxes as provided by this Agreement. In the event that appropriation of sufficient funds is not made in any year, resulting in the inability of the Town to pay Shared Sales Taxes hereunder, the Town shall not be obligated to make payment of the

nonappropriated amounts in such year. Each year, the Finance Director shall include in a budget to the Town Council pursuant to the Parker Home Rule Charter and the Parker Municipal Code, the appropriation of the Shared Sales Taxes for payment to the Owner. Nothing in this Agreement shall be construed as obligating the Town Council to appropriate Shared Sales Taxes in any fiscal year.

4. Subordination. Notwithstanding anything in this Agreement to the contrary, the Owner shall have no right, claim, lien, or priority in or to the Town's sales tax revenue superior to or on parity with the rights, claims, or liens of the holders of any sales tax revenue bonds, notes, certificates, or debentures payable from or secured by any sales taxes, existing or hereafter issued by the Town, and that all rights of the Owner are, and at all times shall be, subordinate and inferior to the rights, claims, and liens of the holders of any and all such sales tax revenue bonds, certificates of participation, notes, certificates, or debentures, issued by the Town and payable from or secured by any sales taxes.

5. Remedies. The Owner waives any constitutional claims against the Town arising out of a breach of this Agreement. The Owner's remedies against the Town under this Agreement are limited to breach of contract claims.

6. 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, 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, and the parties shall cooperate to cure any legal defects in this Agreement or the Program.

7. Governing Law. The laws of the State of Colorado shall govern the validity, performance, and enforcement of this Agreement. Should either party institute a 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.

8. Notice. All notice required under this Agreement shall be in writing and shall be hand delivered or sent by certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective upon 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.

Notice to the Town: Town Administrator
 Town of Parker
 20120 East Mainstreet
 Parker, Colorado 80138

Notice to the Owner: Kings Point Retail, LLC
 c/o Spencer Fane LLP
 Attn: Tom George
 1700 Lincoln Street, Suite 2000
 Denver, Colorado 80203

9. 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 Owner and the Town acting pursuant to Town Council authorization, as provided by the Ordinance.

10. No Pledging of Credit or Aid to Corporation. This Agreement shall not be construed as pledging the credit of the Town, providing any grant or aid to a private corporation, or the establishment of a joint venture as prohibited pursuant to Sections 1 and 2, Article XI of the Colorado Constitution. This Agreement provides for reimbursement to the Owner for the construction of Improvements that will provide material benefit to the Town.

11. Effective Date. This Agreement shall be effective and binding upon the parties immediately upon the day and year first above written.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

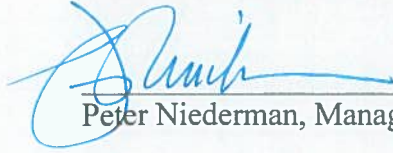
ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

OWNER: Kings Point Retail, LLC, a Colorado
limited liability company


Peter Niederman, Manager

STATE OF COLORADO)
)ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 23rd day of October,
2023, by Peter Niederman, as Manager of Kings Point Retail, LLC, a Colorado
limited liability company.

My commission expires: July 7, 2027.

SEAL

Catherine A. Tarleton
Notary Public

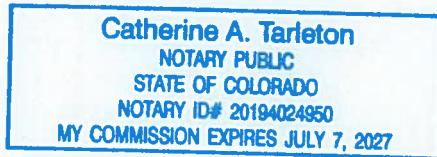


EXHIBIT LIST

Exhibit A	Description of Shopping Center Development
Exhibit B	Legal Description of the Property
Exhibit C	Improvements
Exhibit D	Certificate of Compliance

EXHIBIT A

Description of Shopping Center Development

Kings Point Retail
Site Plan

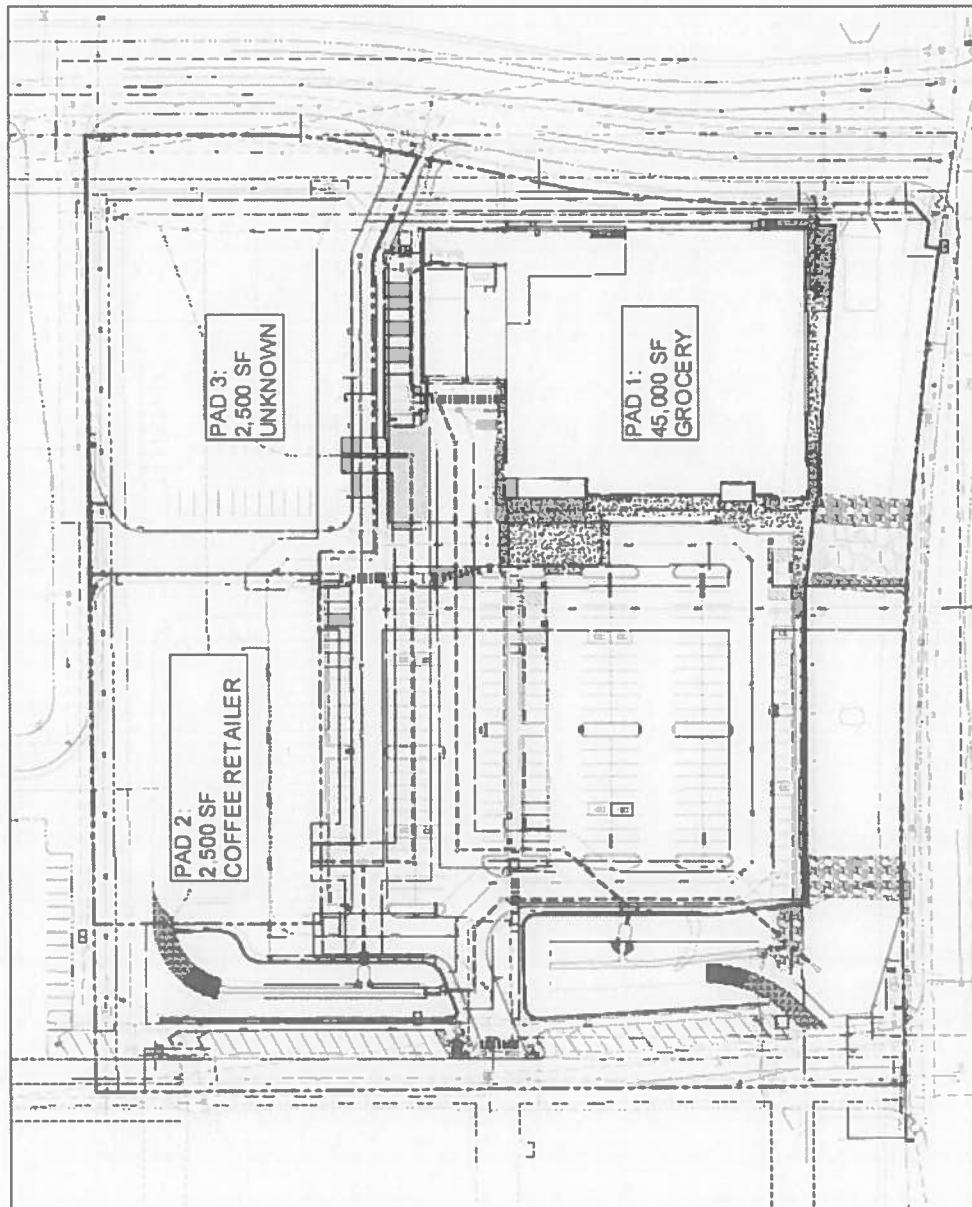


EXHIBIT B

LEGAL DESCRIPTION

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT NO. ABC70587612, DATED FEBRUARY 11, 2022)

LOT 2, VANTAGE POINT SUBDIVISION FILING NO. 1, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO;

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE TOWN OF PARKER IN SPECIAL WARRANTY DEED RECORDED JUNE 17, 2019 UNDER RECEPTION NO. 2019034591.

COUNTY OF DOUGLAS, STATE OF COLORADO

EXHIBIT C

IMPROVEMENTS

The obligations and improvements which are public or quasi-public-related and eligible under the “Shopping Center Assistance Program Agreement” include on- and off-site public improvements serving the Kings Point Retail property in the Town of Parker, as such improvements are further enumerated under Section 4.10.060 of the Parker Municipal Code, with a sales-tax-generating enterprise and an initial capital investment of \$17,580,101. The new business will create approximately 50+ new jobs and result in \$1,089,000 to \$1,770,000 annual sales tax generation, and will provide the following:

- Develops a high-quality retail-supported commercial center
- Represents retail diversity
- Represents diversity of jobs and employment opportunities
- Develops public or quasi-public improvements associated with the project
- Creates new sales tax

EXHIBIT D

CERTIFICATE OF COMPLIANCE

IT IS HEREBY CERTIFIED by the undersigned authorized representatives of the Town of Parker and Kings Point Retail, LLC, a Colorado limited liability company, in connection with that certain Shopping Center Assistance Program Agreement for _____, dated _____, 2023 (the "Agreement"), that:

The condition precedent described in Paragraph 1 the Agreement was fully satisfied on or before _____, 20__.

IN WITNESS WHEREOF, the parties sign this Certificate of Compliance this ____ day of _____, 20__.

TOWN OF PARKER, COLORADO

By: _____
Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

**OWNER: KINGS POINT RETAIL, LLC, a
Colorado limited liability company**

[Name/Title]

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, as _____ of Kings Point Retail, LLC, a Colorado limited liability company.

My commission expires: _____.

SEAL

Notary Public



Request for Town Council Action

Date: November 6, 2023

Submitted By: Nathan Klass, Engineering Service Manager
Chris Hudson, Deputy Director of Engineering

Reviewed By: Michelle Kivela, Town Manager

Title: **Jordan Road - Cedar Gulch Parkway Traffic Signal (CIP 22-056)**

Amount: **\$870,312**

Contractor: **Sturgeon Electric Company Inc.**

Department: **Engineering and Public Works, Chris Hudson & Nathan Klass**

EXECUTIVE SUMMARY

This item is to award a trade contractor agreement with Sturgeon Electric Company Inc. for the Jordan Road & Cedar Gulch Parkway Traffic Signal (CIP22-056).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town opened competitive bids on October 3, 2023 for the Jordan Road & Cedar Gulch Parkway Traffic Signal project. Work includes, but is not limited to, caissons, signal poles for a new traffic signal, ADA ramps for street crossings, and reworking the east side pavement/curb line for improved circulation.

The Town received bids from six (6) contractors with Sturgeon Electric Company Inc. being the lowest responsible bidder. Sturgeon Electric Company Inc. has completed previous traffic signal projects with Town staff in the past with good results as both a subcontractor and general contractor. Two references were contacted and gave positive reviews. Town staff recommends moving forward with the contract award. The bids were as follows:

Sturgeon Electric Company Inc.	\$870,312
Lumin8 Transportation Technologies	\$899,555
JARCCO Construction LLC	\$956,393
Goodland Construction Inc	\$997,769
Colorado Asphalt Services, Inc.	\$1,010,394
Morton Electric Inc.	\$1,022,614

FINANCIAL IMPACT

Funding for this project's construction has been appropriated within the Traffic Control Capital Improvement Fund (301-4652).

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY



PROMOTE A SAFE AND
HEALTHY COMMUNITY



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation as part of the regular agenda.