

TOWN OF PARKER COUNCIL AGENDA

February 5, 2024

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. 6:30 P.M. or as soon thereafter as the Executive Session ends - Council Updates/Work Session**
- D. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. SPECIAL PRESENTATIONS

- A. Certificate of Recognition - Colorado Covered - Johanna Spille**

- 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 - January 16, 2024**

- B. *ASSIGNMENT AND ASSUMPTION AGREEMENT FOR TAX AND FEE ASSISTANCE PROGRAM AGREEMENT FOR MAINSTREET PIER, LLC*
Department: *Town Attorney, Jim Maloney*
- C. *AMENDED AND RESTATED SHOPPING CENTER ASSISTANCE PROGRAM AGREEMENT FOR KPS RETAIL LLC*
Department: *Economic Development, Weldy Feazell*
- D. *ORDINANCE NO. 3.253.7 - First Reading*
A Bill for an Ordinance to Rezone Certain Property Within the Town of Parker, Colorado, Known as the Compark Village PD-Planned Development District, Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
Department: *Community Development, Stacey Nerger*
Second Reading: *February 20, 2024*
- E. *ORDINANCE NO. 1.597 – First Reading*
A Bill for an Ordinance to Release a Portion of the Slope Easement for Dransfeldt Road Associated with Dransfeldt Place Minor Development Plat Amendment No. 1, Lot 5A and Lot 6A
Department: *Engineering and Public Works, Michael Walton*
Second Reading: *February 20, 2024*
- F. *ORDINANCE NO. 9.365 – First Reading*
A Bill for an Ordinance to Approve the First Amendment to Intergovernmental Agreement Between the Town of Parker, Colorado and the Robinson Ranch Metropolitan District
Department: *Town Attorney, Jamie Wynn*
Second Reading: *February 20, 2024*
- G. *ORDINANCE NO. 9.366 – First Reading*
A Bill for an Ordinance to Approve the Town of Parker Model Intergovernmental Agreement Between the Town of Parker, Colorado and the Kime Ranch Metropolitan District
Department: *Town Attorney, Jamie Wynn*
Second Reading: *February 20, 2024*
- H. *ORDINANCE NO. 3.371 – First Reading*
A Bill for an Ordinance to Amend Sections 13.04.100, 13.04.120 and 13.04.130 Concerning Natural Medicine Businesses and to Amend Title 13 of the Parker Municipal Code by the Addition Thereto of a New Chapter 13.17 Concerning the Regulation of Natural Medicine Businesses in the Town of Parker
Department: *Town Attorney, Jim Maloney*
Second Reading: *February 20, 2024*

- I. *ORDINANCE NO. 5.06.46 – First Reading*
A Bill for an Ordinance to Amend Section 8.01.010 of the Parker Municipal Code to Add a Definition for Natural Medicine; to Amend Section 8.01.040 of the Parker Municipal Code to Add a Violation for the Unlawful Cultivation of Natural Medicine; and Amend Chapter 8.08 of the Parker Municipal Code to Add a New Section 8.08.070 Concerning Cultivation of Natural Medicine in the Town of Parker
Department: Town Attorney, Jim Maloney
Second Reading: February 20, 2024
- J. *RESOLUTION NO. 24-004*
A Resolution Ratifying the Purchase and Binding of Insurance Coverage for the Town of Parker
Department: Risk Management, Steve Bedard
- K. *RESOLUTION NO. 24-005*
A Resolution to Adopt Parker's Economic Playbook
Department: Economic Development, Weldy Feazell
- L. *RESOLUTION NO. 24-015*
A Resolution to Appoint the Board of Directors to the Greater Parker Foundation
Department: Town Manager, Michael Lawson
- M. *RESOLUTION NO. 24-017*
A Resolution Approving the Release of the Slope Easement By and Between Parker Center, LLC, and the Town of Parker Concerning Tract A, Parker Town Center
Department: Engineering and Public Works, Alex Mestdagh
- N. *RESOLUTION NO. 24-018*
A Resolution to Amend Resolution No. 23-038, Series of 2023, Concerning the Town of Parker Policy Manual by the Adoption of a New Town of Parker Policy Statement Number 1-18 Concerning Lobbying Guidelines
Department: Town Manager, Emily Hogan
- O. *CONTRACTS OVER \$100,000*
1. *Street Sweeper Purchase*
Amount: \$425,000
Contractor: Intermountain Sweeper Company
Department: Engineering and Public Works, Jim Gilbert
2. *Fleet Equipment Capital and Replacement*
Amount: \$125,000
Contractor: Bobcat of the Rockies
Department: Engineering and Public Works, Jim Gilbert

3. *Cab and Chassis Capital and Replacement Units*
Amount: \$250,848
Contractor: Transwest Truck Trail RV
Department: Engineering and Public Works, Jim Gilbert
4. *Upfit of Cab and Chassis Units*
Amount: \$477,286
Contractor: OJ Watson Company
Department: Engineering and Public Works, Jim Gilbert
5. *Replacement and Capital Fleet Vehicles*
Amount: \$607,909
Contractor: John Elway Chevrolet
Department: Engineering and Public Works, Jim Gilbert
6. *Parker Road Sidewalk Project - Pine Drive to Stroh Road - Final Design*
Amount: \$347,426
Contractor: Merge Resource Group Ltd
Department: Engineering and Public Works, Patrick Burke
7. *First Amendment to Agreement for Professional Services*
Amount: \$104,170.25
Contractor: Mountain High Lawn and Landscape LLC
Department: Parks, Recreation and Open Space, Jared Musil
8. *Purchase of Snow Mitigation Material for the 2024 Season*
Amount: \$533,200
Contractor: GMCO Corp.
Department: Engineering and Public Works, Scott Borzillo
9. *Second Amendment to the Construction Contract (CIP22-051-CI) for the Town Hall Expansion Project*
Amount: \$361,000
Contractor: JHL Constructors
Department: Engineering and Public Works, Bob Exstrom

6. **TOWN MANAGER**

- **TM Quarterly Report - Winter 2024**

7. PUBLIC HEARINGS

HARDING HEIGHTS

Department: Community Development, Ashley Chasez

- 1. ORDINANCE NO. 3.88.1 - Second Reading
A Bill for an Ordinance Rezoning Lots 1 and 2 of Parker Downs Filing No. 3 from Modified Commercial to C-Commercial District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith**
- 2. Ordinance No. 3.06.1 - Second Reading
A Bill for an Ordinance Amending Ordinance No. 3.06 by the Deletion of Certain Property from the Planned Development Zoned Area Known as the Moran Planned Development Property**
- 3. Ordinance No. 3.370 - Second Reading
A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known as the Moran Planned Development Property from PD-Planned Development to C-Commercial District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith**
- 4. Use by Special Review**
- 5. Minor Development Plat**
- 6. Subdivision Agreement**

8. CONTRACTS OVER \$500,000

Dransfeldt Road Extension (CIP 23-001) Construction Management, Inspection & Material Testing

Amount: \$1,441,615

Contractor: Alfred Benesch & Company

Department: Engineering and Public Works, Chris Hudson

9. PUBLIC COMMENTS CONTINUED IF NECESSARY

10. ADJOURNMENT

Parker Town Council

Executive Session Agenda

February 5, 2024

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

1. Kime Ranch proposed annexation agreement amendment

“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. American Academy litigation discussion re: Douglas County District Court Case No. 2024 CV 30055
3. Land Development Ordinance modernization and adoption of Zoning Map
4. Article XIV, Initiative and Referendum, of the Town of Parker Home Rule Charter and C.R.S. § 31-11-106, specifically concerning proposed Parker Citizens for Fair Taxes Petitioners’ Affidavit.

**TOWN OF PARKER COUNCIL
MINUTES
JANUARY 16, 2024**

Mayor Jeff Toborg called the meeting to order at 5:00 p.m. All Councilmembers were present except for Anne Barrington and Joshua Rivero.

Town Attorney Kristin Hoffmann announced there were five topics for discussion in the Executive Session. Under C.R.S. § 24-6-402(4)(e), the first subject was insurance agreements; the second subject was the Town Attorney vacancy; and the third subject was Assignment of Tax and Fee Assistance Agreement for Mainstreet Pier, LLC. Under C.R.S. § 24-6-402(4)(b), the first topic was HB23-1245 regarding campaign practices for municipal elections; and the second topic was "Proposition 122: Access to Natural Psychedelic Substances", C.R.S. §§ 12-170-101 through 115, and "Colorado Natural Medicine Code," C.R.S. §§ 44-50-101 through 904.

EXECUTIVE SESSION

Brandi Wilks moved, and Laura Hefta seconded to go into Executive Session at 5:03 p.m. to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e) and to hold a conference with the Town's Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Todd Hendreks moved, and Brandi Wilks seconded to come out of Executive Session at 6:36 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

Council Updates/Work Session began at 6:36 p.m. and ended at 6:44 p.m.

Updates were provided for the following:

- Senior Center
- E470
- DRCOG
- Douglas County Youth Initiative
- Douglas County Homeless Initiative

Brandi Wilks moved, and Todd Hendreks seconded to recess the meeting until 7:00 p.m.

The motion carried 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

Amara Fantl, Parker, spoke on behalf of the Parker Youth Commission who is accepting submissions for the Spirit of Parker award from high school seniors through the end of the month. Applicants can submit a written entry about their contribution to the Town of Parker and could win a \$1,000 scholarship.

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 - January 2, 2024

B. HARDING HEIGHTS

Department: Community Development, Ashley Chasez

Second Reading: February 5, 2024

1. ORDINANCE NO. 3.88.1 - First Reading

A Bill for an Ordinance Rezoning Lots 1 and 2 of Parker Downs Filing No. 3 from Modified Commercial to C-Commercial District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

2. ORDINANCE NO. 3.06.1 - First Reading

A Bill for an Ordinance Amending Ordinance No. 3.06 by the Deletion of Certain Property from the Planned Development Zoned Area Known as the Moran Planned Development Property

3. ORDINANCE NO. 3.370 - First Reading

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

C. Town Attorney Resignation and Appointment of Interim Town Attorney

Department: Town Council

1. Resignation of Town Attorney

2. Appointment of Interim Town Attorney

3. RESOLUTION NO. 24-012

A Resolution to Approve the First Amendment to Employment Agreement

D. CONTRACT OVER \$100,000

1. Purchase of Mobile Vehicle Barriers

Amount: \$186,639.90

Contractor: Meridian Rapid Defense Group

Department: Engineering and Public Works, Patrick Burke

John Diak moved, and Todd Hendreks seconded to approve Consent Agenda Items 4A through 4D.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

RESOLUTIONS

A. RESOLUTION NO. 24-002

A Resolution Setting the Number of Members of the Parker Cultural and Scientific Commission

Department: Cultural, Carrie Glassburn

The Parker Cultural and Scientific Commission (PCSC) recommended increasing the number of Commissioners from eleven (11) to twelve (12) members, which will broaden the skills and experience of the members on the commission, and increase the number of Commissioners available to serve and work on committees. Passage of this Resolution approved the increase in members.

Public Comments: None.

Laura Hefta moved, and Brandi Wilks seconded to approve Resolution No. 24-002, as part of the regular agenda.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

B. RESOLUTION NO. 24-009**A Resolution to Fill Vacancies, to Appoint Regular Members to the Parker Cultural and Scientific Commission, and to Appoint the Chair****Department: Cultural, Carrie Glassburn**

The Parker Cultural and Scientific Commission (PCSC) recommended that the Town Council appoint two (2) members for terms ending December 31, 2024, and six (6) members for terms ending December 31, 2025, along with a new Chair. There are four (4) current members who still have one (1) year left on their terms. Passage of this Resolution approved the appointments as recommended.

Public Comments: None.

John Diak moved, and Todd Hendreks seconded to approve Resolution No. 24-009, as part of the regular agenda.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES**A. REATA NORTH/HILLTOP ROAD RIGHT-OF-WAY**

Applicant: Town of Parker

Location: A portion of Hilltop Road east of Legend High School

Department: Community Development, Amber Wood Hicken
Engineering and Public Works, Chris Hudson

TRAKiT No.: SUB23-032

The Town is subdividing and proposing to transfer a portion of right-of-way (ROW) for Hilltop Road to Douglas County. To accomplish this, the Town is proposing an exemption plat to subdivide the property and an Intergovernmental Agreement (IGA) that would establish maintenance responsibility for the roadway, including a portion of Hilltop Road east of the Legend High School entrance. The proposed IGA establishes that Douglas County will be responsible for roadway maintenance and will have governmental authority over an approximate 1/3-mile section of Hilltop Road east of the Hilltop/Legend High School intersection.

The proposed Reata North-Hilltop Road ROW exemption plat is being processed concurrently with the proposed IGA and will create a new tract for ROW by subdividing the original ROW that was dedicated to the Town in 2003. The conveyance of this ROW tract to Douglas County will be processed after Town Council approval by a separate quitclaim deed once the IGA is fully executed and the exemption plat is recorded.

Public Comments: None.

1. ORDINANCE NO. 9.363 - Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of Douglas County Regarding Responsibilities for and Maintenance of Hilltop Road

Brandi Wilks moved, and Todd Hendreks seconded to approve Ordinance No. 9.363 on second reading.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

2. RESOLUTION NO. 24-011

A Resolution to Exempt Certain Real Property Commonly Known as the Reata North/Hilltop Road Property from the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance

Laura Hefta moved, and Todd Hendreks seconded to approve Resolution No. 24-011.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

B. ORDINANCE NO. 1.596 - Second Reading

A Bill for an Ordinance to Release the Slope Easement for Spirit Trail Boulevard Associated with Tracts F and G, Looking Glass Filing No. 1

Department: Engineering and Public Works, Alex Mestdagh

The Looking Glass development is located in the southwest portion of Parker, generally south of Stroh Road and west of Crowfoot Valley Road. Filing No. 1 of the development constructed portions of the major roadway infrastructure necessary to support the initial phase of development, including a portion of a collector roadway known as Spirit Trail Boulevard. The construction of this roadway required the installation of a roadway backslope on a portion of the property not included in the initial phase of development. In order to ensure that the roadway slope was protected until development of that property, a slope easement over this area was dedicated to the Town in 2020.

The developer has started construction of the next phase of development, which includes the property encumbered by this slope easement. The proposed grading plan for this property adequately protects the roadway base, so the slope easement is no longer needed over this area and can be released.

Public Comments: None.

Todd Hendreks moved, and Brandi Wilks seconded to approve Ordinance No. 1.596 on second reading.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

CONTRACT OVER \$500,000

Dransfeldt Road Extension (CIP 23-001)

Amount: \$21,299,630.60

Contractor: SEMA Construction Inc.

Department: Engineering and Public Works, Chris Hudson

This item was to award a trade contractor agreement with SEMA Construction Inc., for the Dransfeldt Road Extension project (CIP 23-001) for \$21,299,630.60. The project consists of the extension of Dransfeldt Road south of the Twenty Mile Road intersection, crossing Cherry Creek with a new bridge and connecting to Motsenbocker Road at the proposed Salisbury North park property. The project includes reconstruction/realignment of Motsenbocker Road between Todd Drive and Longland Parkway (Salisbury Heights subdivision). Also included in the project is storm drainage improvements to the KOA Tributary and new connections to the Cherry Creek Trail.

The Town received bids from four contractors, with SEMA Construction Inc. being the lowest responsible bidder. SEMA Construction has not worked directly with the Town on a capital improvement project for over twenty years. However, references were provided for recent work and came back positive. Staff recommended awarding this contract to SEMA Construction Inc.

Public Comments: Richard Chandler, Franktown, asked if any contractors have offered to reduce costs if allowances were made in the scope of the work.

John Diak moved, and Laura Hefta seconded to approve the staff recommendation, as a part of the regular agenda.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

Brandi Wilks moved, and Laura Hefta seconded to adjourn the meeting at 7:51 p.m.

A roll call vote was taken:

Todd Hendreks - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

Susan L. Irvine, Deputy Town Clerk

Jeff Toborg, Mayor



Request for Town Council Action

Date: February 5, 2024

Submitted By: Jim Maloney, Assistant Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ASSIGNMENT AND ASSUMPTION AGREEMENT FOR TAX AND FEE ASSISTANCE PROGRAM AGREEMENT FOR MAINSTREET PIER, LLC**

Department: **Town Attorney, Jim Maloney**

EXECUTIVE SUMMARY

The purpose of this agenda item is to request the consent of the Town Council to the assignment of the Tax and Fee Assistance Program Agreement (the "Agreement") for the hotel project commonly known as Ascent on Main (the "Hotel"), from Mainstreet Pier, LLC ("Mainstreet Pier") to Independent Bank (the "Bank").

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On August 20, 2018, the Town entered into the Agreement with Mainstreet Pier for the Hotel. Under the Agreement, enhanced sales taxes are paid to the Mainstreet Pier over a maximum period of five (5) years or until the maximum sum of \$400,000 is paid to Mainstreet Pier. The Town has shared approximately \$300,000 with Mainstreet Pier and the remaining \$100,000 will be paid out through November of this year.

On March 10, 2022, the Hotel went into receivership (the "Receivership"). While the Hotel was held in receivership, the Town shared the enhanced sales taxes with Cordes & Company, which was appointed as the receiver by the Douglas County District Court (the "Receiver"). The Receiver in turn paid Independent Bank, which held the loan on the Hotel, which loan was secured in part by the Agreement. The Receivership ended on December 20, 2023, when the foreclosure of the Hotel by the Bank was completed, and the Bank sold the Hotel to a third party. With the discharge of the Receiver, the Bank is now requesting that the Town assign the Agreement to the Bank, which the Bank will assume as part of the collateral for the loan.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Assignment and Assumption Agreement

RECOMMENDED MOTION

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

**ASSIGNMENT AND ASSUMPTION AGREEMENT FOR
TAX AND FEE ASSISTANCE PROGRAM AGREEMENT
FOR MAINSTREET PIER, LLC**

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT FOR TAX AND FEE ASSISTANCE PROGRAM AGREEMENT FOR MAINSTREET PIER, LLC (the "Agreement") is dated as of _____, 2024 (the "Effective Date"), and is made by and between Mainstreet Pier, LLC, a Colorado limited liability company (the "Owner"), and Independent Bank, a Texas state banking association ("Assignee").

RECITALS

A. The Owner and the Town entered into the Tax and Fee Assistance Program Agreement for Mainstreet Pier, LLC, on August 20, 2018, which Agreement was amended on August 17, 2020 (collectively, the "TAP Agreement").

B. The Owner desires to assign the TAP Agreement to Assignee and Assignee desires to assume all of the Owner's rights, title and interests under the TAP Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Owner hereby assigns all of its rights, title and interests under the TAP Agreement to Assignee.

2. Assignee hereby assumes all of the Owner's rights, title and interests under the TAP Agreement.

3. The Owner represents and warrants that it has satisfied all conditions precedent, as required by the TAP Agreement for this assignment by the Owner and assumption by Assignee.

4. This Agreement shall not be modified, amended or terminated without the express written consent of the Owner, Assignee and the Town of Parker. Notwithstanding anything to the contrary in this Agreement or the TAP Agreement, Assignee agrees and covenants to the Town of Parker that it will not further assign its rights under the TAP Agreement without first complying with Paragraph 2.h. of the TAP Agreement.

5. The parties hereto warrant and represent that they have the express authority to so execute and bind themselves and the parties for whom they are acting to the terms and provisions of this Agreement.

6. The parties hereto warrant and represent that they have executed this Agreement, based upon their own knowledge and free will.

7. The Owner, on the one hand, and Assignee, on the other hand, agree that if any party hereto brings an action to enforce this Agreement or any of its terms and conditions, the

prevailing party in such action shall be entitled to an award of reasonable attorneys' fees and actual costs from the losing party. The parties acknowledge and agree that the Town of Parker shall not be liable for any party's attorneys' fees under this Paragraph 7.

8. Paragraph 10 of the Agreement is amended to substitute the provision entitled "Notice to the Owner" as follows:

Notice to the Owner:

Independent Bank
d/b/a Independent Financial
1331 17th Street
Denver, Colorado 80202
Attn: Cathy P. Goss, Executive Vice President

9. Should any provision of this Agreement be declared or determined to be null and void, inoperative, illegal or invalid for any reason, the validity of the remaining parts, terms or provisions shall not be affected thereby and they shall retain their full force and effect and said null, void, inoperative, illegal or invalid part, term or provision, shall be deemed not to be part of this Agreement.

10. This Agreement shall, in all respects, be interpreted, enforced and governed under the laws of the State of Colorado.

11. The Recitals of this Agreement are incorporated herein by this reference.

12. This Agreement merges and supersedes all prior negotiations, representations and agreements of the parties hereto, as of the date first above written.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth above.

OWNER: MAINSTREET PIER, LLC, a Colorado limited liability company

Rick Allen Hill, Manager

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by Rick Allen Hill, as Manager of Mainstreet Pier, LLC, a Colorado limited liability company.

My commission expires: _____.

SEAL

1/16/2024²

G:\LEGAL\AGR\MAINSTREET PIER ASSIGNMT AGMT 20240116.DOCX

provisions shall not be affected thereby and they shall retain their full force and effect and said null, void, inoperative, illegal or invalid part, term or provision, shall be deemed not to be part of this Agreement.

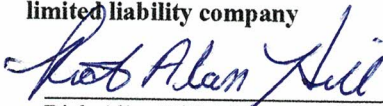
10. This Agreement shall, in all respects, be interpreted, enforced and governed under the laws of the State of Colorado.

11. The Recitals of this Agreement are incorporated herein by this reference.

12. This Agreement merges and supersedes all prior negotiations, representations and agreements of the parties hereto, as of the date first above written.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth above.

**OWNER: MAINSTREET PIER, LLC, a Colorado
limited liability company**



Rick Allen Hill, Manager

STATE OF COLORADO)

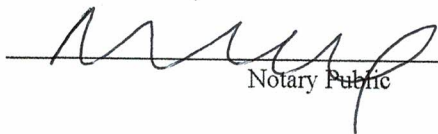
)ss.

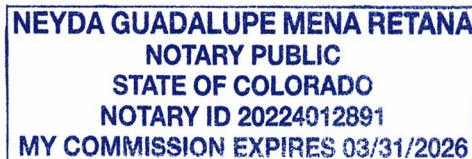
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 18 day of January, 2024, by Rick Allen Hill, as Manager of Mainstreet Pier, LLC, a Colorado limited liability company.

My commission expires: 03/31/2024.

SEAL


Notary Public



**ASSIGNEE: INDEPENDENT BANK, a Texas state
banking association**

By: _____
_____, _____ [name/title]

STATE OF _____)

)ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by _____, as _____, of Independent Bank, a Texas state banking association.

My commission expires: _____.

SEAL

Notary Public

CONSENT OF TOWN OF PARKER

The Town of Parker hereby consents to the Assignment and Assumption Agreement for Tax and Fee Assistance Program Agreement for Mainstreet Pier, LLC, as described herein.

**ASSIGNEE: INDEPENDENT BANK, a Texas state
banking association**

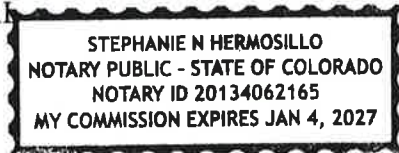
By: Cathy P. Goss EIP
Cathy P. Goss, Executive [name/title]
Vice President

STATE OF Colorado)
)ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 18 day of January, 2024, by Cathy Gross, as EvP, of Independent Bank, a Texas state banking association.

My commission expires: 1/4/2027

SEAK



Notary Public

The Town of Parker hereby consents to the Assignment and Assumption Agreement for Tax and Fee Assistance Program Agreement for Mainstreet Pier, LLC, as described herein.

Jeff Toborg, Mayor

Chris Vanderpool, Town Clerk



Request for Town Council Action

Date: February 5, 2024
Submitted By: Weldy Feazell, PAR & Economic Development Director
Reviewed By: Michelle Kivela, Town Manager
Title: **AMENDED AND RESTATED SHOPPING CENTER ASSISTANCE
PROGRAM AGREEMENT FOR KPS RETAIL LLC**
Department: **Economic Development, Weldy Feazell**

EXECUTIVE SUMMARY

It is necessary to amend and restate the Shopping Center Assistance Program Agreement in order to correct the name of the entity from Kings Point Retail LLC to KPS Retail LLC.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Town Council approved the Shopping Center Assistance Program Agreement with Kings Point Retail LLC on November 6, 2023, for the development of the Whole Foods shopping center (the "Agreement"). After Town Council's approval, Kings Point LLC notified staff that they had provided the incorrect legal entity name for the Agreement. The Amended and Restated Shopping Center Assistance Program Agreement corrects the legal entity to KPS Retail LLC. The Agreement otherwise remains unchanged.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Amended and Restated Shopping Center Assistance Agreement (executed by KPS)

RECOMMENDED MOTION

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

AMENDED AND RESTATED SHOPPING CENTER ASSISTANCE PROGRAM AGREEMENT

THIS AMENDED AND RESTATED SHOPPING CENTER ASSISTANCE PROGRAM AGREEMENT (the "Agreement"), made and entered into this ____ day of _____, 2024, by and between KPS Retail, LLC, a Colorado limited liability company, and the Town of Parker, a Colorado home rule municipality (the "Town").

RECITALS:

A. The Town and Kings Point Retail, LLC, entered into a Shopping Center Assistance Program Agreement on November 6, 2023 (the "Original SCAP Agreement").

B. Kings Point Retail, LLC, is not a legal entity organized under Colorado law and, as such, was not qualified to enter into the Original SCAP Agreement.

C. KPS Retail, LLC, is a legal entity organized under Colorado law and is the owner of the real property that was the subject of the Original SCAP Agreement (the "Owner").

D. The Town and the Owner desire to amend and restate the Original SCAP Agreement, as provided herein.

E. 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.

F. 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.

G. 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. Replacement of "Original SCAP Agreement." Upon the execution of this Agreement by the Town and the Owner, this Agreement shall replace the Original SCAP Agreement in its entirety and the Original SCAP Agreement shall be null and void and of no force and effect.

2. 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 3. of this Agreement.

3. 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 3.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 2 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 2) 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 2 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 3.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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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: KPS Retail, LLC
 c/o Spencer Fane LLP
 Attn: Tom George
 1700 Lincoln Street, Suite 2000
 Denver, Colorado 80203

10. 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.

11. 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.

12. 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

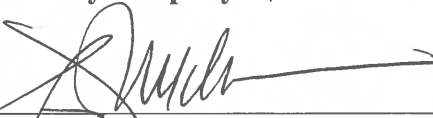
ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

OWNER: KPS Retail, LLC, a Colorado limited liability company ,



Peter Niederman, Manager

Arizona
STATE OF ~~COLORADO~~)
COUNTY OF Maricopa)ss.

3 The foregoing instrument was acknowledged before me this 4th day of December, 2022, by Peter Niederman, as Manager of KPS Retail, LLC, a Colorado limited liability company.

My commission expires: July 27, 2027.

SEAL



Notary Public

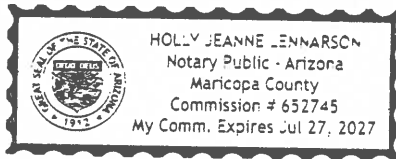


EXHIBIT LIST

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

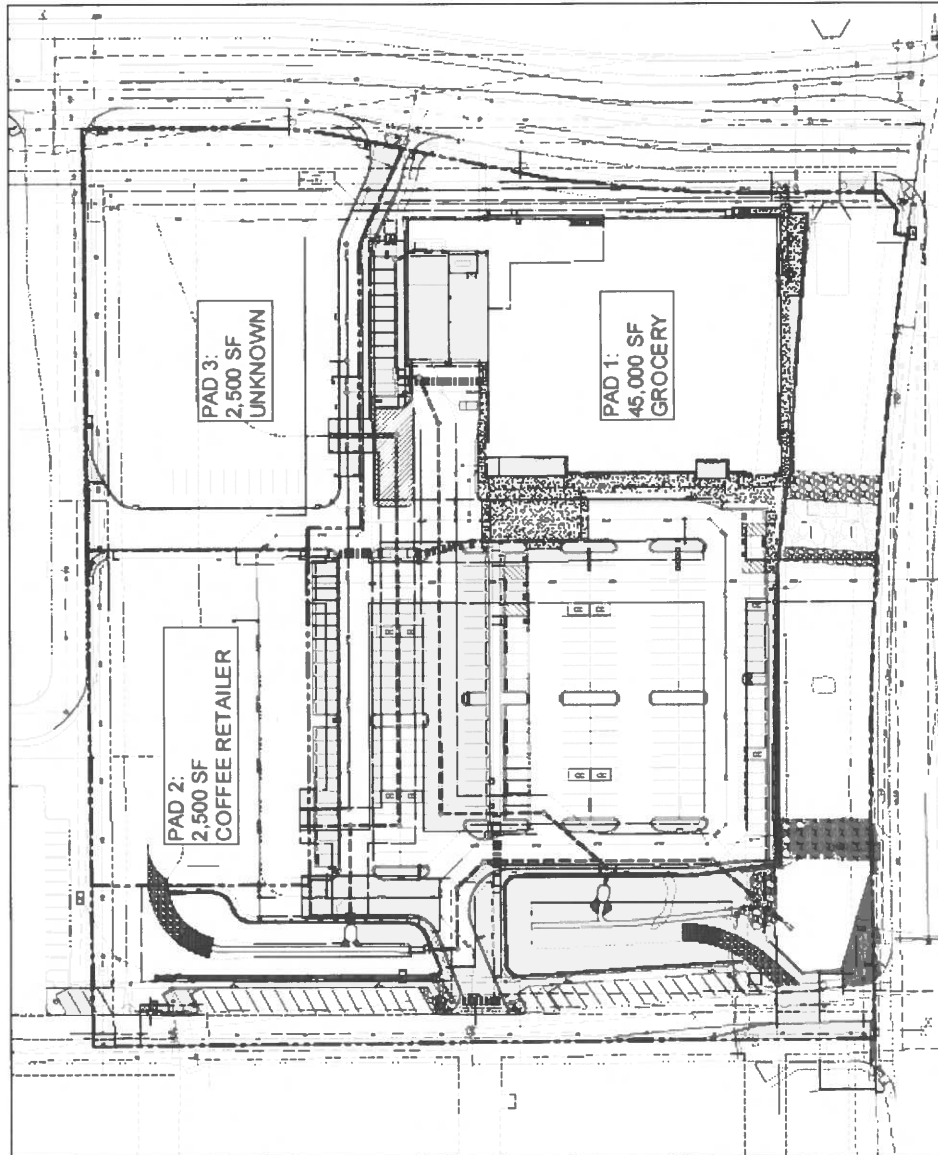


EXHIBIT B

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 “Amended and Restated Shopping Center Assistance Program Agreement” include on- and off-site public improvements serving the KPS 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 KPS Retail, LLC, a Colorado limited liability company, in connection with that certain Shopping Center Assistance Program Agreement for the shopping center, dated _____, 2024 (the "Agreement"), that:

The condition precedent described in Paragraph 2 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: KPS 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 KPS Retail, LLC, a Colorado limited liability company.

My commission expires: _____.

SEAL

Notary Public



Request for Town Council Action

Date: February 5, 2024

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

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 3.253.7 - First Reading**
A Bill for an Ordinance to Rezone Certain Property Within the Town of Parker, Colorado, Known as the Compark Village PD-Planned Development District, Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
Department: Community Development, Stacey Nerger
Second Reading: February 20, 2024

EXECUTIVE SUMMARY

The applicant, Westside Investment Partners, has submitted a rezoning application to amend the Compark Village Planned Development (PD) to change several existing Planning Areas from Commercial Retail to Business Employment in use. The applicant also proposes an overlay across the property that they own to permit data centers as a use by-right in certain areas. The proposal may be summarized as follows:

1. **Existing Zoning:** Commercial Retail Planning Areas 9-10 are located at the northwest and southwest corners of Chambers Road and Compark Boulevard respectively. The intent of the Commercial Retail Planning Areas is to *"...promote the combination of retail commercial uses that will support an active neighborhood character."*
2. **Proposed Rezoning (Base):** (A) Applicant proposes to reduce the size of Commercial Retail Planning Area 9 by 9.4 acres leaving 1.83 acres of vacant land remaining for future commercial retail use. The 9.4 acres will be incorporated into Business Employment Planning Area 2. (B) Applicant proposes to reduce the size of Commercial Retail Planning Area 10 by 13.7 acres leaving 3.3 acres of vacant land remaining for future commercial retail use. The 13.7 acres will be incorporated into Business Employment Planning Area 10A.
3. **Proposed Rezoning (Overlay):** Applicant proposes an overlay over the two (2) properties they own in Commercial Retail Planning Areas 9-10 having a total area of 26.4 acres. The proposed overlay would permit data centers as a use by-right. This would eliminate 26.4 acres of land currently zoned for future commercial retail use and, as referenced in #2 above, leave 1.83 acres of vacant land for future commercial retail use to serve the neighborhood including businesses, employees, residents and students.

Criteria for Rezoning Approval

Section 13.04.240b(7) of the Municipal Code requires the applicant to address, and the Town Council to evaluate, the following nine (9) criteria for rezoning approval:

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 proportional degree necessary due to the impacts created by the proposed land uses.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Overview

The Compark Village PD is an approximately 390 acre mixed-use planned development located on both sides of E-470 and west of Chambers Road. The majority of the PD was annexed and zoned into the Town of Parker in 2007. There have been several additions and amendments to the PD since 2007.

The area around the subject properties may be characterized as mixed-use consistent with the intent of the Compark Village PD. The properties are bordered to the north by educational uses at Rocky Vista University and Parker Performing Arts School; to the south by Happy Canyon Creek open space; to the west by a CORE electric substation and vacant land; and to the east by established single-family and multi-family residential neighborhoods. The subject properties have been zoned as Commercial Retail Planning Areas since annexation and zoning to accommodate future retail development to support the mixed-use neighborhood and meet the local need for shopping, services and restaurants.

The applicant has submitted a rezoning application for approximately 26.4 acres of property located within the Compark PD on the west side of the intersection of Chambers Road and Compark Boulevard. The proposal is more specifically described below:

1. **North Side of Compark Boulevard:** Remove approximately 9.4 acres from the Commercial Retail Planning Area (PA 9) and add this land into the Business Employment Planning Area (PA 2);
2. **South Side of Compark Boulevard:** Remove approximately 13.7 acres from the Commercial Retail Planning Area (PA 10) and add this area into the Business

Employment Planning Area, creating a new Planning Area 10A.

3. **Create a Data Center Overlay:** Establish a Data Center Overlay zone with a total area of 26.4 acres to permit data centers as a use by-right on property owned by the applicant where the current zoning permits commercial retail use as envisioned by the Compark Village PD. The applicant's property is located at the southwest corner of Chambers Road and Compark Boulevard and to the west of the Mobil gas station/convenience store at the northwest corner of Chambers Road and Compark Boulevard. The Overlay would allow data centers subject to certain planning and design standards.

Parker 2035 Master Plan

The Parker 2035 Master Plan identifies the subject property as part of the Employment District within the E-470 Corridor. The Master Plan recommends employment generating uses such as professional, medical and corporate offices; light industrial uses; flex office; research and development facilities; and a campus for higher education. The E-470 corridor's easy access to regional employment centers and regional transportation facilities such as Denver International Airport and Centennial Airport, along with its location near hospitals and other medical industries, make it an attractive location for new businesses in Parker. The light industrial uses in this Character Area are not intended to include primary use warehousing, outdoor storage or mini-storage uses. The primary uses in this Character Area are also intended to attract and support a variety of complementary uses such as business services, personal services, convenience retail, childcare and restaurants. The Master Plan indicates that these complementary uses may be located near the intersection of Chambers Road and Compark Boulevard but should be clearly ancillary in scale and intensity of use to the primary employment purpose of the Character Area.

The Business Employment Planning Area of the Compark Village PD focuses on light industrial/employment uses which align with the desired uses for this Character Area described in the Master Plan. It is possible that expanding the Business Employment Planning Area may have the potential to expand the Town's employment base. The proposed rezoning to permit data center use may support a significant private investment, if it comes to fruition, and this use would benefit from proximity to an existing CORE electrical substation. However, data center uses typically do not generate significant primary employment and the applicant has not submitted information to the contrary as part of the rezoning application. From a planning perspective, data centers are passive from a use perspective and do not generate much activity, employment, sales tax or traffic.

Public Comments

Community Development staff have received comments and inquiries from the public both in support of and in opposition to the proposed zoning application. All written comments received by staff are included in the packet.

Staff Comments

Early in the application process, Community Development staff requested that the applicant provide a fiscal impact analysis to evaluate the fiscal impact to the Town of the proposed rezoning application and data center use as permitted by the Land Development Ordinance. In response, the applicant has submitted a fiscal impact analysis prepared by EPS dated October

10, 2023, to evaluate the municipal service costs associated with the proposed rezoning for data center use. According to EPS, the proposed rezoning and planned data center use is projected to be revenue positive to the Town, with substantial excise tax to be generated for electricity usage and limited expenses for Town services because of the low employment and passive nature of typical data center use. The applicant's consultant estimates that the data center use will generate an estimated \$2-\$2.1 million in excise and sales tax annually and \$22.5 million from 2025 to 2035 *assuming successful completion of the data center and full build-out early in the ten (10) year period*. While the projection is subject to assumptions and caveats, it is possible that the proposed rezoning and planned data center use may generate substantial revenue for the Town that would support municipal services in the Compark Village PD and elsewhere.

Staff has reviewed the applicant's application to rezone approximately 26.4 acres of property located within the Compark Village PD on the west side of the intersection of Chambers Road and Compark Boulevard. The applicant must further address how their proposal addresses Section 13.04.240b(7) of the Municipal Code including how it complies with the nine (9) criteria for rezoning approval. Depending upon how well the applicant addresses the criteria for rezoning approval at the public hearing and the analysis in the staff report(s), the proposed rezoning application may be determined to be consistent with the Parker 2035 Master Plan and the Land Development Ordinance.

The following are background comments from the Community Development Director:

1. Community Development staff commented upon and attempted to preserve a small Commercial Retail Planning Area at or near the southwest corner of the Chambers Road and Compark Boulevard intersection as part of the proposed Data Center Overlay. The purpose of this comment was to mitigate the loss of available land for future commercial retail development, meet the intent of the Compark Village PD and promote consistency with the Parker 2035 Master Plan. The applicant did not address this comment for the Data Center Overlay.
2. Community Development staff commented upon and recommended a public trail head meeting Town standards at or near the southeast corner of the subject properties where the Chambers Road sidewalk connects to Happy Canyon Regional Trail. The purpose of this comment was to provide an alternative public benefit to the neighborhood that would mitigate the proposed change in zoning (and land use plan) and potential loss of available land for future commercial retail development to support the neighborhood. The applicant has agreed to limited public trail improvements through the rezoning.
3. Given the above, it is important to preserve opportunities and zoning for future commercial retail use elsewhere in the Compark Village PD including south of E-470.

Planning Commission

The Planning Commission held a public hearing on the proposed rezoning application on January 25, 2024, and voted unanimously to recommend that the Town Council approve the application.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



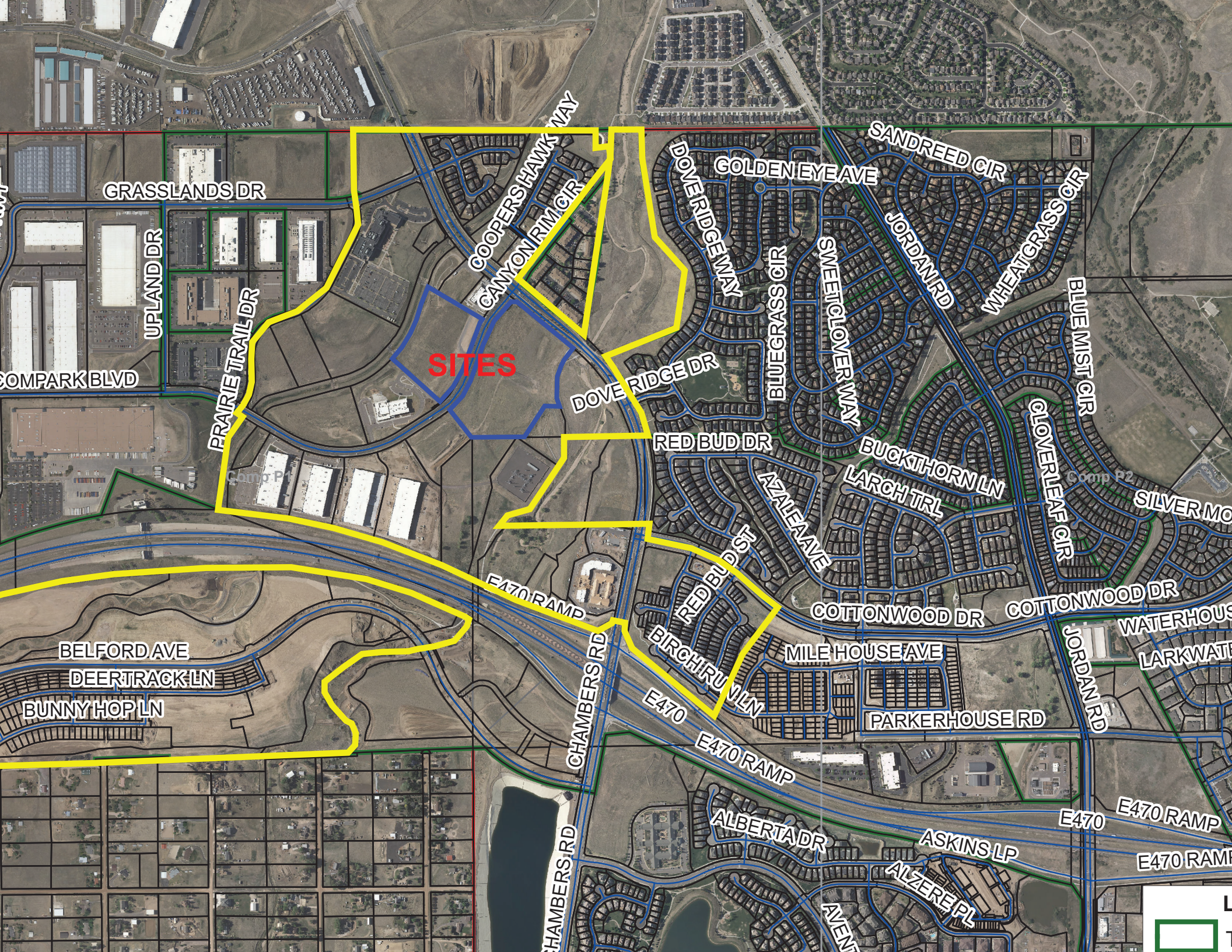
ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Vicinity Map
2. Planning Commission Staff Report
3. Combined Public Letters of Support
4. Ordinance No. 3.253.7

RECOMMENDED MOTION

I move to approve Ordinance No. 3.253.7 on first reading and to schedule second reading for February 20, 2024, as part of the consent agenda.



SITES

GRASSLANDS DR

UPLAND DR

COMPARK BLVD

PRAIRIE TRAIL DR

COOPERS HAWK WAY
CANYON RIM CR

DOVE RIDGE DR

RED BUD DR

E470 RAMP

CHAMBERS RD

E470

E470 RAMP

ALBERTA DR

ASKINS LN

ALZERE PL

MILE HOUSE AVE

COTTONWOOD DR

COTTONWOOD DR

WATERHOUSE

LARKWATER

PARKER HOUSE RD

E470

E470 RAMP

E470 RAMP

BELFORD AVE

DEER TRACK LN

BUNNY HOP LN

BUCKTHORN LN
LARCH TRL

AZALEA AVE

BIRCH RUN LN

RED BUD ST

GOLDEN EYE AVE

BLUEGRASS CIR

SWEET CLOVER WAY

JORDAN RD

SANDREED CIR

WHEATGRASS CIR

BLUE MIST CIR

CLOVERLEAF CIR

SILVER MO

Comp P1

Comp P2



Planning Commission Staff Report

Planning Commission Date: 1/25/2024

Town Council Date: 2/20/2024

Hearing Type: Public Hearing
Compark Village Planned Development Amendment
No. 6
TRAKiT No: Z21-028

Location: The site is located north and south of Compark Blvd
and west of Chambers Road.

Project Planner: Stacey Nerger, Senior Planner

Applicant: Larry Jacobson, Westside Investment Partners

Executive Summary: The applicant, Westside Investment Partners, is proposing a Planned Development (PD) amendment to the Compark Village PD to rezone certain Commercial Retail Planning Areas to Business Employment as well as add an overlay to allow for data centers as a use by right in certain areas.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the Compark Village Planned Development 6th Amendment Rezoning."

ALTERNATIVE MOTIONS

Approval with Conditions

"I move the Planning Commission recommend Town Council approve the Compark Village Planned Development 6th Amendment Rezoning request, subject to the following conditions:"

-List proposed conditions

Denial

"I move the Planning Commission recommend Town Council deny the Compark Village Planned Development 6th Amendment Rezoning request does not meet the following approval criteria:"

-List criteria not met (either by staff or Planning Commission)

Continue

“I move the Planning Commission vote to continue the Compark Village Planned Development 6th Amendment Rezoning to a future date.”

I. BACKGROUND/DISCUSSION

The Compark Village Planned Development (PD) is an approximately 390 acres mixed-use development located on both sides of E-470 and west of Chambers Road. The majority of the Planned Development was Annexed and Zoned into the Town of Parker in 2007. Several additions and amendments have taken place between 2007 and today.

The subject properties within the Compark Village PD are bordered to the north by institutional uses (Rocky Vista University); to the south by Happy Canyon Creek; to the west by vacant land, Parker Performing Arts School and light industrial uses (Edge 470); and to the east by residential uses and vacant commercial land.

The applicant has submitted a rezoning application for approximately 21.3 acres of property located within the Compark PD on the west side of the intersection of Chambers Road and Compark Boulevard more specifically described below:

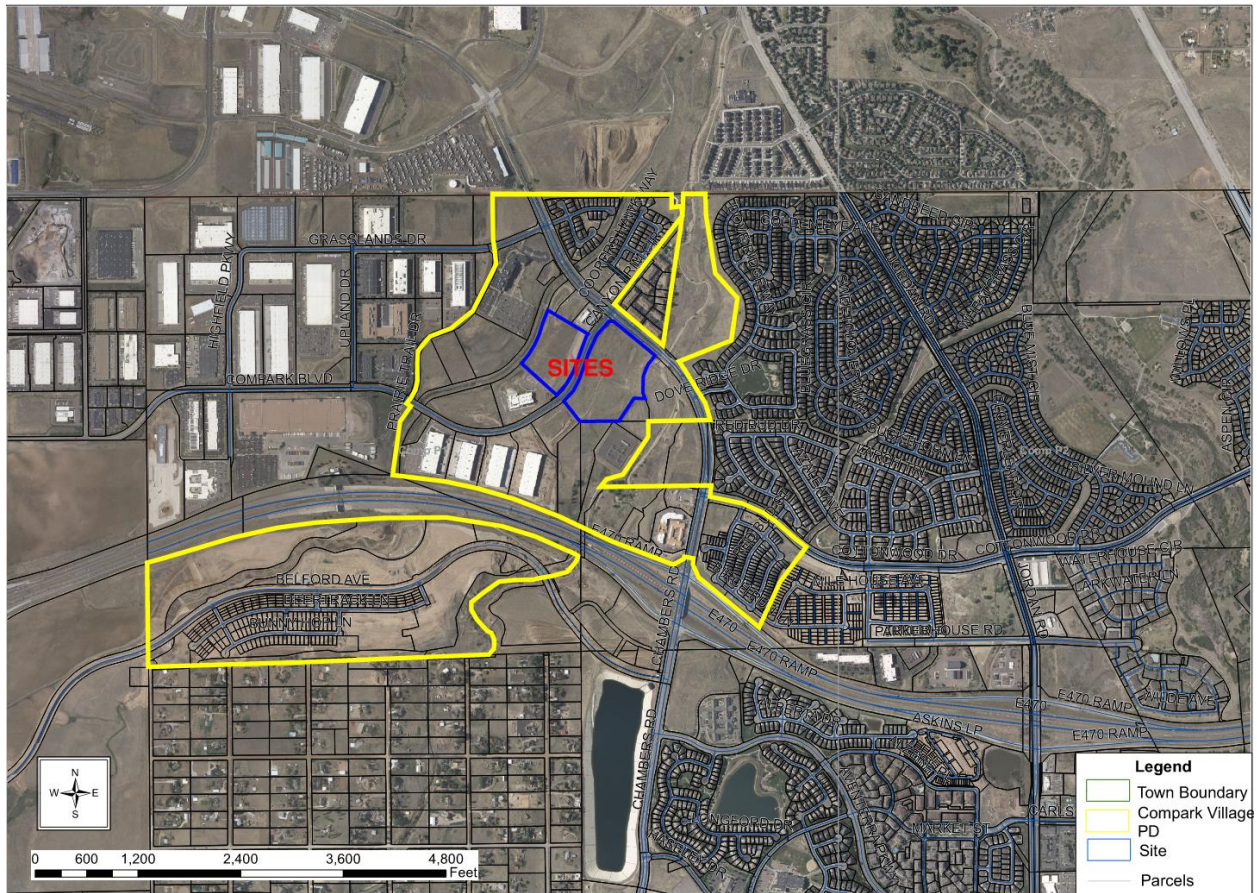
- North side of Compark Blvd – Remove approximately 4.5 acres from the Commercial Retail Planning Area (PA 9) and add this area into the Business Employment Planning Area (PA 2);
- South side of Compark Blvd. – Remove approximately 13.72 acres from the Commercial Retail Planning Area (PA 10) and add this area into the Business Employment Planning Area, creating a new Planning Area 10A.
- Add a Data Center Overlay to the 18 acres proposed to be rezoned above along with an additional 3.3 acres zoned Commercial Retail Planning Area located at the southwest corner of Chambers Road and Compark Blvd for a total of 21.3 acres. The Data Center Overlay would allow for data centers as a use by right subject to certain additional standards only within this area of the PD.

The Parker 2035 Master Plan identifies the property as Employment District within the E-470 Corridor which recommends professional, medical, corporate offices, light industrial uses, flex office, research and development facilities and a higher educational campus. The E-470 corridor’s easy access to regional employment centers and regional transportation facilities including Denver International Airport and Centennial Airport along with its location near hospitals and other medical industries make it an attractive location in Parker for businesses to locate. Light industrial uses in this Character Area are not intended to include primary use warehousing, outdoor storage or ministorage uses. The primary uses in this Character Area are also intended to attract a variety of complementary uses, such as business and personal services, convenience retail, childcare and restaurants. These complementary uses may be located near the intersection of Chambers and Compark Blvd. but should be clearly ancillary in scale to the primary employment purpose of the character area.

The Business Employment Planning Area of the Compark Village Planned Development focuses on light industrial/employment uses which align with the desired uses for this area described in the Master Plan. Expanding the Business Employment Planning Area will allow for the potential

to expand the Town's employment base. A data center use would be a significant private investment and it would benefit from the subject property's proximity to an existing CORE electrical substation. However, data center uses generally do not provide significant employment and the applicant has not submitted information as part of the rezoning application to the contrary. Data center uses are more passive from a use perspective and do not generate much activity, employment, sales tax or traffic.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
February 5, 2007	Town Council approved the Annexation and Zoning of the Compark Village Property which consisted of approximately 204 acres.
April 20, 2009	Town Council approved an amendment to the Compark Village Annexation and Zoning by including an additional 34 acres.
December 6, 2011	An amendment to the Compark Village PD occurred to align the zoning with the current property ownership after a trade of properties between Compark Village and Cottonwood Highlands PD.
April 15, 2013	Town Council approved the Annexation of the Compark Village 3 Property and approved the third amendment to the Compark Village PD.

January 5, 2015	Town Council approved the Annexation and Zoning of 150 acres of land immediately south of E-470 call Compark Village South.
January 19, 2016	Town Council approved Annexation and Zoning Amendments to add eight (8) acres of land from the adjacent Cottonwood Highlands Planned Development into the Compark Village PD at the corner of Chambers Road and Cottonwood Drive.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development		
Overlay District	Title 32 Overlay District		
PD & Plan Area	Compark Village PD 5 th Amendment – Commercial Retail (CR)		
Master Plan Area	Employment		
Site Acreage	21.3 acres		
Subdivision	Compark Village Filing No. 8 and Filing No. 11		
Existing Use	The property is currently vacant/undeveloped.		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Employment	PD – Planned Development	Rocky Vista University
South	Mixed Use	PD - Planned Development	Happy Canyon Creek – Vacant land
East	Medium Density Residential	Douglas County Zoning	Multifamily Condominiums and Vacant commercial
West	Employment	PD - Planned Development	Edge 470 and Parker Performing Art School

IV. PARKER 2035 MASTER PLAN **Parker 2035 Master Plan | Town of Parker - Official Website**

MASTER PLAN CONSISTENCY	
Master Plan Designation	Employment ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	<u>E-470 Employment:</u> Attract primary uses including; professional, medical and corporate offices, light industrial uses, flex office, research and development facilities and higher educational campuses. The primary uses in this district should attract business and personal services, convenience retail, childcare and restaurants. Light industrial uses are not intended to include primary warehousing, outdoor storage or mini storage uses.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.B Land Use 1.C Land Use 1.D

	Land Use 1.E Land Use 1.H Jobs and Economic Vitality 2.B
Staff Analysis	The project proposes to rezone the property from Commercial Retail Planning Area to Business Employment Planning Area within the Compark Village Planned Development. The proposed rezoning will change the portion of the PD from allowing commercial retail and service oriented uses identified within the Master Plan as ancillary in the Character Area and allowing for employment, light industrial. The Business Employment Planning Area of the Compark Village Planned Development focuses on light industrial/employment uses. The proposed amendment will allow for continued employment base with the expansion of the business employment planning area. A data center use contemplated in the Data Center Overlay would be a significant private investment and it would benefit from the existing nearby CORE electrical substation. The use may be compatible in scale and design with existing light industrial uses located in the Compark Village PD and allowed in the Business Employment Planning Area of the PD. The proposed use does not generate significant primary employment and will not generate sales tax. However, the applicant has provided a fiscal impact analysis that projects the use will generate significant excise tax revenue to the Town from electricity usage. The use does not typically generate significant traffic due to its passive nature and lack of employment. Although, the proposed use may not meet all aspects of the Parker 2035 Master Plan, staff believes that this request can be viewed as consistent with the Parker 2035 Master Plan due to the proposed uses economic benefits, building form and scale. The applicant must further address the nine criteria for rezonings including alignment with the Master Plan in the public hearing.

V. DEVELOPMENT POTENTIAL

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis

Units Per Acre	Residential uses are not supported in the Employment District of the E-470 Character Area.	None	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Allowed Uses	Employment: professional, medical and corporate offices, light industrial uses, flex office, research and development facilities and higher educational campuses.	A mix of light industrial/commercial uses are proposed including data centers.	☐ Consistent ☒ Somewhat Consistent ☐ Inconsistent ☐ No Change
Height/Stories	N/A. The Master Plan does not speak to height.	Sixty (60) feet	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	As detailed in the analysis above, the requested rezoning may not meet all aspects of the Parker 2035 Master Plan, however, staff believes that this request may be viewed as consistent with the Parker 2035 Master Plan due to the proposed uses economic benefits, building form and scale. The applicant must further address the nine criteria for rezonings including alignment with the Master Plan in the public hearing.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The property is located west of the intersection of Chamber Road and Compark Boulevard. All major roads in and around the development have been constructed. The two areas proposed to be rezoned will have access off Compark Boulevard. In addition, there is the potential for an additional right-in/right-out access point off Chambers Road, between Compark Boulevard and Happy Canyon open space, to provide additional access to the remaining 3.3 acre Commercial Retail Planning Area site at the southwest corner of Chambers Road and Compark Blvd.

If the Commercial Retail lot is to be developed for commercial uses, it is important that access is available from Chambers Road and Compark Boulevard to support these uses. The proposed alignment of the right-in/right-out access on Compark Boulevard shall align with the existing right-in/right-out located on the north side of the street. The right-in/right out is the location of the boundary between Planning Area 10 and Planning Area 10A.

The applicant or an end user(s) will be required to address access, circulation and traffic at the time of future plat and/or site plan. The applicant will be required to construct any drainage, roadway and other infrastructure improvements necessary for the proposed development.

VII. APPROVAL CRITERIA REZONING

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

Below are the applicant and staff's analysis on the required nine (9) criteria for Rezoning. Staff has provided an analysis and provided comments as to how the applicant can meet these criteria. The applicant must address how this proposal meets the criteria during the public hearing.

1. A need exists for the proposal.

Applicant's Response

Due to the location along E-470 and surrounding uses, there is significant interest in Compark for businesses providing high quality employment opportunities. Rezoning to BE provides for a variety of employment and retail and service commercial in a compatible manner without limiting the area to a specific use. Adding the Data Center Overlay to the BE Zoning District provides additional potential use and additional high quality employment opportunities.

Staff Analysis

As the Compark Village area has developed, the demand for light industrial flex uses has increased and the addition of land zoned for light industrial/employment in this area aligns with the Town's Master Plan by:

1. Providing adequate opportunities for expansion of the Town's economic and tax base.
2. Supporting infill development that is compatible with existing commercial development bordering the property to the north and west.

In addition, as the demand for data storage has increased with changes in technology, there is an increased need for data storage or data centers. The addition of a data center overlay and use is new to the Town of Parker. These uses are anticipated to be very large buildings with substantial computer server capacity that require a significant amount of electric power. It is also anticipated that the data center use will have minimal employment. The Data Center overlay also limits the areas that data center use is permitted, locations permitting data centers are near the existing CORE substation rather than allowing them throughout the PD.

The goal of this rezoning approach is to preserve a mix of uses throughout the Compark Village PD while maintain an opportunity for commercial retail use along Chambers Road in the PD to support the existing residential neighborhood, employers and employees in Compark who need services and capitalize upon the significant pass-through traffic on Chambers Road. The Data Center Overlay would allow for a data center to be located on the 3.3 acre Commercial Retail planning area adjacent to Chambers Road.

The applicant must further address how this project complies with the nine criteria in the public hearing. Based on this analysis, and how well the applicant addresses this criterion during the public hearing, this criterion may be viewed as consistent.

2. The particular parcel of ground is indeed the correct site for the proposed development.

Applicant's Response

The proposal is for an amendment to the non-residential land uses within the Compark PD. The proposed zoning is needed to address the increasing market demand for business employment uses and a variety of light industrial uses such as research and development, assembly and light manufacturing, flex office, office warehouse, and Data Centers in close proximity to and with easy access to major transportation corridors such as S. Chambers Road and E-470. Existing infrastructure is readily available given the development of adjacent parcels, many of which are similar in character to the proposed land uses that have developed within Compark. The Data Center overlay can capitalize on the adjacent CORE Electric Substation.

Staff Analysis

The property is currently located adjacent to other areas within the Compark Village PD zoned for light industrial/flexible uses. In addition, the area surrounding the subject property in Compark within the Town and adjacent unincorporated Douglas County are also zoned for light industrial uses.

Data Centers use a significant amount of electricity, the proposed locations for the Data Center Overlay are located near the existing CORE substation because of the need for adequate electric power.

The proposed Data Center Overlay addition to the PD includes specific design criteria to ensure that if this use is built, the building is compatible with the surrounding area and enhances the commercial feel of the area.

The applicant must further address how this project complies with the nine criteria in the public hearing. Based on this analysis, and how well the applicant addresses this criterion during the public hearing, this criterion may be viewed as consistent.

3. There has been an error in the original zoning; or

Applicant's Response

There was no error in the original zoning.

Staff Analysis

The purpose of this application is not to correct an error in the original zoning; therefore, this factor is not applicable.

Based on this analysis, staff has determined that this criterion has been met.

4. There have been significant changes in the area to warrant a zone change.

Applicant's Response

Market conditions have changed and the demand for more flexible use areas including business employment uses are greater than the demand for retail and commercial services and typical office buildings in this area. The flexibility in the type of uses in the proposed Business Employment Districts will be attractive to users wanting primary employment space, flex type space, or Data Centers as provided, however that the proposed zoning retains the flexibility to have retail and office uses should the market respond accordingly.

Staff Analysis

The Parker 2035 Master Plan has identified the subject area as an area for the creation of primary employment. The expansion of the Business Employment Planning Area and uses is consistent with the Master Plan. The principal exception to this is that the proposed data center use is not expected to generate much primary employment and there is nothing in the application record to indicate otherwise. The applicant must address this issue and provide the Planning Commission with information about how the proposed rezoning (and data center use) either generates primary employment or provides an alternative economic benefit that offsets the lack of employment in a meaningful way.

The applicant must further address how this project complies with the nine criteria in the public hearing. Based on this analysis, and how well the applicant addresses this criterion during the public hearing, this criterion may be viewed as consistent.

5. Adequate circulation exists and traffic movement would not be impeded by development; and

Applicant's Response

The Traffic Conformance Letter prepared by Fox Tuttle dated August 8, 2021, states "It is anticipated that the approved roadway network, intersections, and access can accommodate the proposed change in zoning since the associated trips are similar to the Master TIS" for Compark Village. As such, there will be no impact or meaningful change in the circulation or traffic movements based on the proposed amendment. It is anticipated that the approved roadway network, intersections, and access can accommodate the proposed change in zoning from CR to BE for PA 9 and 10, (and PA 10A if a Data Center is integrated with PA 10) since the associated trips are similar to the Master TIS. The analysis for the proposed change in zoning estimated that the findings of the Master TIS are still valid. Therefore, no new traffic analyses are required beyond what was already analyzed in the original study for off-site improvements.

Staff Analysis

The roadway network needed to serve the development has been constructed and is available for use with this development. At the time of replat or site plan, the proposed development will be reviewed for traffic impacts and any improvements that may be necessary for the development to ensure adequate circulation. The applicant will be required to construct all traffic improvements necessary for the development.

Based on this analysis, staff has determined that this criterion has been met.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

Applicant's Response

Much of the existing infrastructure is in place to serve the Planning Areas proposed for rezoning. In Compark Village both South Chambers Road and Compark Boulevard will provide access to PA -9A and 10A and the Green Acres tributary has been improved for drainage. Many utility services are in place serving the existing uses. However, the electrical capacity for the area will need to be upgraded should a data center locate in Compark North. The cost for this will be borne by CORE Electric and ultimately CORE will benefit financially, as will the Town via dramatically increased sales tax and excise tax collected by the Town as a result of the electrical usage of the data center.

Infrastructure has been or will be extended by the developer or metro district to serve the areas proposed for rezoning. As such, there will be no impact on Town costs. Additionally, there will be no impact to other Town services, such as life safety, as the rezoning does not provide uses and levels of development significantly greater than originally anticipated and planned for as part of the original Compark Village Master Plan.

Staff Analysis

Any construction on the subject properties will be considered private and will be privately operated and maintained.

The applicant has prepared and submitted a fiscal impact analysis prepared by EPS dated October 10, 2023 to evaluate the municipal service costs associated with the proposed rezoning for data center use. According to EPS, the proposed rezoning and planned data center use is projects to be revenue positive to the Town with substantial excise tax to be generated for electricity usage and limited expenses for Town service because of the low employment, passive nature of the planned data center use. The applicant's consultant estimates that the data center use will generate \$2 - \$2.1 million in excise and sales tax annually and \$22.5 million from 2025 to 2035 assuming successful completion of the data center and full buildout early in the ten (10) year period.

As evidenced by the above, the proposed rezoning and planned data center use may generate substantial revenue to the Town that would support municipal services including those required in Compark on the subject property.

Based on this analysis, staff has determined that this criterion has been met.

7. There are minimal environmental impacts or impacts can be mitigated.

Applicant's Response

The minimal environmental impacts were assessed and mitigated at the time of the original PD zoning. The proposed amendment will not have any environmental impacts as there are no significant natural features on the site.

Staff Analysis

The subject property was subdivided, graded and infrastructure was installed with the original plat and therefore the sites have minimal environmental concerns relating to habitat, landforms and vegetation. The Happy Canyon Creek is located to the south of the southern property and will not be disturbed. The Creek along with its floodplain have been preserved within an open space tract. As a part of any future Site Plan application, site improvements will be required to meet all Town environmental standards as set forth in the Land Development Ordinance to be designed to ensure that any environmental impacts are mitigated.

Based on this analysis, staff has determined that this criterion can be viewed as consistent.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Applicant's Response

The proposed PD Amendment remains consistent with the Town's Master Plan maps, goals, and policies. The proposed change in land uses is consistent with the Mixed-Use designation on the Parker 2035 General Land Use Plan. Compliance with the goals and policies was deemed consistent by the Town Council when the property was originally zoned, as well as at the time of each subsequent PD Amendment.

Generally, the mixed-use character of the area provides for uses that will allow residents to walk and bicycle to their daily needs including retail, employment, and recreation through a blend of compatible land uses, public amenities, and an integrated multimodal transportation system. The areas proposed to be rezoned further this goal by providing the potential for a variety of business employment, retail, and commercial uses enhancing the mixed-use character of the area.

Staff Analysis

The applicant must further address how this project complies with the nine criteria in the public hearing. Based on this analysis as detailed in Section IV of this staff report, and how well the applicant addresses this criterion during the public hearing, this criterion may be viewed as consistent.

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

Applicant's Response

There is no anticipated change in service needs based on the proposed amendment. Water and sewage disposal will continue to be provided through an IGA with Stonegate Village Metro District. The amendment does not provide for additional residential units therefore there should be no impact on schools, parks, and recreational needs.

Staff Analysis

Data center uses are power intensive and may be water intensive with the potential to use substantial amounts of water depending upon the center design especially cooling systems required to operate the computer servers found in such facilities. CORE has indicated that they have sufficient capacity to provide electric power to the proposed data center use from the adjacent substation that they own and operate. The property is located within Stonegate Water and Sanitation District and the District has provided comments during the referral review process confirming that they have the infrastructure and water and sewer capacity to serve the proposed data center use.

Based on this analysis, staff has determined that this criterion has been met.

I. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Zoning Comments
Parker Engineering	Approved. Note that updated traffic studies will be required for the Compark Village planning areas with any proposed developments.
Aztec Consultants	No Comment
Parker Building	No Comment
Fire Life Safety	Approved.
Douglas County Assessor's Office	No Comment
Douglas County Planning	Advisory Comments, The amendment to allow a data center across from the Canyon Creek townhomes should not be considered. Data centers are not conducive to having a visually appealing street frontage. The monolithic walls and enhanced security fencing do not lend itself to a commercial frontage. This is much better suited to interior lots of a business park.
E470 Public Highway Authority	No Comment
PSCO	PSCO has no objection to the proposed rezone contingent upon the district's ability to maintain all existing rights.
CORE	Approved.
CenturyLink	No Comment, "No reservations at this point. If any conflicts are identified, please contact Travis Young @ 303-263-1725. Thanks"
Comcast	No Comment

Stonegate Village Water and Sanitation District	Approved We have done a bit of research on the proposed developments related to this rezoning. As far as I can see it appears to be a good fit for the area and probably less water consumption than their planning efforts used. SVMMD would most definitely support taps of this size for these buildings if they continue their efforts on their proposed development.
Town of Parker Comprehensive Planning	The applicant is proposing a PD Amendment to change land use designations to Planning Areas 10, 10a and a portion of PA2 (denoted incorrectly as PA9a in. The change includes the addition of an Overlay District to allow a Data Center as a permitted use. These planning areas are located within the Employment Character Area of the Parker 2035 General Land Use Plan within the Master Plan - which focuses on uses such as professional, medical, higher education and light industrial uses. Complementary uses such as personal services, restaurants and convenience retail are also appropriate in this area. The proposed overlay district for data center use may be appropriate light industrial use in Planning Areas 2, 10 and 10a. However, planning area 10 should continue to be reserved for neighborhood supporting commercial retail/service use if the data center use does not proceed. It is also important to preserve commercial retail Planning Areas and the opportunity for retail/service use in the section of the Compark Village PD south of E-470 and accessible from the recently constructed Belford Avenue.
Centennial Airport	No Comment

Community Comments

Staff has received phone calls from three community members, concern noted included type of use, noise, traffic and impact the change could have to their properties. Staff has also received three letters of support for this project from the community. All written comments submitted from the community are included in the packet.

VIII. CONCLUSION

Staff has reviewed the proposal to rezone approximately 21.3 acres of property located within the Compark PD on the west side of the intersection of Chambers Road and Compark Boulevard. The applicant is proposing the following as part of their rezone:

- North side of Compark Blvd – Remove approximately 4.5 acres from the Commercial Retail Planning Area (PA 9) and add this area into the Business Employment Planning Area (PA 2);

- South side of Compark Blvd. – Remove approximately 13.72 acres from the Commercial Retail Planning Area (PA 10) and add this area into the Business Employment Planning Area, creating a new Planning Area 10A.
- Add a Data Center Overlay to the 18 acres proposed to be rezoned above along with an additional 3.3 acres zoned Commercial Retail Planning Area located at the southwest corner of Chambers Road and Compark Blvd for a total of 21.3 acres. The Data Center Overlay would allow for data centers as a use by right subject to certain additional standards only within this area of the PD.

The applicant must further address how this project complies with the nine criteria in the public hearing. Based on the analysis in this staff report, and how well the applicant addresses this criterion during the public hearing the proposed zoning may be considered consistent with the Parker 2035 Master Plan and the Land Development Ordinance.

IX. ATTACHMENTS

1. Compark Village Development Guide – 6th Amendment
2. Compark Village Development Plan – 6th Amendment
3. Letters of support

Report Reviewed By: John Fussa, Community Development Director

Report Approved By: Bryce Matthews, Assistant Director, Planning



January 9, 2024

Stacey Nerger, Senior Planner
Town of Parker
20120 E. Mainstreet
Parker, CO 80138

Re: Compark Village Rezoning Application - Z21-028

Ms. Nerger and Staff,

The Parker Chamber's Government Affairs Committee (GAC) recently issued its 2024 "pillars" outlining its priorities for the local business community. One of those is promotion of the economic vitality of the Town – specifically to support infrastructure that attracts more job-creating primary employers.

With this in mind, the Chamber and its GAC are writing in support of the rezoning of Compark Village that will allow the development of Westside Investment Partners' proposed data center. The jobs and the potential tax/fee revenue – projected to be twice that of a Costco – provide significant short-term justifications. However, the long-term impact of drawing high tech investment within our borders is the real prize. This \$400MM capital investment could provide an anchor for additional high tech investment and development.

This is a slam-dunk in terms of economic development. As skilled jobs and higher-salaried workers increase in the Compark area, there will be additional use opportunities like the light industrial, retail, and commercial that the Town envisions in its Master Plan. If we are serious about expanding Parker's primary employer base beyond the retail and healthcare sectors, then we need to take action to encourage the development of tech sector uses.

CORE has assured us that the data and power infrastructure exists in close proximity to support this proposed use, and the placement of this business could attract more high-tech enterprises reliant on similar infrastructure. CORE says that costs for services and traffic mitigation would be minimal. We trust you to best evaluate the veracity of these claims, but even if the impact exceeds CORE's estimates, investments in these areas would pay dividends for generations to come.

We are aware that the approval of this project would significantly benefit CORE, representing as much as 20% of the cooperative's total service. In addition to the economic development incentives for approval of this project, a stronger utility is good for Parker's businesses and residents.

This project is representative of the economic future of South Metro Denver. For Parker to be competitive with its neighbors, we must demonstrate a serious commitment to attracting the jobs, capacities, and uses that will dominate the next generation of industry. The E470 corridor is the essential artery for high-tech development between Denver International Airport and I-25, and this project represents one critical opportunity to leverage its potential.

Sincerely,
Jon Rowlett, Chair, Government Affairs Committee
T.J. Sullivan, President & CEO

Memorandum

TO: Town of Parker Planning Commission

FROM: Andrew L.W. Peters
Diana C. Jenkins

DATE: January 24, 2024

RE: Review Criteria Memorandum – 6th Amendment to Compark Village PD Plan

Our firm represents Westside Property Investment Company, Inc. (the “**Applicant**”) in connection with its request for a sixth amendment to the Compark Village Development Plan (as amended to date, the “**PD Plan**”) to rezone and apply an overlay district to certain Planning Areas (the “**Application**” or “**PD Amendment**”).

The Application requests to:

1. Rezone 4.8 acres of the existing PA-9 from Commercial Retail District (“**CR District**”) to Business Employment District (“**BE District**”) and include that land area in the existing PA-2, which is currently zoned BE District;
2. Rezone 13.72 acres of the existing PA-10 from CR District to BE District and redesignate that land area as “**PA-10A**” (PA-2 and PA-10A may be collectively referred to herein as the “**Rezoning Area**”); and
3. Apply an overlay district permitting a data center use (the “**Data Center Overlay**”) to the Rezoning Area and the remaining 3.3 acres of the existing PA-10 (“**PA-10**”) in the Compark Village Planned Development (the “**Compark Village Development**”).

Notably, the Data Center Overlay where applied to PA-10 will only permit a data center when developed in combination with an adjacent BE District planning area (i.e. PA-10A and PA-10). Therefore, if a data center use is not developed on PA-10A and PA-10, PA-10 shall be restricted to CR District uses. The subject property with respect to this Memorandum includes PA-2, PA-10, and PA-10A (the “**Property**”). The Property is generally located near the intersection of Compark Boulevard and Chambers Road just north of E-470 within the Town of Parker, Colorado (the “**Town**” or “**Parker**”).

Below, we discuss the approval criteria that Planning Commission and Town Council are required to consider in its action on the Application. As provided in detail herein, we conclude that the Application complies with the requirements of the Town’s Land Development Ordinance (the “**Code**”) and the Parker 2035: Changes and Choices Master Plan (the “**Master Plan**”).

Criteria for Amendments to the Land Use Ordinance or Zoning Map (Code § 13.04.240.b.7.f)

The Code identifies nine criteria that “the Planning Commission and Town Council, in review of rezoning requests, shall consider” (Code § 13.04.240.b.7.f). As evidenced by the language “shall consider” and the fact that not all rezonings will meet each and every one of the nine criteria (*e.g.*, see approval consideration #3: “[t]here has been an error in the original zoning”), the Town considers the nine criteria as a whole.

1. A need exists for the proposal.

The Application furthers the Master Plan’s acknowledgement of the importance in providing opportunities to diversify the economic base of the Town for the Town’s long-term economic wellbeing. Particularly, the Town identified the need to develop land in a way that provides “adequate opportunities for future expansion of [the Town’s] economic base in appropriate locations in the community” (Master Plan, p. 6.3). The PD Amendment advances this theme by adjusting the permitted land uses on the Rezoning Area to better reflect current market conditions. The Compark Village Development, which was initially approved in 1998, provided for more retail uses than have yet to materialize—and may never become economically viable in the Rezoning Area. Even if they were, many of the uses allowed under the BE District overlap with the CR District, thus remaining consistent with both the Master Plan and the greater Compark Village Development.

The Property is located within the Employment Character Area of the Master Plan’s General Land Use Plan (the “**Employment District**”), and the Application will implement the vision for the Employment District as “an attractive location for businesses to locate” by providing a location for a variety of complementary businesses within the E-470 corridor (Master Plan, p. 6.9). The Application will broaden the variety of allowed businesses and attract and retain employment opportunities for the Town’s residents. Those uses will in turn add to the tax base that allows the Town to deliver needed infrastructure, amenities, and services (Master Plan, p. 9.9).

The Data Center Overlay has the possibility to further diversify the economic base of the Town in a manner consistent with both the Master Plan and Compark Village Development. As provided in the Compark Village Planned Development Development Guide, as amended (the “**PD Guide**”), the Data Center Overlay allows for development of a facility containing large-scale computer systems used for data storage and processing for off-site users (p. 4). Data centers often require supporting equipment for power, fire suppression, and security thus making certain sites more feasible than others throughout a municipality. With many Colorado residents still working from home, the rise of streaming services has put a strain on cloud services, and with many businesses choosing to store their information technology equipment off-site to save on space within office buildings, the Data Center Overlay provides for a missing need within the Town and Compark Village Development. As noted above, the existence of a data center within the Town can attract new businesses to the surrounding area that require reliable digital infrastructure for their operations, such as tech companies, digital marketing companies, and even smaller businesses – all of which can benefit from the faster processing time that occurs in data centers where data is stored closer to the source of its generation. Further, the exponential growth of AI technology and cloud data storage in recent years requires supportive infrastructure.

2. The particular parcel of ground is indeed the correct site for the proposed development.

Rezoning a portion of PA-9 (concurrently proposed to be included within PA-2) and PA-10A to the BE District will not interfere with consistency in surrounding development and use. The Property is adjacent to the BE District, Business Commercial District (“**BC District**”), and Open

Space. The portion of PA-9 proposed to be included within PA-2 will share PA-2's BE District, as well as PA-10A, which is directly across from PA-2. In addition to small area consistency, the Property taking on the BE District's permitted retail, commercial and office permitted uses (including flex office, research and development facilities, retail showrooms and specialty shops) will complement the surrounding BC District commercial uses. Consistent with the Master Plan, this rezoning provides a natural transition between the business commercial uses to the south and the mixed residential existing to the north within the Compark Village Development (Master Plan, p. 6.3).

The Application also better aligns with available vehicle access and infrastructure. PA-10 and PA-10A have been identified as having challenging transportation access issues, as noted in the Henry Design Group Inc. ("HDG") response to the Town's PD Plan comments dated November 7, 2023. The PD Amendment expands potential uses to provide options, like a data center, which typically generate less traffic and may prove to be a more economically viable use of the Property. This portion of the Property has been seen as economically questionable for commercial retail uses as such uses would anticipate generation of higher traffic volume at this corner. Additionally, since data centers generally require a larger lot size to promote more efficiency and security, PA-10 and PA-10A would provide an opportune location in close proximity to E-470 for such user.

3. There has been an error in the original zoning.

This criterion is not applicable to the Application as there was no error in the original zoning of the Property.

4. There have been significant changes in the area to warrant a zone change.

As discussed in the written narrative provided to the Town on November 7, 2023 by HDG (the "**November Narrative**"), significant changes in the area warrant the proposed rezoning and Data Center Overlay. The Master Plan emphasizes the need for a diversified and reliable economic base, yet in the more than two decades since the Town approved the original Compark Village Development, the Property has remained vacant and the desire for retail services has not aligned with the economic reality. Those retail uses have instead developed elsewhere, in a substantial departure from the original vision.

Since the beginning of the COVID-19 pandemic, the demand for retail spaces has been steadily decreasing year over year. This is furthered by the fact that this Property in particular has not been developed or desired by residents or developers for uses permitted under the existing zoning. In order for the Property to develop and, therefore, contribute to the Town's tax base, this Application responds to changing circumstances. By rezoning the Rezoning Area to BE District and applying the Data Center Overlay, additional employment and tax revenue opportunities will arise. Notably, by applying the Data Center Overlay to PA-10 but not rezoning such property, PA-10 maintains retail potential, if such demand were to arise without being limited by the same.

5. Adequate circulation exists and traffic movement would not be impeded by development.

As discussed in the November Narrative, the Application does not change the previously studied traffic movements and circulation needs within the Compark Village Development. The close proximity to E-470 "allows for higher intensity uses without significantly impacting the transportation system or character area of the community" (Master Plan, p. 6.6). Additionally,

users of this location are likely to utilize E-470 directly, rather than travel through low intensity uses throughout other areas of the Town.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

As discussed in the November Narrative, the only change to municipal services necessary to serve new uses in the Compark Village Development proposed by this Application (e.g. a data center) would be an upgrade to the Property's electrical capacity. However, the cost of such increase would be borne by CORE Electric Cooperative, rather than the Town. The extension of municipal services to the Property would be consistent with the Compark Village Development prior to this Application, therefore, no change is anticipated.

As stated in the November Narrative, and acknowledged throughout the Master Plan, the need for both stable employment opportunities and businesses to diversify the tax base within the Town, remains. According to the Data Center Revenue Forecast Memorandum prepared by Economic & Planning Systems dated September 8, 2023 (the "**Data Center Revenue Forecast**"), use of portions of the Property as a data center has the potential to provide ongoing tax revenue to the Town of up to \$2,200,000 annually by 2035, primarily from sales and excise taxes charged by the CORE Electric Cooperative on energy consumption (p. 2). The Town, based on 2022 figures, could anticipate an increase of 2.4% to the Town's budget by 2025 simply by locating a data center in PA-10 and PA-10A (Data Center Revenue Forecast, p. 15). Thus, the development of a data center has the possibility to transform this currently vacant portion of Compark Village Development from having very limited economic benefit to the Town to providing significant fiscal benefits – with very little, if any, corresponding increase in the need for municipal services—especially when compared to the current allowable uses.

7. There are minimal environmental impacts or impacts can be mitigated.

The Application aligns with the Master Plan natural resource protection goals by avoiding development in environmentally hazardous areas (p. 12.1). Based on the figures provided in the Master Plan, the PD Amendment is not located in any riparian conservation areas, wildlife corridors or habitats, sensitive study areas or on environmentally hazardous property within the Town (Figures 12A, 12B, 12C and 12D). Although none are foreseeable, any environmental impacts will be mitigated in accordance with local, state, and federal regulations.

8. The proposal is consistent with the Master Plan maps, goals, and policies.

The Application is consistent with the Master Plan maps, goals, and policies. As discussed above, the Application proposes to rezone the Rezoning Area to BE District, as well as integrate a Data Center Overlay. Notably, PA-10 is situated at the corner of Compark Boulevard and Chambers Road. In PA-10, a data center is only a permitted use if the adjacent PA-10A is used for a data center, ensuring continuity in use and design. Although the PD Plan provides a framework for potential development and uses within the Property, future development must adhere to all development and design standards provided in the PD Guide.

General Land Use Plan.

The Application requests zoning changes, and respective permitted uses, falling well within the Master Plan Employment District's purpose. Appropriate primary uses in the Employment District include professional, medical and corporate offices, light industrial uses, flex office, research and development facilities, and a higher education campus. Further, these primary uses may attract

complementary uses, such as personal services, convenience retail, and restaurants, but these uses “should be clearly ancillary in scale and purpose of the character area” (Master Plan, p. 6.9). The BE District’s permitted uses (e.g., convenience retail, offices, light industrial) align with the Master Plan’s vision. The Data Center Overlay further expands use opportunity without compromising Master Plan consistency. As detailed in the Master Plan, the Town is committed to targeting new opportunities that diversify the economic base and provide for the fiscal health of the community (p. 9.1). A data center use permitted within the Data Center Overlay would provide a new opportunity for the Town to generate ongoing revenue from property tax, excise tax, and sales tax, as well as a one-time use tax revenue on construction materials for such development (Data Center Revenue Forecast, p. 5).

Notably, the General Land Use Plan, which is an important element of the Master Plan, is “focused primarily on the physical form and development pattern of the Town” (p. 6.4). As detailed below, the physical form and development pattern of potential uses following approval of the Application are regulated in the PD Guide to ensure consistency in development of property throughout the Employment District.

Although the existing zoning and respective permitted uses throughout the Compark Village Development comply with the Master Plan, changing circumstances warrant approval of the Application and any imposed changes will exemplify the Master Plan’s General Land Use Plan, as well as Town goals and strategies.

Land Use - Goal 1, Strategy 1.B. Ensure that growth occurs in a manner that balances the pace of development with the ability of the Town and special districts to provide quality services and capital improvements, such as utilities, transportation, parks and open space and police protection.

The Compark Village Development was originally approved in 1998. Since then, the Compark Village Development has developed in a consistent, gradual manner, and sought amendments where necessary in order to reflect changing circumstances of the Town. Following approval of the PD Amendment, water and sewage disposal will continue to be provided through an IGA with Stonegate Village Metro District. The PD Amendment does not contemplate additional residential units. Although there is no impact related to generation of new residents, the PD Amendment will permit the data center use which if developed in PA-10, will require construction of a new trail amenity for public use at or near the Happy Canyon Regional Trail. Additionally, as detailed in the Data Center Revenue Forecast, a data center use is expected to generate revenues resulting in a 2.4% increase to the Town budget by 2025 (p. 15), which could be used by the Town to provide services and capital improvements.

Land Use - Goal 1, Strategy 1.C. Ensure adequate opportunities for future expansion of our economic base in appropriate locations in the community.

The PD Amendment will increase economic opportunity in locations well-situated for commercial uses. The Property is already zoned for commercial uses and consists of large parcels that have not yet generated development interest under current zoning. In particular, PA-10 and PA-10A, which are adjacent to one another and have the opportunity to support a single user, total just over 17 acres. Nevertheless, the PD Amendment ensures PA-10 maintains CR District zoning in the event that retail users show interest in the location. All permitted uses following PD Amendment approval are appropriate given the low-intensity of such users and the design standards set forth in the PD Guide, which contemplate surrounding uses.

Community Appearance and Design - Goal 3. Commercial buildings shall give special attention to building massing, form and design to create a series of unique places that contribute to the overall character of Parker as a distinctive community.

The PD Guide regulates building massing, form and design. For example, a data center use must meet heightened standards such as pedestrian-scaled architectural details, required mix of materials to provide visual interest, transparency requirements, enhanced landscaping, and a prohibition against long, uninterrupted facades. No matter the future user, the Property will maintain a high quality built environment in furtherance of the Town's vision for commercial development.

Jobs and Economic Vitality - Goal 2, Strategy 2.B. Balance Parker's business and retail community so it includes a variety and diversity of business types as well as a variety of business scales and sizes.

As evidenced through the public's participation in developing the Master Plan, the Town maintains strength in local, small businesses and the strong character of such establishments. Additionally though, the Town envisions itself as a "full service community" and seeks to "ensure adequate opportunities for future and expanded commercial activity" (Master Plan, pp. 9.7 and 9.9). The PD Amendment provides opportunity for expanded services, by way of expanding the permitted uses to include data center use, resulting in new and unique revenue sources for the Town which can be infused into the main character areas throughout the community. Inclusion of the data center use, thereby accommodating high tech users and residents that work from home, will help establish the Town as a full-service community. Finally, potentially larger-scale users interested in doing business in the Town would be well situated at the Property's prime location and in the context of existing surrounding users.

Open Space and Recreation - Goal 2. Provide an interconnected system of trails and trailheads within the Town and to the regional network for a variety of nonmotorized activities.

As noted above, the PD Amendment does not contemplate uses which would increase residents to the Town. Nevertheless, as discussed above, the expanded opportunities for new uses could result in a new trail amenity for existing residents, as well as significant contributions to Town revenue through ongoing tax generation for years to come.

9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

The permitted use opportunities provided by the PD Amendment would be adequately served by the existing infrastructure. Stonegate Village Metropolitan District would continue to provide water and sewage disposal for the Property pursuant to an IGA. The Application does not propose any changes that would result in generation of new residents.

For the foregoing reasons, we conclude that the Planning Commission should recommend approval of this Application.

January 24, 2024

Town of Parker
Ms. Stacey Nerger, Senior Planner
20120 E. Mainstreet Parker, CO 80138-7335
Re: Compark Village Rezoning Application - Z21-028

Ms. Nerger,

CORE Electric Cooperative (CORE) fully supports the proposed rezoning for the Compark Village as proposed in its application referenced above.

CORE is a not-for-profit utility provider for the Town of Parker, serves 5,000 square miles within Colorado, and prioritizes high reliability and stable rates.

CORE believes the proposed rezoning will help our members by allowing the development of a data center that is large energy user. As a member owned, not-for-profit cooperative, growth in business helps CORE spread our fixed costs farther. This stabilizes our rates and helps businesses focus on their purpose of serving the community and creating jobs. As the Town prospers, our members in Parker and beyond, benefit from the growth through stability of our rates.

CORE is committed to serve a data center at this site. Our Compark Substation has ample capacity presently and is scheduled for future upgrades to serve 150 MW of load from this facility. To our knowledge, this site is unique throughout Colorado in having the ability to take a data center load immediately. Additionally, the adjacency of high-speed fiber lines to the site make data center uses the highest and best use for this site.

The proposed rezoning to allow a data center development at Compark will provide more than \$2.2M of annual revenue to the Town of Parker, based on our billing analysis. This revenue is 100% more than what the Town currently receives from CORE in annual Franchise Excise Fees and Sales Tax payments. It also will bring many highly skilled and well-paid employees to the Town of Parker. The opportunity to expand Parker's primary employment has exponential positive benefits to the Town. Finally, the proposed rezoning is consistent with the current development uses in and around Compark within and outside the Town of Parker's borders.

The reliance on data center services is ever growing and more industries will rely on data centers as technology advances. This project increases Parker's and Colorado's ability to compete and support growth of many industries.

CORE urges the Parker Planning Commission and Town of Parker Council to approve the proposed rezoning for data center uses, as it will bring significant benefits to the Town, its citizens, and all of CORE's members.

Sincerely,



Jeff Baudier, Chief Executive Officer
CORE Electric Cooperative

January 25, 2024

Town of Parker

Ms. Stacey Nerger, Senior Planner

20120 E. Mainstreet Parker, CO 80138-7335

Re: Compark Village Rezoning application - Z21-028

Ms. Nerger,

I am writing to advise that the Metro Denver Economic Development Corporation (MDEDC) supports the rezoning of Compark Village as proposed in its application referenced above.

MDEDC promotes, supports, advocates, and provides economic development services that enhance the economic vitality across nine counties along the Front Range in Colorado. The proposed project brings significant benefits to the Metro Denver region both financially, and through the creation of primary jobs.

The proposed rezoning to allow a data center development will provide significant financial benefits to the Town of Parker, more than \$2.9 M annually. This proposed rezoning will bring 220 highly skilled and paid employees to the Town of Parker and Douglas County, who will take services and purchase goods and meals from many retail and restaurant businesses located in the Metro Denver Region. This project will provide tax revenues to the County and School District through real estate tax (roughly \$700,000 over 10 years) and business personal property tax (roughly \$1M over 10 years). Revenues and jobs for Colorado communities and citizens promote prosperity for our communities.

The rezoning of this site for a data center use is important to help grow the expanding data intense industry clusters Colorado is focused on growing. High tech jobs, cyber security, information technology, medical and bio science, insurance, and financial services all rely heavily on data center services. Adding more data centers to Colorado's landscape helps Colorado compete to expand the industries that will provide primary jobs and economic prosperity for our state.

The site is a prime asset for data center development. The proximity to high-speed fiber, and an existing electric substation with immediate full capacity to serve a large electric load is extremely unique in the country. The uniqueness of these infrastructure attributes clearly demonstrates that a data center is the highest and best use of the proposed site.

The proposed rezoning will increase opportunities for residents and other businesses to work, serve and sell products to the data center facility and its employees. For these reasons the MDEDC supports the rezoning request and encourages the Parker Planning Commission and Town of Parker Council to approve the proposed rezoning.

With support,



Raymond H. Gonzales

President, Metro Denver Economic Development Corp.

Executive Vice President, Denver Metro Chamber of Commerce



January 18, 2024

**Town of Parker
Ms. Stacey Nerger, Senior Planner
20120 E. Mainstreet Parker, CO 80138-7335**

Re: Compark Village Rezoning Application - Z21-028

Ms. Nerger,

I am writing to offer support for the proposed rezoning of Compark Village as proposed in its application.

I am Jonathan Rowlett a resident and Financial Advisor with Edward Jones with an office in the Town of Parker. I have already co-written a letter of support for this project as a representative of the Parker Chamber of Commerce as I serve on the board and Chair the Chamber's Government Affairs Committee. I am writing this letter as a resident as well as having a business in the town. I have a strong belief in community involvement and serving the best interest of my clients and our community. At Edward Jones, our purpose is to partner for a positive impact, improve the lives of our clients and colleagues, and together better our communities and societies. I believe the proposed rezoning and development of a data center in the Town of Parker will bring a significant benefit to the town and opportunities to Parker's citizens.

The proposed rezoning to allow for the development of a data center at Compark will provide significant financial benefits to the Town of Parker, in excess of \$2.9 M annually and should bring more than 200 highly skilled and paid employees to the town. These employees may choose to live in Parker but will undoubtedly benefit the economic vibrancy in our community and some will become active and impactful members. The opportunity to expand Parker's primary employment has exponential positive benefits to the Town.

The Town's articulated Master Plan Visioning and Guiding Principles assert support for the long-term economic well-being of the Town, encouraging a variety of employment opportunities, and promoting unique, local businesses. The proposed rezoning and subsequent data center project supports the Master Plan's goal to "Ensure adequate opportunities for future expansion of the Town's economic base in appropriate locations in the community." As a business leader in Parker, I feel that the diversity of a new business type such as a data center in the community, brings financial benefits and maintains the character of the community within the Town's Master Plan goals.

Data centers are an essential element to most industries and especially the financial services industry. The reliance on data center services is ever growing, and more industries will rely on data centers as technology advances. This project increases Parker and Colorado's ability to compete and support growth of many industries.

I fully support the proposed rezoning request. I urge the Parker Planning Commission and Town Council to approve the proposed rezoning for data center uses, as it will bring significant benefits to the Town and its citizens.

Sincerely,
Jonathan Rowlett
11966 Singing Winds St.
Parker, CO 80138



Justin Rayburn

Principal

E: JRayburn@FountainheadCommercial.com

M: (303) 249.3730

January 17, 2024

Town of Parker
Ms. Stacey Nerger, Senior Planner
20120 E. Mainstreet Parker, CO 80138-7335

Re: Compark Village Rezoning Application - Z21-028

Dear Ms. Nerger,

My name is Justin Rayburn and I'm writing in support of the proposed rezoning of Compark Village as proposed in the reference above.

I'm a Principal at Fountain Commercial Real Estate, and I'm a resident in the Town of Parker. Over the past 20 years I've been involved in over 400 commercial real estate transactions in the metro area, totaling over 2.5 million square feet of office and industrial space. My professional focus is on the prosperity of my clients and the communities in which they do business. In my professional opinion, I believe this rezoning will create a significant benefit for the Town of Parker, bringing in revenues and providing new employment and other opportunities to residents of the Parker area.

The proposed rezoning does not exclude other previously approved uses on this site but expands the allowance for a data center. The proposed rezoning to allow a data center development at Compark could provide more than \$2.9M of annual revenue to the Town of Parker. The proposed rezoning and data center development will also bring more than 200 highly skilled and paid employees to the Town of Parker. I believe the opportunity to expand Parker's primary employment has exponential positive benefits to the Town. The proposed rezoning is consistent with the current development in and around the Compark micro market and outside the Town of Parker's borders.

The proposed rezoning and subsequent data center project also supports the Town's Master Plan goal to "Ensure adequate opportunities for future expansion of the Town's economic base in appropriate locations in the community." As a business leader in Parker, I feel the diversity of a new business type such as a data center in the community, brings financial benefits and maintains the character of the community within the Town's Master Plan goals.

Data centers represent the future of the technology industry. The requirement to store and efficiently access data is essential to all businesses in today's age. The reliance on data center services is ever growing, and more industries will rely on data centers as technology advances. This project increases Parker and Colorado's ability to compete and support growth of many industries. The site is perfectly situated to serve a data center, as there is an existing electrical substation that can serve this large electric user and there is a substantial fiber network along the E-470 corridor. The proximity of power and fiber make the data center use of this site the highest and best use for development.

I fully support the proposed rezoning request. I urge the Parker Planning Commission and Town of Parker Council to approve the proposed rezoning for data center uses, as it will bring significant benefits to the Town and its citizens.

Sincerely,

Justin Rayburn

January 17, 2024

**Town of Parker
Ms. Stacey Nerger, Senior Planner
20120 E. Mainstreet Parker, CO 80138-7335**

Re: Compark Village Rezoning Application - Z21-028

Ms. Nerger,

I am writing to offer support for the proposed rezoning of Compark Village as proposed in its application as referenced above.

I am Mike Waid, former Mayor and Councilman and a resident in the Town of Parker. I served Parker Town Government for 12 Years as an elected representative and was heavily involved in our community's economic development programming. In my experience, I believe this rezoning and potential data center project creates a significant benefit for the Town of Parker, and opportunities to Parker's citizens and deserves the approval of the Planning Commission and Town Council

It is my understanding that the proposed rezoning does not exclude other previously approved uses on this site but expands the allowance for a data center. The proposed rezoning to allow a data center development at Compark will more provide than \$2.9 M in annual revenues to the Town of Parker just in Electric Franchise Excise tax and sales tax. The proposed rezoning and data center development will bring more than 200 highly skilled and paid employees to the Town of Parker. The opportunity to expand Parker's primary employment has exponential positive benefits to the Town. The proposed rezoning is consistent with the current development in and around Compark within and outside the Town of Parker's borders.

The proposed rezoning and subsequent data center project support the Town's Master Plan goal to "Ensure adequate opportunities for future expansion of the Town's economic base in appropriate locations in the community." I have a very deep understanding of the Town's Master plan and this type of project is exactly what I believe is consistent with the goals of our Master Plan. The diversity of a new business type such as a data center in our community brings financial benefits and maintains the character of the community within the Town's Master Plan goals.

Data centers represent the future of industry. The requirement to store and efficiently access data is essential to all industries. The reliance on data center services is ever growing, and more industries will rely on data centers as technology advances. In my professional career, I previously worked with software and telecom companies on initiatives to advance technology, data delivery and storage. The industry has expanded 100fold since the days I was active. The site is perfectly situated to serve a data center, as there is an existing substation that can serve this large electric user and there is a substantial fiber network along the E-470 corridor. The proximity of power and fiber makes the data center use of this site the highest and best use for development.

I fully support the proposed rezoning request. I urge the Parker Planning Commission and Town of Parker Council to approve the proposed rezoning for data center uses, as it will bring significant benefits to the Town and its citizens.

Sincerely,



mike@mikewaid.com

Nerger, Stacey

From: Jacki Hayden <jmbhayden86@gmail.com>
Sent: Tuesday, January 23, 2024 5:08 PM
To: Nerger, Stacey
Subject: support for a rezoning

Town of Parker
Ms. Stacey Nerger, Senior Planner
20120 E. Mainstreet Parker, CO 80138-7335
Re: Compark Village Rezoning Application - Z21-028

Ms. Nerger,

I am writing to offer support for the proposed rezoning of Compark Village as proposed in its application.

I am Jacqueline Hayden, a Financial Agent with Summit Global Financial and Chairman of the Board of Directors for the Parker Chamber of Commerce. In my role with Summit Global, I focus on the prosperity of my clients and their communities. Summit Global is dedicated to helping our investors and advisors better manage risk so they can reach their goals.

In looking at the opportunity this rezoning and potential data center project creates for the Town of Parker, I believe this proposed rezoning and the development of a data center in the Town of Parker will bring a significant benefit to the town and opportunities to Parker's citizens.

The proposed rezoning to allow a data center development at Compark will generate more than \$2.9 M of annual revenue to the Town of Parker. The proposed rezoning and data center development will bring more than 200 highly skilled and paid employees to the Town of Parker. These employees may choose to live in Parker and become active and vital citizens in our community. These employees may become clients of mine and many other businesses that provide retail and other services. The opportunity to expand Parker's primary employment has exponential positive benefits to the Town.

The Town's Master Plan identifies support for the long-term economic well-being of the Town, encouraging a variety of employment opportunities, and promoting unique, local businesses. The proposed rezoning and subsequent data center project supports the Master Plan's goal to "Ensure adequate opportunities for future expansion of the Town's economic base in appropriate locations in the community." As a business leader in Douglas County, I feel that the diversity of a new business type such as a data center in the community, brings financial benefits and maintains the character of the community within the Town of Parker's Master Plan goals. Data centers are an essential element to the financial services industry. The requirement to store and efficiently access client data is essential to a high quality of service in the financial industry. A project like this in Parker provides options for my industry to manage and store data. The reliance on data center services is ever growing, and more industries will rely on data centers as technology advances. This project increases Parker's and Colorado's ability to compete and support growth of many industries.

I fully support the proposed rezoning request. I urge the Parker Planning Commission and Town of Parker Council to approve the proposed rezoning for data center uses, as it will bring significant benefits to the Town and its citizens.

Sincerely,

Jacqueline Hayden
720-675-4164

ORDINANCE NO. 3.253.7, Series of 2024

TITLE: A BILL FOR AN ORDINANCE TO REZONE CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE COMPARK VILLAGE PD-PLANNED DEVELOPMENT DISTRICT, PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

WHEREAS, application has been made for rezoning certain property within the Compark Village PD-Planned Development;

WHEREAS, the applicant proposes to remove approximately 4.5 acres from Planning Area 9 (Commercial Retail) and add this acreage to Planning Area 2 (Business Employment), as more particularly shown in the Development Plan contained within Compark Village Planned Development – Sixth Amendment, which is attached as **Exhibit A** and incorporated herein (the “PA 2 Addition”);

WHEREAS, the applicant proposes to remove approximately 13.72 acres from Planning Area 10 (Commercial Retail) and add this acreage into a new Planning Area 10A (Business Employment), as more particularly shown in the Development Plan contained within Compark Village Planned Development – Sixth Amendment attached as Exhibit A (the “PA 10A Addition”); and

WHEREAS, the applicant proposes to create of a data center overlay that will be applied to approximately 21.5 acres at the intersection of Chambers Road and Compark Boulevard, and which partially covers Planning Areas 2 and 10A, as more particularly shown in the Development Plan contained within Compark Village Planned Development – Sixth Amendment attached as Exhibit A (the “Data Center Overlay”).

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 rezoning the PA 2 Addition and the PA 10A Addition, and creating a Data Center Overlay (collectively, the “Property”), as shown in the Development Plan contained within Compark Village Planned Development – Sixth Amendment, pursuant to the Town of Parker Land Development Ordinance.

b. Public notice has been given of such rezoning 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 of Section 13.04.240 of the Parker Land Development Ordinance for rezoning of the Property have been satisfied.

Section 2. Zoning. The Property is hereby zoned PD-Planned Development District as provided in the Compark Village Planned Development – Sixth Amendment – Development Plan to the Compark Village Planned Development – Development Guide – Sixth Amendment (the "Development Plan"), which is attached hereto as Exhibit A . The uses permitted for the Property are specifically described in Exhibit A.

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

Section 4. 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 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 publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

COMPARK VILLAGE Planned Development Development Guide

First Amendment

April 20, 2009

Second Amendment

September 19, 2011

Third Amendment

September 19, 2012

Fourth Amendment

January 5, 2015

Fifth Amendment

October 15, 2015

Sixth Amendment

February 20, 2024

Sixth Amendment prepared for:

Westside Investment Partners, Inc.
4100 E. Mississippi Ave., Suite 500
Denver, CO 80246

Previous PD prepared by:



THK Associates, Inc.
2953 S. Peoria Street, Suite 101
Aurora, CO 80014
(303) 770-7201



Plan West, Inc.
767 Santa Fe Drive
Denver, CO 80204
(303) 741-1411

Sixth Amendment Prepared by:



COMPARK VILLAGE PD - SIXTH AMENDMENT Development Guide

TABLE OF CONTENTS

INTRODUCTION AND GENERAL CONDITIONS	1
DEFINITIONS	4
MIXED RESIDENTIAL (MR)	8
BUSINESS COMMERCIAL (BC)	11
BUSINESS EMPLOYMENT (BE)	14
NEIGHBORHOOD COMMERCIAL (NC)	16
MIXED USE – (MU)	20
MIXED USE ALTERNATIVE	20
HIGHWAY COMMERCIAL (HC)	25
COMMERCIAL RETAIL	28
OPEN SPACE (OS)	31
PUBLIC FACILITY (PF)	31
FLEX OFFICE	38
AUTO SERVICES, GAS STATIONS AND CAR WASHES	48
DATA CENTER OVERLAY	52
EXHIBIT A -SETBACKS	57

COMPARK VILLAGE PD –SIXTH AMENDMENT

INTRODUCTION AND GENERAL CONDITIONS

INTENT

The intent of the Compark Village Planned Development – Sixth Amendment is to build on the framework of the existing village and to offer better opportunities for community growth within the Town of Parker. The Sixth Amendment will include a mix of retail, office, commercial, and residential uses along with trails and open space. The mixed-use program will combine employment opportunities with services and housing while preserving the natural character of the floodplains, wildlife habitat, and unique topographic features. The Compark Village PD - Sixth Amendment provides the development standards that will encourage and promote innovative development to help enhance the character and quality of the Town of Parker. The development standards outline provisions to promote a pedestrian friendly environment with walkable connections among the mixed-use projects and open space amenities. Dedicated Open Space will be used to offset requirements for residential development in the Compark Village PD.

The intent of the Compark Village Planned Development – Sixth Amendment is to continue to build on the framework of the existing Village and what was established with the Fifth Amendment. The increased Business Employment land uses will provide additional opportunities for retail, office, data centers, commercial and employment facilities, but will allow more flexibility for primary employment users. The proposed rezoning does not change the intent of the Compark Village as it continues to develop. Additionally, the rezoning will continue to provide a variety of land uses that further the development intent of the Compark Village Planned Development.

The intent of the Development Guide is to establish specific criteria for the comprehensive development and improvement of the property. The standards will help guide the development in an orderly manner to provide the residents of Parker with a comfortable place to live, work, play, and shop.

In support of the Town of Parker's 2035 Master Plan, it is the intent of this Development Guide to direct and encourage the following:

- provide the opportunity for mixed residential, retail, commercial and recreational development conveniently located to the community.
- provide for well-located, clean, safe and pleasant mixed commercial uses.
- encourage innovative approaches to mixed residential, commercial, and recreational development so the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space.
- encourage the development of a community by incorporating the best features of modern design.
- encourage alternatives to conventional transportation systems which will minimize the strain on existing and future facilities in and around the Compark Village. Such alternatives may include pedestrian connections to the Happy Canyon Regional Trail, pedestrian connections to existing and future commercial development in the area, car-pooling, and extended commuter bus systems.
- conserve and enhance the value of the land.

COMPARK VILLAGE PD –SIXTH AMENDMENT

- encourage the site design and layout of development projects to preserve the land's natural characteristics.

APPLICATION

Standards for development shall apply to all property contained within the Compark Village PD - Sixth Amendment that is illustrated on the Development Plan. The regulations and requirements shall become the governing standards for review, approval, and modification of all development activities occurring on the site.

The provisions of this guide shall prevail and govern the uses permitted within the area defined as the Compark Village PD – Sixth Amendment. This guide only supersedes the specific zoning category, not the Town of Parker's Municipal Code, as amended.

PURPOSE

The purpose of this section is to provide general provisions and clarifications of standards and requirements for development in the Compark Village Planned Development – Sixth Amendment.

AUTHORITY

The authority for this PD Development Guide is Section 13.04.150. (PD-Planned Development) of the Town of Parker Municipal Code, as amended.

ADOPTION

The adoption of this Development Guide shall evidence the findings and decision of the Town Council of the Town of Parker that this Development Guide for the Compark Village Planned Development - Sixth Amendment is authorized by the provisions of Section 13.04.150 of the Town of Parker Municipal Code, as amended.

RELATIONSHIP TO TOWN REGULATIONS

The provisions of this Development Guide shall prevail and govern the development within the Compark Village Planned Development - Sixth Amendment. Where the provisions of the Development Guide do not address a specific subject, the provisions of the Town of Parker Municipal Code, as amended, or other applicable ordinances, resolutions or regulations of the Town of Parker shall prevail.

CONFLICTS

Where there is more than one provision within the Development Guide that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern unless determined otherwise by the Community Development Director.

ENFORCEMENT

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

COMPARK VILLAGE PD –SIXTH AMENDMENT

occupants, and owners of the land within the Compark Village Planned Development – Sixth Amendment to the extent expressly provided in this Development Guide and in accordance with its terms and conditions.

CONTROL OVER USE

After the adoption of this Development Guide by the Town Council of the Town of Parker and subject to the approved Annexation Agreement, the provisions of Section 13.04.230 (Non-Conforming Situations) and these Development Standards, in conjunction with the Town of Parker Land Development Code, shall control development and land use including the following:

- any new building, structure, or land use
- the use of any existing building, structure, or parcel of land
- any existing building or structure may be enlarged, reconstructed, structurally altered, converted, or relocated provided changes are in accordance with this Development Guide and the Development Plan

INCORPORATION OF DEVELOPMENT PLAN:

Development areas for the Compark Village Planned Development – Sixth Amendment are illustrated on the “*Compark Village PD – Sixth Amendment Development Plan*” (referred to as the *Development Plan*). The Development Plan is hereby incorporated by reference into this Development Guide.

PLANNING AREA BOUNDARIES:

The boundaries and acreage of all Planning Areas within Compark Village Planned Development are shown on the Development Plan. Changes in the boundaries and area of Planning Areas shall be permitted as follows:

The size of any Planning Area may increase or decrease after final determination of: internal street alignments, arterial street alignments, 100-year floodplain boundary, open space and buffer zone areas. The final boundary of any Planning Area will be established when the final plat is prepared for that area.

Amendments to planning areas shall be subject to Section 13.03.030 of the Town of Parker Municipal Code.

END OF SECTION

DEFINITIONS

All terms not defined in these Guidelines shall have the meanings ascribed to them in the Town of Parker Zoning Municipal Code, as amended. To the extent that a term is defined in both these Development Standards and the Town of Parker Zoning Resolution, as amended, the definitions contained in the Compark Village – Sixth Amendment Development Standards shall control.

Automobile Rental Facility

The rental of automobiles under conditions where (1) the storage of all rental automobiles is located on the same zone lot as the office for the automobile rental service, (2) no mechanical or maintenance work on automobiles shall be done on the premises, (3) the land area assigned for storage of rental automobiles shall not be included for computation of any required off-street parking space.

Automobile Repair Garage

An establishment engaged in performing major repairs to and the servicing of automobiles. Such work excludes commercial wrecking, dismantling, junkyard, tire, and truck-tractor repair. Major repair may include engine overhaul or replacement, body work, upholstery work, glass replacement, transmission overhaul, brake repair with drum and disc grinding, replacement of electrical accessories such as starters and alternators, frame alignment, and rebuilding of wrecked automobiles. Outdoor storage of vehicles awaiting repair, materials, or supplies is controlled by enclosure requirements of the specific use district; however, any unenclosed areas shall be provided with a fence or wall constructed to a height adequate to conceal any vehicles, equipment or supplies located on the lot.

Convenience Store

A retail sales business that specializes in providing household products, food items and a variety of a limited selection of prepared food items. A convenience store may include the sale of gasoline. A single bay fully automated vehicle wash facility may be included as an accessory and secondary use to the convenience store.

Data Center

A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes backup batteries and power generators, cooling units, fire suppression systems, and enhanced security features.

Gasoline Station

A facility in which the storage of for sale automotive fuel or other petroleum products is the primary and principal activity. Minor automobile repair may be performed on premises. A gasoline station may include accessory uses that are clearly secondary and subservient use to the gasoline station such as a convenience store, a single bay fully automated vehicle wash, or the preparation and sale of a limited menu of food.

Flex Office

Flex office allows flexible land use for office, product research and development, the assembly and fabrication of goods and products, wholesale and retail sales, and warehousing for distribution of products in a storefront/office styled building.

COMPARK VILLAGE PD –SIXTH AMENDMENT

Assembly and fabrication are limited to goods produced with little if any noise, vibration, glair, and/or air and water pollution produced on the exterior of the buildings. The goods produced require the use of technical equipment, table-mounted tools, and machinery, or artisan's equipment for the predominant means and method of production. Large tools and floor mounted equipment are permitted if required in a limited role, supporting the primary function.

Examples of goods for assembly and fabrication include but are not limited to computers, computer related equipment, jewelry, electronic instruments, specialty or custom cabinets and furniture, medical equipment, scientific equipment, alternative energy products, optics, office machines, and other uses. The use of toxic, hazardous, biological, or explosive materials, or highly flammable solvents as a primary component of the process are prohibited. Painting as a supplementary process for the finishing of a product is acceptable provided noxious fumes and particles are filtered prior to being discharged to the exterior of the structure.

Light Industrial, Industrial, Manufacturing and Assembly

These uses are similar to Flex Office but may require additional non-office space and higher interior clear dimensions. These uses will follow the industrial section of the Parker *design standards outlined within the Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended, unless otherwise stated in these standards. Outdoor storage will follow the development standards outlined in this development guide.

Medical Facilities

Medical Facilities should include:

- Adult Day Care
- Air/Ambulance Transportation
- Ambulatory Surgery Center
- Behavioral Health
- Birthing Centers
- Cancer Centers
- Cardiology
- Clinics
- Diabetes Management Center
- Diagnostic Center
- Dialysis Center
- Disability and Impairment Center
- Durable Medical Equipment
- Endoscopy Center
- Hearing Services
- Home Health
- Hospice
- Hospital
- Laboratory and Genetic Testing
- Lithotripsy/Infusion Therapy
- MRI/CT/PET Imaging Services
- Occupational Medicine

COMPARK VILLAGE PD –SIXTH AMENDMENT

- Occupational Therapy
- Orthotics and Prosthetics
- Other Ancillary Services
- Pain Management
- Pediatric Diagnostic Laboratory Immunology
- Pharmacy
- Physical Therapy
- Psychiatric and Chemical Dependency
- Radiology/Imaging Services
- Rehabilitation
- Reproductive Medicine Facility
- Respiratory Therapy
- Skilled Nursing
- Skilled Nursing Facility
- Sleep Medicine Facility
- Speech Therapy
- Urgent Care/Walk-In Clinics
- Vision Center
- Weight Management Programs
- Women's Health
- Wound/Burn Care Center

Parking, Off Street

A portion of land, other than a street, used for the parking of motor vehicles (excluding recreational vehicles as defined in Section 7.02.080(a) of the Parker Municipal Code) and available for general public use, either free or for remuneration, which is developed pursuant to Section 13.06.50 of the Town of Parker Municipal Code, as amended.

Planning Area

An area of land within a Planned Development defined by acreage, use, density, etc., and whose boundaries are defined by the alignment of arterials or collectors or as otherwise depicted on the Development Plan.

Plaza

An open area at ground level accessible to the public at all times, and which is unobstructed from its lowest level to the sky.

Professional or Personal Services

A service establishment including, but not limited to, barber shop, beauty shop, medical clinic, cleaner, bank, copy center, health club and other similar services.

Recreation Facility - Indoor/Outdoor including public or private clubs

Recreation facilities that may be open to the public or for private membership. Activities may include but are not limited to tennis courts, swimming pools, skateboard tracks, golf/driving range, soccer & ball fields, and ice-skating rink, billiards, bowling alley or related amusements and activities. This does not include adult entertainment facilities.

COMPARK VILLAGE PD –SIXTH AMENDMENT

Storage

The act of depositing goods, wares and merchandise in any structure, part of a structure or warehouse, gratuitous or otherwise, shall be called storage.

Town of Parker Municipal Code

The Municipal Code as amended by the Town of Parker, Town Council.

Warehouse

A warehouse is a structure or part of a structure, for storing goods, wares and merchandise, whether for the owner or for others, and whether the same being public or private warehouse.

Warehouse Trade

An establishment primarily engaged in selling durable and nondurable goods.

Wholesale Business/General Merchandising

Wholesale sale, mail order sale, Retail sale, distribution, and warehousing of any commodity, (except motor and recreational vehicles).

COMPARK VILLAGE PD –SIXTH AMENDMENT

MIXED RESIDENTIAL (MR)

Planning Areas 6, 11, 17, and 18

INTENT

The mixed residential planning area (PA 6, 11, 17 and 18) provides for the opportunity to offer flexibility with the land planning and site development. The planning area can be developed with a variety of low-density residential uses. The flexibility in land uses provides the framework to combine supporting uses in a dynamic neighborhood and allows development to respond to changing market conditions. The development standards will help ensure quality improvements in the Town of Parker.

The land uses allow housing to promote a sustainable mixed-use environment. The mix of housing types supports the Town of Parker's goals and intent for the development of the E-470 corridor.

DEVELOPMENT PROGRAM

The design intent is to create neighborhoods with a pedestrian environment. Walks will connect to the regional trail systems along Chambers Road and Happy Canyon Creek.

LAND USES PERMITTED BY RIGHT

Residential land use should promote a pedestrian environment. A traditional design theme that creates pedestrian-friendly streets and public outdoor spaces is encouraged. Parking areas should be dispersed to promote a pedestrian, neighborhood character. Building frontages are encouraged to be street-oriented to promote an urban environment. The design standards provide criteria for providing the appropriate environment.

The permitted uses for residential-only development include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Residential Land Uses

- dormitories
- duplex (PA 17 and 18)
- single family detached

Supporting Land Uses

- open space
- playground with play structures
- public plazas, courts and gathering spaces
- recreation center – club house for private use to serve the residential development
- swimming pool
- trails for bikes, pedestrian & equestrian use

COMPARK VILLAGE PD –SIXTH AMENDMENT

Supporting Land Uses

- congregate care, convalescent home, nursing home and retirement home
- recreation facility, indoor/outdoor, public/private - no motorized vehicles or bmx tracks

DEVELOPMENT STANDARDS

Density

Residential uses

- Maximum number of units: PA 17 and 18 combined shall not exceed 225 residential dwelling units.
- Congregate care and assisted living facilities are not included in dwelling unit calculations but shall be included in the gross floor area tabulation.
- PA 6 shall not exceed 45 DU.

Minimum Lot Area

- Minimum standard lot area: 5,000 square feet
- Minimum patio home lot area: 4,000 square feet
- Minimum duplex lot area: 2,000 square feet

Building Height

Maximum building height:

- 35 feet – 45 feet with SR
not including roof-top mechanical equipment
- all rooftop equipment shall be screened

Minimum lot width:

- At the front setback:
SFD: 40 feet
Duplex lot: 25 feet
- At a cul-de-sac, knuckle or similarly curved frontage:
at the front setback: 25 feet

Setbacks

- Primary structure front setback (from local street right-of-way):
20 feet to face of garage to sidewalk
15 feet to face of home
10 feet to unenclosed covered porch without living space above the porch
- Primary and accessory structure side setback: 5 feet
- Primary structure rear setback:
10 feet internal lot or lot adjacent to a buffer,
- 10 feet for perimeter lots along Happy Canyon Creek Accessory structure rear setback: 10 feet
- Detached garage rear setback: 5 feet
- Corner lot side setback (From local street right-of-way):
10 feet to side of structure,
20 feet to face of garage to adjacent sidewalk if side entry
- Minimum building separation: determined by fire codes

COMPARK VILLAGE PD –SIXTH AMENDMENT

- Encroachments: Cantilevers, window wells, chimneys, entertainment centers, bay or box windows, brick or stone ledges and roof overhangs may encroach the setback a maximum of 18 inches.
- Decks and Patios: Deck and patios 30 inches or less above grade may encroach the rear or side setback provided they are no closer than five (5) feet to the rear or side property line. Open or enclosed decks on the main level of a walkout condition may encroach into the rear setback provided they are no closer than (10) feet to the rear property line.

DESIGN STANDARDS

1. Minimum Buffer on South Property line: No fences or structures shall be erected closer than 50 feet from the south property line of property for the purpose of preserving land for the East-West regional trail.
2. A 75-foot-wide landscape buffer shall be provided along the south property lines to create a separation and transition to the adjacent property. The actual size and location shall be indicated at the time of Sketch Plan.
3. Front porches are encouraged.
4. Two (2) car garages (minimum) shall be required.
5. Staggered setbacks are required. The front building setback of one (1) lot shall be varied by a minimum of two (2) feet from the front building setback of any home within two (2) lots on either side of the subject lot in accordance with the Town of Parker Residential Design Criteria- Sec. 13.10.161 (g) of the Parker Municipal Code, as amended.

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

BUSINESS COMMERCIAL (BC)

Planning Areas 1 and 12

INTENT

The Business Commercial Planning Area will allow for development that will support the retail/commercial business character of the Compark Village. Business Commercial planning areas are intended to maximize exposure to E-470, Chambers Road, and Compark Boulevard. The dedicated open space of Happy Canyon Creek and steep grades along the flood plain provide a dramatic edge and uninterrupted visibility of the development area. The Business Commercial zoning provides the flexibility to offer a variety of commercial, office, manufacturing assembly, and service uses.

DEVELOPMENT PROGRAM

The development program is to attract users that may desire to be in close proximity to the Baxa industries facility, Labcorp offices, the Rocky Vista University Campus, the surrounding residential neighborhoods, and the central location along E-470. Site planning in the BC planning areas should orient primary architectural facades toward the adjacent roadways. 360-degree architecture should present attractive detailing toward the primary street frontage and E-470 where visible from the highway. Truck loading and service areas shall be oriented and screened to minimize visibility from E-470, and Compark Boulevard. The assembly and fabrication of goods and products shall be wholly contained within the building. Permitted uses located within the buildings shall have impacts to the surrounding area that are similar to office buildings in the surrounding area. Site design shall encourage a pedestrian environment within each project and pedestrian connections among the various uses in Compark Village.

All non-residential structures, regardless of intended use, shall comply with the *Commercial and Industrial design standards outlined within the Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended, unless otherwise stated in these standards.

LAND USES PERMITTED BY RIGHT

The permitted uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Retail, Commercial, and Office

- convenience retail without gas pumps
- drug store
- equipment rental – less than 30,000 sf.; outdoor storage by special review
- flex office
- hardware store/home repairs
- hotel/motel & convention facilities
- assembly and manufacturing
- liquor store
- medical and dental office, clinic
- office/professional, accounting, law, consulting
- office for research and development, experimental and testing
- office warehouse or showroom warehouse
- retail sale of any product or commodity including the following:

COMPARK VILLAGE PD –SIXTH AMENDMENT

- auto and motor vehicle parts, accessory sales, and tire sales
- sale of motorized vehicles subject to the limitations and development standards for auto sales.
- retail outlet with warehouse
- retail showroom
- specialty shops
- wholesale business and general merchandising

Restaurants, Eating Establishments, and Entertainment

- bar and lounge
- bowling alley, pool hall
- fast food w/ drive thru
- night club
- quick serve with and with-out drive thru
- restaurant, full service

Services

- athletic club – private/public
- athletic fields
- bank with and without drive through
- day care center, nursery school
- dry cleaners
- funeral home/mortuary
- hospital
- parking lot commercial
- personal service shops,
- beauty parlor, barber shops, nail salon
- shops and special trade contractors including but not limited to plumbing, electrical heating, air conditioning, cabinetmaking and printing, shops and/or repair shops
- veterinary clinic, animal hospital, no outside kennels

Supporting Land Uses

- community information center
- congregate care, convalescent home, nursing home and retirement home
- fire station
- library
- open space
- playground with play structures
- police station
- public plazas, courts and gathering spaces
- recreation facility, indoor/outdoor, public/private clubs – No outdoor BMX or outdoor motorized vehicles allowed; indoor motorized venue allowed
- schools - private or public, K-12, colleges or universities and trade with related facilities
- sports stadium

USES PERMITTED BY SPECIAL REVIEW

- movie theater
- parking lot - Commercial - for off-site uses such as an RTD Park-N-Ride, no tractor trailers
- wastewater, treated effluent storage facility for Special District use restricted to

COMPARK VILLAGE PD –SIXTH AMENDMENT

PA-1 – special review as per Section 13.04.205 of the Town of Parker Municipal Code, as amended

- wells and pumping stations – special review as per Section 13.04.205 of the Town of Parker Municipal Code, as amended

DEVELOPMENT STANDARDS

Limited Sale of Motorized Vehicles as a permitted use

Selected planning areas in the Compark Village PD allow for the *Limited Sale of Motorized Vehicles* as a permitted use subject to the following Development Standards:

- The sale of motorized vehicles is limited to the sale of vehicles that do not require a large on-site sales inventory or outside storage of the sales vehicle.
 - Surface parking or display of for sale vehicles is limited to no more than 20 vehicles.
 - Outdoor display is limited to a standard parking lot layout.
- Indoor showrooms are encouraged and not limited in size.
- Service areas, garages, and repairs shall be in accordance with Auto Services, Gas Stations, and Car Washes – Development Standards.

Building Height

- Maximum Building Height – 60 feet
 - not including roof-top mechanical equipment
 - all roof-top equipment shall be screened, solar panels excepted.

Minimum Lot Area

None

Setbacks - See Exhibit A: Setback Table for All Planning Areas

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

BUSINESS EMPLOYMENT (BE)

Planning Areas 2, 4, 5, 10a

INTENT

Areas designated as Business Employment (BE) are intended to allow for land use flexibility and versatility. These planning areas are intended to attract regional distribution warehouses, research, and development centers, regional, community and business services, light Industrial uses, with a service, business, and commercial orientation and supporting facilities.

The intent of site plan development in the BE planning areas is to orient primary architectural facades toward the adjacent public streets. Direct view of outside storage areas, loading docks and service activities are intended to be screened from the roadways. Uses shall operate with minimal dust, fumes, odors, refuse, smoke, vapor, noise, and vibrations.

All non-residential structures, regardless of intended use, shall comply with the appropriate design standards outlined within the *Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended, unless otherwise stated in these standards.

LAND USES PERMITTED BY RIGHT

The permitted uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Retail, Commercial, and Office

All land uses listed in the Business Commercial planning areas and the following subject to the development standards.

- animal hospital and veterinary clinic
- assembly and light manufacturing plant
- light industrial and industrial services including assembly and manufacturing

Services

- Research and Development
- Warehouse distribution Center

Data Center

Data Centers are limited to Planning Areas PA-2, PA-10A, and in limited circumstances as set forth in the Data Center Overlay Section herein, PA-10 as delineated on the Development Plan. Site planning and design are subject to design standards within the Data Center Overlay as detailed in this Development Guide.

ACCESSORY USES

The following shall be allowed only when a principal use has been established on the lot:

- outdoor storage and construction yards subject to the development standards

COMPARK VILLAGE PD –SIXTH AMENDMENT

USES PERMITTED BY SPECIAL REVIEW

The following uses are permitted in accordance with the Use by Special Review

- parking lot - Commercial - for off-site uses such as an RTD Park-N-Ride, no tractor trailers

DEVELOPMENT STANDARDS

Typical Standards for all Land Use Designations apply unless stipulated below.

Building Height

- Maximum Building Height – 60 feet
 - not including roof-top mechanical equipment
 - all roof-top equipment shall be screened, solar panels excepted

Minimum Lot Area

None

Outdoor Storage

Outdoor storage will be permitted provided the outdoor storage loading and service areas meet the following criteria:

- at grade outdoor storage does not exceed 20% of the total land area of the development parcel
- major loading, service areas and outdoor storage are screened from, Compark Boulevard
- placement of structures along the roadways and open space may be used as a screen

Setbacks - See Exhibit A: Setback Table for All Planning Areas

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

NEIGHBORHOOD COMMERCIAL (NC)

Planning Area 14

INTENT

The Neighborhood Commercial Planning Area will allow for development that will support the retail/commercial business character of the Compark Village. Neighborhood Commercial planning areas are intended to maximize exposure to E-470. The Neighborhood Commercial zoning provides the flexibility to offer a variety of retail, commercial, office, and service uses.

DEVELOPMENT PROGRAM

The development program is to attract users that may desire to be in close proximity to the Baxa industries facility, Labcorp offices, the Rocky Vista University Campus, and the surrounding residential neighborhoods. Site planning in the NC planning areas should provide four sided architectural facades which should be visible from E-470 and Belford Avenue. 360-degree architecture should present equally attractive detailing toward E-470. Truck loading and service areas shall be oriented and screened to minimize visibility from E-470. Permitted uses located within the buildings shall have impacts to the surrounding area that are similar to office buildings in the surrounding area. Site design shall encourage a pedestrian environment within each project and pedestrian connections among the various uses in Compark Village.

All non-residential structures, regardless of intended use, shall comply with the Commercial Design standards outlined within the *Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended.

LAND USES PERMITTED BY RIGHT

The permitted uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Retail, Commercial, and Office

- convenience retail without gas pumps
- drug store
- hardware store / home repairs
- liquor store
- medical and dental office, clinic
- office/professional, accounting, law, consulting
- retail sale of any product or commodity
- retail showroom
- specialty shops

Restaurants, Eating Establishments, and Entertainment

- bar and lounge
- bowling alley, pool hall
- fast food w/ drive thru
- night club
- quick serve with and with-out drive thru
- restaurant, full service

Services

- athletic club - private/public

COMPARK VILLAGE PD –SIXTH AMENDMENT

- athletic fields
- bank with and Without drive thru
- church with and without day care -
- day care center, nursery school
- dry cleaners
- personal service shops,
 - beauty salon, barber shops, nail salon, pet grooming without overnight boarding

Supporting Land Uses

- community information center
- congregate care, convalescent home, nursing home and retirement home
- fire station
- library
- open space
- playground with play structures
- police station
- public plazas, courts and gathering spaces
- recreation facility, indoor/outdoor, public/private clubs - No outdoor BMX or outdoor motorized vehicles allowed
- sales office/temporary
- schools - private or public, K-12, colleges or universities and trade with related facilities
- park and park related facilities

Accessory Uses

- accessory uses in accordance with Section 13.04.170 of the Town of Parker Municipal Code, as amended
- employee/tenant cafeteria

Uses Permitted By Special Review

- movie theater
- outdoor storage loading, and service areas provided:
 - outdoor storage does not exceed 20% of the total land area of the development parcel
- wells and pumping stations - special review as per Section 13.04.205 of the Town of Parker Municipal Code, as amended
- veterinary clinic
- pet boarding/kennel

Limited to design designated areas as delineated on the Development Plan including:

- amusement and recreation facilities
- antique shops
- banks
- barber shops and beauty salons
- bars and lounges
- bookstores
- convenience stores, including the sale of gasoline
- craft and hobby shops
- drug stores
- dry cleaning and dyeing
- dry good stores and variety stores

COMPARK VILLAGE PD –SIXTH AMENDMENT

- florists
- package liquor stores
- music shops
- newsstands
- restaurants and other eating establishments
- stationary stores
- travel agencies

DEVELOPMENT STANDARDS

INTENT

The purpose of the Neighborhood Commercial (NC) design standards is to provide the community with community-based services with an aesthetically pleasing environment. The Neighborhood Commercial planning area is adjacent to a park/open space area. These standards and guidelines are to provide criteria and guidance for the successful design development and operations of land uses that serve the community with neighborhood services that complement the adjacent park/open space areas.

Site Planning

- site design shall create a strong built edge to the adjacent street or drive lane
- street corners shall provide structured or strong design elements to anchor the corner. This can be accomplished by using a strong built element or with pedestrian plazas with outdoor seating/people gathering areas

Pedestrian Access and Compatibility

- sidewalks and plaza areas should provide strong connections between commercial, residential and park/open space areas
- outdoor seating areas shall be oriented toward parks and open space areas

Visual Impact and Visibility

- 360-degree architectural treatment is required
- building materials should have the appearance of permanency
- building materials, colors, forms, roof style detailing, window treatments and doors should work together to express a harmonious design
- special attention should be made to outdoor spaces including paving patterns, site furniture, lighting and all related site improvements

Development Standards for the Neighborhood Commercial

District Character Defining Statement

As new buildings are built, or as existing buildings are remodeled in the Neighborhood Commercial District, the predominant character should be that of an urban village center. Opportunities should be taken to create outdoor eating areas, plazas, and pedestrian walkways. The buildings should be given a small-town urban commercial look and the atmosphere should be that of a pedestrian-scale, walkable cluster of stores offering goods and services to meet the daily needs of the area's residential neighborhoods. Overall, the intent should be to reduce the existing automobile-oriented, suburban strip-commercial look of these centers and transition them to more pedestrian oriented centers where the automobile is accommodated, but not emphasized.

COMPARK VILLAGE PD –SIXTH AMENDMENT

All property in the Neighborhood Commercial District shall be developed in accordance with the following standards:

Maximum Floor Area Ratio

The maximum floor area ratio shall be 0.5.

Maximum Height

The maximum building height shall be 50 feet.

Minimum Lot Size

None

Front Yard Setbacks

The minimum front yard setback shall be 5 feet. No parking is permitted in the front yard setback area. The setback area shall be landscaped or improved pursuant to the design standards set forth in Chapter 15 of this Plan. The front yard setback shall also apply to side and rear yards adjacent to a street.

Rear Yard Setback

No minimum rear yard setback is required, except for the following:

(1) Where the rear parcel line abuts a residential district or zone, the minimum rear yard setback shall be 15 feet if there is a public alley (distance from building to rear property line or alley easement), and 25 feet where there is no public alley.

Interior Side Yard Setback

No minimum interior side yard setback is required.

Parking

Refer to Chapter 16 for off-street parking requirements and standards.

Setbacks – See Exhibit A: Setback Table for All Planning Areas

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

MIXED USE – (MU)

MULTIFAMILY / COMMERCIAL ALTERNATIVE

Planning Areas 8, 13, 15, and 16

INTENT

The mixed use – multifamily/commercial alternative – planning area provides for the opportunity to offer flexibility with the land planning and site development within a defined framework of excellence. The planning area can be developed with residential uses with supporting retail, office, and commercial uses or development can be limited to either residential or commercial uses. The flexibility in land uses provides the framework to combine supporting uses in a dynamic neighborhood and allows development to respond to changing market conditions. The development standards will help ensure quality improvements in the Town of Parker.

The land uses allow housing to be combined with supporting retail and commercial uses to provide a sustainable mixed-use environment. The mix of housing, retail, office, and commercial uses supports the Town of Parker's goals and intent for the development of the E-470 corridor. The mixed use, alternative, planning areas will help build a community in the Town of Parker where you can *live, work, shop, and play*.

All non-residential structures, regardless of intended use, shall comply with the *Commercial design standards outlined within the Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended, unless otherwise stated in these standards.

DEVELOPMENT PROGRAM

The design intent is to create a neighborhood with a pedestrian environment. Walks will connect to the regional trail systems along Chambers Road and Happy Canyon Creek. Commercial developments permitted with residential uses are limited to services that will support the residential neighborhood and the Compark Village. The Development Standards for the multifamily and mixed use alternative land uses are programmed to achieve a mixed use development where commercial, retail, and multifamily residential developments can complement each other.

MIXED USE ALTERNATIVE

The multifamily and mixed-use development standards apply in the event multifamily uses are developed. If residential land uses are developed in the Mixed-Use planning area, support retail, commercial and services will be limited to principal uses that are compatible with the residential neighborhood. Once residential development is introduced, specific development standards will apply to non-residential development. If residential uses are not developed in a mixed-use planning area, a list of additional permitted uses and the design standards for non-residential uses apply.

RESIDENTIAL LAND USES PERMITTED BY RIGHT

The multifamily land use should promote a pedestrian environment. A traditional design theme that creates pedestrian-friendly streets, screened parking areas, and public outdoor spaces is encouraged. Warehousing, big box, the uses, and similar non-residential uses are not allowed. Parking areas should be dispersed to promote a pedestrian, neighborhood

COMPARK VILLAGE PD –SIXTH AMENDMENT

character. Building frontages are encouraged to be street oriented to promote an urban environment. The design standards provide criteria for providing the appropriate environment.

The permitted uses for residential only development include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Residential Land Uses

- dormitories
- duplex (PA 8 Only)
- mixed use residential
- multiple family dwellings
- residential above first floor retail/commercial/office
- multiple family apartments (PA 16 only)
- single family detached (PA 16 only)

Supporting Land Uses

- open space
- playground with play structures
- public plazas, courts and gathering spaces
- recreation center – club house for private use to serve the residential development
- schools- private or public, K-12, colleges or university, and trade with related facilities
- swimming pool
- trails for bikes, pedestrian & equestrian use

COMMERCIAL LAND USES PERMITTED BY RIGHT IN SUPPORT OF RESIDENTIAL

Where commercial development is combined with residential uses, the commercial and residential uses may be located in the same building or on adjacent lots. First-floor retail with upper floor residential or office is permitted and encouraged but not required. Residential uses may be developed on a public or private street with permitted commercial uses on the opposing side of the street provided a pedestrian environment is provided. The intent is to create the opportunity to develop a sustainable, active neighborhood where the commercial uses provide products, services, and employment opportunities to the residential community and the residential uses provide consumers and employees to the commercial uses.

The non-residential land uses permitted to support the residential development include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Retail, Commercial, and Office

- convenience retail with or without gas pumps
- drug store
- grocery store
- liquor store
- medical and dental office, clinic and related medical facilities

COMPARK VILLAGE PD –SIXTH AMENDMENT

- office/professional, accounting, law, consulting
- office for research and development, experimental and testing
- retail sales less than 40,000 sq. ft. per user including the following:
 - retail sales
 - retail showroom
 - specialty shop

Restaurants Eating Establishments and Entertainment

- bar and lounge
- bowling alley, pool hall
- night club
- quick serve with and with-out drive thru
- restaurant, full service

Services

- athletic club – private/public
- bank with and without drive thru
- commercial recreation
- day care center, nursery school
- dry cleaners
- library
- personal service shops:
 - beauty parlor, barber shops
- school – private and public, including college and universities with related facilities
- veterinary clinic, animal hospital, no outside kennels

Supporting Land Uses

- congregate care, convalescent home, nursing home and retirement home
- fire station
- recreation facility, indoor/outdoor, public/private - no motorized vehicles or bmx tracks

USES PERMITTED BY SPECIAL REVIEW – WITH RESIDENTIAL USES

Retail sales greater than 40,000 sq. ft. per user

COMMERCIAL LAND USES PERMITTED BY RIGHT WITHOUT RESIDENTIAL USES

The following uses are permitted by right in addition to the non-residential uses listed above when residential uses are NOT developed:

- Retail, Commercial, and Office – (without residential uses)
- equipment rental – less than 30,000 sf.; outdoor storage by special review
- office warehouse or showroom warehouse hardware store/home repairs
- retail sale of any product or commodity including the following:
 - grocery store
 - auto and motor vehicle equipment parts and accessories
 - specialty shop
- retail showroom

COMPARK VILLAGE PD –SIXTH AMENDMENT

- office showroom
- sod and tree farm
- wholesale business/general merchandising

Auto Services, Gas Stations and Car Washes

Auto services, gas stations, and car washes are limited to specific sub-areas in PA 8 as delineated on the Development Plan. Site planning and design are subject to design standards for auto service, gas station, and car wash uses as detailed in this Development Guide.

Permitted auto service, gas station and car wash uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director.

Auto related services -- subject to auto related design standards

- auto and motor vehicle equipment parts, accessory store and tire sales
- auto major repair services and tire sales
- car wash, detailing, coin operated, self-service
- service station with and without gas pumps; convenience store with gas pumps and/or car wash
- gas station, with and without car wash
- service station with and without tire sales and service, with and without gas pumps

USES PERMITTED BY SPECIAL REVIEW – WITHOUT RESIDENTIAL USES

- movie theater
- outdoor storage loading and service areas provided:
 - outdoor storage does not exceed 20% of the total land area of the development parcel
 - major loading, service areas and outdoor storage are screened from collector roads
 - placement of structures along the open space may be used to screen outdoor storage from the adjacent open space and residential planning area

DEVELOPMENT STANDARDS WITH AND WITHOUT RESIDENTIAL USES

Density

Residential uses

- Not to exceed 30 dwelling units per acre on any single lot
- Maximum number of dwelling units in:
 - PA 8 shall not exceed 306 DU
 - PA 16 shall not exceed 300 DU
- Congregate care and assisted living facilities are not included in dwelling unit calculations but shall be included in the gross floor area tabulation

Auto Services, Gas Stations, and Car Washes

- Limited to one approved auto service, gas station, or car wash user per planning area as delineated on the Development Plan.

COMPARK VILLAGE PD –SIXTH AMENDMENT

- Not more than three users from the approved list of auto service, gas station, or car wash users permitted within the limits of the Compark Village PD, Sixth Amendment. (See the Development Plan Land Use Tabulation for details).
- Not more than 5 fueling islands (2 pumping stations per island) per use.
- Not more than one car wash lane as a stand-alone facility or attached to a complementary use.

Building Height

Residential and commercial uses

Maximum building height per planning area:

- PA 8, 13 and 15 – 35 feet, (45 feet permitted by special review)
not including roof-top mechanical equipment
all rooftop equipment shall be screened, solar panels excepted
- PA 16 – 60 feet (90 feet permitted by special review)

Minimum Lot Area

None

Setbacks See Exhibit A – Setback Table for All Planning Areas

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

HIGHWAY COMMERCIAL (HC)

Planning Area 7

INTENT

The Highway Commercial planning area is expected to attract users that will benefit from direct access and visibility from the E-470 / Chambers Road interchange and from dramatic, uninterrupted views of the Front Range. The intent of the Highway Commercial planning area is to promote the combination of retail and commercial uses with an active neighborhood character.

DEVELOPMENT PROGRAM

The development program is to attract uses that are complementary and supportive of the Compark Business Campus, surrounding residential neighborhoods, and the Town of Parker. The goal is to provide destination retail and commercial uses as a recognized landmark along the E-470 corridor. The program promotes a pedestrian environment. The surrounding residential neighborhoods and direct access from E-470 will support the local retail development.

All non-residential structures, regardless of intended use, shall comply with the *Commercial design standards outlined within the Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parke Municipal Code, as amended.

LAND USES PERMITTED BY RIGHT

The permitted uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

COMMERCIAL LAND USES PERMITTED BY RIGHT

The following uses are permitted by right:

- retail, Commercial, and Office
- equipment rental – less than 30,000 sf.; outdoor storage by special review
- office warehouse or showroom warehouse hardware store/home repairs
- retail sale of any product or commodity including the following:
 - grocery store
 - auto and motor vehicle equipment parts and accessories
 - specialty shop
- retail showroom
- office showroom
- wholesale business/general merchandising

Retail and Commercial Land Uses

- convenience retail without gas pump
- drug store
- hotel, motel, conference center
- liquor store
- office professional, accounting, law, consulting
- retail sale of any product or commodity including the following:
 - auto and motor vehicle equipment parts and accessories
 - grocery store
 - big box retail with screened outdoor display and storage

COMPARK VILLAGE PD –SIXTH AMENDMENT

not including the sale of motorized vehicles that require outdoor on-site storage of motorized vehicles

- retail showroom
- specialty shops

Restaurants including quick serve, and drive thru

- bar and lounge
- bowling alley, pool hall
- fast food with drive thru
- night club
- quick serve with and without drive thru
- restaurant, full service

Services

- athletic club – private/public
- bank with and without drive thru
- day care center, nursery school
- dry cleaners
- funeral home/mortuary
- hospital
- medical/dental office or clinic
- movie theater
- personal service shops
- beauty parlor, barber shops
- school – private and public, including college and universities with related facilities
- veterinary clinic, small animal hospital, no outside kennels or runs
- vineyard in support of local wineries

Supporting Land Uses

- commercial recreation, no outdoor motorized vehicles, no BMX tracks
- community information center
- congregate care, convalescent home, nursing home, assisted living and retirement home
- fire station
- library
- open space
- playground with play structures
- police station
- public plazas, courts and gathering spaces
- recreation facility, indoor/outdoor, public & private; no BMX or motorized vehicles

Auto Services, Gas Stations and Car Washes

Auto services, gas stations, and car washes are limited to a specific sub-area in PA 7 as delineated on the Development Plan. Site planning and design are subject to design standards for auto service, gas station, and car wash uses as detailed in this Development Guide.

Permitted auto service, gas station, and car wash uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director.

COMPARK VILLAGE PD –SIXTH AMENDMENT

Auto related services -- subject to auto related design standards

- auto and motor vehicle equipment parts, accessory store and tire sales
- auto major repair services and tire sales
- car wash, detailing, coin operated, self-service
- service station with and without gas pumps
- convenience store with gas pumps and/or car wash
- gas station, with and without car wash
- service station with and without tire sales and service, with and without gas pumps

DEVELOPMENT STANDARDS

Density

Auto Services, Gas Stations, and Car Washes

- Limited to one approved auto service, gas station, or car wash user per planning area as delineated on the Development Plan
- Not more than three users from the approved list of auto service, gas station, or car wash users permitted within the limits of the Compark Village PD, Sixth Amendment See the Development Plan Land Use Tabulation for details
- Not more than 5 fueling islands (2 pumping stations per island) per use
- Not more than one car wash lane as a stand-alone facility or attached to a complementary use

Building Height

- Retail use
 - All retail, office, and commercial uses 75 feet
 - permitted by special review 90 feet

Minimum Lot Area

None

Setbacks See Exhibit A - Setback Chart for all Planning Areas

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

COMMERCIAL RETAIL (CR)

Planning Areas 3, 9, and 10

INTENT

The Commercial Retail planning areas are expected to attract users and residents that will benefit from direct access and visibility from Chambers Road and Compark Boulevard. The intent of the Commercial Retail planning area is to promote the combination of retail commercial uses that will support an active neighborhood character.

DEVELOPMENT PROGRAM

The development program is to attract uses that are complementary and supportive of the Compark Business Campus, surrounding residential neighborhoods, and the Town of Parker. The goal is to provide retail uses as a recognized landmark within The Compark Business Campus. The program promotes a pedestrian environment. The surrounding residential neighborhoods, commercial development, and direct access from E-470 are intended to support the local retail development.

All non-residential structures, regardless of intended use, shall comply with the *Commercial design standards outlined within the Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended.

LAND USES PERMITTED BY RIGHT

The permitted uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director:

Retail and Commercial Land Uses

- convenience retail with and without gas pump; (gas pumps in PA 9 & 10 only)
- drug store
- hotel, motel, conference center
- liquor store
- office professional, accounting, law, consulting
- retail sale of any product or commodity including the following:
 - auto and motor vehicle equipment parts and accessories
 - grocery store
 - not including the sale of motorized vehicles that require outdoor on-site storage of motorized vehicles
- retail showroom
- specialty shops

Restaurants including quick serve, and drive thru

- bar and lounge
- bowling alley, pool hall
- fast food with drive thru
- night club
- quick serve with and without drive thru
- restaurant, full service

Services

- athletic club – private/public
- bank with and without drive thru

COMPARK VILLAGE PD –SIXTH AMENDMENT

- day care center, nursery school
- dry cleaners
- funeral home/mortuary
- hospital
- medical/dental office or clinic
- movie theater
- personal service shops
- beauty parlor, barber shops
- school – private and public, including college and universities with related facilities
- veterinary clinic, small animal hospital, no outside kennels or runs
- vineyard in support of local wineries

Supporting Land Uses

- commercial recreation, no outdoor motorized vehicles, no BMX tracks
- community information center
- congregate care, convalescent home, nursing home, assisted living and retirement home
- library
- open space
- playground with play structures
- public plazas, courts and gathering spaces
- recreation facility, indoor/outdoor, public & private; no BMX or motorized vehicles

Data Center Overlay Use

The Data Center land use is limited to designated areas in the Business Employment and to a limited extent, as set forth in the sentence below, in the Commercial Retail planning areas as delineated as an Overlay on the Development Plan. The Data Center overlay use in the Commercial Retail planning area can only be a permitted use when developed in combination with an adjacent Business Employment Planning Area.

Auto Services, Gas Stations and Car Washes

Auto services, gas stations; and car washes are limited to specific sub-areas in PA 9 and 10 as delineated on the Development Plan. Site planning and design are subject to design standards for auto service, gas station, and car wash uses as detailed in this Development Guide.

Permitted auto service, gas station and car wash uses include the following and other uses that are similar and compatible with the intent of this section as determined by the Community Development Director.

Auto related services -- subject to auto related design standards

- auto and motor vehicle equipment parts, accessory store and tire sales
- auto major repair services and tire sales
- car wash, detailing, coin operated, self-service
- service station with and without gas pumps
- convenience store with gas pumps and/or car wash
- gas station, with and without car wash
- service station with and without tire sales and service, with and without gas pumps

COMPARK VILLAGE PD –SIXTH AMENDMENT

DEVELOPMENT STANDARDS

Density

Auto Services, Gas Stations, and Car Washes

- Limited to one approved auto service, gas station, or car wash user per planning area as delineated on the Development Plan
- Not more than three users from the approved list of auto service, gas station, or car wash users permitted within the limits of the Compark Village PD, Sixth Amendment. See the Development Plan Land Use Tabulation for details
- Not more than 5 fueling islands (2 pumping stations per island) per user

Building Height

- Retail use
 - all retail, office, and commercial uses 60 feet
 - permitted by special review 75 feet

Minimum Lot Area

None

Setbacks See Exhibit A - Setback Chart for all Planning Areas

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

OPEN SPACE (OS)

INTENT

Open Space Areas are intended to provide buffer areas, passive recreational opportunities, pedestrian corridors, drainage corridors and the conservation and improvement of wildlife habitat. The Happy Canyon Creek Open Space is intended to become an attractive addition to the Compark Village. A regional trail is part of the Happy Canyon Creek Open Space.

INCORPORATION BY REFERENCE

Section 13.04.165, OS – Open Space District, of the Town of Parker Municipal Code, as amended, is hereby incorporated by reference into this development guide.

Underground utilities, waterways, ponds, water quality facilities, detention facilities, wells, and pumping stations are considered land uses permitted by right in accordance with the recorded Compark Business Campus Metropolitan District Property Conservation Easement for the Happy Canyon Creek and Green Acres Tributary Open Space tracts.

PUBLIC FACILITY (PF)

INTENT

Public Facility Areas are intended to provide land dedicated to, purchased or generally acquired by a public or quasi-public entity including but not limited to the Town, Stonegate Metropolitan District, Cottonwood Water and Sanitation District, South Metro Fire Rescue Authority, Douglas County or any additional special district or regional service authority located within the jurisdiction of the Town.

INCORPORATION BY REFERENCE

Section 13.04.160, PF – Public Facilities District, of the Town of Parker Municipal Code, as amended, is hereby incorporated by reference into this development guide.

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

BUFFER STUDY



Plan presented to Grandview Estate Homeowners

The berm may be supplemented with additional fences or landscape items. The berm may be constructed to continue into planning area PA 16, 17 and 18 to develop the necessary height and buffering desired. Berm areas that continue into this planning area may be altered during the platting process to accommodate builder's site requirements. The berm can be cut back to the planning area boundary. Walls, rocks, timbers or other similar materials may be used to retain this berm grade. Improvements and berm alterations shall not be visible from the Grand View Estates residents. The berm, as seen from the Grand View Estates residents shall not be altered from the originally constructed berm.

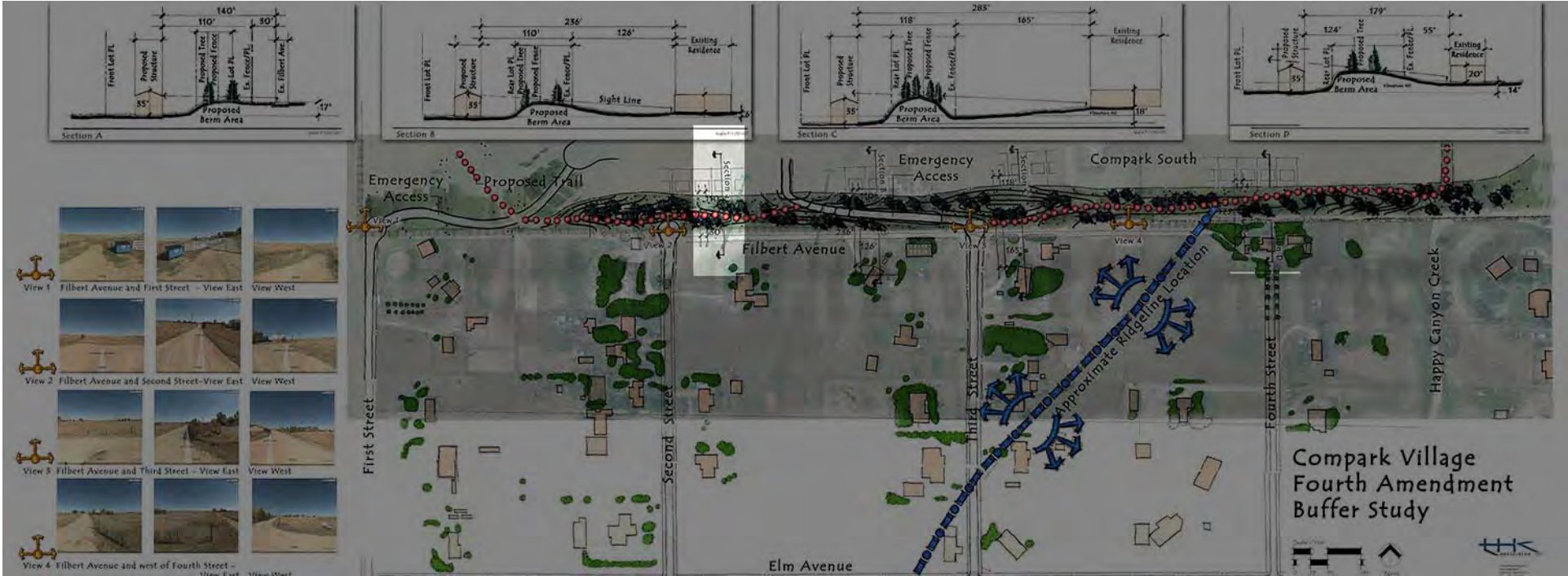
COMPARK VILLAGE PD –SIXTH AMENDMENT



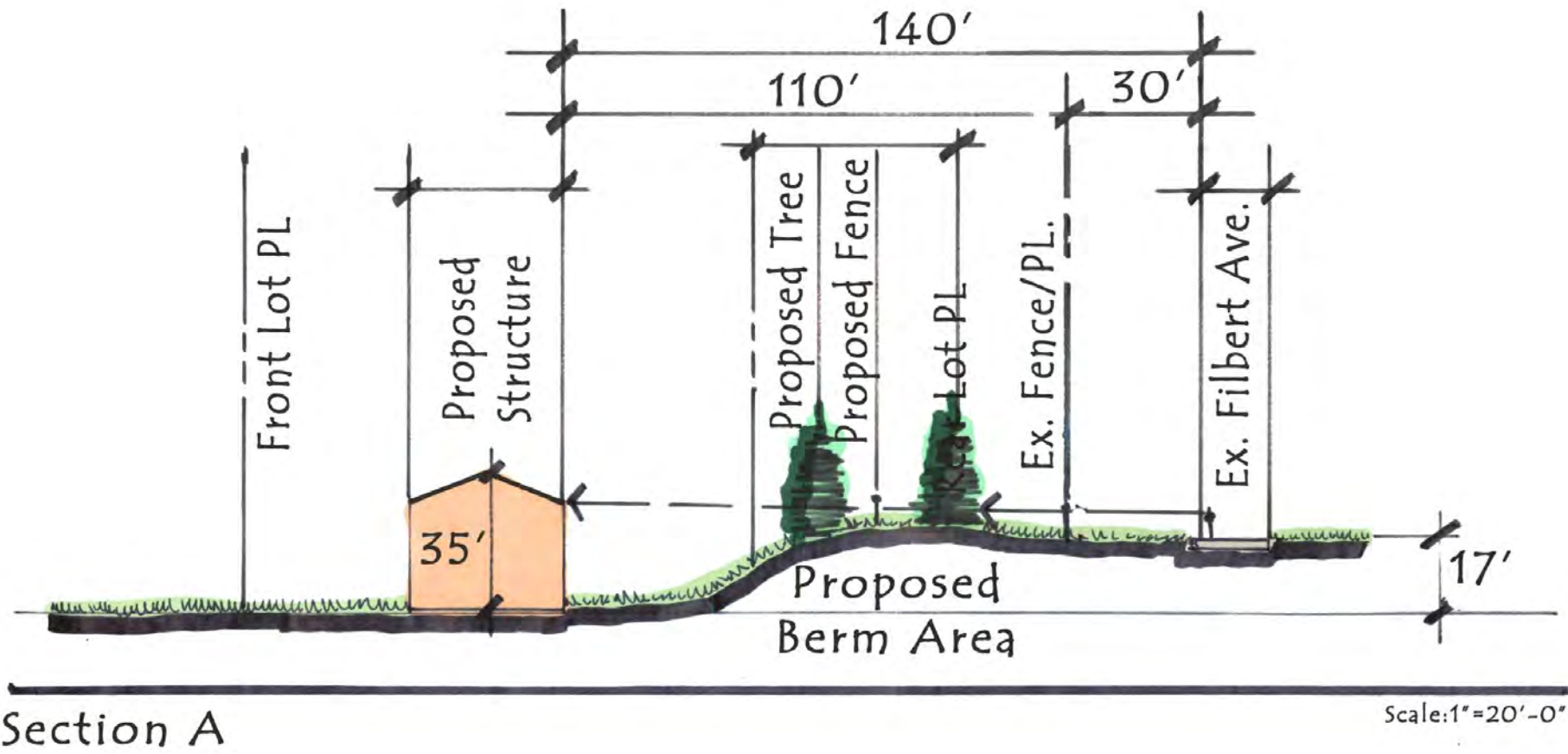
Enlargement Plan depicting Berm Buffer, buffer distances and section locations

Sections have been constructed for the berm/buffer area. Section A reflects the proposed berm/buffer just to the east of Second Street. Section B depicts the berm/buffer area between Second and Third Streets. Section C is just east of Third Street and Section D is at Fourth Street.

COMPARK VILLAGE PD –SIXTH AMENDMENT

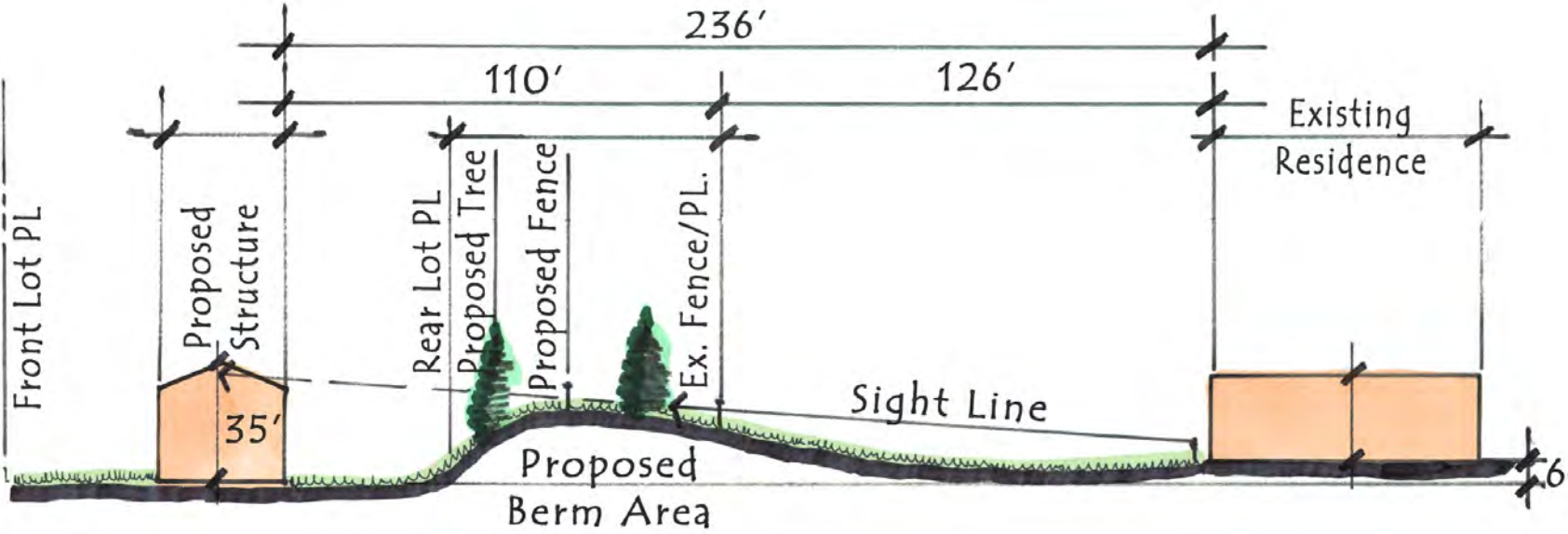
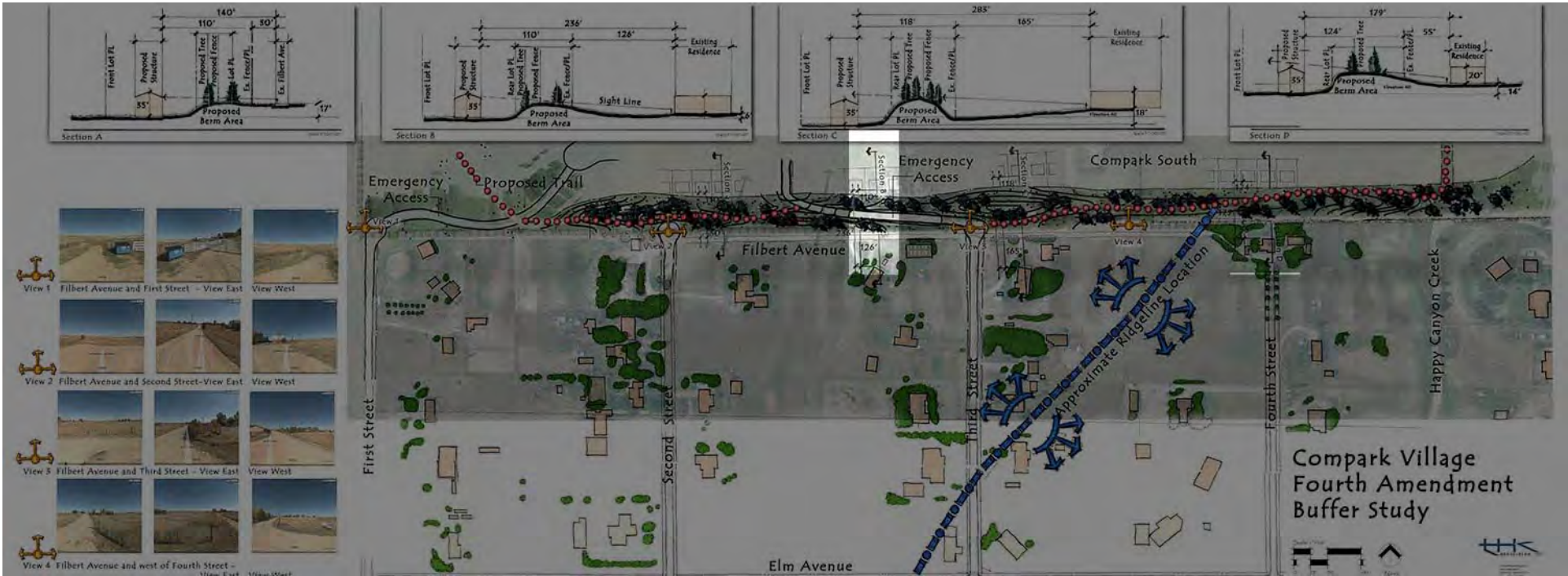


Section A Plan Location



Section A is the most westerly section that reflects the anticipated grades and berm/buffer improvements. The section depicts a 17' ± grade change from Filbert Avenue to the proposed development. The berm is approximately 3' – 5' ± tall in this area. Additional trees are added to help screen most of the views toward the new development.

COMPARK VILLAGE PD –SIXTH AMENDMENT

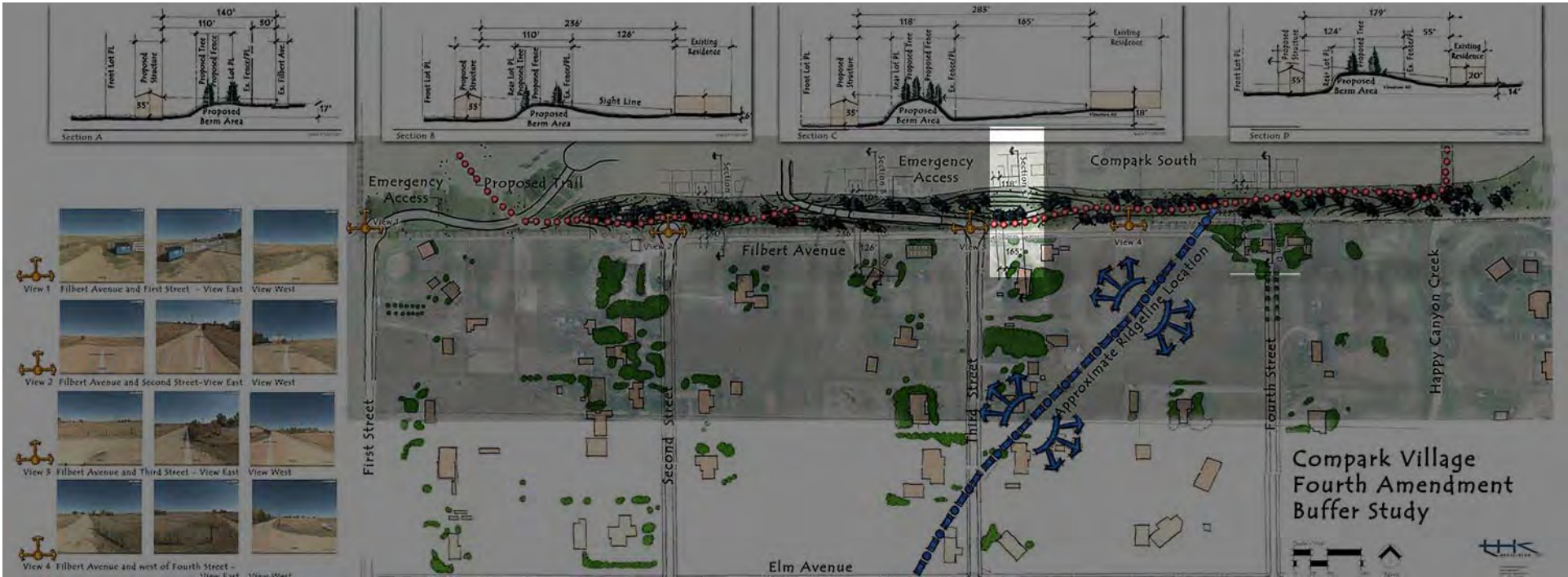


Section B

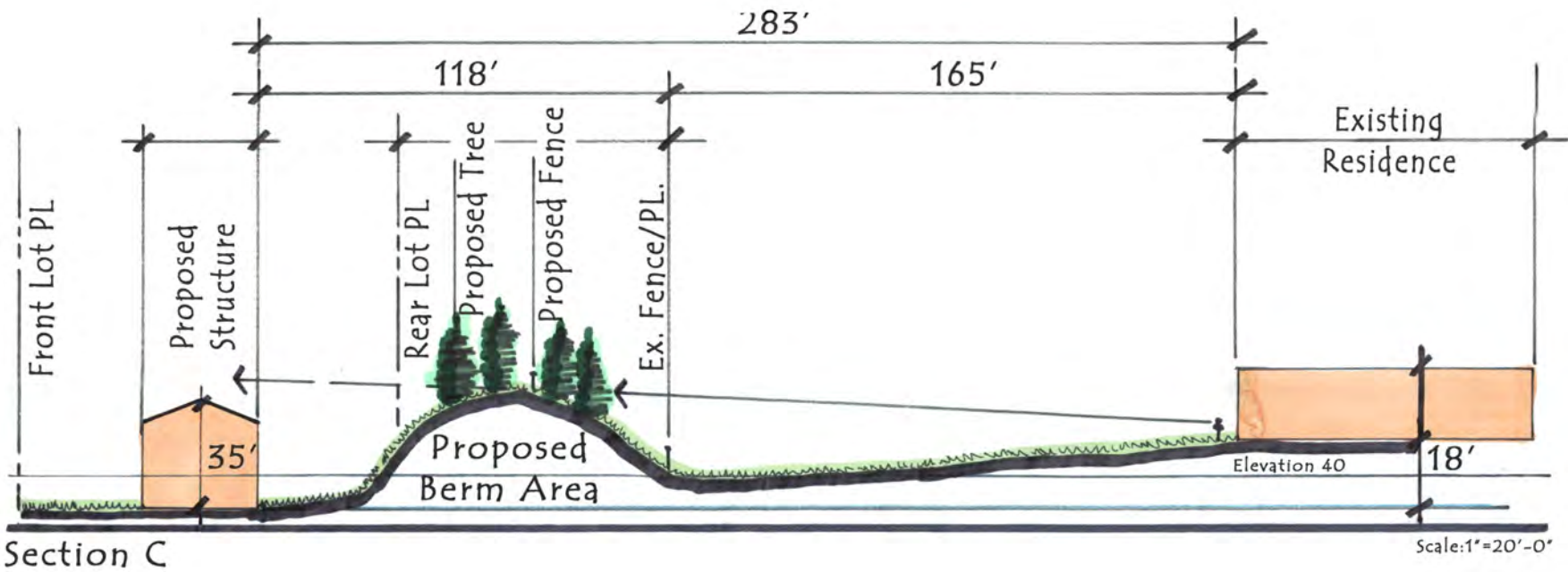
Scale: 1" = 20'-0"

Section B is taken further east from Section A and represents the anticipated berm/buffer area between the existing residents and proposed development. The existing residence is separated from this development by an anticipated distance of 236' ±. A 6' - 7' ± berm helps to provide additional separation. Trees and shrubs will also help to screen views.

COMPARK VILLAGE PD –SIXTH AMENDMENT

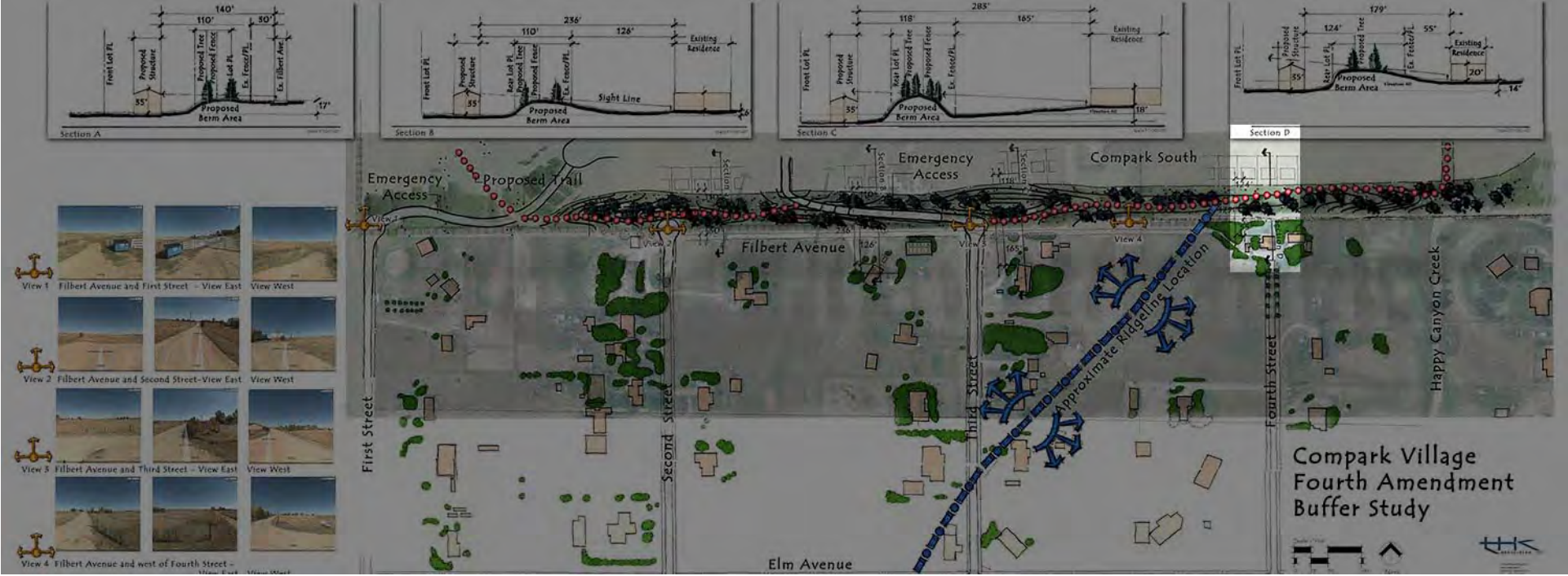


Section C Plan Location

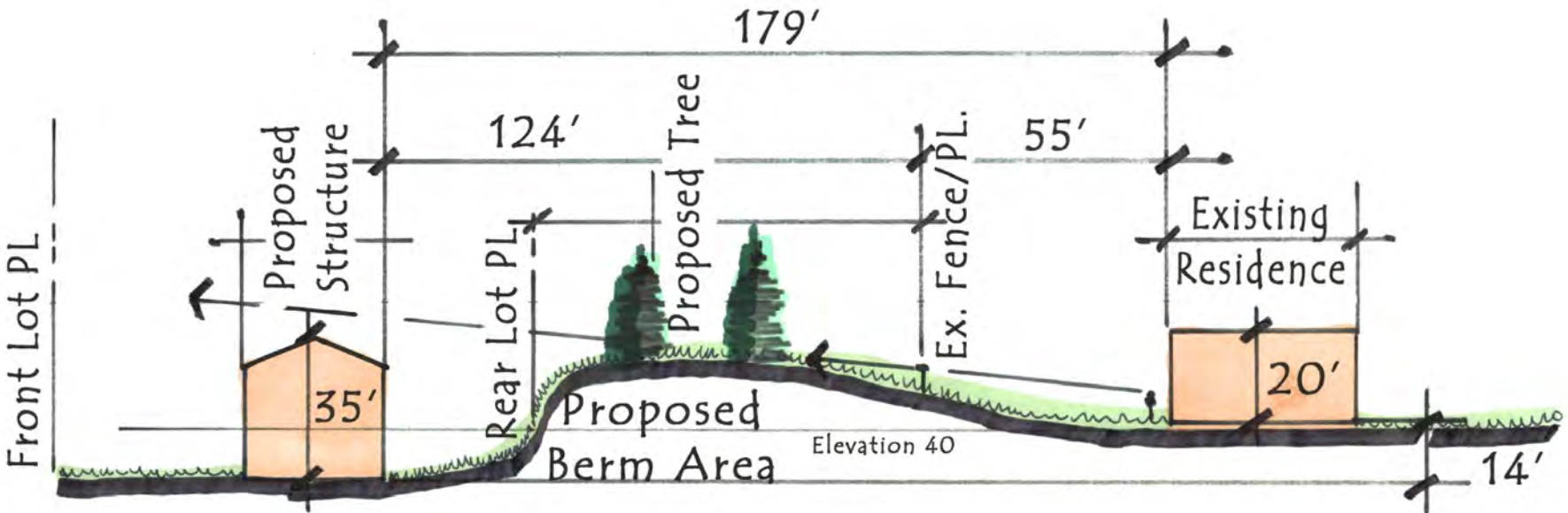


Section C is a section representing the anticipated berm/buffer area just east of Third Street. It represents the area between the existing residence and the proposed development. The horizontal separation between these structures is 283' ± and there is an 18' ± grade difference between them. The berm height is 10' ± and extends east and west of this location.

COMPARK VILLAGE PD –SIXTH AMENDMENT



Section D Plan Location



Section D

Scale: 1"=20'-0"

Section D is the most easterly section of the anticipated berm area. It represents the condition at Fourth Street between the existing residence and the proposed development. The distance between the existing residence and the proposed development is 179'±. A 10' ± berm is anticipated with trees and shrubs. The grade difference envisioned between the existing residence and the proposed development is 14'±. The anticipated berm extends east and west of the existing residence along the entire property line associated with this residence.

COMPARK VILLAGE PD –SIXTH AMENDMENT

FLEX OFFICE

DEVELOPMENT STANDARDS

INTENT

The intent is to provide the opportunity for Flex Office in the Compark Business Campus that will offer diversified economic development and new employment opportunities in the Town of Parker while maintaining the Town's high quality, pedestrian oriented community.

These standards and guidelines provide criteria and guidance for the successful design, development, and operations of land uses that serve a market for attractive office with flexible space requirements and the opportunity for truck loading and service. A successful Flex Office project in the Compark Business Campus provides a public image that is complementary to its surrounding Compark Business Campus with the opportunity for loading and services that are screened from prominent view.

LAND USE

Flex Office land use is limited to designated areas in the Business Commercial planning areas as delineated on the Development Plan. The list of allowable uses is defined in the Business Commercial section of this Development Guide for Compark Village PD.

DEVELOPMENT STANDARDS

The development standards are based on the Industrial Standards that are part of *Town of Parker Development Design Standards*. Standards that are not addressed below shall follow the Town's Industrial Standards.

Goals and Objectives

The primary goals for these standards are:

- To promote diversified economic development offered with high quality Flex Office and Research & Development users
- To help assure the development presents an attractive image from adjacent roadways
- To provide site development that creates a pleasant working environment
- Encourage the use of high-quality finishes, materials, and detailing appropriate to the Flex Office market in the Town of Parker

Site Design Standards – See *Town of Parker Development Design Standards*

Screening

Intent: Screening shall effectively mitigate negative visual and acoustic impacts of Flex Office uses and shall be integrated into each project's overall site design.

- All rooftop mechanical equipment shall be screened from prominent view measured from 5' above finished grade at the property line or 5' above a public sidewalk adjacent to the property line. Paint all rooftop equipment the same, neutral color. Locate equipment on the roof so the parapet wall will provide adequate screening.

COMPARK VILLAGE PD –SIXTH AMENDMENT

The top of the parapet shall not extend above the allowable maximum height of the building. If additional screening is required, a free-standing screen wall, of a material and color matching the building may be used for screening. Screens shall be at least as high as the equipment they conceal and be set back from the edge of the building façade equal to or greater than the height of the screen wall.

Architectural Standards

Mass and Scale

Intent: Building mass, form, proportion, and height shall be designed to provide visual interest that will support and complement an office park setting. Buildings shall maintain a scale appropriate to surrounding developments.

- Buildings shall be broken down to a human scale with prominently marked public entries.
- Long, uninterrupted facades are not allowed. Changes in planes are required to create shadow lines for interest and accent. The use of architectural projections and recesses help create an attractive architectural module and a pedestrian scale.

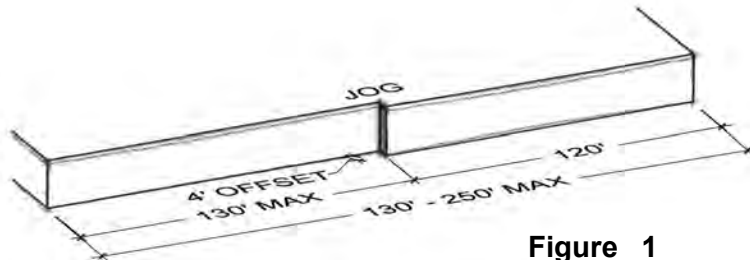


Figure 1

-
- An uninterrupted length of a façade shall not exceed 130 horizontal feet.

COMPARK VILLAGE PD –SIXTH AMENDMENT

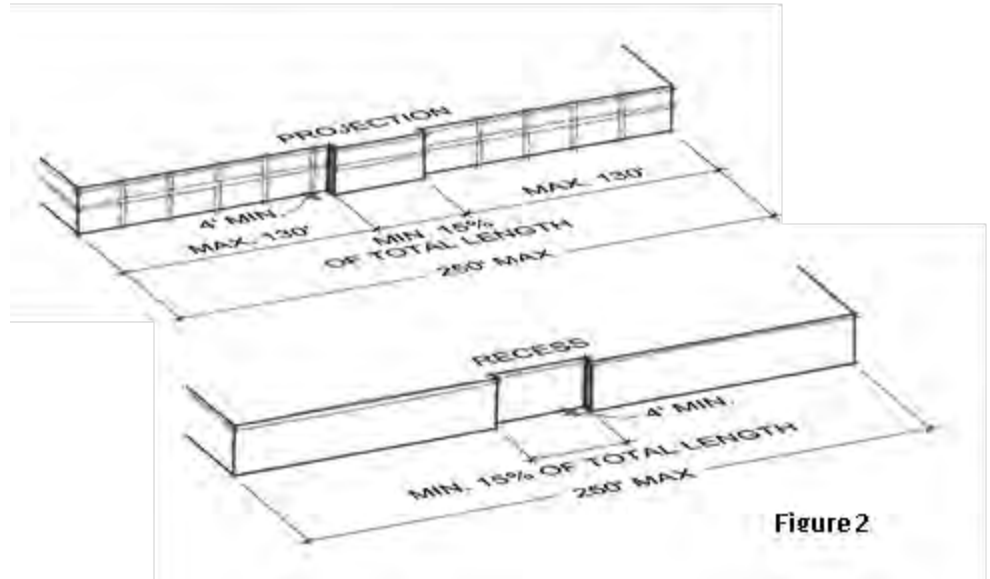


Figure 2

- Building facades between 130 and 250 horizontal feet shall have at least one wall plane jog (figure 1) projection recess a depth of at least 4 feet and extend at least 15% of the total length of the façade. (see figure 2)
- The combined length of multiple recesses or projections can be used to meet the minimum requirements. (see figure 3)
- Building facades between 250 and 380 horizontal feet shall have wall plane projections or recesses a depth of at least 8 feet and extend at least 15% of the total length of the façade. (see figure 4)

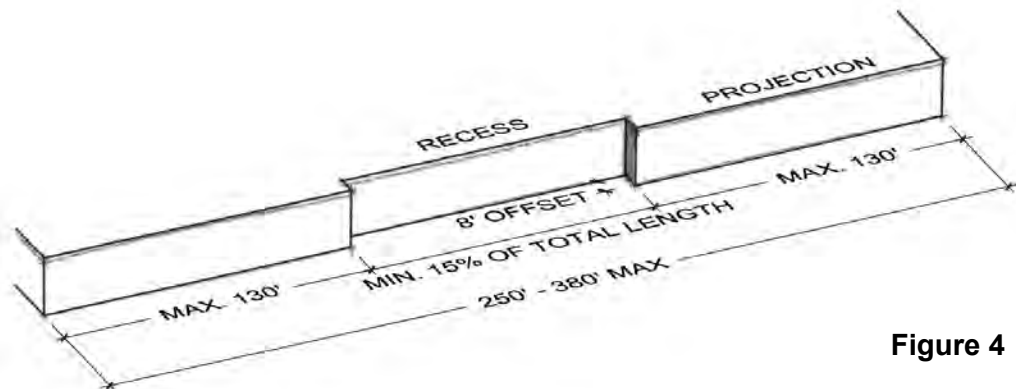
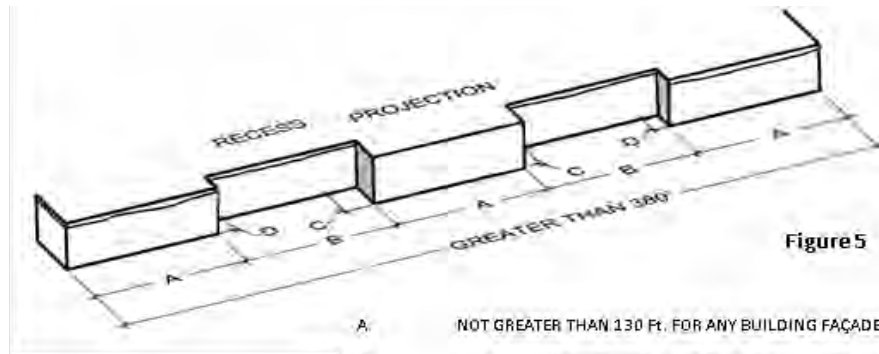


Figure 4

- Buildings greater than 380 horizontal feet shall provide a minimum of at least two projections or recesses. An uninterrupted length of a façade shall not exceed 130 horizontal feet. (see figure 5)
- A recess and/or projection shall be a depth of at least 3% of the entire length of the building and calculated as shown on figure 4. Entry canopies, awnings, trellis work, and other architectural relief may be used as part of a projection and recess if the shadow lines, interest, and accent are created to add interest to the building.

COMPARK VILLAGE PD –SIXTH AMENDMENT



A: NOT GREATER THAN 130 Ft. FOR ANY BUILDING FAÇADE

B: NOT GREATER THAN 130 Ft. FOR ANY BUILDING FAÇADE

C and D: OFFSET TO CREATE A RECESS OR PROJECTIONS SHALL NOT BE LESS THAN 4'-6"

C plus D: EQUALS THE DEPTH OF THE REQUIRED RECESS/PROJECTION AS NOTED ABOVE

Architectural Elements and Articulation

Intent: Create an image of high-quality development. Provide a design rhythm with the repetition of patterns, details, and colors that are consistent with the length and height of the building. Use architectural elements and details that avoid featureless walls. Articulate front facades to provide interest, an inviting pedestrian scale and visual interest that are complementary to the surrounding area.

- Building height shall be limited to the following. Screening of rooftop equipment is not included:
 - a maximum of 25 feet to the top of any parapet.
 - buildings with 2 story mezzanine construction are limited to a maximum 28 feet to the top of the parapet.
- Use the arrangement, proportion, and design of windows and doors as transparent or semi-transparent design elements to help create the design character and rhythm of the building.
- Each building shall have clearly defined, highly visible public entrances that are either recessed into the façade or project away from the façade, not less than 8 feet, and include at least two of the following design elements:
 - canopies or porticos,
 - overhangs,
 - raised corniced parapets over the door,
 - peaked or rounded roof forms,
 - arches, or
 - other unique architectural details.

COMPARK VILLAGE PD –SIXTH AMENDMENT



- **Building offsets**
- **Awnings or Canopy for accent and pedestrian interest**
- **Roofline variation**
- **Cornice detailing**
- **Primary Materials and detailing**
- **Glass detailing – windows and doors**
- **Color accent**

ENTRY DETAILING

- Buildings shall be designed with consistent materials and details on all sides.
- On facades within the Primary View Shed, use at least 2 complementary materials and 2 colors, excluding windows and doors, to add visual interest and architectural character. A change in material may be accepted as a color change. High quality fabrication and detailing of textures, architectural patterns, and finishes combined with a color change shall qualify as an acceptable material and color change.
- Use architectural detailing for accent, interest, and enhanced quality. Detailing may include the following:
 - raised, articulated parapets,
 - glass recessed within the panel depth for shadows and accent,
 - mitered corners,
 - recessed panels,
 - chamfers, or
 - rustication.

COMPARK VILLAGE PD –SIXTH AMENDMENT



ARCHITECTURAL DETAILING – CONSIDERATIONS

- Textured Primary Materials at grade
- Planter Boxes
- Awnings for accent and scale
- Glass to or near to grade
- Secondary Materials for the upper facade
- Reveals, texture changes and color changes
- Rustication

Visibility and View Sheds

Intent: Visibility is categorized in 3 view sheds to help define the prominent facades where higher quality architectural materials and detailing will have the greatest impact and where more economical materials and detailing would be acceptable. See figures 6 and 7 below.

- Primary View Shed – Architectural elevations and site improvements that are visible from adjacent public streets and adjoining properties, unless the adjoining property is a continuation of the same development.
- These areas should receive the highest level of design, detailing, and materials as defined in these standards.

COMPARK VILLAGE PD –SIXTH AMENDMENT

- The primary view shed should consider phased development and the impacts that future buildings may have on the visibility of initial development.
- Secondary View Shed – Architectural elevations and site improvements that are internal to the site and visible to the users and adjacent developments.
- While a consistent use of building materials, details and colors are required on all sides of the building, architectural and site design in the secondary view shed may be modified to reflect the diminished public visibility.
- Loading and Service Areas – These areas shall be oriented to limit visibility and screened from prominent view from public streets.
- Visibility and screening of loading and service areas should consider phased development and the impacts that future buildings may have on the visibility of initial development.

Building Materials

Intent: Quality and durable building materials shall be used to help assure long term development integrity. Façade materials are outlined in the following three categories in support of the three view sheds as outlined above:

- Primary Materials and Finishes – Shall comprise 35% to 45% of the façade in the primary view shed.
- The primary materials and finishes are to be used in the primary view shed areas. They shall have a finished character and detailing that will provide visual interest to pedestrians. Primary materials are intended to be on the ground plane but may extend to the upper levels of the façade for accent a design composition.
- Primary Materials and Finishes may include detailed patterns and reveals is the finished surfaces, form liners to create interesting textures and patterns, texture coat paints to accent the textured material and to create a contrast between patterns, and architectural detailing. Primary materials may also include but are not limited to:
 - Brick, stone, synthetic stone, wood, and integrally colored, textured, or glazed concrete masonry units.
- Glass – Windows, doors, and accent features – Shall comprise 15% to 30% of the façade in the primary view shed.
- The windows, doors, and glass accents shall be used as a primary material to help create an attractive design theme in the primary view shed.
- Secondary and Supporting Materials: – A maximum of approximately 35% of the façade in the Primary view shed
- The secondary and supporting materials are intended to be viewed from a greater distance as part of the upper portions of the building.
- Secondary materials and finishes may include stucco finishes, textures, painted, finished with larger scaled details appropriate for viewing from greater distances; not the pedestrian viewpoint. Secondary materials may also include, but are not limited to: pre-finished metal panel systems; high-quality text-coat painted pre-stressed concrete systems; and high-quality text-coat painted tilt-up, site cast concrete.
- Building materials that require substantial maintenance, or those of low durability, shall not be permitted; this includes split shakes, rough sawn or board and batten wood, and

COMPARK VILLAGE PD –SIXTH AMENDMENT

- field painted standard corrugated metal siding.
- Smooth-faced gray concrete block, plain gray tilt-up concrete, pre-engineered metal buildings, and standard single or double tee concrete systems shall be limited to loading dock and service areas that are not visible from public rights-of-way, open space, or residential areas.
- These standard guidelines can be waived if the design demonstrates the application of materials which satisfies the intent statements listed.
- Building materials and details used on the primary view shed facade may be transitioned to a lesser degree of detail on the secondary view shed and loading/service sides of the building. A transition of material and color shall be incorporated into the architectural design rhythm and pattern. A change in material shall not occur abruptly at the corner but shall wrap the corner and change at an architectural feature or detail. The transition of materials shall be directed by the visibility from public streets and adjacent public uses such as trails and parks.
- To the extent possible, interior day-lighting in the form of skylights or other architectural features shall be used to minimize energy use.
- Applicants are required to submit a sample material board.

Roofing

Intent: Roof forms shall contribute to the overall image of high quality and permanence, and shall be used to screen rooftop equipment where possible.

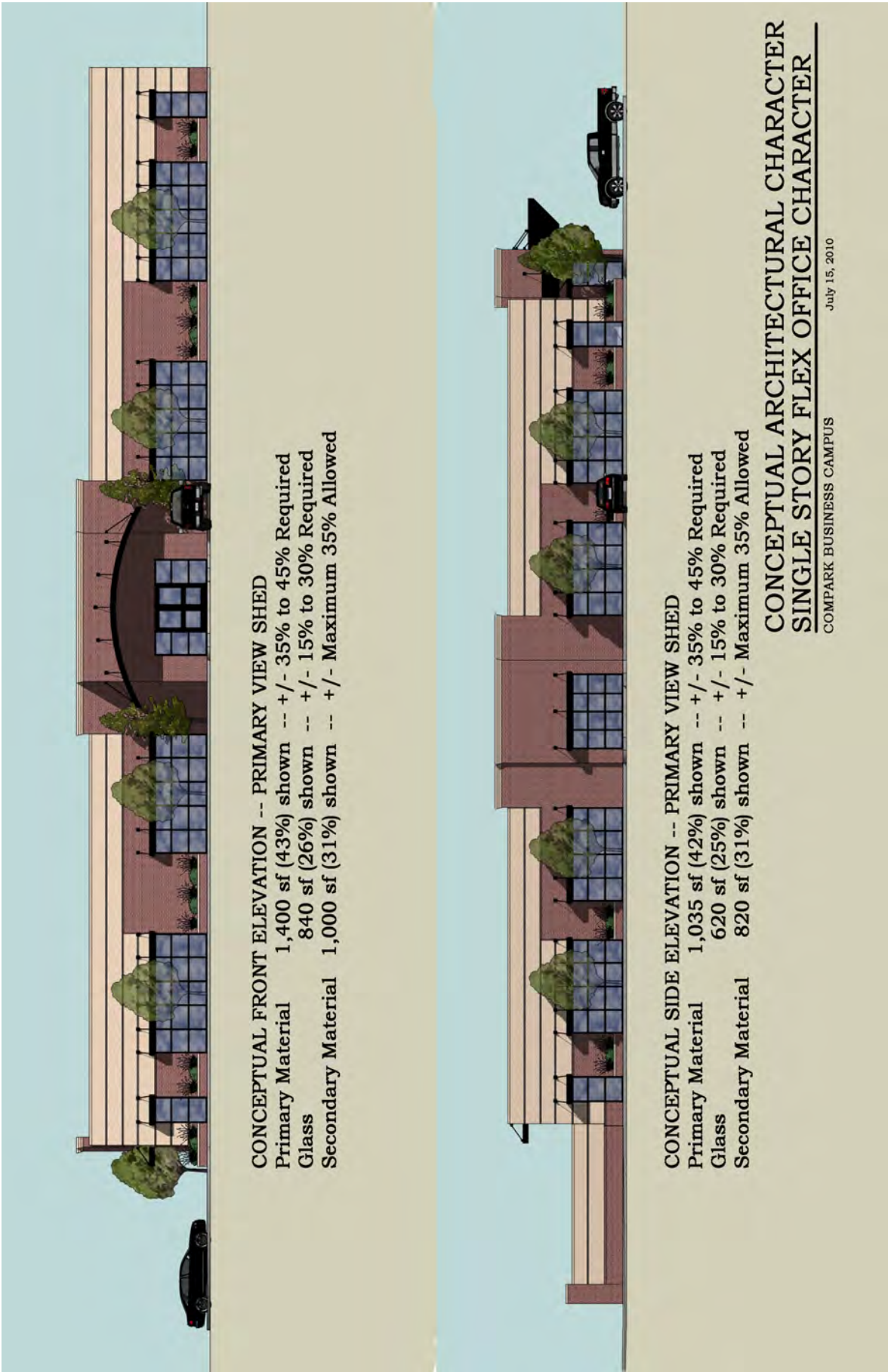
- Visible roof surfaces shall be made of durable materials such as concrete tile, metal, other pre-finished architectural metals or architectural grade asphalt shingles. Membrane systems are prohibited on any visible portion of the roof.
- Building with flat roofs shall be designed to create visual interest by using variation in parapet height, articulation of cornice lines, decorative scuppers or other features.
- Roof forms may be used to accent entries or other architectural design elements.

END OF SECTION



OVERALL -- CONCEPTUAL ARCHITECTURAL CHARACTER
SINGLE STORY FLEX OFFICE

COMPARK VILLAGE PD –SIXTH AMENDMENT



COMPARK VILLAGE PD –SIXTH AMENDMENT

AUTO SERVICES, GAS STATIONS AND CAR WASHES

DEVELOPMENT STANDARDS

INTENT

The Town of Parker has long had a goal to maintain their small town character while providing needed services to their residents and visitors. The purpose of the auto services, gas stations, and car washes development standards is to provide the community with automobile related services within an aesthetically pleasing and pedestrian friendly Town of Parker. These standards and guidelines are to provide criteria and guidance for the successful design, development, and operations of land uses that serve automobiles or that require auto drive through, drive up and other significant automobile circulation needs.

LAND USE

Limited to designated areas as delineated on the Development Plan

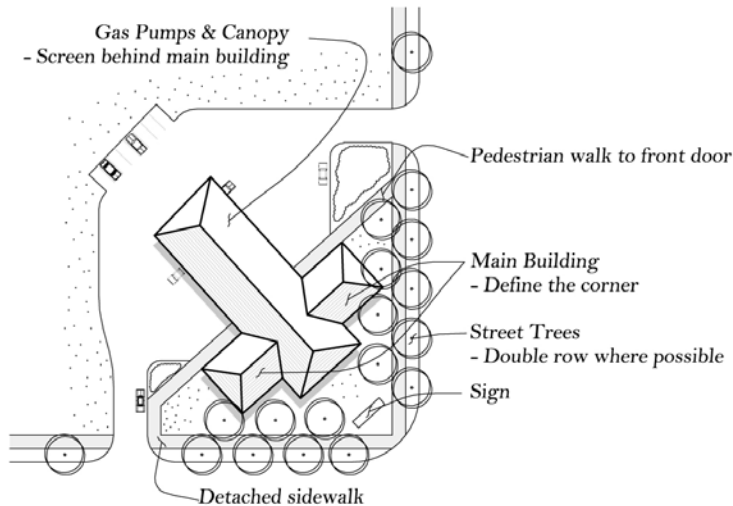
- auto services, for major and or minor repairs
- car wash, detailing, automatic and coin operated
- convenience store with gas pumps and/or car wash
- gas station, with and without car wash
- service station with and without tire sales and service, with and without gas pumps.

DEVELOPMENT STANDARDS

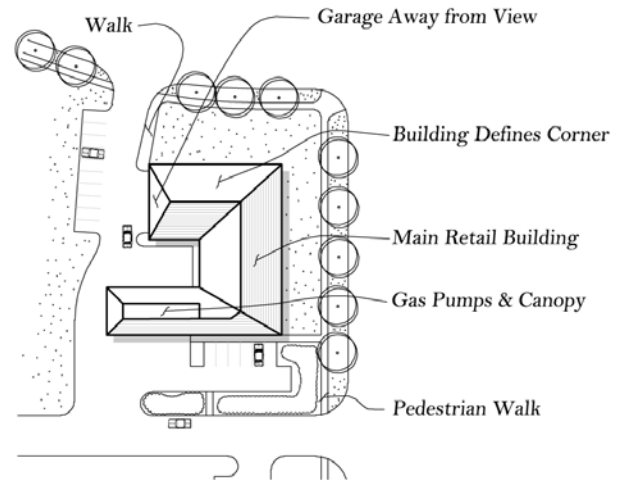
Site Planning

- Site design shall create a strong built edge to the adjacent street or drive lane. This can be accomplished by locating buildings at the setback line or with a structural element, such as a fence, wall, or dense planting, at or near the property line.
- Street corners shall provide structural or strong design elements to anchor the corner. This can be accomplished using a built element or with strong landscape features.
- Service and car wash bays should not face public streets or residential uses without adequate screening or architectural detailing.
- Gas Pump Canopies shall be a secondary visual element. Retail, commercial, and office buildings should create the primary image and streetscape located along the public street;
- Building orientation shall screen the view of the interior service and car wash bays from public rights-of-way or residential uses to the maximum extent possible.
- Car wash as an accessory use shall be incorporated into the overall design of the primary structure and site design.
- Outdoor storage of vehicles shall be integrated into the overall site design as a parking lot. Vehicular storage shall be screened from direct public view with landscaping, fences, walls or other approved methods. The outdoor storage of vehicles shall be noted on the approved site plan.
- Drive-through lanes for car wash, queuing shall be located away from public rights-of-way to the maximum extent possible. All access drives and queuing shall be compatible with pedestrian circulation.

COMPARK VILLAGE PD –SIXTH AMENDMENT



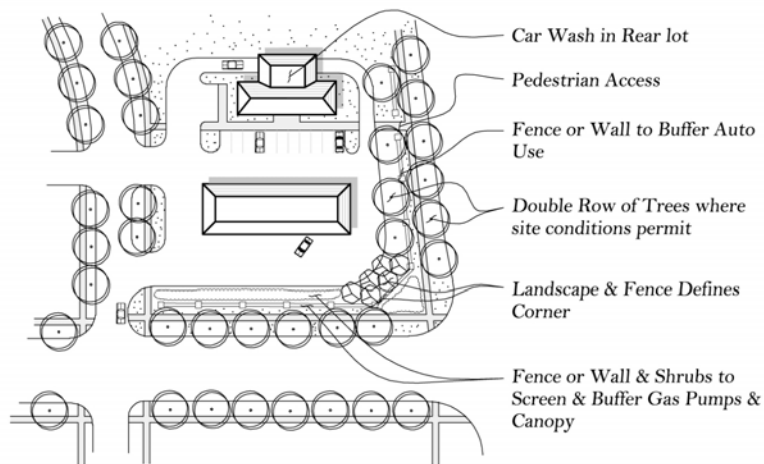
Corner Gas and Convenience Alt 1



Corner Gas and Convenience Alt 2

Vehicular Access/Circulation

- The number, location, and size of curb cuts shall be kept to minimum. Curb cuts. Access will be in accordance with the Town of Parker Roadway Design and Construction Criteria manual and a traffic impact analysis.
- To the greatest extent possible, access points and driveways must be planned and shared between adjacent properties. Access easements must be shown on all Site Plans;
 - Compact vehicle dimensions for access or parking are not allowed;
 - Vehicular circulation and queuing shall not utilize any portion of a pedestrian walk or public right-of-way.



Gas and Convenience Alt 3

COMPARK VILLAGE PD –SIXTH AMENDMENT

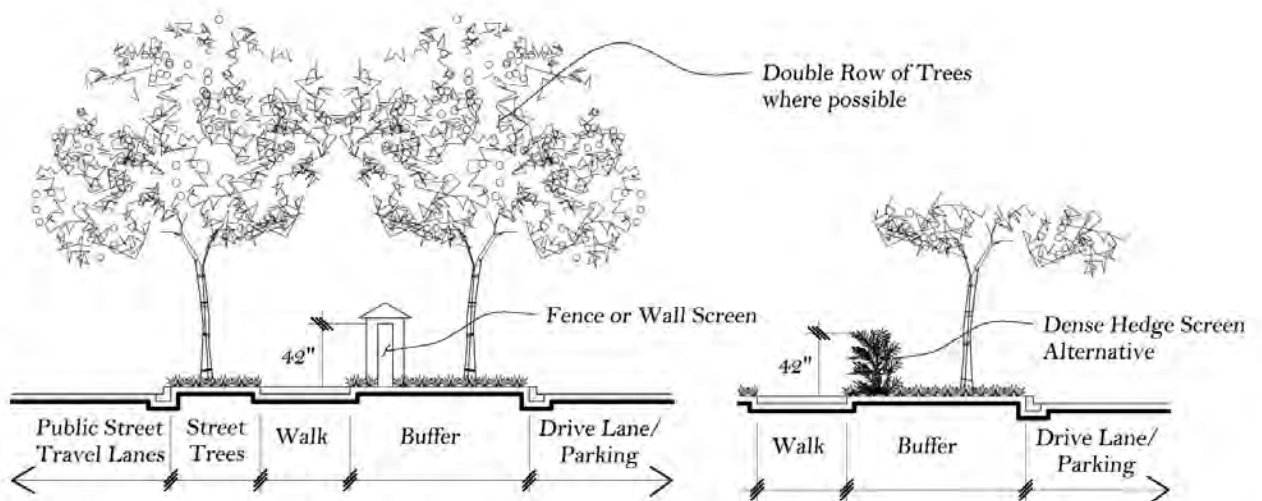
Pedestrian Access and Compatibility

It is recognized auto related uses such as gas stations, service stations, and convenience stores require substantial area of pavement. It is also recognized that many services provided by these uses are used by pedestrians. Safe and clear pedestrian access from public sidewalks and adjacent commercial uses is required for all site plans for auto related uses.

- Sidewalks should provide strong connections between commercial or residential uses, right-of-way access and the front door or major pedestrian entry point of the main facility.
- Sidewalks in front of or directly adjacent to a major pedestrian entry point shall be no less than 8 (eight) feet wide.

Visual Impact and Visibility

- Service entries and garage doors should be screened from adjacent rights-of-way, residential uses, Green Acres Tributary, and Happy Canyon Creek Open Space with low walls, fences, and vegetation. Berms may be used with landscaping if an opaque screen is provided.
- Trash and storage areas shall be screened from view in accordance to the Town of Parker Land Development Code. Walls and fence materials shall complement exterior building materials.
- Drive thru, auto service stations, and auto related uses along dedicated rights-of-way shall have a continuous screen along the right-of-way. The screen shall consist of a low fence, wall, or berm with planting. A combination of walls, berms, and planting is acceptable if complementary to the architectural character of the building and site design. The screen shall be a minimum of 42 inches high to screen the bumper and lights of most automobiles.



Street Edge and Buffer Screen

Architectural Design

COMPARK VILLAGE PD –SIXTH AMENDMENT

- 360 degree architectural treatment is required. Building design should be compatible in scale and mass with the dominant existing or planned character of the surrounding neighborhood.
- Building materials, colors, forms, roof style detailing, window treatment, and doors should work together to express a harmonious design. All structures including but not limited to kiosks, car wash buildings, and gas pump columns should be architecturally consistent and related to an overall architectural theme or style;
- Building designs that are solely from applied treatments of a corporate identity are strongly discouraged;
- Building materials should have the appearance of permanency. Lightweight metal or temporary appearing structures are not permitted.
- Canopy design should include detailing that will reduce the perceived height and mass.
- Glossy, highly reflective materials are discouraged.
- Car wash should be architecturally integrated into the design of the overall facility.
- Lighted bands, tubes or applied bands of corporate color are not allowed.

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

DATA CENTER OVERLAY

In addition to the Town of Parker Development Design Standards, the following standards shall apply.

PURPOSE

The purpose of the Data Center Overlay is to provide diversified economic development and new employment opportunities in the Town of Parker.

These standards and guidelines are intended to provide standards and guidelines for the successful design, development, and operations of the Data Center land use. Data Centers within the Compark Village Planned Development shall be designed to be compatible with the surrounding area.

LAND USE

The Data Center land use is limited to designated areas in the Business Employment and to a limited extent, as set forth in the sentence below, in the Commercial Retail planning areas as delineated as an Overlay on the Development Plan. The Data Center overlay use in the Commercial Retail planning area can only be a permitted use when developed in combination with an adjacent Business Employment planning area.

DEVELOPMENT STANDARDS

These standards are in addition to the Town of Parker Development Design Standards.

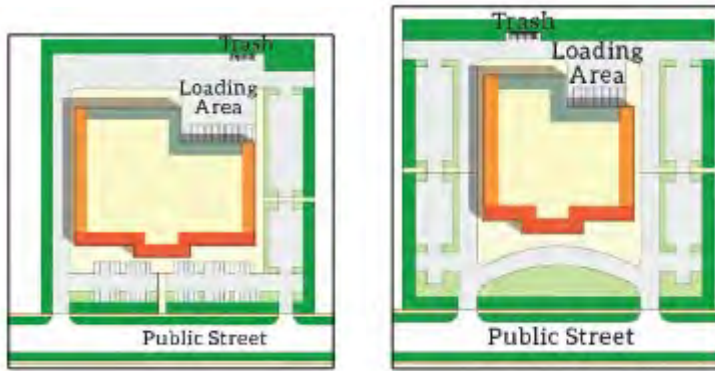
BUILDING ORIENTATION

- The building shall be oriented to a public roadway.
- The office, showroom or other publicly accessible portions of the building shall be located or oriented in the building so as to be highly visible from a public roadway or the public realm.
- A building located on a corner site shall be oriented to address both street frontages and shall have enhanced landscaping and architectural design features such as street-facing windows and doors.
- Buildings shall be oriented so that service functions are hidden from public view and are well-screened by landscaping or a screening wall.

SITE LAYOUT

- The office portion of the building shall be located at the front of the building facing the public roadway. The building can be set back to create a courtyard or publicly accessible space in front of the building (see images for building placement below).
- A maximum of one (1) bay of parking shall be permitted in front of the industrial building for visitor or employee parking, between the building and the public roadway. The remainder of the parking shall be located on the side or rear of the building, with adequate screening from a public roadway, open space, parks, and view of the public realm.
- All service and loading functions shall be located in the side or rear of the building and screened from view of the public realm.

COMPARK VILLAGE PD –SIXTH AMENDMENT



ARCHITECTURAL ELEMENTS AND ARTICULATION

Building design shall be compatible with the architectural context of the surrounding area. Buildings shall utilize pedestrian scaled architectural detailing.

1. General Standards for all Data Centers

- Buildings shall be broken down to a human scale with prominently marked public entries.
- Long, uninterrupted facades are not allowed. Blank, windowless walls are not permitted. Changes in planes are required to create shadow lines for interest and accent. Provide architectural projections and recesses to achieve variations in wall planes.

2. Standards for Data Centers along Compark Boulevard

- All buildings shall have a minimum setback of 50-feet from Compark Boulevard. No building or portion of the building shall be constructed within this required setback.
- The 50-foot setback area along Compark Blvd. may include the following:
 - Limited to a maximum of one (1) bay of parking;
 - Drive lanes/access;
 - Landscaping;
 - No fencing shall be placed closer than 20 feet of Compark Boulevard.
- On facades with Primary View Shed of Compark Boulevard a minimum of 2 complementary materials and 2 colors, excluding windows and doors, to add visual interest and architectural character shall be provided. A change in material may be accepted as a color change. High quality fabrication and detailing of textures, architectural patterns, and finishes combined with a color change shall qualify as an acceptable material and color change.
- On facades with Primary View Shed of Compark Boulevard a minimum of 20% of the façade shall consist of transparency.

3. Standards for Data Centers along Chambers Road

- All buildings shall have a minimum setback of 100-feet from Chambers Road. No building or portion of the building shall be constructed within this required setback.
- The 100-foot setback area along Chambers Road may include the following:
 - Limited to a maximum of one (1) bay of parking;
 - Drive lanes/access;
 - Landscaping;
- No fencing shall be placed closer than 50 feet of Chambers Road. All facades visible from Chambers Road shall be designed to look like and meet the commercial design standards.

COMPARK VILLAGE PD –SIXTH AMENDMENT

- All facades visible from Chambers Road shall include a minimum of 40% transparency. Alternative façade articulation may be considered during the review of the Site Plan in lieu of transparency, but in no case shall be less than 25%.
- Use architectural detailing for accent, interest, and enhanced quality. Detailing may include the following:
 - raised, articulated parapets,
 - glass recessed within the panel depth for shadows and accent,
 - mitered corners,
 - recessed panels,
 - chamfers,
 - rustication.
- Enhanced landscaping located at the corner and along Chambers Road. Enhanced landscaping shall include:
 - 1 tree and 5 shrubs per 25 linear feet of frontage; the trees may be clustered to achieve the required amount of landscaping
 - 50% of the required trees shall be evergreen
 - Shrub beds should be located on the back side of the sidewalk to enhance the pedestrian experience
 - Xeric landscaping elements



EXAMPLE OF DATA CENER ARCHITECTURAL QUALITY

TRAIL AMENITY

- If a Data Center is proposed within the CR Planning Area (PA-10) a trail amenity shall be constructed for public use at or near the access point to the Happy Canyon Regional Trail along Chambers Road.
- The proposed trail amenity shall include the following:
 - A shade shelter that accommodates seating for eight (8)
 - A bike repair station
 - A bench and trash receptacle

COMPARK VILLAGE PD –SIXTH AMENDMENT

- A dog waste station
- Landscaping, including trees and shrubs
- A directional sign indicating access to the trail
- The trail amenity shall be owned and maintained by the property owner or metropolitan district

SCREENING

Screening shall effectively mitigate negative visual and acoustic impacts of the Data Center and shall be integrated into each project's overall site design.

- All rooftop mechanical equipment shall be screened from view measured from 5' above finished grade at the property line or 5' above a public sidewalk adjacent to the property line.
- Paint wall mounted equipment the same color as the building and locate equipment on the building to minimize visibility.
- Any loading areas, outdoor equipment areas, or other back of house areas shall include a free-standing screen wall, of a material and color matching the building. Screens shall be at least as high as the equipment they conceal and be set back from the edge of the building façade equal to or greater than the height of the screen wall.
- Utilities shall be placed in accordance with the Town of Parker Utilities Code.

BUILDING MATERIALS

Quality and durable building materials shall be used to help assure long-term development integrity. Façade materials are outlined in the following three categories in support of the three view sheds as outlined above:

- **Primary materials and finishes** are intended to be on the first story wall plane but may extend to the upper levels of the façade to accent a design composition. Primary materials and finishes shall:
 - Include finished character and detailing that will provide visual interest to pedestrians.
 - Include detailed patterns and reveals in the finished surfaces, form liners to create interesting textures and patterns, and architectural detailing.
 - Include brick, stone, synthetic stone, wood, and integrally colored, textured, or glazed concrete masonry units.
- **Secondary and Supporting Materials** are intended to be part of the upper portions of the building. Secondary materials shall:
 - Include Pre-finished metal panel systems, High-quality text-coat painted pre-stressed concrete systems; and high-quality text-coat, Painted (texture) tilt-up, site cast concrete.
- Smooth-faced gray concrete block, plain gray tilt-up concrete, pre-engineered metal buildings, and standard single or double tee concrete systems shall not be permitted.
- A change in material shall not occur abruptly at the corner but shall wrap the corner and change at an architectural feature or detail. The transition of materials shall be directed by the visibility from public streets and adjacent public uses such as trails and parks.

ROOFING

Roof forms shall contribute to the overall image of high quality and permanence, and shall be used to screen rooftop equipment where possible.

- Visible roof surfaces shall be made of durable materials such as concrete tile, metal,

COMPARK VILLAGE PD –SIXTH AMENDMENT

other pre-finished architectural metals or architectural grade asphalt shingles. Membrane systems are prohibited on any visible portion of the roof.

- Building with flat roofs shall be designed to create visual interest by using variation in parapet height, articulation of cornice lines, decorative scuppers or other features.
- Roof forms shall be used to accent entries or other architectural design elements.
- The building roof(s) shall incorporate a cool roof design with white membrane. The use of rooftop solar panels for sustainability is encouraged.

FENCING

- Any proposed fencing on site shall not exceed 8 feet in height.
- Fencing shall consist of quality materials and be architectural compatible with the development. Chainlink fences shall not be permitted.

END OF SECTION

COMPARK VILLAGE PD –SIXTH AMENDMENT

EXHIBIT A

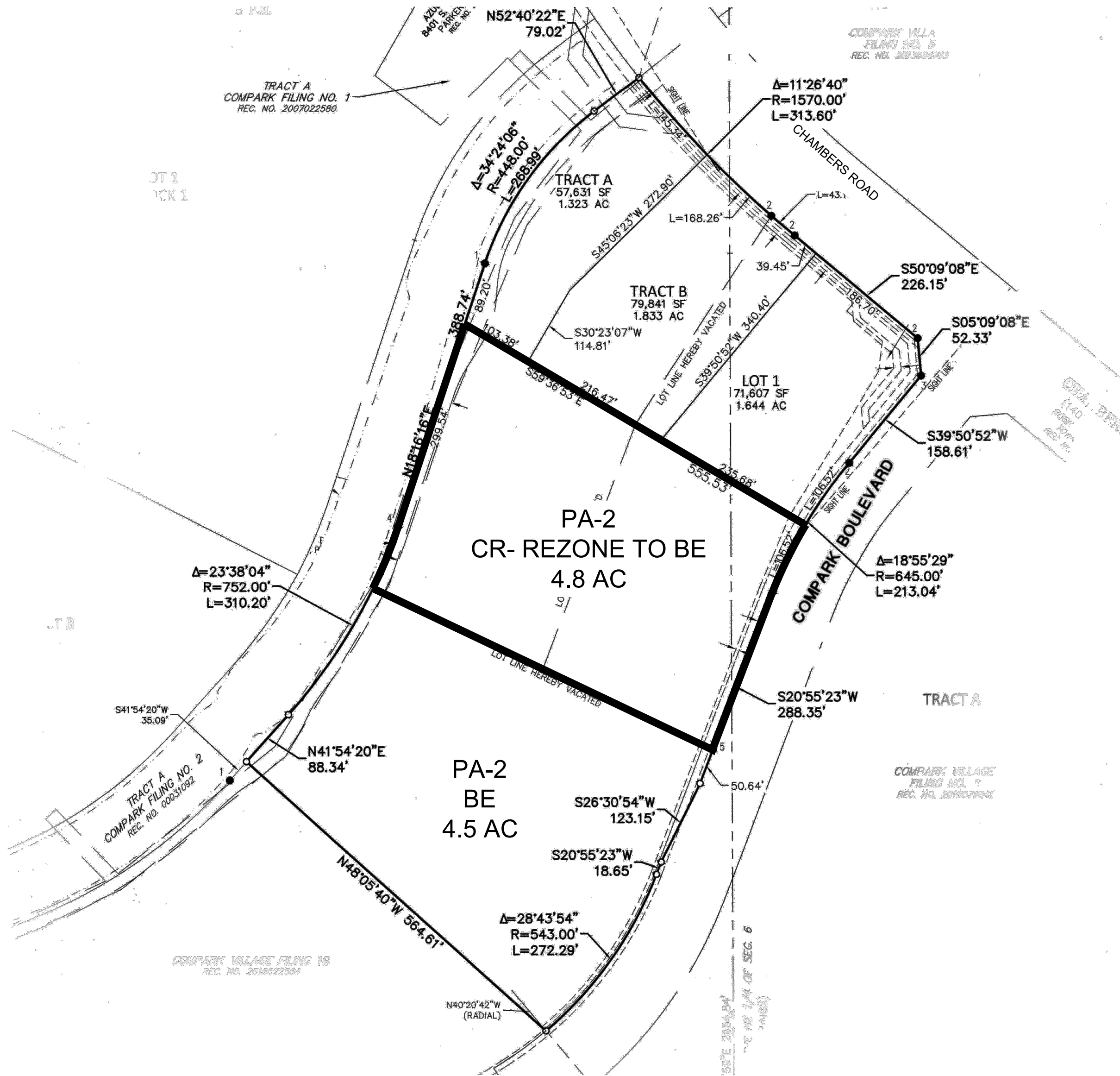
	E470	CHAMBERS RD.	COLLECTOR - COTTONWOOD DR.	LOCAL STREETS	HAPPY CANYON CREEK	GREEN ACRES TRIBUTARY	SIDE LOT LINES	REAR LOT LINES	ARAPAHOE COUNTY LINE
PLANNING AREA									
Business Commercial - See Development Guide for more information									
Structure Setbacks		30'	20'	10'/5' (2)	40'/20'/(1)	20'	0' (5)	0' (5)	40'
Parking Setbacks		20'	20'	20'/10' (2)	10'	10'	0'/5' (4)	0'/5' (5)	10'
Neighborhood Commercial - See Development Guide for more information									
Structure Setbacks		30'	20'	10'/5' (2)	40'/20'/(1)	20'	0' (5)	0' (5)	
Parking Setbacks		20'	20'	20'/10' (2)	10'	10'	0'/5' (4)	0'/5' (5)	
Highway Commercial - See Development Guide for more information									
Structural Setbacks									
Commercial	30'	25'		10'/0' (2)	20'		5'/0' (5) (6)	0'	
Commercial and Residential	30'	25'		10'/0' (2)	20'		5'/0' (5) (6)	5'/0' (5) (6)	
Parking Setbacks	20'	20'		10'	20'		0'/5' (4)	0'/5' (4)	
Mixed Use - See Development Guide for more information									
Structural Setbacks									
Commercial	30'	30'	20'	20'/5' (2)			5'/0' (5) (6)	0' (5)	
Residential Multifamily	40'	30'	20'	20'/5' (2) (6)			5'/0' (3) (5) (6)	5'/0' (3) (5) (6)	
Commercial and Residential	30'	30'	20'	20'/5' (2) (6)			5'/0' (5) (6)	5'	
Parking Setbacks	20'	20'	20'	10'/6' (2)			0'/5' (4)	0'/5' (4)	
Single Family - See Development Guide for more information									
	30'	30'	20'	20'/5' (2) (6)			5'/0' (4)	0'/5' (4)	
Mixed Residential - See Development Guide for more information									
Structural Setbacks									
Residential Multifamily	40'	30'	20'	15'			7 1/2	15'	
Single Family and Residential	30'	30'	20'	15'			7 1/2	15'	
Parking Setbacks	20'	20'	20'	10'/6' (2)			0'/5' (4)	0'/5' (4)	

COMPARK VILLAGE PLANNED DEVELOPMENT - SIXTH AMENDMENT

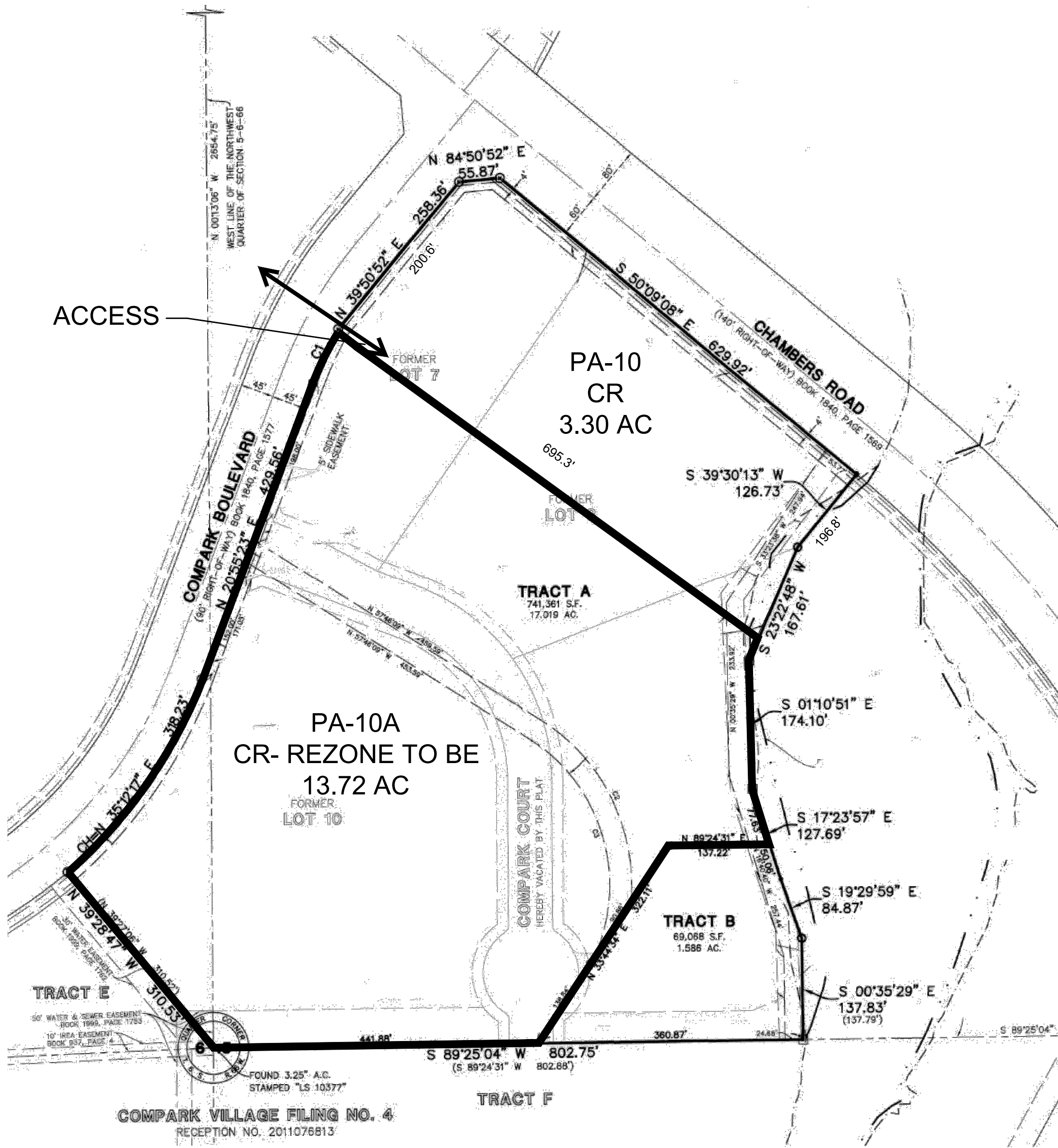
DEVELOPMENT PLAN

BEING A PART OF SECTION 5 AND SECTION 6 ALL IN TOWNSHIP 6 SOUTH,RANGE 66 WEST OF THE 6TH
PRINCIPAL MERIDIAN COUNTY OF DOUGLAS, STATE OF COLORADO
Z21-028

COMPARK VILLAGE 6TH AMENDMENT LEGAL DESCRIPTIONS
THE FOLLOWING PARCELS ARE PART OF THE 6TH
AMENDMENT



COMPARK VILLAGE - FILING 11 - LOT 1 Tracts A, B AND C
PLANNING AREAS 9 & 2



COMPARK VILLAGE - FILING 8 - TRACT A
- PLANNING AREAS 10 & 10A

Compark Village Planned Development Sixth Amendment - Development Plan

OWNER	6TH AMENDMENT OWNER/ APPLICANT	LAND PLANNER/LANDSCAPE ARCHITECT	Town of Parker, Colorado
Compark Land Company 290 Fillmore Street Suite 2 Denver, CO 80206 303-309-0891	Westside Investment Partners, Inc. 4100 East Mississippi Ave Suite 500 Denver, CO 80246 303-984-9800	Plan West, Inc. 767 Santa Fe Drive Denver, CO 80204 303-741-1411	job no. date revisions
ENGINEER	6TH AMENDMENT PLANNER		10-11-2021 09-20-2022 04-25-2023 09-05-2023 12-15-2023
Manhard Consulting 8008 E. Arapahoe Court Suite 110 Centennial, Colorado 80112 303-708-0500	Henry Design Group, Inc. 1501 Wazee St. Suite 1-C Denver, CO 80202 303-446-2368		sheet 2 of 3



NOTE: PARCELS AS PART OF PREVIOUS PLANNED
DEVELOPMENT PLANS AND AMENDMENTS HAVE BEEN
PLATTED AS COMPARK VILLAGE FILINGS 1-11.

THE REPRODUCTION OF ANY INFORMATION GENERATED
BY ARCHITECTS, ENGINEERS OR OTHER CONSULTANTS
ON THESE DRAWINGS IS FOR THE EXPRESS PURPOSE
OF COORDINATION AND EASE OF REFERENCE ONLY.
INCLUSION OF SAID INFORMATION ON THESE DRAWINGS
DOES NOT CONSTITUTE A REPRESENTATION BY PLAN
WEST AS TO THE SUFFICIENCY OR ACCURACY OF SAID
INFORMATION.

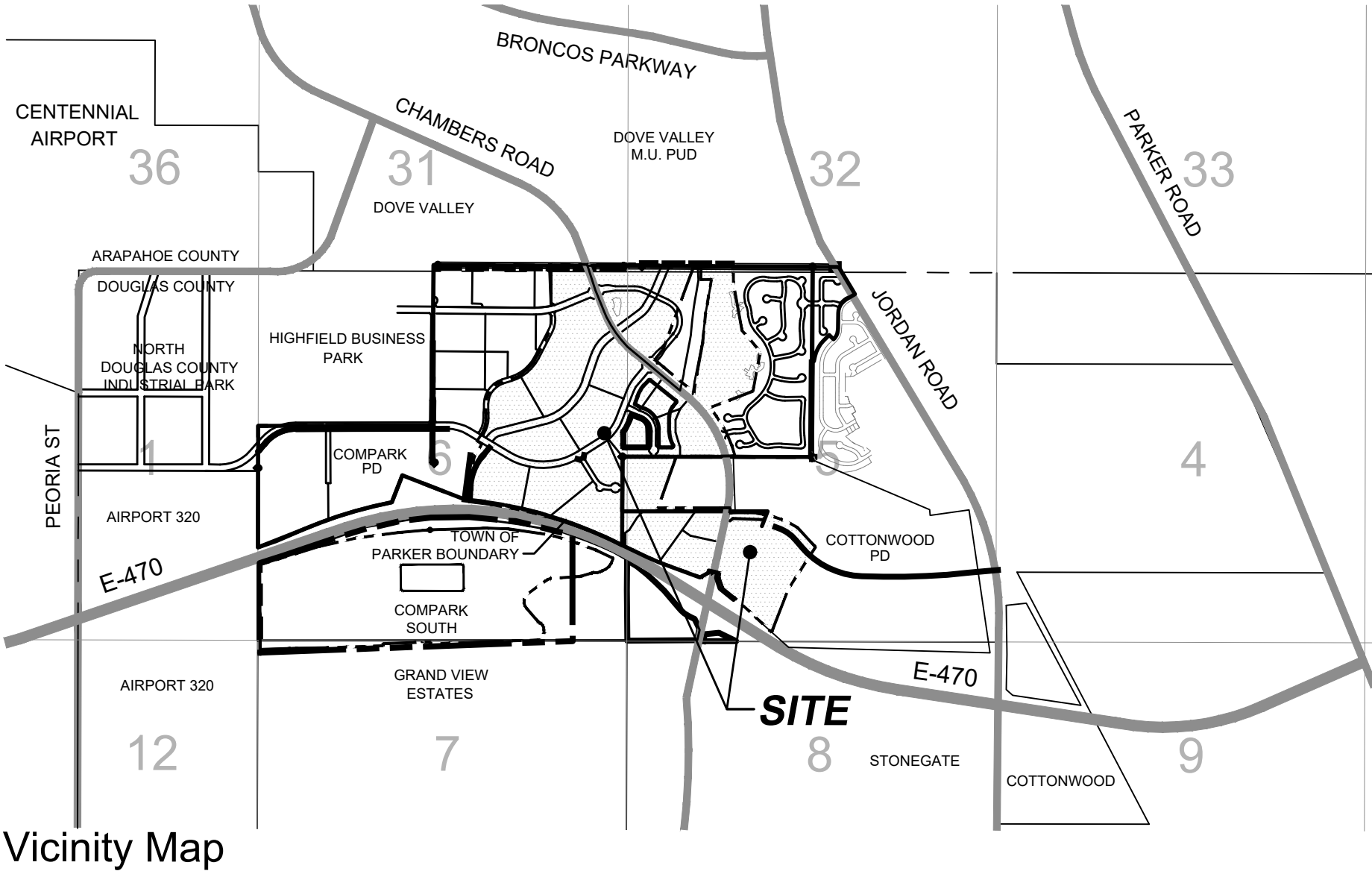


PLANNING | SITE DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENTS
767 Santa Fe Drive Denver, CO 80204
303-741-1411
planwest.com

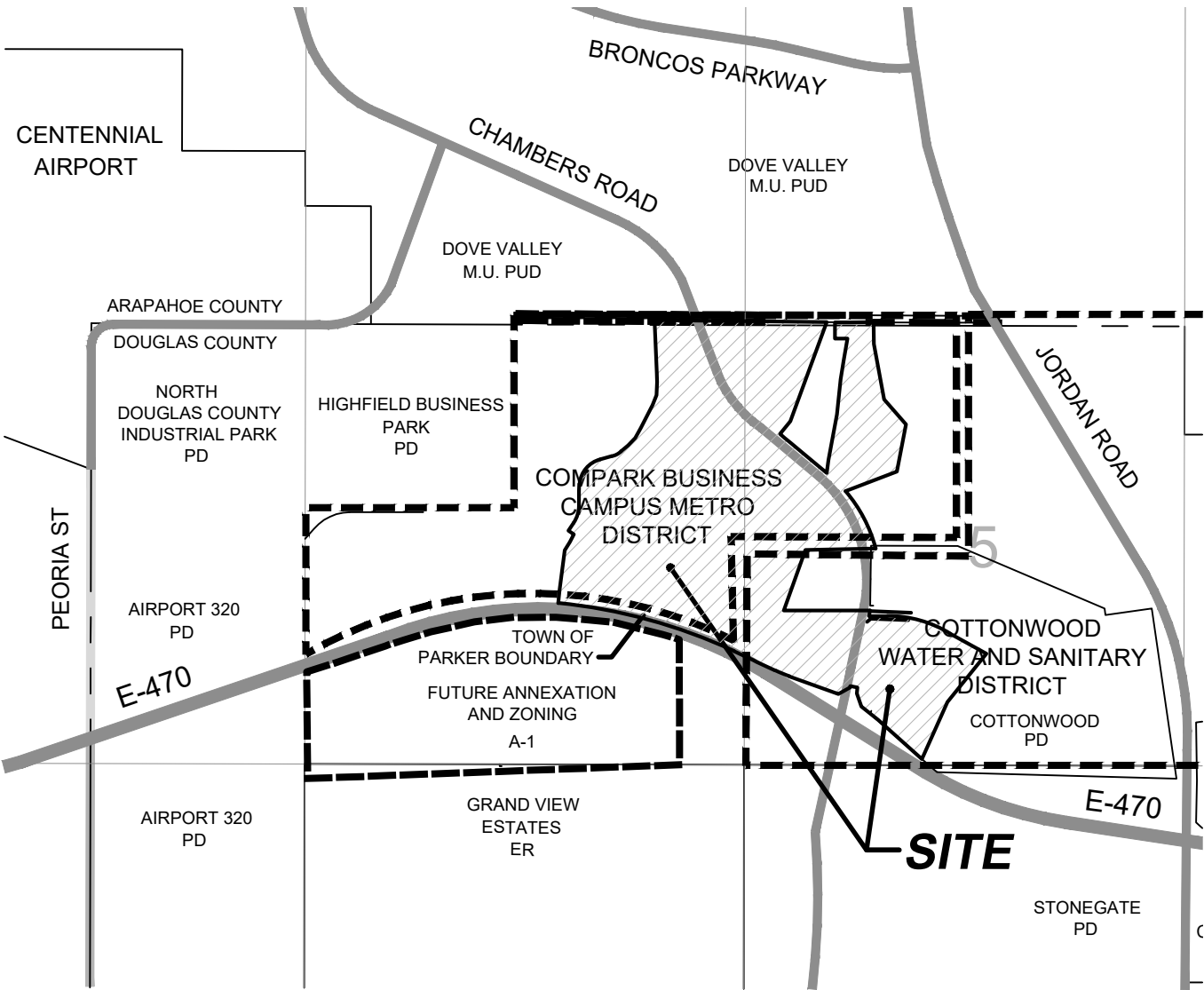
COMPARK VILLAGE PLANNED DEVELOPMENT - SIXTH AMENDMENT

DEVELOPMENT PLAN

BEING A PART OF SECTION 5 AND SECTION 6 ALL IN TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH
PRINCIPAL MERIDIAN COUNTY OF DOUGLAS, STATE OF COLORADO
Z21-028

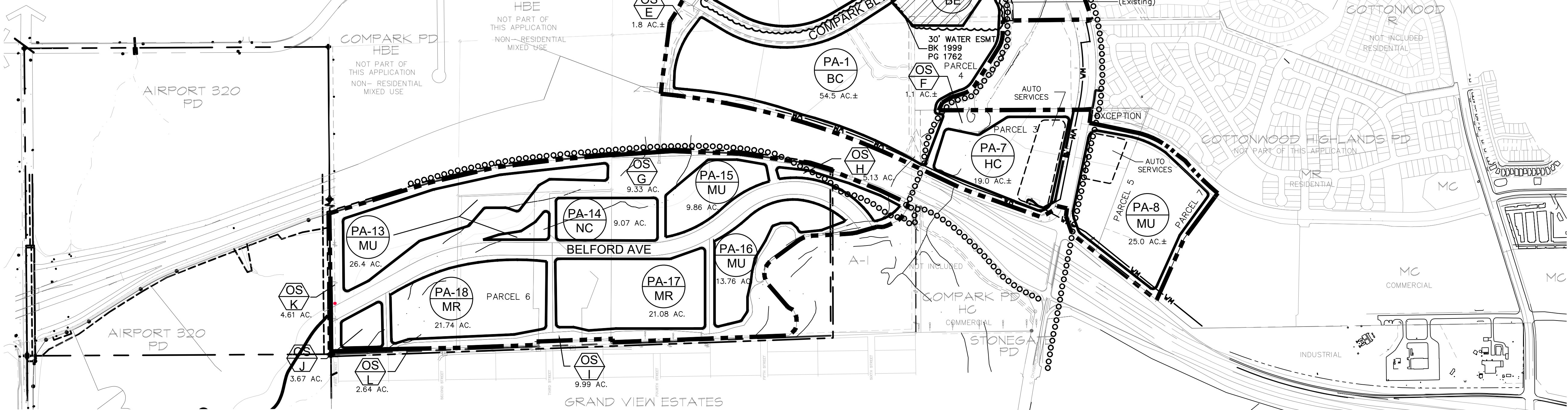


SCALE 1" = 2000'



Adjacent Zoning and Water & Sanitary Districts

COMPARK BUSINESS CAMPUS METRO DISTRICT WATER AND SANITARY IS PROVIDED THROUGH AN IGA WITH STONEGATE VILLAGE METRO DISTRICT



Legend

PA-1 BC - Planning Area
- Land Use Designation

OS A - Open Space Designation
- Open Space Planning Area

PF 1 - Public Facilities
- Public Facilities Number

(BC) Business Commercial
(MU) Mixed Use
(OS) Open Space

PA Boundary
Flood Plain
Existing Trails
Auto Related Services Boundary

* Auto Services Permitted

Data Center Overlay

Utility Providers

Electricity.....IREA
Gas.....Xcel
Telephone.....Qwest

100-Year Floodplain Info

The floodplain has been depicted referencing the Federal Flood Insurance Rate Maps, Community Numbers, 08035C0054F, 08035C0058F, 08035C0062F, and 08035C0066F and Community Number 08035C, dated September 30, 2005

Avigation Easement

This subdivision is subject to the Avigation and Hazard Easement recorded in Book 465 at Page 324 of the Douglas County Records

General Notes

The Compark PD Plan Exhibit illustrates proposed land uses and site data. Land use acres are approximate. The plan is intended to allow for changes and refinement. The exact acreage of planning areas will be determined during preparation of individual site improvement plans and plats.

* The discrepancy in the total acreage between Compark Village Planned Development - Fifth Amendment and the Compark Village Planned Development Sixth Amendment is a result of the platting of Compark Village Filings 8, 10 and 11 and Compark South Filing 1 as compared to the approximate acreages on the Planned Development Plan. The discrepancy is also a result of defining drainages and street rights-of-way.

LAND USE TABULATION - OVERALL COMPARK PLANNED DEVELOPMENT

LAND USE DESIGNATION	SYMBOL	PLANNING AREA	ACRES	MAX TOTAL # OF DU	MAX DU/AC	% OF TOTAL
Business Commercial	BC	PA-1, PA-12	78.50	-	-	20.1%
Neighborhood Commercial	NC	PA-14	9.07	-	-	2.3%
Highway Commercial	HC	PA-7	19.00	-	-	4.9%
Mixed Use	MU	PA-8, PA-13, PA-15, PA-16	75.02	PA8=306 PA16=300 PA13, PA15=0	30 -- NA	19.3%
Business Employment	BE	PA-2, PA-4, PA-5, PA-10A	50.32	-	-	12.9%
Mixed Residential	MR	PA-6, PA-11, PA 17, PA-18	67.52	PA6 & PA11= 85 PA13 & PA15=0 PA17 & PA18=225	-	17.3%
Commercial Retail	CR	PA-3, PA-9, PA-10	12.00	-	-	3.1%
SUBTOTAL			311.43	-	-	79.9%
Auto Seivces, Gas Stations and Car Washes			Limited to one approved auto service, gas station and/or car wash user per planning area. Not more than three auto services, gas stations and/or car wash uses permitted within the boundary of the Compark Village PD.			
Open Space (Flood Plain and Slopes Greater than 20%)	OS	A, B, C, D, E, F, G, H, I, J, K, L	77.77	-	-	20.0%
Public Facility	PF		0.48	-	-	0.1%
SUBTOTAL			78.25	-	-	20.1%
TOTAL			389.68	-	-	100.0%

Compark Village Planned Development Sixth Amendment - Development Plan

OWNER

Compark Land Company
290 Fillmore Street
Suite 2
Denver, CO 80206
303-309-0891

ENGINEER

Manhard Consulting
8008 E. Arapahoe Court
Suite 110
Centennial, Colorado 80112
303-708-0500

6TH AMENDMENT OWNER /APPLICANT

Westside Investment Partners, Inc.
4100 East Mississippi Ave
Suite 500
Denver, CO 80246
303-984-9800

6TH AMENDMENT PLANNER

Henry Design Group, Inc.
1501 Wazee St.
Suite 1-C
Denver, CO 80202
303-446-2368

LAND PLANNER/LANDSCAPE ARCHITECT

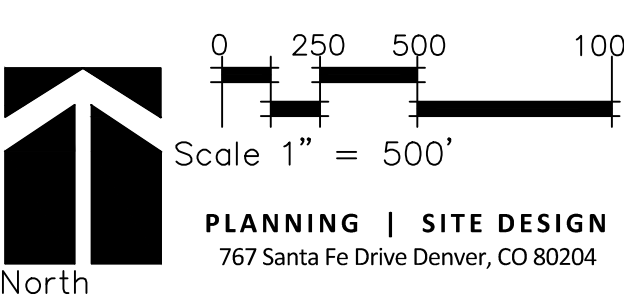
Plan West, Inc.
767 Santa Fe Drive
Denver, CO 80204
303-741-1411

Town of Parker,
Colorado

job no.
date
revisions

10-11-2021
04-25-2023
09-05-2023
10-16-2023
12-15-2023

sheet 3 of 3



PLANNING | SITE DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENTS
767 Santa Fe Drive Denver, CO 80204
303-741-1411
planwest.com

THE REPRODUCTION OF ANY INFORMATION GENERATED BY ARCHITECTS, ENGINEERS OR OTHER CONSULTANTS ON THESE DRAWINGS IS FOR THE EXPRESS PURPOSE OF COORDINATION AND EASE OF REFERENCE ONLY. INCLUSION OF SAID INFORMATION ON THESE DRAWINGS DOES NOT CONSTITUTE A REPRESENTATION BY PLAN WEST AS TO THE SUFFICIENCY OR ACCURACY OF SAID INFORMATION.



Request for Town Council Action

Date: February 5, 2024

Submitted By: Michael Walton, Deputy Traffic Engineer

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 1.597 – First Reading**
A Bill for an Ordinance to Release a Portion of the Slope Easement for Dransfeldt Road Associated with Dransfeldt Place Minor Development Plat Amendment No. 1, Lot 5A and Lot 6A
Department: Engineering and Public Works, Michael Walton
Second Reading: February 20, 2024

EXECUTIVE SUMMARY

The purpose of this ordinance is to release a portion of the slope easement that was previously granted to provide support for Dransfeldt Road. The development of the adjacent property negates the need for the slope easement.

STAFF RECOMMENDATION

Approve with Conditions

BACKGROUND/DISCUSSION

The Town's roadway criteria requires that slope easements be dedicated over slopes which must be maintained at their current grade to ensure roadway stability of current or future proposed roadway alignments. Slope easements were obtained from the owner of Dransfeldt Place Lot 5A and Lot 6A, to accommodate the stability of Dransfeldt Road.

The Engineering Department has reviewed and approved the construction plans associated with the development of Lots 5A and 6A. The proposed grading of this lot will ensure the long-term stability of the roadway slope contained within the slope easement. Therefore, the slope easement is no longer necessary and can be released. A condition to this vacation is that the site plan and grading permit are approved to ensure the project moves forward with the approved grading, which will negate the need for the slope easement.

FINANCIAL IMPACT

The conditions of the original slope easement dedicated to the Town have been met, so no reimbursement is being proposed. No financial impact anticipated to the Town.

STRATEGIC GOAL(S)



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Vicinity Map
2. Ordinance 1.597

RECOMMENDED MOTION

I move to approve Ordinance No. 1.597 on first reading and to schedule second reading for February 20, 2024, as part of the consent agenda.



Stormwater

- Inlet
- Inlet - by Others
- Outfall
- Outfall - by Others
- Manhole
- Manhole - by Others
- Storm Pipe
- Storm Pipe - by Others
- Culvert
- Culvert - by Others
- Channel or Swale
- Channel or Swale - by Others

- Drop or Check
- Drop or Check - by Others
- Streams
- Pond
- Pond - 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.

ORDINANCE NO. 1.597, Series of 2024

TITLE: A BILL FOR AN ORDINANCE TO RELEASE A PORTION OF THE SLOPE EASEMENT FOR DRANSFELDT ROAD ASSOCIATED WITH DRANSFELDT PLACE MINOR DEVELOPMENT PLAT AMENDMENT NO. 1, LOT 5A AND LOT 6A

WHEREAS, Quadanska Ltd. granted a slope easement to the Town of Parker, a Colorado home rule municipality (the “Town”), for the purpose of providing adequate lateral support and stability for Dransfeldt Road, pursuant to a Slope Easement Agreement dated November 4, 2002, and recorded at Reception No. 2002139652 of the Douglas County Clerk and Recorder's Office (the “Slope Easement”);

WHEREAS, the Slope Easement provides that Quadanska Ltd., “agree that this Easement may be released by [the Town] upon the construction of an approved development on the Easement Property which provides the necessary subjacent support and protection of Dransfeldt Road that is created by this Easement;”

WHEREAS, application has been made to release a portion of the Slope Easement that is described in **Exhibit A**, which is attached hereto and incorporated by this reference (the “Release Request”);

WHEREAS, the developer of the property has submitted and had approved a grading plan that eliminates the need for the Slope Easement, and the developer has obtained a grading permit for this work that financially secures this grading with the Town;

WHEREAS, the Release Request was heard by the Town Council; and

WHEREAS, the Town Council desires to approve the Release Request and release the real property described in Exhibit A to Quadanska Ltd.

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

Section 1. The Town Council of the Town of Parker hereby releases that portion of the Slope Easement described in Exhibit A and deems such portion of the Slope Easement to be null, void and of no further force and effect.

Section 2. The Town Council hereby directs the Town Clerk to record this Ordinance with the Douglas County Clerk and Recorder upon the effective date of this Ordinance.

Section 3. **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 4. 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 5. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE WEST ONE-HALF OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

THAT PART OF THE VARIABLE WIDTH SLOPE EASEMENT AS RECORDED AT RECEPTION NUMBER 2002139651 OF THE DOUGLAS COUNTY RECORDS, LYING SOUTH OF THE NORTH LINE OF LOT 6A AND NORTH OF THE SOUTH LINE OF LOT 5A, DRANSFELDT PLACE MINOR DEVELOPMENT PLAT AMENDMENT NO. 1, AS SHOWN ON THE PLAT RECORDED AT RECEPTION NUMBER 2016094529 OF SAID COUNTY RECORDS. SAID PARCEL DESCRIBED AS SHOWN;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A;
THENCE ALONG THE EAST LINE OF SAID EASEMENT, ALSO BEING THE EAST LINE OF SAID LOT 6A AND THE EAST LINE OF SAID LOT 5A, THE FOLLOWING FOUR (4) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 6°14'33", A RADIUS OF 949.62 FEET AND AN ARC LENGTH OF 103.46 FEET (CHORD BEARS SOUTH 4°28'51" WEST, 103.41 FEET);
2. SOUTH 7°36'07" WEST A DISTANCE OF 154.19 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 2°45'39", A RADIUS OF 1050.28 FEET AND AN ARC LENGTH OF 50.61 FEET TO A POINT OF COMPOUND CURVE;
4. ALONG THE ARC OF SAID COMPOUND CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 7°25'55", A RADIUS OF 1050.42 FEET AND AN ARC LENGTH OF 136.25 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5A;

THENCE NORTH 90°00'00" WEST, ALONG THE SOUTH LINE OF SAID LOT 6A, A DISTANCE OF 9.62 FEET TO THE WEST LINE OF SAID EASEMENT;

THENCE ALONG SAID WEST LINE THE FOLLOWING FIVE (5) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10°10'09", A RADIUS OF 1060.00 FEET AND AN ARC LENGTH OF 188.14 FEET (CHORD BEARS NORTH 2°31'02" EAST, 187.89 FEET);
2. NORTH 82°23'53" WEST A DISTANCE OF 5.00 FEET;
3. NORTH 7°36'07" EAST A DISTANCE OF 154.19 FEET;
4. NORTH 82°23'53" WEST A DISTANCE OF 15.00 FEET TO A POINT OF NON-TANGENT CURVE;
5. ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 6°11'54", A RADIUS OF 920.00 FEET AND AN ARC LENGTH OF 99.53 FEET (CHORD BEARS NORTH 4°30'09" EAST, 99.48 FEET) TO SAID NORTH LINE OF LOT 6A;

THENCE SOUTH 90°00'00" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 29.62 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 7060 SQUARE FEET (0.16 ACRES) MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF LOT 6A, DRANSFELDT PLACE MINOR DEVELOPMENT PLAT AMENDMENT NO. 1 AS BEARING SOUTH 90°00'00" EAST AND MONUMENTED AT BOTH ENDS BY A REBAR WITH BLUE PLASTIC CAP, "LS 38035"

PREPARED BY:
ALAN H. BAILEY PLS No. 38035

ON BEHALF OF
BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET
ENGLEWOOD, CO 80111
303.587.1672

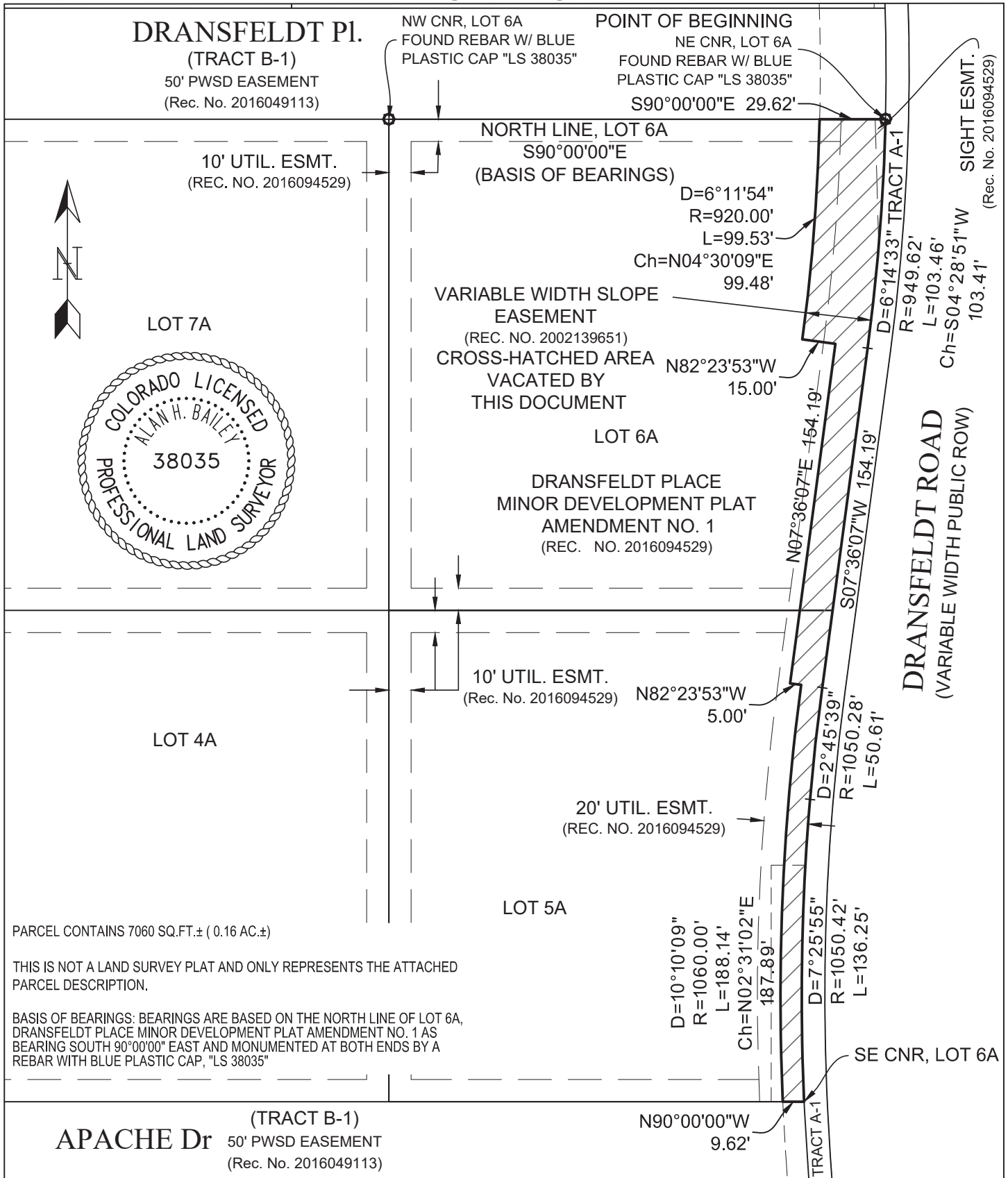


PROJECT:	ROTH-22-01 DRANSFELDT
FILE:	SLOPE EASEMENT VACATION.DWG
CHECKED:	AHB DRAWN: RJE DATE: 6/26/2023



BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET
ENGLEWOOD, CO 80111
303.587.1672
BAILEYPROFESSIONALSOLUTIONS.COM

EXHIBIT A SHEET 2 OF 2



60 0 60
ORIGINAL SCALE: 1"=60'

PROJECT: ROTH-22-01 DRANSFELDT
FILE: SLOPE EASEMENT VACATION.DWG
CHECKED: AHB DRAWN: RJE DATE: 6/26/2023



BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET
ENGLEWOOD, CO 80111
303.587.1672
BAILEYPROFESSIONALSOLUTIONS.COM



Request for Town Council Action

Date: February 5, 2024

Submitted By: Jamie Wynn, Deputy Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 9.365 – First Reading**
A Bill for an Ordinance to Approve the First Amendment to
Intergovernmental Agreement Between the Town of Parker, Colorado
and the Robinson Ranch Metropolitan District
Department: Town Attorney, Jamie Wynn
Second February 20, 2024
Reading:

EXECUTIVE SUMMARY

This ordinance approves a first amendment to the intergovernmental agreement between the Town and the Robinson Ranch Metropolitan District (the "District") authorizing the District to maintain the internal roads, landscaping, irrigation system, and regional detention pond within the District's boundaries.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Robinson Ranch Metropolitan District operates under a Service Plan approved in 2009. The District is also party to an intergovernmental agreement with the Town dated January 1, 2011. Pursuant to the Service Plan, the District is not authorized to operate and maintain any part or all of the public improvements, unless specifically provided for in the intergovernmental agreement. The District has requested the authority to maintain the internal roads, landscaping, irrigation system and regional detention pond within the District's boundaries. At the time of development, it had been anticipated that an owner's association would be responsible for maintenance of these public improvements. An amendment to the intergovernmental agreement is required to authorize this maintenance by the District.

FINANCIAL IMPACT

None to the Town.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Vicinity map
2. Ordinance No. 9.365

RECOMMENDED MOTION

I move to approve Ordinance No. 9.365 on first reading and to schedule second reading for February 20, 2024, as part of the consent agenda.

Robinson Ranch Metro District
Vicinity Map



Robinson Ranch
Metro District



0 200 400 Feet

ORDINANCE NO. 9.365, Series of 2024

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER, COLORADO AND THE ROBINSON RANCH METROPOLITAN DISTRICT

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

Section 1. The Town Council of the Town of Parker hereby approves the First Amendment to Intergovernmental Agreement Between the Town of Parker, Colorado and the Robinson Ranch Metropolitan District, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

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

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

EXHIBIT 1

FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER, COLORADO AND THE ROBINSON RANCH METROPOLITAN DISTRICT

THIS FIRST AMENDMENT is made and entered into as of the _____ day of _____, 2024 (the “First Amendment”), by and between the TOWN OF PARKER, COLORADO, a home rule municipal corporation of the State of Colorado (the “Town”) and ROBINSON RANCH METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the “District”). The Town and the District are collectively referred to as the Parties.

RECITALS

WHEREAS, the Parties entered into an Intergovernmental Agreement (“IGA”), dated as of January 1, 2011, regarding regional improvements, services and exercise of powers by the District; and

WHEREAS, the District’s service plan (“Service Plan”) and the IGA provided that maintenance of public improvements within the District’s boundaries would be undertaken by an owner’s association; and

WHEREAS, an owner’s association was never formed for the property within the boundaries of the District; and

WHEREAS, certain internal public improvements are in need of maintenance, repair or replacement and the District is willing and able to provide such maintenance; and

WHEREAS, the District has requested the Town to approve the maintenance of certain internal public improvements by the District through this First Amendment.

COVENANTS

NOW, THEREFORE, in consideration of the covenants and mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree to the following amendment to Section 4 of the IGA (provisions shown with strike through indicate language removed from the IGA, provisions with a double underline indicate language added to the IGA by this First Amendment):

1. Operations and Maintenance.

~~The District shall dedicate the Public Improvements (as defined in the Service Plan) to the Town or other appropriate jurisdiction or owners association in a manner consistent with the final approved plat for the property located within the District’s boundaries, other rules and regulations of the Town, and applicable provisions of the Town Code. The District shall not be authorized to operate and maintain any part or all of the Public Improvements, unless specifically provided for in this Agreement or separate agreement with the Town.~~ be responsible for the ongoing maintenance of the internal roads and appurtenant landscaping and irrigation system, and for the maintenance of the regional detention pond within the District’s boundaries. A map showing the internal public improvements described herein is attached hereto and incorporated herein as Exhibit A. ~~Without limiting the foregoing, the District shall not operate or maintain the regional detention pond located within the Project; rather the pond shall be operated and maintained by an owners’ association.~~

2. All Prior Provisions Effective. Except as modified herein, all provisions of the IGA and Service Plan remain in full force and effect.

IN WITNESS WHEREOF, This First Amendment is executed by the Town and the District as of the date first above written.

TOWN OF PARKER, COLORADO

**ROBINSON RANCH METROPOLITAN
DISTRICT**

Jeff Toborg, Mayor
ATTEST:

, President
ATTEST:

Chris Vanderpool, Town Clerk

, Secretary

EXHIBIT A

ROBINSON RANCH METROPOLITAN DISTRICT
Proposed Maintenance Areas





Request for Town Council Action

Date: February 5, 2024

Submitted By: Jamie Wynn, Deputy Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 9.366 – First Reading**
A Bill for an Ordinance to Approve the Town of Parker Model Intergovernmental Agreement Between the Town of Parker, Colorado and the Kime Ranch Metropolitan District
Department: Town Attorney, Jamie Wynn
Second Reading: February 20, 2024

EXECUTIVE SUMMARY

This ordinance approves an intergovernmental agreement between the Town and the Kime Ranch Metropolitan District (the "District"), as required by the District's Service Plan, which was approved in August 2023.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town approved the Service Plan for the Kime Ranch Metropolitan District in August 2023.

The District is comprised of 43 acres, located north of Mainstreet between Longs Peak Lane and Parker Vista Circle. Attached to this memorandum is an analysis of the District's Service Plan and intergovernmental agreement prepared by the Town's special counsel, Bulter Snow.

Generally, the intergovernmental agreement will address the understanding of the Town and the District concerning matters related to the organization, powers, and authorities of the District.

FINANCIAL IMPACT

The District agrees to impose a property tax of 5 mills which will be remitted to the Town for the planning, design, financing, acquisition, construction, operation and maintenance of the Town's infrastructure identified in Exhibit B of the intergovernmental agreement.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Butler Snow analysis memo
2. Vicinity map
3. Ordinance No. 9.366

RECOMMENDED MOTION

I move to approve Ordinance No. 9.366 on first reading and to schedule second reading for February 20, 2024, as part of the consent agenda.



MEMO

To: Kristin Hoffmann, Town of Parker
From: Kim Crawford, Butler Snow
Date: August 1, 2023
Re: Kime Ranch Metropolitan District
(the "District")

The following is our report on the proposed Service Plan for the above-mentioned District. This report summarizes key information about the District and the Service Plan.

Kime Ranch Metropolitan District

Developer: Century Land Holdings, LLC

Attorney: McGeady Becher P.C. (Elisabeth Cortese)

Finance: D.A. Davidson & Co.

Engineer: JR Engineering, LLC

Bond Counsel: TBD

Location: Approximately 43 acres located generally located north of Mainstreet and approximately between Longs Peak Lane and Parker Vista Circle in Parker, Douglas County, Colorado.

Area/Land Use: The District will include 148 residential units.

Build Out Schedule: Build out estimated to be completed by the end of 2025.

Projected Assessed: \$6,782,710 projected total assessed valuation (AV) for all residential development at completion of project build out, anticipated for 2026 completion year (per consolidated Financial Plan, with 2-year lag for AV realization).

Powers: Water, streets, traffic and safety control, sanitation, storm sewers and drainage, and parks and recreation improvements. Transportation, television relay and translation, mosquito and pest control, security services,

covenant enforcement, design review only if authorized in IGA (and these powers are not authorized in the current version of the IGA).

Regional Infrastructure: In accordance with the Intergovernmental Agreement to be approved and executed between the District and the Town (the “IGA”), the District will NOT impose an Infrastructure Capital Mill Levy for Regional Infrastructure.

Town Infrastructure: In accordance with the IGA, the Town is authorized to utilize the revenues generated from the Town Infrastructure associated with the impacts from development within the District to be identified and finalized in the IGA after the approval of the Service Plan.

Operation and Maintenance: In accordance with the IGA, the District is required to dedicate the Public Improvements to the Town or other appropriate jurisdiction or owners association in a manner consistent with the Approved Development Plan, Development Agreement and other rules and regulations of the Town and applicable provisions of the Town Code. The District is authorized to impose up to 5 mills for District administrative and operating expenses.

Improvement Costs: \$11,310,000, consisting of local improvements for the Kime Ranch development. Improvements to be constructed are detailed above.

Debt Limit: The District shall not issue Debt in excess of \$15,668,750 total aggregate principal amount, provided that such limitation shall not be applicable to refunding Bonds issued by the District to refund outstanding Debt. The foregoing figure is the product of: (a) the bonding capacity of the District, which was derived using the following assumptions: (i) the interest rate is not less than 150 basis points more than the 30 Year AAA MMD Index (as of the date of the submission of the Service Plan); (ii) inflation on completed structures does not exceed a 4% biennial growth rate; (iii) the bonds amortize over a period of 40 years; and (iv) debt service coverage is no less than 100%; and (v) the levying by each of the District of 57 mills for the Maximum Debt Mill Levy, 5 mills for the Infrastructure Capital Mill Levy, and 5 mills for the Town Capital and Maintenance Mill Levy; and (b) 125%.

Mill Levy: The mill levy the District will impose is 70.813 mills, which takes into account the Mill Levy Adjustment from January 1, 2019. The 70.813 mills is comprised of:

- 60.243 mills for the Maximum Debt Mill Levy;

- 5.285 mills for the Operation and Maintenance Mill Levy, to be used for the costs of ongoing administrative, accounting and legal services of the District; and
- 5.285 mills for the Town Capital and Maintenance Mill Levy, to be used for construction and maintenance of infrastructure the Town determines is necessary or desirable in connection with the impacts of development in the District.

Proposed Debt

Issuance:

The Financial Plan for the District indicates that the District will issue bonds in the amount of \$12,220,000 in 2024.

Service Plan:

The Service Plan for the Kime Ranch Metropolitan District substantially comply with the model service plan.

Kime Ranch Metro District Vicinity Map



ORDINANCE NO. 9.366, Series of 2024

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE TOWN OF PARKER MODEL INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER, COLORADO AND KIME RANCH METROPOLITAN DISTRICT

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

Section 1. The Town Council of the Town of Parker hereby approves the Town of Parker Model Intergovernmental Agreement between the Town of Parker, Colorado, and Kime Ranch Metropolitan District, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

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

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

EXHIBIT 1

TOWN OF PARKER MODEL INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER, COLORADO AND KIME RANCH METROPOLITAN DISTRICT

THIS AGREEMENT (the “**Agreement**”) is made and entered into as of this ____ day of _____, 20____, by and between the **TOWN OF PARKER**, a home rule municipal corporation of the State of Colorado (the “**Town**”), and the **KIME RANCH METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”). The Town and the District are collectively referred to as the Parties.

WITNESSETH:

WHEREAS, C.R.S. § 29-1-203 authorizes the Parties to cooperate and contract with one another regarding functions, services and facilities each is authorized to provide; and

WHEREAS, the District was organized to provide those services and to exercise powers as are more specifically set forth in the District’s Service Plan approved by the Town on August 21, 2023 (the “**Service Plan**”); and

WHEREAS, the Service Plan makes reference to the execution of an intergovernmental agreement between the Town and the District, as required by Chapter 10.11 of the Town Code; and

WHEREAS, the parties acknowledge that the Town will have certain infrastructure capital and maintenance needs (“**Town Infrastructure**”) resulting from the development of the property located within the District’s service area (the “**Property**”); and

WHEREAS, in accordance with the provisions of the Service Plan, the District has agreed to levy a property tax of 5 mills that will be used for the planning, design, construction and maintenance of the Town Infrastructure (the “**Town Capital and Maintenance Mill Levy**”), and the District has conducted an election under TABOR to enable it to impose the Town Capital and Maintenance Mill Levy and to issue debt repayable from the Town Capital and Maintenance Mill Levy; and

WHEREAS, the parties further acknowledge that the District will have certain ongoing administrative obligations, and in accordance with the provisions of the Service Plan, the District has agreed to levy a property tax of 5 mills (the “**Operation and Maintenance Mill Levy**”) for such purposes; and

WHEREAS, the Town has approved the final plat for the Property; and

WHEREAS, the Parties have determined it to be in the best interests of their respective taxpayers, residents and property owners to enter into this Intergovernmental Agreement (“**Agreement**”) to address the utilization of the various mill levies as well as certain other matters related to the organization, powers and authorities of the District.

WHEREAS, any capitalized term not specifically defined in this Agreement shall have that meaning as set forth in the Service Plan; and

NOW, THEREFORE, in consideration of the covenants and mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Town Capital and Maintenance Mill Levy. The District agrees to impose a property tax of 5 mills that shall be used for the planning, design, construction and/or maintenance of the Town Infrastructure. The utilization of the Infrastructure Capital Mill Levy is set forth on **Exhibit A** to this Agreement.

2. Operation and Maintenance Mill Levy. The District agrees to impose a property tax of 5 mills, 5 of which shall be used for the ongoing administrative expenses of the District, as set forth on **Exhibit B** to this Agreement.

3. General Provisions Applicable to the Mill Levies. The Town Capital and Maintenance Mill Levy shall be imposed by the District the first year the District certifies a Maximum Debt Mill Levy and shall be subject to the Mill Levy Adjustment. The Operation and Maintenance Mill Levy shall be imposed by the District at the District's discretion but in a manner that will enable the District to perform its operations and maintenance obligations in a timely and adequate manner. The District acknowledges and agrees that the requirement to levy the Town Capital and Maintenance Mill Levy and the Operation and Maintenance Mill Levy (together, the "**Mill Levies**") is a material consideration in, and a condition of, the Town's approval of the District's Service Plan, and that the Town has relied thereon in approving the District's Service Plan. The District specifically agrees that the requirement that the District impose the Mill Levies and to utilize the funds as set forth in this Agreement shall be enforceable by the Town by all remedies available at law or in equity, including without limitation affirmative injunctive relief. The District represents and warrants that it has obtained all voter authorizations to enable it to impose the Mill Levies, and to pledge the revenues from the Infrastructure Capital Mill Levy and the Town Capital and Maintenance Mill Levy to the repayment of debt issued by either the District or the Town, if and as applicable.

The District shall remit any revenues from the Mill Levies that are due to the Town no later than March 15 and June 30 each year, and the Town shall deposit and maintain such revenues in a separate fund earmarked specifically for use only as set forth in this Agreement (the "**Kime Ranch Metropolitan District Fund**"). Any revenues from the Mill Levies the District receives after June 30 that are due to the Town shall be remitted to the Town within 30 days of their receipt. The monies in the Kime Ranch Metropolitan District Fund may be applied to any design, planning, engineering, surveying, construction management, labor, materials, operations and administrative costs related to construction of the Town Infrastructure as further detailed in this Agreement. On a quarterly basis, the Town shall provide to the District an accounting of revenues received from the District attributable to the Mill Levies that are due to the Town, along with an itemization of expenditures made in major categories.

4. Operation and Maintenance of the Public Improvements. The District shall dedicate the Public Improvements to the Town or other appropriate jurisdiction or owners

association in a manner consistent with the final approved plat, other rules and regulations of the Town, and applicable provisions of the Town Code. The District shall not be authorized to operate and maintain any part or all of the Public Improvements, or any other improvements, public or private, unless specifically provided for in this Agreement or separate agreement with the Town. The District shall not own fee title to any real property.

5. Fire Protection. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain fire protection facilities or services, unless specifically provided for in this Agreement or separate agreement with the Town. This provision shall limit the District's authority to plan for, design, acquire, construct, install, relocate, redevelop or finance fire hydrants and related improvements installed as part of the water system.

6. Television Relay and Translation; Mosquito Control and Other Limitations. Unless specifically provided for in this Agreement or separate agreement with the Town, the District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate, maintain or provide: (a) any television relay and translation facilities and services, other than for the installation of conduit as a part of a street construction project; (b) any mosquito control facilities and services; (c) any solid waste disposal, collection and transportation facilities and services; and (d) any security, covenant enforcement and design review services.

7. Construction Standards. The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the Town and of federal and state governmental entities having proper jurisdiction. The District will obtain the Town's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

8. Issuance of Privately Placed Debt. Prior to the issuance of any privately placed bonds or other obligations, the payment of which the District has promised to impose an *ad valorem* property tax mill levy ("**Debt**"), the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by the District for the [insert the designation of the Debt] does not exceed a market [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

9. Inclusion and Exclusion. The District shall not include within its boundaries any property outside the Service Area (as defined in the Service Plan) without the prior written consent

of the Town Council. The District shall not exclude any property from the District if such exclusion will result, or is reasonably anticipated to result, in detriment to the remaining residents and taxpayers within the District, or to the District's bondholders.

10. Total Debt Issuance. The District shall not issue Debt in excess of \$15,668,750 in total aggregate principal amount, provided that such limitation shall not be applicable to refunding Bonds issued by the District to refund outstanding Debt.

11. Monies from Other Governmental Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or non-profit entities that the Town is eligible to apply for, except as may be specifically provided for herein. This Section shall not apply to specific ownership taxes which shall be distributed to and constitute a revenue source for the District without any limitation.

12. Consolidation; Dissolution. The District shall not file a request with any Court to consolidate with another Title 32 district without the prior written consent of the Town. The District agrees that it shall take all action necessary to dissolve the District in accordance with the provisions of the Service Plan and applicable state statutes.

13. Service Plan Amendment Requirement. Any action of the District which violates the limitations set forth in Sections V.A.1-13 or VI.B-H of the Service Plan, or which constitutes a material modification under Parker Municipal Code section 10.11.060, shall be deemed to be a material modification to the Service Plan and the Town shall be entitled to all remedies available under State and local law to enjoin any such action(s) of the District. The Town may also seek damages for breach of this Agreement arising from violations by the District of any provision of the Service Plan.

14. Applicable Laws. The District acknowledges that the property within its boundaries shall be subject to all ordinances, rules and regulations of the Town, including without limitation, ordinances, rules and regulations relating to zoning, subdividing, building and land use, and to all related Town land use policies, master plans and related plans.

15. Annual Report. The District shall submit an annual report ("**Annual Report**") to the Town no later than September 1st of each year following the year in which the Order and Decree creating the District has been issued by the District Court for and in Douglas County, Colorado, pursuant to Parker Municipal Code section 10.11.040 and containing the information set forth in Section VII of the Service Plan.

16. Notices. All notices, demands, requests or other communications to be sent by one party to the other hereunder or required by law, including the Annual Report, shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the address or by courier delivery, via FedEx or other nationally recognized overnight air courier service, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To the District:

Kime Ranch Metropolitan District
c/o McGeady Becher P.C.
450 East 17th Avenue, Suite 400
Denver, CO 80203
Phone: (303) 592-4380
Email: legalnotices@specialdistrictlaw.com

To the Town:

Town of Parker
20120 E. Mainstreet
Parker, CO 80138-7334
Attn: Kristin Hoffmann, Town Attorney
cc: Mary Lou Brown, Finance Director
Phone: (303) 841-0353
Fax: (303) 805-3219

All notices, demands, requests or other communications shall be effective upon such personal delivery or one (1) business day after being deposited with FedEx or other nationally recognized overnight air courier service or three (3) business days after deposit in the United States mail. By giving the other party hereto at least ten (10) days written notice thereof in accordance with the provisions hereof, each of the Parties shall have the right from time to time to change its address.

17. Miscellaneous.

A. Effective Date. This Agreement shall be in full force and effect and be legally binding upon final approval of the governing bodies of the Parties. No Debt shall be issued by the District until after the effective date of this Agreement.

B. Nonassignability. No party to this Agreement may assign any interest therein to any person without the consent of the other party hereto at that time, and the terms of this Agreement shall inure to the benefit of and be binding upon the respective representatives and successors of each party hereto.

C. Amendments. This Agreement may be amended from time to time by written amendment, duly authorized and signed by representatives of the parties hereto.

D. Severability. If any section, subsection, paragraph, clause, phrase, or other provision of this Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, phase, or other provision shall not affect any of the remaining provisions of this Agreement.

E. Execution of Documents. This Agreement shall be executed in two (2) counterparts, either of which shall be regarded for all purposes as one original. Each party agrees that it will execute any and all deeds, instruments, documents, and resolutions or ordinances necessary to give effect to the terms of this Agreement.

F. Waiver. No waiver by either party of any term or condition of this Agreement shall be deemed or construed as a waiver of any other term or condition, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different provision of this Agreement.

G. Default/Remedies. In the event of a breach or default of this Agreement by any party, the non-defaulting party shall be entitled to exercise all remedies available at law or in equity, specifically including suits for specific performance and/or monetary damages. In the event of any proceeding to enforce the terms, covenants or conditions hereof, the prevailing party in such proceeding shall be entitled to obtain as part of its judgment or award its reasonable attorneys' fees.

H. Governing Law and Venue. This Agreement shall be governed and construed under the laws of the State of Colorado. Venue for all actions brought hereunder shall be in the District Court in and for Douglas County.

I. Inurement. Each of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

J. Paragraph Headings. Paragraph headings are inserted for convenience of reference only.

K. No Third Party Beneficiaries. No person or entity who or which is not a party to this Agreement will have any right of action under this Agreement.

L. Entirety. This Agreement merges and supersedes all prior negotiations, representations, and agreements between the parties hereto relating to the subject matter hereof and this Agreement, together with the Service Plan provisions that serve to supplement or complement this Agreement, constitutes the entire agreement between the Parties concerning the subject matter hereof.

IN WITNESS WHEREOF, this Agreement is executed by the Town and the District as of the date first above written.

TOWN OF PARKER, COLORADO

By: _____
Jeff Toborg, Mayor

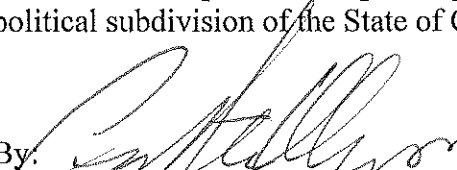
ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Kristin Hoffmann, Town Attorney

**KIME RANCH METROPOLITAN
DISTRICT**, a quasi-municipal corporation and
political subdivision of the State of Colorado

By:  _____
Cynthia Myers, President
Kime Ranch Metropolitan District

ATTEST:

 _____
Nash Verano, Secretary

EXHIBIT A

Utilization of Town Capital and Maintenance Mill Levy

Design, construction and maintenance of Town owned facilities and infrastructure within the Service area, which may include utilization as pledged revenue on any obligations issued for such purposes.

EXHIBIT B

Utilization of Operation and Maintenance Mill Levy

The District's Operation and Maintenance Mill Levy shall be utilized to fund its administrative expenses.



Request for Town Council Action

Date: February 5, 2024

Submitted By: Jim Maloney, Assistant Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 3.371 – First Reading**
A Bill for an Ordinance to Amend Sections 13.04.100, 13.04.120 and 13.04.130 Concerning Natural Medicine Businesses and to Amend Title 13 of the Parker Municipal Code by the Addition Thereto of a New Chapter 13.17 Concerning the Regulation of Natural Medicine Businesses in the Town of Parker
Department: Town Attorney, Jim Maloney
Second Reading: February 20, 2024

EXECUTIVE SUMMARY

Ordinance No. 3.371 establishes the location for natural healing centers and natural medicine businesses in the Town and time, place, and manner regulations for the operation of these businesses in the Town (the “Ordinance”).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In November 2022, the people of Colorado approved the citizen initiative known as “Proposition 122,” which together with Senate Bill 23-290 **decriminalized** the personal possession, growing, sharing, and use of psychedelic mushrooms and related substances (the “Substances”), by persons aged 21 or over (collectively referred to as the “Initiative”). The subsequent statute refers to the Substances as “natural medicine.”

The Initiative allows: (1) the supervised use of natural medicine at licensed facilities called natural healing centers; and (2) the operation of businesses involved in the cultivation, manufacture, and testing of the natural medicine called “natural medicine businesses.” The Initiative prohibits local governments such as the Town from prohibiting natural healing centers and natural medicine businesses. However, the Initiative authorizes local governments such as the Town to enact ordinances to govern the time, place, and manner of the operation of these businesses, as well as the location of these businesses, in the exercise of the Town’s zoning authority.

Under the Ordinance, a natural healing center is limited to the B-Business District and the C-Commercial District. The purpose of the natural healing center is to allow for the supervised

use of natural medicine by a “facilitator.” Essentially, the Initiative is treating a natural healing center as akin to a medical office, which would be permitted in a B-Business District and C-Commercial District. The remaining businesses for the cultivation, manufacturing, and testing of natural medicine would be limited to the LI-Light Industrial District, because these uses are more industrial in nature. The natural healing center/natural medicine businesses that are permitted in the B-Business District, C-Commercial District and/or LI-Limited Industrial District are subject to a distance requirement of 1,000 feet between these businesses and schools, childcare centers, and residential areas.

The Ordinance also regulates the operation of natural healing centers and natural medicine businesses, which includes screening, lighting, odors, storage, disposal of by-products, security, and use of hazardous materials. Natural medicine businesses that comply with the Ordinance are licensed by the State of Colorado. The Town has no authority to require a local license to operate natural healing centers and natural medicine business in the Town.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance No. 3.371

RECOMMENDED MOTION

I move to approve Ordinance No. 3.371 on first reading and to schedule second reading for February 20, 2024, as part of the consent agenda.

ORDINANCE NO. 3.371, Series of 2024

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.04.100, 13.04.120 AND 13.04.130 CONCERNING NATURAL MEDICINE BUSINESSES AND TO AMEND TITLE 13 OF THE PARKER MUNICIPAL CODE BY THE ADDITION THERETO OF A NEW CHAPTER 13.17 CONCERNING THE REGULATION OF NATURAL MEDICINE BUSINESSES IN THE TOWN OF PARKER

WHEREAS, the People of the State of Colorado approved the citizens' initiative known as "Proposition 122: Access to Natural Psychedelic Substances," which is now codified in Colo. Rev. Stat. §§ 12-170-101 through 115 (the "Enabling Act");

WHEREAS, the Enabling Act decriminalizes the personal possession, growing, sharing, and use, but not the sale, of five (5) natural psychedelic mushrooms (psilocybin and psilocin) and three (3) plant-based psychedelic substances (dimethyltryptamine, ibogaine, and mescaline);

WHEREAS, the Enabling Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities;

WHEREAS, the Enabling Act allows the state to expand the type of substances that may be used in licensed facilities to include plant-based psychedelic substances (dimethyltryptamine, ibogaine, and mescaline), starting in 2026;

WHEREAS, the Enabling Act prohibits local governments from banning licensed facilities, services, and use of natural psychedelic substances permitted by the Enabling Act, while allowing local governments to regulate the time, place and manner of operation of these facilities;

WHEREAS, the State Legislature enacted Senate Bill 23-290, which is codified in Colo. Rev. Stat. §§ 44-50-101 through 904 (the "Regulatory Act"), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide for the use, cultivation, manufacture and testing of these substances;

WHEREAS, the Regulatory Act also provides that local jurisdictions, such as the Town, "may enact ordinances or regulations governing the time, place, and manner of the operation of licenses issued within its boundaries;"

WHEREAS, the Regulatory Act provides that the "state licensing authority" as defined by the Regulatory Act, will "not receive or act upon an application for the issuance of a natural medicine business license" ... "[f]or a location in an area where the cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine or natural medicine product as contemplated is not permitted under the applicable zoning laws of the local jurisdiction;"

WHEREAS, the Regulatory Act further provides that the state licensing authority will not receive or act upon an application for the issuance of a Natural Medicine Business License “[i]f the building where natural medicine services are provided within one thousand feet of a child care center; preschool; elementary, middle, junior or high school; or a residential child care facility . . .;”

WHEREAS, the Regulatory Act further provides that “the governing body of a municipality, by ordinance; . . . may vary the distance restrictions imposed by [the Regulatory Act] . . . for a License or may eliminate one or more types of schools or facilities from the application of a distance restriction established by or pursuant to [the Regulatory Act] . . .;” and

WHEREAS, the Town Council of the Town of Parker desires to enact this ordinance to regulate the time, place and manner of the operation of licenses issued pursuant to the Regulatory Act; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Regulatory Act; and to establish distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center; preschool; elementary, middle, junior or high school; a residential child care facility; or residential dwellings pursuant to the Regulatory Act.

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

Section 1. Section 13.04.100 of the Parker Municipal Code is amended by the addition of a new Paragraph (c)(12), which is to read as follows:

13.04.100 B-Business District.

(c) Uses permitted by right.

* * *

(12) Natural medicine healing center, subject to Chapter 13.17.

Section 2. Section 13.04.120 of the Parker Municipal Code is amended by the addition of a new Paragraph (c)(4), which is to read as follows:

13.04.120 C-Commercial District.

(c) Uses permitted by right.

* * *

(4) Natural medicine healing center, subject to Chapter 13.17.

Section 3. Section 13.04.130 of the Parker Municipal Code is amended by the addition of new Paragraphs (c)(22), (23) and (24), which are to read as follows:

13.04.130 LI-Light Industrial.

(c) Uses permitted by right.

* * *

(22) Natural medicine cultivation facility, subject to Chapter 13.17.

(23) Natural medicine products manufacturer, subject to Chapter 13.17.

(24) Natural medicine testing facility, subject to Chapter 13.17.

Section 4. The Parker Municipal Code is amended by the addition thereto of a new Chapter 13.17, entitled “Natural Medicine Businesses,” to read as follows:

CHAPTER 13.17

Natural Medicine Businesses

13.17.010 Findings and legislative intent.

The Town Council makes the following legislative findings:

(1) The Town Council finds and determines that the Colorado Natural Medicine Code, as codified in Colo. Rev. Stat. §§ 44-50-101 through 904 (the “Regulatory Act”) specifically authorize the governing body of a municipality to enact an ordinance to regulate the time, place and manner of the operation of licenses issued pursuant to the Regulatory Act.

(2) The Town Council finds and determines that the Regulatory Act specifically authorizes the governing body of a municipality to enact zoning ordinances to locate the area where the cultivation, manufacturing, testing, storage, distribution, transfer and dispensation of natural medicine and natural medicine product, as defined by the Regulatory Act, may be permitted in a municipality.

(3) The Town Council finds and determines that the Regulatory Act specifically authorizes the governing body of a municipality to enact ordinances to establish the distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center; preschool; elementary, middle, junior or high school; a residential child care facility; or residential dwelling.

13.17.020 Definitions.

For purposes of this Chapter, the following terms shall have the following meanings:

Natural medicine means psilocybin or psilocyn and other substances described in the Regulatory Act as “natural medicine.”

Natural medicine business means any of the following entities licensed under the Regulatory Act and includes a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, or a natural medicine testing facility, or another licensed entity created by the state licensing authority.

Natural medicine healing center means a facility where an entity is licensed by the state licensing authority that permits a facilitator as defined by the Regulatory Act, to provide and supervise natural medicine services for a participant as defined by the Regulatory Act, which includes a participant consuming and experiencing the effects of regulated natural medicine or regulated natural medicine product under the supervision of a facilitator.

Natural medicine product means a product infused with natural medicine that is intended for consumption, as provided by the Regulatory Act.

Natural medicine services mean a preparation session, administrative session, and integration session, as provided by the Regulatory Act.

Participant means an individual who is twenty-one (21) years of age or older who receives natural medicine services prescribed by and under the supervision of a facilitator, as provided by the Regulatory Act.

Regulated natural medicine means natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Regulatory Act.

Regulated natural medicine product means a natural medicine product that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Regulatory Act.

State licensing authority means the authority created under the Regulatory Act for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storing, distribution, transfer, and dispensation of regulated natural medicine and regulated natural medicine product, as provided by the Regulatory Act.

13.17.030 Permitted location for a natural medicine healing center.

Natural medicine healing center is a use permitted by right in the B-Business District and C-Commercial District, subject to the distance requirements contained in the Section 13.17.050 and the time, place and manner requirements contained in Sections 13.17.050 through 13.17.110. Natural medicine healing centers are prohibited in all other zoning districts in the Town, including the PD-Planned Development District.

13.17.040 Permitted location for natural medicine businesses.

Natural medicine cultivation facility, natural medicine products manufacturer, natural medicine testing facility, and other licensed entity created by the state licensing authority (collectively the “licensed facilities”) are uses permitted by right in the LI-Light Industrial District, subject to the distance requirements contained in Section 13.17.050 and the time, place and manner requirements contained in Sections 13.17.050 through 13.17.110. The licensed facilities are prohibited in all other zoning districts of the Town, including PD-Planned Development District.

13.07.050 Distance from schools and residential dwellings.

(a) No natural medicine business that provides natural medicine services shall operate out of a building that is within one thousand (1,000) feet of a child care center; preschool; elementary, middle, junior or high school; or a residential child care facility (collectively “school”).

(b) No natural medicine business that provides natural medicine services shall operate out of a building that is within one thousand (1,000) feet of single-family dwellings, duplexes, or multiple-family dwellings (collectively “residential dwellings”).

(c) Subsections (a) and (b) above do not apply to a licensed facility located on land owned by the Town or the state of Colorado or apply to a licensed facility that was actively doing business under a valid license issued by the state licensing authority before the school or residential dwelling was constructed.

13.17.060 Hours of operation – natural medicine services.

Natural medicine healing centers and natural medicine businesses that provide natural medicine services shall only operate between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

13.17.070 Public view of natural medicine businesses.

All doorways, windows and other opening of natural medicine business buildings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area, subject to Section 13.10.200. All activities of natural medicine businesses shall occur indoors.

13.17.080 Lighting of natural medicine businesses.

Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees, subject to Section 13.10.140.

13.17.090 Storage of natural medicine businesses.

All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle.

13.17.100 Odor from natural medicine businesses.

Natural medicine businesses shall use an air filtration and ventilation system designed to ensure that the odors from natural medicine and natural medicine products are confined to the premises and are not detectable beyond the property boundaries on which the facility is located.

13.17.110 Natural medicine businesses secure disposal.

Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container.

13.17.120 Processing of natural medicine.

(a) The processing of natural medicine that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.

(b) Nonhazardous materials used to process natural medicine shall be stored in a manner so as to mitigate and ensure odors are not detectable beyond the property boundaries on which the processing facility is located or the exterior walls of the processing facility associated with the processing of natural medicine.

(c) The processing of natural medicine shall meet the requirements of all adopted Town building and life/safety codes.

(d) The processing of natural medicine shall meet all of the requirements of all adopted water and sewer regulations promulgated by the applicable water and sewer provider.

13.17.130 Nuisance.

It is unlawful and deemed a nuisance under Chapter 6.01 of this Code to dispose of, discharge out of or from, or permit to flow from any facility associated with natural medicine, any foul or noxious liquid or substance of any kind whatsoever, including, without limitation, by-products of the natural medicine process, into or upon any adjacent ground or lot, into any street, alley or public place, or into any municipal storm sewer and/or system in the Town.

Section 2. **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this

Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney



Request for Town Council Action

Date: February 5, 2024

Submitted By: Jim Maloney, Assistant Town Attorney

Reviewed By: Michelle Kivela, Town Manager

Title: **ORDINANCE NO. 5.06.46 – First Reading**
A Bill for an Ordinance to Amend Section 8.01.010 of the Parker Municipal Code to Add a Definition for Natural Medicine; to Amend Section 8.01.040 of the Parker Municipal Code to Add a Violation for the Unlawful Cultivation of Natural Medicine; and Amend Chapter 8.08 of the Parker Municipal Code to Add a New Section 8.08.070 Concerning Cultivation of Natural Medicine in the Town of Parker
Department: Town Attorney, Jim Maloney
Second Reading: February 20, 2024

EXECUTIVE SUMMARY

Ordinance No. 5.06.46 (the “Ordinance”) establishes penalties for personal cultivation areas that exceed 12 feet by 12 feet, and penalties for individuals aged 21 and over who allow underaged individuals access to natural medicine that is being cultivated to the extent provided by the Ordinance.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In November 2022, the people of Colorado approved the citizen initiative known as “Proposition 122,” which together with Senate Bill 23-290 (collectively referred to as the “Initiative”), **criminalized** the unlawful cultivation of natural medicine. The Initiative (1) limits the size of personal cultivation areas to 12 feet by 12 feet; (2) requires personal cultivation areas and related activities to be in an enclosed and locked area; and (3) prohibits underaged individuals from having access to personal cultivation areas. The Ordinance establishes penalties for individuals aged 21 and over who maintain personal cultivation areas of more than 12 feet by 12 feet; fail to enclose and lock personal cultivation areas; or allow underaged individuals access to natural medicine that is being cultivated to the extent provided in the Ordinance.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 5.06.46

RECOMMENDED MOTION

I move to approve Ordinance No. 5.06.46 on first reading and to schedule second reading for February 20, 2024, as part of the consent agenda.

ORDINANCE NO. 5.06.46, Series of 2024

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 8.01.010 OF THE PARKER MUNICIPAL CODE TO ADD A DEFINITION FOR NATURAL MEDICINE; TO AMEND SECTION 8.01.040 OF THE PARKER MUNICIPAL CODE TO ADD A VIOLATION FOR THE UNLAWFUL CULTIVATION OF NATURAL MEDICINE; AND AMEND CHAPTER 8.08 OF THE PARKER MUNICIPAL CODE TO ADD A NEW SECTION 8.08.070 CONCERNING CULTIVATION OF NATURAL MEDICINE IN THE TOWN OF PARKER

WHEREAS, the People of the State of Colorado approved the citizens' initiative known as "Proposition 122: Access to Natural Psychedelic Substances," which is now codified in Colo. Rev. Stat. §§ 12-170-101 through 115 (the "Enabling Act");

WHEREAS, the Enabling Act decriminalizes the personal possession, growing, sharing, and use, but not the sale, of five (5) natural psychedelic mushrooms (psilocybin and psilocin) and three (3) plant-based psychedelic substances (dimethyltryptamine, ibogaine, and mescaline) (collectively referred to a "Natural Medicine");

WHEREAS, the State Legislature enacted Senate Bill 23-290, which added Colo. Rev. Stat. §18-18-434 ("Offenses relating to natural medicine and natural medicine product - definitions"), to make the unlawful cultivation of natural medicine a petty drug offense;

WHEREAS, Senate Bill 23-290 establishes penalties for individuals aged 21 and over who allow underaged individuals access to Natural Medicine that is being cultivated; and

WHEREAS, the Town Council of the Town of Parker desires to enact this ordinance to establish penalties for individuals aged 21 and over who allow underaged individuals access to Natural Medicine that is being cultivated to the extent provided herein.

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

Section 1. Section 8.01.010 of the Parker Municipal Code is amended to read as follows:

8.01.010 Definitions generally.

(a) Unless more specifically defined otherwise, the terms used in this Title shall be as defined in the Colorado Criminal Code, or as used in their ordinary, usual and accepted sense and meaning.

(b) In this Title, *public place* shall be taken to include any place commonly or usually open to the general public or any resort accessible to members of the general public. By way of illustration, public places include, but are not limited to, public ways, streets, buildings, sidewalks, alleys, parking lots, shopping centers, shopping

center malls, places of business usually open to the general public, and automobiles or other vehicles in or upon any such place or places; but shall not include the interior or enclosed yard area of private homes, residences, condominiums or apartments.

(c) In this Title, *natural medicine* means psilocybin, psilocyn, or the additional substances listed in Section 44-50-103(13), C.R.S., as amended.

Section 2. Section 8.01.040 of the Parker Municipal Code is amended to read as follows:

8.01.040 Violations.

It is unlawful for any person to violate any of the provisions of this Title, and except as otherwise specifically provided in the Sections of this Title, any such violation shall be punished as provided below:

(1) Every person who, at the time of commission of this offense, was at least eighteen (18) years of age, and who is subsequently convicted of, or pleads guilty or nolo contendere to, a violation of any provision of this Title, shall be punished by a fine of not less than twenty-five dollars (\$25.00) but not exceeding ~~nine hundred ninety-nine~~ **one thousand** dollars (~~\$999.00~~ **1,000.00**) per violation or count, or by imprisonment not exceeding ~~one year~~ **three hundred sixty-four days**, or by both such fine and imprisonment; provided, however, that nothing contained herein shall empower the court to subject any person under the age of eighteen (18) to any imprisonment as a portion of a penalty for violation of any provision of this Title; provided, however, violations of the following Sections within this Title 8 shall be considered civil offenses:

* * *

n. 8.08.070 – Unlawful cultivation of natural medicine.

Section 3. Chapter 8.08 of the Parker Municipal Code is amended by the addition of a new Section 8.08.070, entitled cultivation of natural medicine, to read as follows:

8.08.070 Unlawful cultivation of natural medicine.

(a) It shall be unlawful for any person to knowingly cultivate natural medicine that cumulatively exceeds an area of more than twelve- (12-) feet wide by twelve- (12-) feet long in one or more cultivation areas on private property.

(b) It shall be unlawful for any person that owns, occupies, or controls private property to knowingly allow the cultivation of natural medicine that cumulatively exceeds an area of more than twelve- (12-) feet wide by twelve- (12-) feet long in one or more cultivation areas on such private property.

(c) It shall be unlawful for any person to knowingly cultivate natural medicine on private property outside of an enclosed and locked space.

(d) It shall be unlawful for any person that owns, occupies, or controls private property to knowingly allow the cultivation of natural medicine on such private property outside of an enclosed and locked space.

(e) It shall not be a violation off Subsections (c) and (d) above if the person cultivating natural medicine is twenty-one (21) years of age or older, if the cultivation area is locked in a dwelling on the private property; provided that if a person under twenty-one (21) years of age lives at the dwelling, the cultivation area itself is enclosed and locked; or if a person is under twenty-one (21) years of age enters a dwelling that contains external locks, the person cultivating the natural medicine shall ensure that access to the cultivation area is reasonably restricted for the duration of the person under twenty-one (21) years of age's presence in the private property.

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 _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney



Request for Town Council Action

Date: February 5, 2024

Submitted By: Steve Bedard, Risk Manager

Reviewed By: Michelle Kivela, Town Manager

Title: **RESOLUTION NO. 24-004**
A Resolution Ratifying the Purchase and Binding of Insurance
Coverage for the Town of Parker

Department: Risk Management, Steve Bedard

EXECUTIVE SUMMARY

If approved, this resolution will ratify the purchase and binding of insurance coverage for the Town of Parker for the year 2024.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Insurance is a necessary requirement of the Town to cover any expected or unexpected losses. Risk Management identifies exposures and works to mitigate those exposures through risk avoidance, risk transfer and risk acceptance. The Town's cost of insurance is in line with the size of the organization, its risk exposures and maintaining an excellent loss ratio history with few claims and lawsuits. This is due to excellent loss control practiced in all departments. Risk Management recommends passing this resolution for the purchase and binding of insurance coverage.

FINANCIAL IMPACT

\$1,146,183.26

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 24-004

RECOMMENDED MOTION

I move to approve Resolution No. 24-004, as part of the consent agenda.

RESOLUTION NO. 24-004, Series of 2024

TITLE: A RESOLUTION RATIFYING THE PURCHASE AND BINDING OF INSURANCE COVERAGE FOR THE TOWN OF PARKER

WHEREAS, the Town of Parker contracts for the purchase of insurance to provide coverage for property damage, liability, and workers' compensation, among other risks;

WHEREAS, Gallagher Insurance, acting as broker on behalf of the Town of Parker, obtained the insurance coverages identified on **Exhibit A** attached hereto (the "Insurance Coverages"); and

WHEREAS, the Town's Risk Manager, on December 27, 2023, did bind such Insurance Coverages on behalf of the Town.

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 approves and ratifies the binding of the Insurance Coverages identified in on Exhibit A for the 2024 fiscal year.

RESOLVED AND PASSED this _____ day of _____, 2024.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

EXHIBIT A

Insurance Coverages

	Expiring	Renewal Insurer	2023	2024	% Change	Notes
Package	Travelers	Travelers				* Property All Peril Deductible Changed from \$5,000 to \$10,000 * Wind Hail Changed from \$50K on designated locations and on other locations 1%(Min \$50K) to 2% on all locations with a \$100,000 Minimum
Property			\$ 134,603.00	\$ 160,714.00	19%	
Crime			\$ 1,172.00	\$ 1,172.00	0%	
Inland Marine			\$ 13,660.00	\$ 17,887.00	31%	
General Liability			\$ 98,651.00	\$ 110,890.00	12%	
Liquor Liability			\$ 894.00	\$ 932.00	4%	
Employee Benefits Liability			\$ 370.00	\$ 370.00	0%	
Law Enforcement Liability			\$ 80,620.00	\$ 88,323.00	10%	
Public Entity Liability			\$ 20,903.00	\$ 25,005.00	20%	
EPL			\$ 54,528.00	\$ 59,795.00	10%	
Auto Liability			\$ 49,836.00	\$ 63,554.00	28%	
Auto Physical Damage			\$ 41,910.00	\$ 52,978.00	26%	
Umbrella Excess			\$ 91,225.00	\$ 106,132.00	16%	
Total Travelers			\$588,372.00	\$687,752.00	17%	
Excess Liability \$5M xs \$5M	Allied World(No Law)	Allied World(No Law)	\$ 55,805.40	\$ 64,553.19	16%	Additional Premium- Terrorism Premium \$674.00
Excess Liability (LEL)	Indian Harbor(Law Only) \$3M xs \$5M	Indian Harbor(Law Only) \$3M xs \$5M	\$ 24,972.35	\$ 27,238.35	9%	TRIA- N/A
Excess Liability (LEL)	Kinsale(Law Only) \$2M xs \$8M	Kinsale(Law Only) \$2M xs \$8M	\$ 26,555.46	\$ 28,542.33	7%	TRIA-NA
Total Excess Liability			\$ 107,333.21	\$ 120,333.87	12%	
Cyber - \$1M - Prime 250	Cowbell	Cowbell	\$ 26,981.88	\$ 27,720.39	3%	\$1M Limit; \$50K Deductible
Cyber - \$2M - Prime 250	Cowbell	Cowbell		\$ 41,380.25	53%	\$2M Limit; \$50K Deductible
Cyber - \$3M - Prime 250	Cowbell	Cowbell		\$ 52,927.58	96%	\$3M Limit; \$50K Deductible
	Expiring	Renewal Insurer	2023	2024	% Change	Notes
Work Comp	Pinnacol	Pinnacol	\$ 216,491.00	\$ 310,377.00	43%	\$5,000 Deductible
				\$ 296,776.00	37%	\$10,000 Deductible
				\$ 286,488.00	32%	\$14,500 Deductible
				\$ 284,496.00	31%	\$15,500 Deductible
Total			\$939,178.09	\$1,146,183.26	22%	

* Includes Surplus Lines Taxes and Fees

** Includes \$1M Cyber Option/\$5K WC Deductible



Request for Town Council Action

Date: February 5, 2024
Submitted By: Weldy Feazell, PAR & Economic Development Director
Reviewed By: Michelle Kivela, Town Manager
Title: **RESOLUTION NO. 24-005**
A Resolution to Adopt Parker's Economic Playbook
Department: Economic Development, Weldy Feazell

EXECUTIVE SUMMARY

The development and implementation of the Economic Development strategic plan, Parker's "Economic Playbook," was identified as an organizational goal for 2022 and 2023. Parker's Economic Playbook has been completed and is ready for adoption by Town Council.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In the second half of 2022, Economic Development staff contracted with Progressive Urban Management Associates ("PUMA") for the development of a strategic plan. The goal was to develop a clear vision and recommendations for Economic Development initiatives for the Town for the next five to ten years.

The objectives for developing the Strategic Plan were to:

- Create a forward-thinking strategy to guide economic development in Parker;
- Promote economic resiliency, and diversification, fortify the Town's revenue base and create local job opportunities;
- Refresh the mission and structure of Parker's economic development services;
- Engage elected officials, Town staff, business and civic leaders, and other community stakeholders in a participatory process to inform the plan.

Through the late half of 2022-2023, a comprehensive review of the Town of Parker was conducted through the lens of the economic and business community. The review included a market assessment of the Town of Parker, and a review of current plans with engagement from the development community, the business community and the public. Parker's Economic Playbook has the following chapters:

- Chapters 1-4: Understanding Parker's economic development opportunities and priorities.
 - Background

- Market Conditions
- Community Aspirations
- Internal Conditions
- Chapter 5: Recommendations
 - Plan Framework (high-level overview of goals and objectives)
 - Strategies
 - Internal Recommendations
 - Implementation Matrix
- Appendix: Supporting Research

The finalized implementation matrix provides detailed tactical steps and ideas for implementation, including case studies, suggested sequencing, partner roles, and high-level cost estimates (if applicable). The Matrix is broken down into the following goals and strategies.

- Jobs and Economic Opportunity
 - Expand primary employment
 - Increase support for small businesses
 - Promote workforce development, training and economic opportunities
- Amenities
 - Diversify retail, dining and entertainment
 - Encourage quality development and places for community gathering
- Infrastructure
 - Reinvest in aging commercial areas
 - Improve transportation and connectivity
 - Enhance attainable housing opportunities

Parker's Economic Playbook is intended to be a forward-thinking and comprehensive guide for the economic development efforts in the Town of Parker. Economic Development staff will utilize the playbook to develop annual goals that align with the Town's strategic priority of Economic Vitality.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)

ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Resolution No. 24-005

RECOMMENDED MOTION

I move to approve Resolution No. 24-005 as part of the consent agenda.

RESOLUTION NO. 24-005, Series of 2024

TITLE: A RESOLUTION TO ADOPT PARKER'S ECONOMIC PLAYBOOK

WHEREAS, in August 2022, the Town hired Progressive Urban Management Associates to prepare Parker's Economic Playbook;

WHEREAS, the preparation and implementation of the Economic Playbook presents an opportunity to present a vision for long-term economic development within the Town of Parker;

WHEREAS, the Economic Playbook accomplishes the following objectives:

- Create a forward-thinking strategy to guide economic development in Parker
- Promote economic resiliency, diversification, fortify Town's revenue base and create local job opportunities
- Refresh the mission and structure of Parker's economic development services
- Engage elected officials, town staff, business and civic leaders, and other community stakeholders in a participatory process to inform the plan;

WHEREAS, the Economic Playbook will guide the economic development activities of the Town;

WHEREAS, as part of preparation of the Economic Playbook, a collaborative engagement process was employed by the Town, including in-person interviews, stakeholder engagement sessions, and community surveys conducted in 2023 with over 660 residents, employees, business and commercial property owners, visitors and other stakeholders, helping to guide the planning process;

WHEREAS, the Town Council held study sessions on March 27, 2023, and July 24, 2023, to review and comment on the Economic Playbook; and

WHEREAS, the Town Council received public comment on December 4, 2023, on the Economic Playbook.

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

Section 1. The Town Council hereby adopts Parker's Economic Playbook, which is attached hereto as **Exhibit A** and incorporated herein by reference.

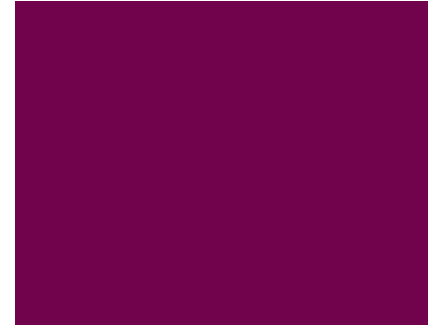
RESOLVED AND PASSED this _____ day of _____, 2024.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk



PARKER'S ECONOMIC PLAYBOOK

MOVING PARKER TOWARDS A THRIVING ECONOMIC FUTURE

September 2023

A forward-thinking and comprehensive economic development strategy for the Town of Parker, Colorado

Parker's Economic Playbook was developed on behalf of the Town of Parker by Progressive Urban Management Associates (P.U.M.A.), a Denver-based planning and economic development consulting firm.



Countless individuals provided valuable feedback that made this planning effort possible, including Town staff, partner organization leaders, business stakeholders, and residents. Over 660 residents, employees, business and commercial property owners, visitors, and other local Parker stakeholders completed an online survey in February and March 2023 to help guide the planning process.

STRATEGIC PLAN WORKING GROUP

Andy Anderson, Town of Parker Communications Manager

Mary Lou Brown, Town of Parker Director of Finance/IT

John Fussa, Town of Parker Community Development Director

Weldy Feazell, Town of Parker Director of Economic Development and P3

Carrie Glassburn, Town of Parker Cultural Director

Kim Heckber, Town of Parker P3 Redevelopment Manager

PROJECT MANAGEMENT TEAM

Weldy Feazell, Town of Parker Director of Economic Development and P3

Kim Heckber, Town of Parker P3 Redevelopment Manager

CONSULTANT TEAM

Brad Segal, Progressive Urban Management Associates

Andrea Buglione, Progressive Urban Management Associates

Naomi Lacewell, Progressive Urban Management Associates

CONTENTS

Executive Summary.....	i
Background.....	1
Market Conditions.....	4
Community Aspirations.....	12
Internal Conditions.....	19
Recommendations.....	23
Appendix.....	48



EXECUTIVE SUMMARY

PARKER'S ECONOMIC PLAYBOOK

BACKGROUND & OBJECTIVES

In 2022, Town of Parker leaders initiated a comprehensive economic development strategy. *Parker's Economic Playbook* builds on existing plans and studies, while identifying new economic development initiatives and priorities looking forward to the next five to ten years.

Town of Parker staff and leaders sought a plan that accomplished the following key objectives:

- » Create a forward-thinking strategy to guide economic development in Parker
- » Promote economic resiliency, diversification, fortify Town's revenue base and create local job opportunities
- » Refresh the mission and structure of Parker's economic development services
- » Engage elected officials, town staff, business and civic leaders, and other community stakeholders in a participatory process to inform the plan.

Selected to facilitate the plan was Progressive Urban Management Associates (P.U.M.A.), a Denver-based firm with past experience working in Parker through the 2017 P3 strategic planning process.



Parker Recreation Center. Photo from the Town of Parker website.



Farmers Market in Downtown Parker. Photo courtesy of the Town of Parker.

PROCESS

Phase I: Existing Conditions Beginning in late 2022 through mid 2023, the consultant team, shepherded by a project working group consisting of key Town staff, embarked on the discovery phase of the project to understand existing conditions that would inform the plan recommendations. This phase included:

- » Orientation and review of past plans and studies
- » Community engagement, including one-on-one interviews, roundtable meetings, and an online community survey.
- » A comprehensive market assessment that identifies existing conditions and competitive advantages, considers Parker's unique position in the Denver metropolitan region, and anticipates future shifts in demographics and lifestyles.

Phase 2: Internal Assessment: A review of Town priorities and internal processes was a goal of Phase Two, which included:

- » Best practice research in municipal economic development initiatives, including interviews with four peer communities.
- » Identifies collaboration opportunities with other civic organizations, agencies, and private entities to leverage limited resources and energies.

Phase 3: Draft Plan Framework and Recommendations

COMMUNITY ASPIRATIONS

Key Takeaways

The bulleted list below highlights key themes from all community and stakeholder engagement methods conducted as part of this planning project. These themes and community priorities form the basis for the plan recommendations.

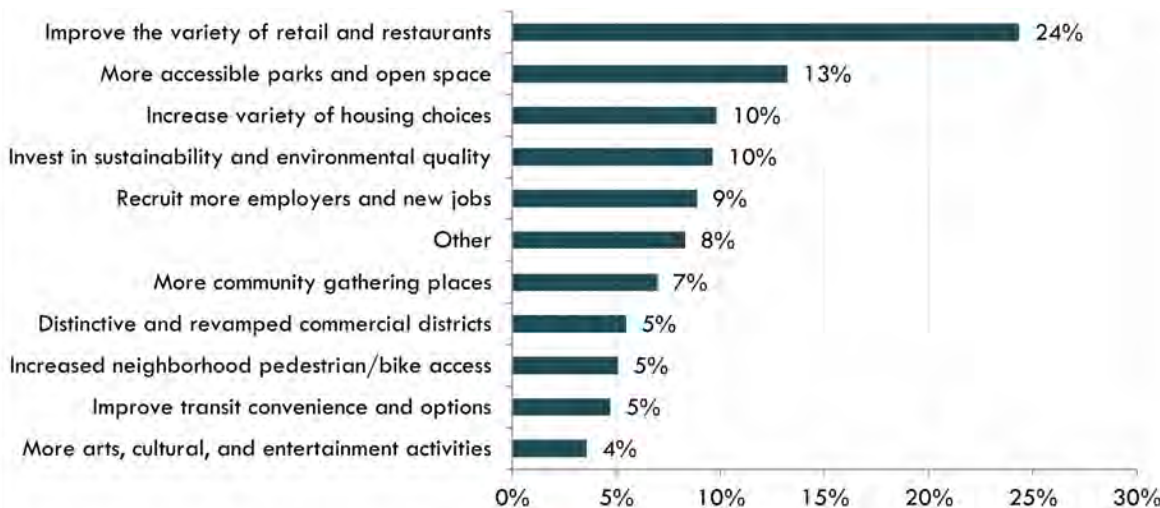
- » Parker has a highly regarded quality of life that should be maintained and celebrated.
- » Downtown Parker is a source of community pride, and stakeholders are enthusiastic about downtown development and activation opportunities.
- » There are opportunities to diversify Parker's restaurant and retail offerings.
- » More distinct, walkable neighborhood centers should be developed.
- » There is a strong small business community and a desire for greater support.
- » Development review and permitting processes are viewed by many developers and business owners to be cumbersome.
- » Expanding primary job opportunities is needed, particularly in the "knowledge sector."
- » Housing and costs of living are growing concerns, with potentially far reaching economic implications.
- » Community members have persistent concerns about connectivity, transportation, and traffic congestion.
- » Parker's tourism offerings have considerable potential to grow.
- » There is a desire to see the Town's brand, image, and amenities be modernized to appeal to a broader audience.
- » Environmental sustainability has emerged as an important community value.

Online Survey Highlights

A total of 660 respondents completed the Parker Economic Playbook online survey, with respondents representing a wide cross-section of community stakeholders. 87% were residents, 22% work in Parker, and 15% own a business or commercial property in Parker.

The highest rated improvement priorities for Parker were:

1. Improve the variety of retail and restaurants
2. More accessible parks and open space
3. Increase the variety of housing choices



Respondents were prompted to select ONE action that would be the most important for achieving their vision of Parker (Q7). Results are shown in the graph to the left.

Respondents were asked for three words that best describe their vision for Parker in the year 2035. The word cloud on the right visualizes words most commonly used (shown by relative size).



MARKET ASSESSMENT: KEY FINDINGS

Parker is doing well by many conventional measures of economic development.

- » Per acre, land in Parker generates five times more assessed value than Douglas County and about 30% more than its peer community of Castle Rock.
- » Parker has a highly educated residential population, with a median household income of \$120,500 - more than \$40,000 above the statewide median.
- » Parker's retail base proved resilient in the face of the pandemic, with sales tax revenues showing a strong increase, while most communities lost revenues, and even saw its biggest growth since 2010 occurring in 2021.

Not all Parker stakeholders are beneficiaries of this economic prosperity, and more residents may experience cost of living challenges moving forward.

- » Parker's housing prices have effectively excluded lower and moderate-income homeowners and renters. Cost of living metrics suggest that existing residents are more cost burdened than the statewide average.
- » 90% of employees in Parker do not reside in the town, and the majority are earning wages that are inadequate to fit in with the town's high cost of living. 62% of jobs located in Parker make under \$40,000 annually.
- » The population over the age of 65 is Parker's fastest growing demographic cohort. The Town will need to consider the future housing and economic needs of an aging community.

A realistic and targeted primary employer recruitment strategy could help develop a more diversified job base.

- » There may be opportunities to recruit more primary employers in higher-paying, higher-growth industries, that can benefit from the town's highly educated population.
- » Due to Parker's locational challenges and limited availability of large developable parcels, it may be unrealistic to attract larger-scale manufacturing and tech companies. Instead, the focus should be on attracting second tier, small- and mid-sized firms and distribution centers.
- » Part of Parker's primary employment strategy could be attracting remote workers, especially those recently laid off in tech. This feeds into market demand for co-working spaces, and could spur new entrepreneurial energy and businesses within the community.

- » Parker's office sector is relatively untapped compared to other markets and was thus protected from being over leveraged post-pandemic. Moving forward, the Town should embrace strategies to accommodate more diverse office uses, such as different types of office or startup incubation space.

Remaining residential and commercial land should be thoughtfully planned and developed.

- » Looking to the future, Parker's low-density development patterns will be constrained by the increasingly limited availability of raw land. Consideration should be given to preserving land for employment centers such as potential satellite offices, coworking spaces for remote workers, and spaces that can incubate startup and small businesses.

Parker is strong on traditional retail, with future opportunities to diversify offerings and to create unique, walkable commercial centers.

- » There is a significant opportunity to develop Downtown Parker as the central gathering place where people live, shop, and work, and a catalyst for revenue generation, economic development, creativity, and sense of place.
- » Corridors like Parker Road with a high concentration of older retail uses have near-term redevelopment potential.
- » As new residential subdivisions are built in the southern portion of Parker, there may be opportunities for smaller commercial nodes that provide neighborhood services and retail.

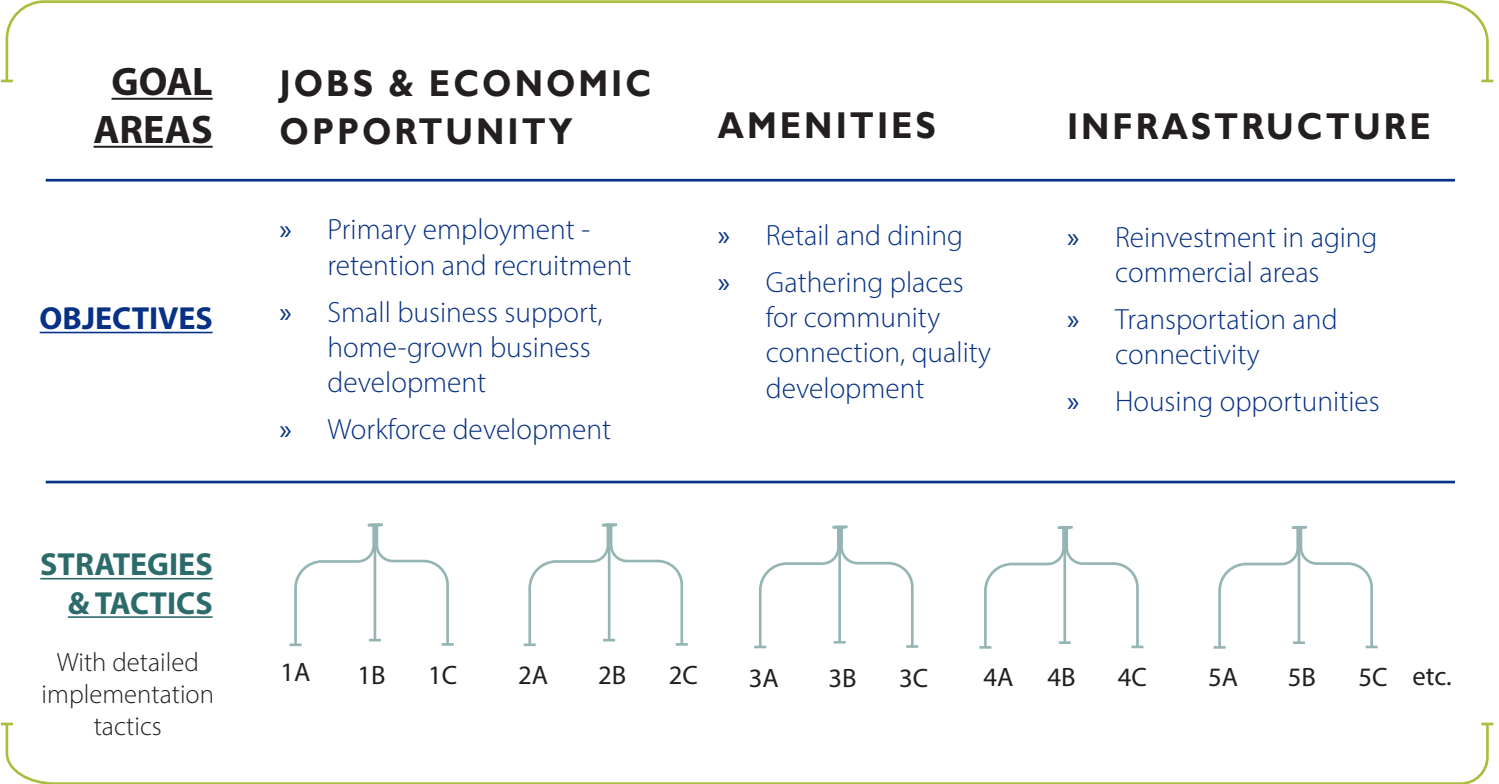


Mainstreet in Downtown Parker. Photo courtesy of P.U.M.A.

PLAN FRAMEWORK

The recommendations outlined in this plan were developed in tandem with the project working group and Town of Parker staff and elected officials. They are based on a variety of inputs including community and stakeholder feedback, market research, and economic development best practices.

The framework graphic below has two purposes: to visualize the organizational hierarchy of the plan’s recommendations, and to highlight the plan’s overarching goals and objectives.



Multi-family housing in Parker. Photo from apartments.com.



Holiday lighting in Downtown Parker. Photo courtesy of the Town of Parker.

PARKER'S ECONOMIC PLAYBOOK: OBJECTIVES AND STRATEGIES

GOAL AREA: Jobs & Economic Opportunity

Objective 1: Expand primary employment

Strategies:

- » 1.1: Recruit companies and jobs in high-paying, high-growth sectors, particularly where Parker has a competitive advantage.
- » 1.2: Develop process incentives and programs to attract desired primary employers.
- » 1.3: Consider branding and a creative marketing campaign for relocating or expanding businesses to Parker.
- » 1.4: Preserve and expand commercial and industrial uses to maximize primary employment.
- » 1.5: Accommodate more remote workers and encourage value-added workplace amenities attractive to all worker types.

Objective 2: Increase support for small businesses

Strategies:

- » 2.1: Cultivate homegrown businesses and start-ups.
- » 2.2: Streamline the delivery of hands-on business assistance.
- » 2.3: Create policies and process incentives to help small, local retailers and other businesses acquire or lease appropriate space.
- » 2.4: Build a culture of collaboration for more proactive business outreach and engagement.

Objective 3: Promote workforce development, training, and economic opportunities

Strategies:

- » 3.1: Promote existing workforce development programs, particularly in technology, manufacturing, healthcare, and other opportunities that match the local workforce.
- » 3.2: Support sector partnership networks to connect students with local apprenticeship opportunities.

GOAL AREA: Amenities

Objective 4: Diversify retail, dining, and entertainment

Strategies:

- » 4.1: Support locally-owned retail and restaurant businesses.

- » Strategy 4.2: Recruit and retain retail concepts where there are market gaps.
- » 4.3: Recruit desired local/regional "chain-let" restaurants and breweries.
- » 4.4: Adjust cultural and entertainment offerings to appeal to a younger and more diverse audience.
- » 4.5: Encourage community-led events that spur interaction and creative placemaking.

Objective 5: Encourage quality development and places for community gathering

Strategies:

- » 5.1: Support the build out and activation of Downtown Parker.
- » 5.2: Enact development standards and incentives for high quality, activated, pedestrian- oriented design in designated areas.

GOAL AREA: Infrastructure

Objective 6: Reinvest in aging commercial areas

Strategies:

- » 6.1: Reimagine existing commercial centers, particularly shopping malls in areas along Parker Road, and Highway 83 corridor.

Objective 7: Improve transportation and connectivity

Strategies:

- » 7.1: Improve pedestrian and non-vehicular connectivity to Downtown Parker.
- » 7.2: Consider public transportation improvements to alleviate congestion and provide transit assistance.
- » 7.3: Ensure town-wide access to high-speed broadband internet.

Objective 8: Enhance attainable housing opportunities

Strategies:

- » 8.1: Broaden opportunities for engagement and collaboration around housing issues with neighboring municipalities.
- » 8.2: Investigate and plan for future increased demand for senior housing and services.
- » 8.3: Consider policies to add affordable living options within existing housing developments.



01

BACKGROUND

PLAN BACKGROUND AND PURPOSE

PROCESS AND METHODOLOGY

PLAN BACKGROUND AND PURPOSE

OBJECTIVES

In early 2022, Town of Parker leaders initiated a competitive recruitment process for consulting services to develop a comprehensive economic development strategy. Progressive Urban Management Associates (P.U.M.A.) was the firm selected to facilitate the plan.

The plan accomplishes the following key objectives:

- Create a forward-thinking strategy to guide economic development in Parker that encompasses existing conditions and competitive advantages, considers Parker's unique position in the Denver metropolitan region, and anticipates future shifts in demographics and lifestyles;
- Promote economic resiliency, diversification, fortify the Town's revenue base, and create local job opportunities;
- Refresh the mission and structure of Parker's economic development services; and
- Engage elected officials, town staff, business and civic leaders, and other community stakeholders in a participatory process to inform the plan.

Parker's Economic Playbook provides a basis for town-wide decision-making and is intended to guide the Town of Parker Economic Development department and related town departments, as well as the wide

array of economic development organizations and private sector entities that are vital to successful implementation. While some strategies will be led by Town staff, most recommendations rely on internal and external collaboration to implement.

PLAN CONTENTS

Chapters 1-4: Understanding Parker's economic development opportunities and priorities:

- » I. Background
- » II. Market Conditions
- » III. Community Aspirations
- » IV. Internal Conditions

Chapter 5: Recommendations

- » Plan Framework high-level overview of goals and objectives
- » Strategies
- » Internal Recommendations
- » Implementation Matrix: provides detailed tactical steps and ideas for implementation, including case studies, suggested sequencing, partner roles, and high-level cost estimates (if applicable).

Appendix: Supporting Research: At the end of this document, appendices are provided:

- » A) Market Assessment
- » B) Survey Summary
- » D) Maps



PROCESS AND METHODOLOGY

PHASE I: EXTERNAL ASSESSMENT

Existing Conditions Analysis: The consultant team gained an understanding of Parker through a variety of methods, including a review of past studies and a comprehensive market assessment that identifies the town's comparative advantages and key economic opportunities.

- » Site visits and extensive orientation
- » Review and analysis of prior plans and studies conducted in Parker over the past ten years
- » Development of a market assessment that examines a range of demographic and economic indicators and identifies vulnerabilities and opportunities expected to impact Parker over the next five years and beyond.

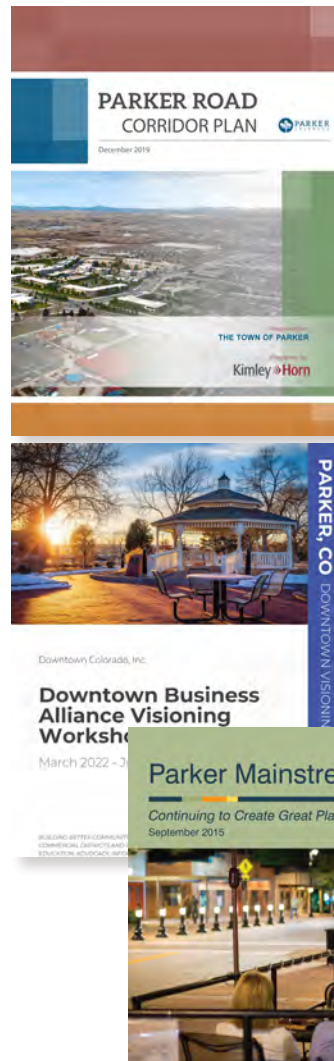
Community Engagement: More than 700 Parker community members provided opinions that shaped plan priorities. Key themes from stakeholder engagement, including findings from the online survey can be found in Chapter 3: Community Aspirations.

- » Outreach methods included: one-on-one interviews, roundtables, and an online survey that received 660 responses.

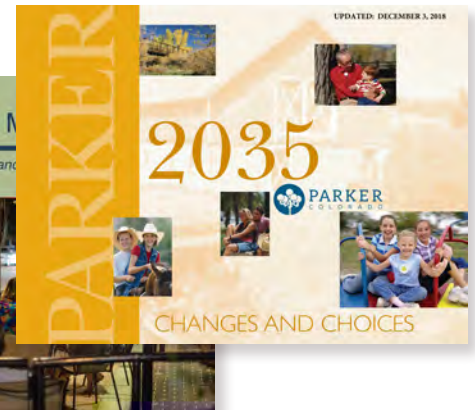
PHASE II: INTERNAL ASSESSMENT

Internal Assessment: intended to evaluate the Town's capacity to respond to economic development opportunities and challenges, the internal assessment included:

- » A review of existing program services
- » Meetings with Town staff to review priorities and internal processes
- » Best practice research in municipal economic development initiatives, including interviews with four peer communities.



To gain a deeper understanding of Parker's existing conditions and context, and to ensure that this process would build upon past efforts, the consultant team reviewed nearly a dozen past plans and studies that have relevance to economic development in Parker. Plans reviewed include: Parker 2035 Master Plan (2012 and 2018 updates), Downtown Business Alliance Visioning Workshop Report (July 2022), Parker Arts Strategic Plan (2019-2023), Parker Road Corridor Plan (2019), and the Parker Main Street Master Plan (2015). The consultant team also reviewed results from the 2021 Town of Parker Community Survey and previous survey reports.



PHASE III: RECOMMENDATIONS

- » The findings from the market assessment, community engagement, and review of internal conditions informed the structure of the plan. The plan includes "goals framework" with goal areas, objectives, and strategies, to guide Parker's evolution over the next five to ten years.
- » An Implementation Matrix is provided that outlines detailed tactical action steps, along with key partners, sequencing, and relative costs for each strategy.
- » Internal programmatic, policy, and staffing recommendations are also included.



02 MARKET CONDITIONS

MARKET ASSESSMENT OVERVIEW AND KEY FINDINGS

MARKET ASSESSMENT OVERVIEW & KEY FINDINGS

OVERVIEW

A comprehensive market assessment was completed in Q1 2023 to help inform the *Parker Economic Playbook*. The market assessment examines a range of demographic and economic indicators related to the town's population and employment trends, along with detailed assessments of its residential, retail, office, and industrial sectors, and tourism and visitation. It identifies the strengths and vulnerabilities expected to impact Parker over the next five years and beyond.

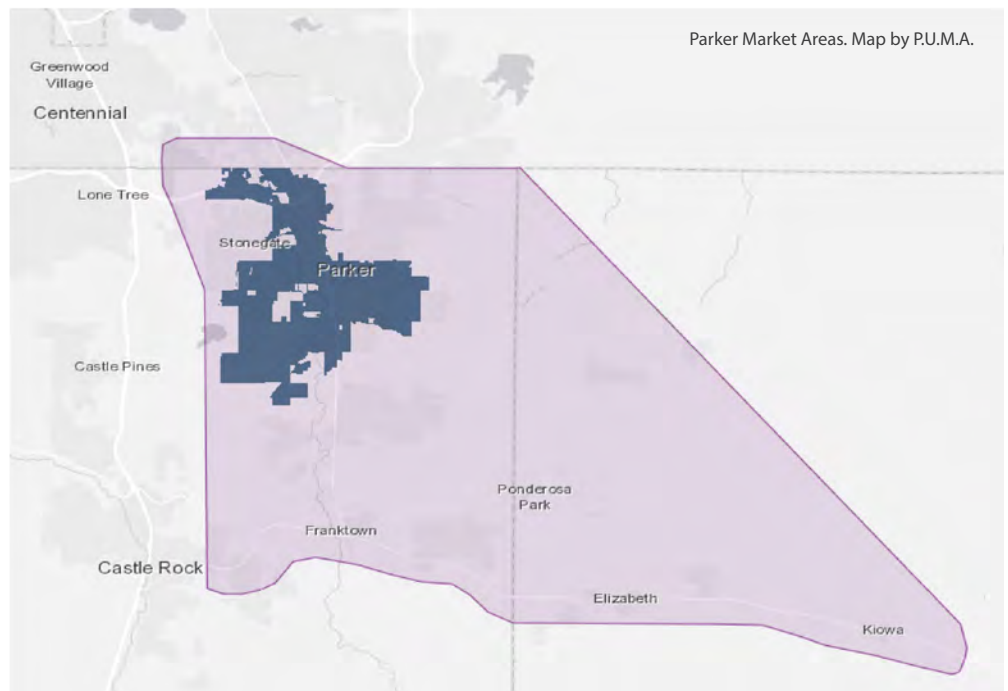
Data was compiled using primary and secondary sources, including the Town of Parker, Esri Business Analyst, the U.S. Census Bureau, real estate research, interviews with local real estate experts and Parker stakeholders, and other available sources. Pre- and post-Covid conditions are discussed when available, and then brief insights are offered into what the future may hold for various segments.



Retail development at Parker Road and Lincoln Avenue. Photo from P.U.M.A.

MARKET AREAS

Data was collected, when available, for the Town of Parker (Town) and a Primary Market Area (PMA). The Primary Market Area is a broader geography that is used to better understand market opportunities and demand for offerings from within the Town of Parker boundaries, is 232.4 square miles. Both areas are shown in the map below, with the darker blue representing the Town and the transparent purple representing the larger Primary Market Area. The PMA includes Elizabeth, Kiowa, Franktown, and Ponderosa Park. Data for Douglas County was also frequently analyzed where available.



PEER CITIES

Several Front Range cities and towns were used as comparisons for Parker for the Market Assessment. They include Castle Rock, Arvada, and Louisville. These peers were selected due to their similarities in size and other characteristics. Overall, these peers share many of the same market dynamics that exist in Parker today.

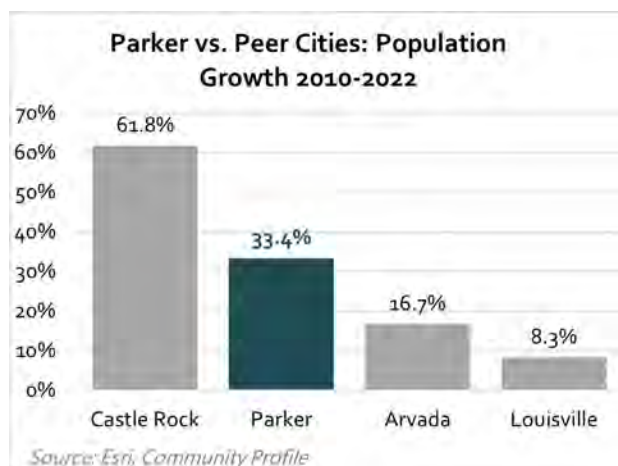
Arvada
Castle Rock
Louisville

Peer cities used in the comparative market analysis

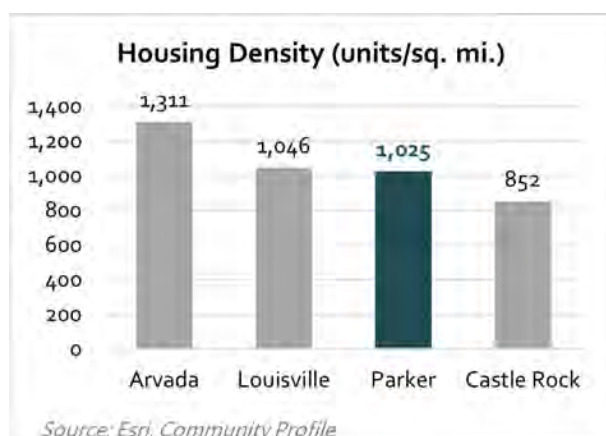
MARKET ASSESSMENT SUMMARY BY CHAPTER

The following summary of the Market Assessment provides an overview of key findings by chapter -- Residential, Employment, Retail, Office, Industrial, and Tourism and Visitation. For reference, data sources and graphs are cited and provided in the full report.

Residential



- » Between 2010 and 2022, Parker's population grew substantially, at rate of 33%, outpacing most other Front Range communities. Parker gained more than 15,000 new residents in just twelve years.
- » Since 2010, Parker's population has diversified, with 11% fewer people identifying as "White Alone" on the US Census. There has been an increase in the proportion of residents who identify as "Hispanic", "Two or More Races", "Asian", and "Black/African American".
- » Parker is a comparatively young community - it has the lowest median age among its peer cities. However, the population over the age of 65 is Parker's fastest growing demographic cohort.



- » Parker's residential development, characterized by high-end single-family subdivisions, has continued to proliferate in the last ten years. It has one of the lowest density housing patterns among its peer cities. Looking to the future, this low-density development will be constrained by the increasingly limited availability of raw land.
- » Despite the characterizations about Parker's single-family dominated housing typology, Parker's housing stock has been diversifying. Nearly half of Parker's 4,869 multifamily units were built between 2000 and 2010.
- » Home prices skyrocketed during the pandemic, with Parker's home values increasing 45% between 2019 and 2022. Prices grew statewide at nearly the same rate (43%), but Colorado's median home value at the end of 2022 was \$575,000, compared to Parker's median home value of \$735,000.
- » While rental rates have not increased quite as dramatically, Parker's average rents increased 22% since the pandemic started, which is double the increases seen in Boulder and Jefferson counties.
- » Parker's housing prices and overall cost of living have effectively excluded lower and moderate-income homeowners and renters. Cost of living indicators suggest that existing residents are more cost burdened than the statewide average.

Comparative Home Values

	Zillow: Home Value Index, 2022	Zillow: Home Value Index % Change, 2019-2022
Louisville	\$853,945	40%
Parker	\$734,692	45%
Castle Rock	\$706,893	47%
Arvada	\$645,894	45%

Source: Zillow



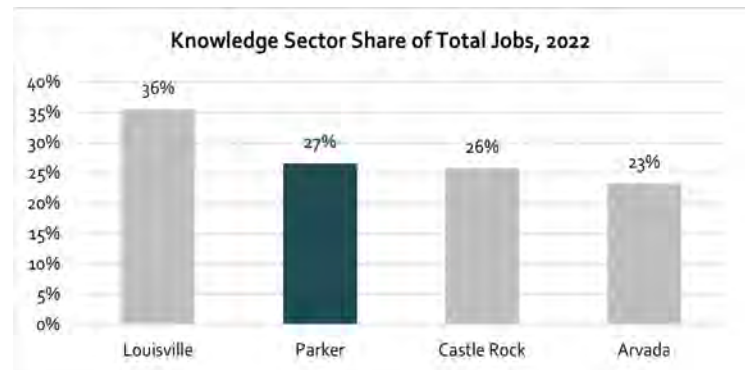
Single family home construction in Parker. Photo: P.U.M.A.

Employment

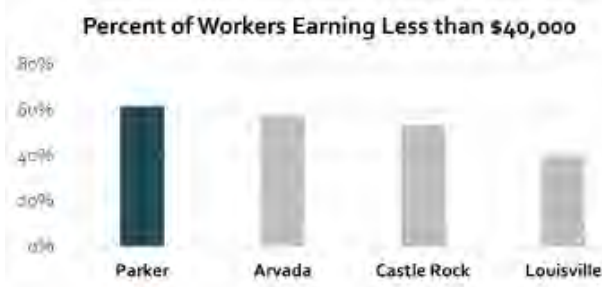
- » As of 2019 (the most recently available data), only about 10% of Parker's workforce lives in Parker, and most residents commute outside of town for work. Roughly 1 in 5 employed Parker residents travel to the City of Denver for employment.
- » Parker's three largest industries by employment are retail, healthcare, and food services. Jobs in these sectors tend to be lower paying. 62% of jobs located in Parker make under \$40,000 annually.
- » Data indicates a lack of primary employers in higher-paying, higher-growth industries relative to some of Parker's peers. The town's employment sector is somewhat dependent upon the continued success of its ten largest employers (five of which are healthcare or retail establishments) that provide nearly 40% of the town's total jobs.
- » Nearly 60% of Parker residents hold a Bachelor's or Graduate/Professional degree, which is a higher percentage than two of its peers as well as the Primary Market Area.
- » Most employees in Parker's retail and services economy earning wages that are inadequate to fit in with the town's high cost of living, coupled by limited public transportation options. Parker may struggle to retain retail and restaurant options as it may become increasingly difficult to staff these kinds of establishments. In addition to high housing costs, the town is not well served by public transit, vehicle transportation costs are high, the labor market is very tight, and thus Parker may lose service workers that find opportunities to work closer to where they live.

Where Parker Residents Work	
Denver	20%
Parker	10%
Aurora	9%
Centennial	8%
Greenwood Village	7%
Castle Rock	6%
Lone Tree	3%
Highlands Ranch	2%
Lakewood	2%
Colorado Springs	2%
All other locations	31%

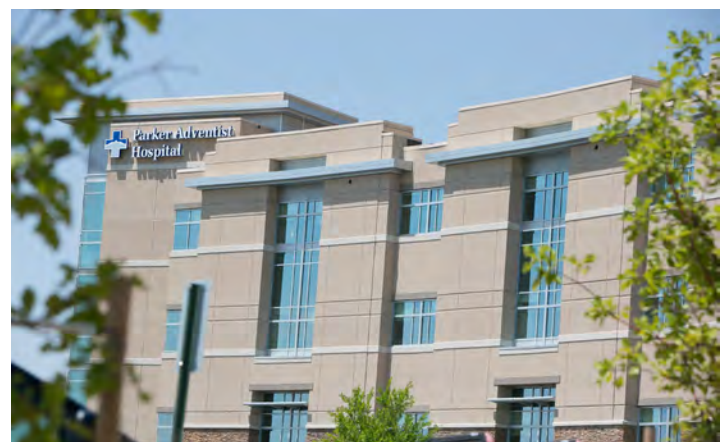
Source: U.S. Census, LEHD (2019 data)



"Knowledge sector" jobs tend to be within industries that are predominately private sector-based, fast-growing, well-paying, and a magnet for talented and well-educated workers (such as Professional, Scientific & Tech Services; Health Care & Social Assistance; Finance, Insurance & Real Estate; Management of Companies; and Information). Parker's knowledge sector share is on par with its peers, although trailing quite a bit behind Louisville, by about 10%.



- » Remaining developable land that could be used to house new primary employment in Parker is dwindling. Much of the developable land within town limits has been allocated to single-family home construction. Current zoning regulations are flexible enough to allow for a plethora of uses, such as gas stations and personal storage, that continue to be attractive as low hanging fruit opportunities.



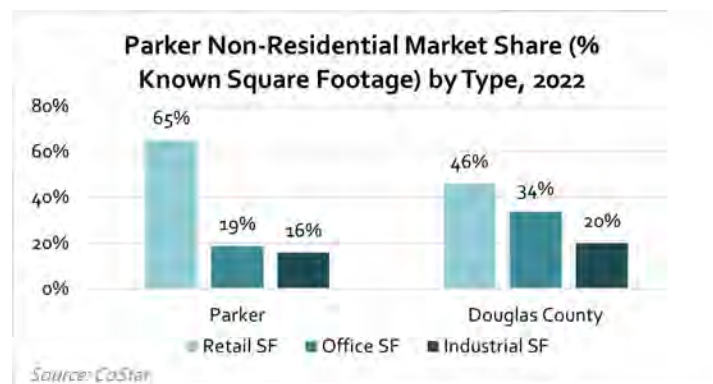
Parker Adventist Hospital. Photo courtesy of the Town of Parker.

Retail

- » Parker boasts 4.5 million retail square feet, the most retail square footage (and 1.5 times the average) among Douglas County municipalities.
- » Parker's retail base proved resilient in the face of the Covid-19 pandemic, with sales tax revenues showing a strong increase while most communities lost revenues. Sales and use tax revenues in the Town of Parker have more than doubled since 2010, increasing 122%, from \$25 million to over \$58 million, and even saw its biggest growth since 2010 occurred in 2021.
- » Parker is a destination for many of those residing outside its boundaries. As sales tax revenues show, Parker draws in many non-resident patrons.
- » The anticipated downtown development projects are poised to enhance Parker's draw for residents and non-residents alike. Downtown Parker has potential to become the central gathering place where people can shop, work, and live, and a catalyst for revenue generation, economic development, creativity, sense of place.
- » Parker Road is the arterial with the highest concentration of older retail development, with potential for redevelopment to re-envision aging shopping centers.
- » While most of Parker's market sectors have experienced volatility, Parker's retail vacancy rates have consistently decreased since 2006 and are currently at 1.1% – an all-time low.
- » There are opportunities for commercial nodes within new and existing residential subdivisions to provide neighborhood services and retail.

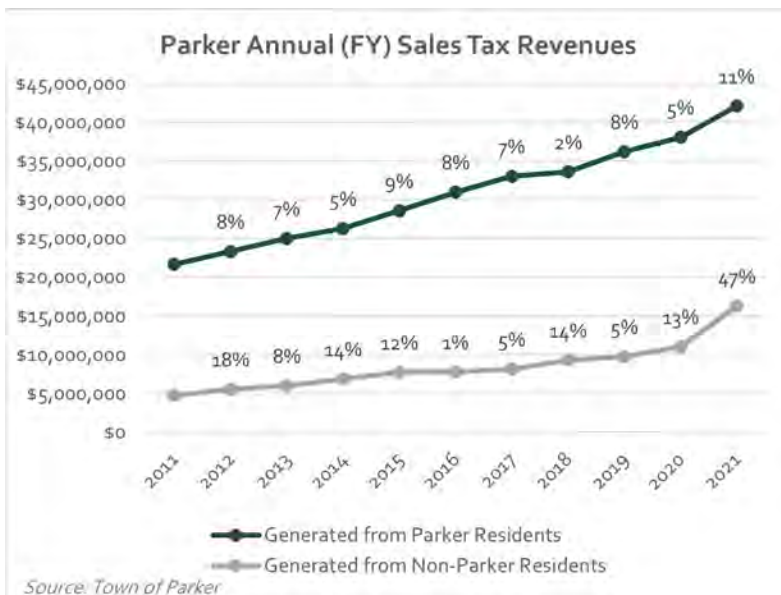


Stroh Ranch King Soopers. Image courtesy of the Town of Parker.



See Commercial Parcels by Building Age map in the appendix.

Parker's low retail vacancy has implications for the availability of affordable commercial space for prospective, existing, and emerging businesses.



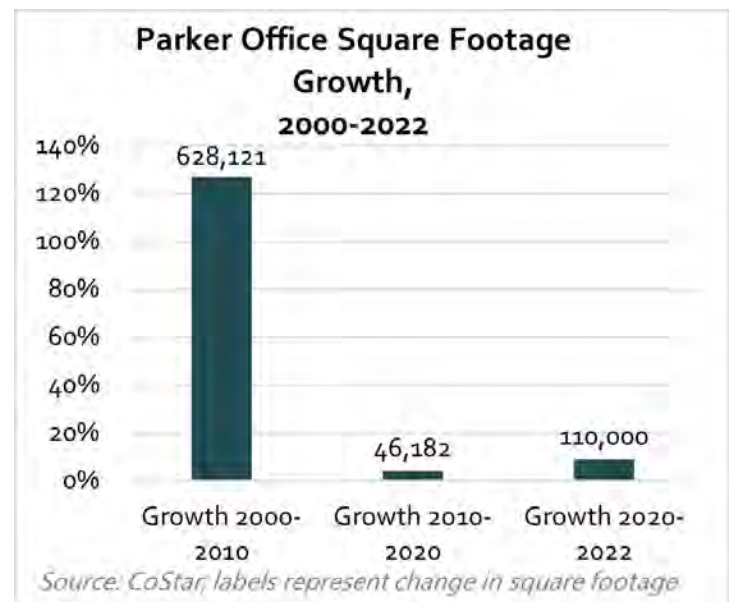
New retail development in Pine Bluffs. Image courtesy of the Town of Parker.

Office

- » Parker has 1.3 million square feet of office space (9% of Douglas County's total office space), which is in line with the average for other Douglas County municipalities but about 2 million square feet less than Lone Tree.
- » Rental prices for office spaces have steadily risen, despite relatively high vacancy rates. Office rents increased by 22% between 2012 and 2022, from \$23 per square foot to \$32 per square foot.
- » The current office vacancy rate is 10.4%, compared to 6.3% before the pandemic. Overall, Parker's office occupancy rates are higher than the southeast metro area as a whole.
- » The majority of Parker's workforce is employed in jobs that are not office-based, and those that are in office-based jobs are largely employed by small professional, medical, and business service firms that only require small spaces.
- » Parker residents are highly educated—a characteristic that is always attractive to businesses looking to relocate or open satellite offices. A highly educated population is also one that incubates entrepreneurial minds that might, with ample support, be convinced to start their own businesses and create more home-grown primary jobs for Parker.
- » Parker's office sector is relatively untapped compared to other markets and was thus protected from being over leveraged post-pandemic. More flexible work environments and post-Covid work trends are still evolving, and the long-term impact – and demand for new office real estate product -- remains to be seen. Office is the real estate sector with the most uncertainty, both globally and locally.



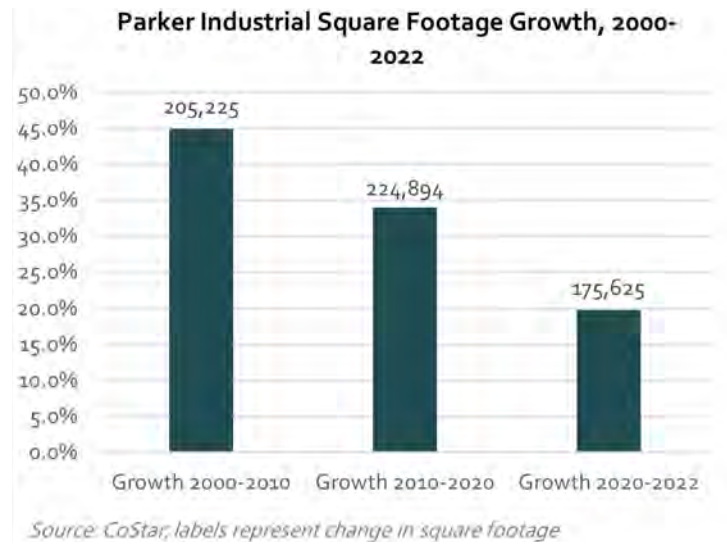
Office and retail uses along Parker Road. Image courtesy of Town of Parker.



Office uses at Parker Station in Downtown Parker. Image courtesy of Town of Parker.

Industrial

- » Parker's industrial/flex square footage has maintained steady growth over the last two decades, but feedback from commercial real estate developers who work in Parker suggest there are significant opportunities for smaller scale and flex office and manufacturing product, as well as small distribution centers. New industrial and warehousing development should be flexible to accommodate a variety of uses and intensity.
- » Due to Parker's competitive locational disadvantages (limited highway access and far relative distance to Denver) and limited availability of large developable parcels, it may be unrealistic for Parker to attract larger-scale manufacturing companies. Instead, the focus should be on attracting second tier, small- and mid-sized firms and distribution centers.
- » Healthcare uses are well established in Parker, with potential for growth in complementary medical, biotech, wellness industries. Healthcare is one of the fastest growing industries in the country, due in part to an aging population that needs proper care, and Parker will have ample opportunities to expand its offerings if it can find the space to accommodate them. Smaller manufacturing and warehousing spaces could be ideal.
- » There could be opportunities to nurture more home-grown small businesses and industries by tapping into the highly educated residential population. For example, there could be interest from people stepping off corporate ladder with ideas and resources to start a new venture. These individuals may benefit from temporary incubator spaces to help reduce barriers.



Small businesses in the Dransfeldt industrial area. Photo from P.U.M.A.

Tourism

- » Parker benefits from renowned arts and cultural facilities at a wide range of sizes, and has several larger-scale events throughout the year that draw in visitors from across the metro area. As the Primary Market Area grows in population, demand and attendance of events in Parker has increased.
- » Parker faces competition from performing arts venues, cultural facilities, and events in nearby communities. Notably, there is minimal draw from highly populated areas to the northwest. Moreover, as peer communities like Castle Rock continue to invest in and expand their appeal as destinations, Parker will face increased competition.
- » As recognized in the Parker Arts Strategic Plan, demographic changes and rising production costs put additional pressure on Parker to adapt its programming and increase its market capture. There is a need to adjust cultural offerings to a younger and more diverse audience. In addition, Parker’s high housing costs may contribute to difficulties in staffing lower-wage positions that are essential to operating venues, events, and lodging. In turn, this can impact the ability to provide the level of service customers and attendees expect.
- » Lodging occupancy rates are just below the optimal 70%-90% range, meaning there is adequate lodging for current needs and a bit of wiggle room as Parker attracts more visitors. There is additional capacity in the short-term rental market.



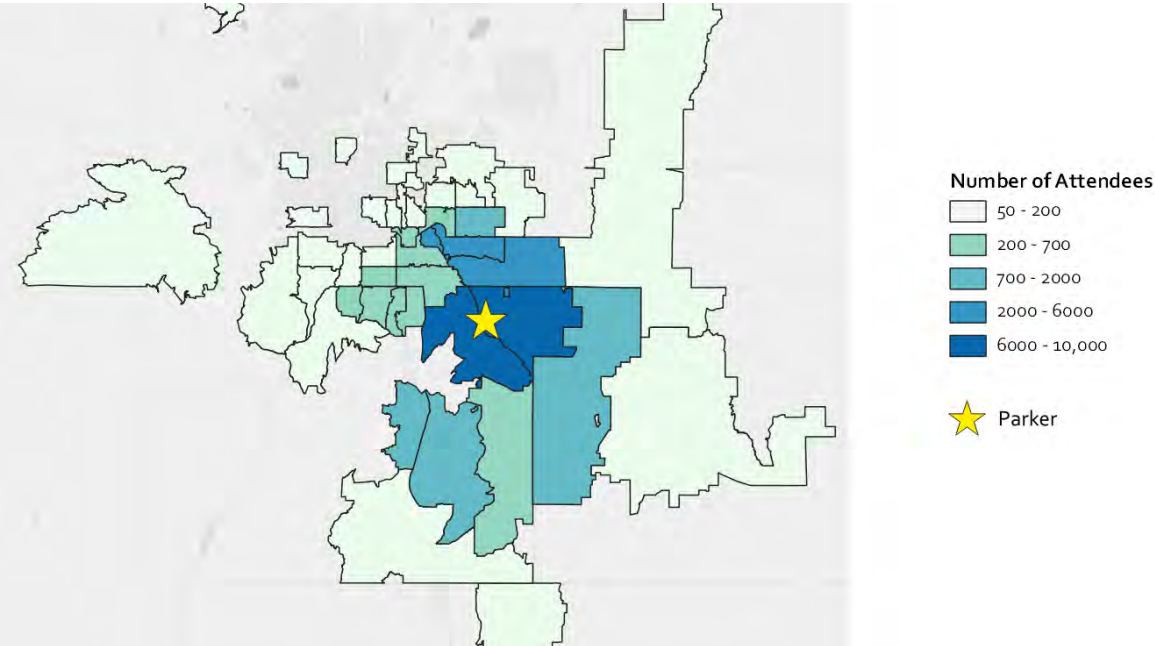
An aerial view of the annual Parker Days festivities. Photo from Town website.

- » As Parker seeks to attract larger employers to the area, there has been multiple mentions of the need for conference center (and additional lodging). The Parker Adventist Hospital has particularly called for a conference center.
- » Parker short term rentals have an average occupancy rate of 70%. However, there is considerable seasonal fluctuation in this rate: occupancy peaks in July at 92% and drops to only 42% in January. While this peak is similar to peer cities Castle Rock and Louisville, the dip is considerably lower (Castle Rock and Louisville drop to only 56% and 67% respectively). Further study is needed to understand why occupancy rates drop so much lower than peer cities in the winter.

Hospitality Real Estate Market, 2022 YTD		
	Parker	Douglas County
Inventory (rooms)	523	3446
Under Construction (rooms)	67	67
Occupancy Rate	67.8%	65.4%
Average Daily Rate (ADR)	\$123.49	\$118.00
Revenue Per Available Room (RevPAR)	\$83.76	\$77.00

Source: Parker Arts

Number of attendees at Parker Arts events in 2022, by home zip code. Source: Parker Arts attendance data. Map by P.U.M.A.





03

COMMUNITY ASPIRATIONS

COMMUNITY ENGAGEMENT OVERVIEW

COMMON THEMES: COMMUNITY PRIORITIES

ONLINE SURVEY FINDINGS

COMMUNITY ENGAGEMENT OVERVIEW

In coordination with the project working group, the consultant team obtained valuable feedback from community members through several key outreach methods, which are highlighted below.

ONE-ON-ONE INTERVIEWS

Over the course of several months between late 2022 and Spring 2023, the consultant team facilitated virtual and in-person interviews with dozens of individuals including:

- » Town Council (all members), Mayor, and Town Manager
- » Town Departments: Public Works/Engineering and Community Development
- » Economic development partners: Parker Chamber of Commerce, Aurora South Small Business Development Center (SBDC), Arapahoe/Douglas Workforce Center (Arapahoe/Douglas Works!),
- » Private sector: Centura Parker Adventist Hospital, Rocky Vista University, Confluence Developers

ROUNDTABLES

Several virtual roundtable engagement sessions were held as part of the planning process:

- » Local developers
- » Commercial real estate brokers
- » Parker Downtown Business Association (DBA)

ONLINE SURVEY ENGAGEMENT

To gather input from a broad audience of Parker residents, employees, visitors, and other stakeholders, an online survey was created and widely distributed in February and March of 2023. Participants represented a cross-section of the community. A total of 660 responses were collected and analyzed.

- » Key survey findings can be found starting on page 15.
- » The full survey summary is located in the appendix.

COMMON THEMES: COMMUNITY PRIORITIES

Understanding community priorities and values is crucial for developing a unified, forward-thinking, and implementable vision. The following section highlights key themes that emerged from community and stakeholder engagement efforts. These themes and priorities form the basis for the plan recommendations. Common themes and priorities for improving Parker are outlined on the following pages.



Ice skating at Discovery Park. Photo from the Town of Parker website.

Parker's quality of life should be maintained and celebrated.

- » There is widespread satisfaction with the overall quality of life in Parker, including indoor and outdoor recreational amenities, arts and cultural opportunities, and family-friendly activities.
- » While Parker's population has grown in recent years, the town has mostly managed to retain a small hometown feel. Continuing to maintain a distinct identity that is distinguishable from surrounding towns was frequently mentioned goal.

Downtown Parker is a source of community pride, and stakeholders are enthusiastic about downtown development and activation opportunities.

- » Downtown Parker was the third most frequently visited shopping destination among eleven local and regional shopping centers listed as options in the online survey (Q2). It was the second most frequently visited destination for dining and entertainment among the eight answer choices for Question 3.

- » Stakeholders would like to see Downtown further developed into a more vital, central gathering place where people can shop, work, and live.
- » There is enthusiasm for the proposed downtown redevelopment (My Mainstreet project, led by Confluence Development),
- » Residents and business owners desire a more continuous and expanded downtown storefront experience, particularly with diverse small independent business, to attract people both within Parker, and from neighboring communities.
- » A future aspiration is to more seamlessly connect, physically and economically, the west and east ends of Mainstreet across Parker Road.

There are opportunities to diversify Parker's restaurant and retail offerings.

- » Improving the variety of retail and restaurants was the top rated future improvement for Parker according to the online survey.
- » Clothing & shoe stores were the most frequently mentioned retail category that is missing in Parker, according to survey respondents. There is demand for both affordable and higher-end options,
- » Stakeholders indicated a preference for more multicultural cuisines and healthy food options, particularly independently owned local and regional concepts.
- » Parker needs more restaurants with outdoor dining areas and beer gardens.
- » Additional family friendly and teen entertainment experiences (e.g., bowling alley) – were common suggestions.

More distinct, walkable neighborhood centers should be developed.

- » Stakeholders would like to see more unique mixed-use developments in other areas of Parker, particularly that are walkable and well connected to residential areas.
- » Placemaking, through branding and physical interventions like gateway treatments, may be needed in certain sub-areas of town, such as key commercial districts, to help distinguish different parts of Parker.
- » Residents desire more retail and services within walking distance to residential subdivisions so they can get what they need close to where they live.

There is a strong small business community and a desire for greater support.

- » Financial support, assistance finding appropriate commercial space, and assistance navigating the

permitting process were the most commonly cited issues that prospective business owners

- » There is a need for more commercial spaces with diverse price points and sizes for existing and prospective businesses – space is expensive and it's hard to scale up. For example, many independent businesses lack capital resources to build or rent storefronts especially in Downtown Parker.
- » Both business owners and developers expressed frustration with the complexity of starting or expanding a business.
- » There could be more focus on nurturing home-grown small businesses, including those coming online from people stepping off corporate ladder; Continue creating pathways and offering resources to encourage entrepreneurs to start businesses. 15% of online survey respondents indicated they would be interested in starting a business in Parker.

Development review and permitting processes are viewed by many developers and business owners as cumbersome.

- » Compared to other communities where developers do business, the development review process in Parker can sometimes feel unnecessarily cumbersome.
- » There is desire for making building reuse more feasible through changes that allow flexibility in the building codes.

Expanding primary job opportunities is needed in Parker.

- » Most stakeholders understand the need to increase primary employment in the community in order to sustain a well-balanced economy, and to allow more people who live in Parker to also work in town. There was also a recognition of challenges such as land availability, housing and transportation costs, and competitive disadvantages geographically, for attracting larger employers.
- » Respondents want to see more scientific and technical jobs in addition to workforce and business capacity-building opportunities. Older respondents are particularly interested in expanding healthcare and social service employment.

Housing and costs of living are growing concerns, with potentially far reaching economic implications.

- » Housing is expensive, including most that is currently under construction, and many stakeholders are concerned about the rising cost of living. A number of homeowners lamented that their adult children cannot afford to buy a home in Parker.

- » Many businesses, large and small, are struggling to recruit talent due to housing and transportation costs -- a growing challenge to expansion, retention, and quality of service delivery.

Community members have persistent concerns about connectivity, transportation, and traffic congestion.

- » There are growing concerns about traffic congestion and transit limitations. According to the online survey results, traffic congestion was the characteristic perceived to have gotten the most significantly worse in the past ten years.
- » “More accessible parks and open space” had the second highest combined “Important” and “Very Important” ranking in the online survey (Q6).
- » Improve physical connections, including adding more wayfinding signage, and increasing pedestrian lighting to improve feelings of safety and ease of multi-modal transportation.
- » There may be ways to optimize the parking experience in Downtown.

Parker’s tourism offerings have considerable potential to grow.

- » Stakeholders see Parker’s potential to expand its appeal as a regional tourism destination, building on its existing assets including concert and event series, and venues like the PACE Center, and arts and cultural facilities and programs.
- » There may be an opportunity for a facility like a conference center that can host small conventions and events, such as medical conferences associated with the hospital.

There is a desire to see the Town’s brand, image, and amenities be modernized to appeal to a broader audience.

- » There is a desire for Parker’s image to be more than that of a bedroom community
- » Revamping Parker’s brand, and offering more diverse businesses and amenities, could help attract and retain a younger and more diverse population of residents, workers, and visitors.

Environmental sustainability has emerged as an important community value.

- » “Invest in sustainability and environmental quality” had the second highest combined “Important” and “Very Important” ranking in the online survey (Q6) out of ten possible answer choices.



Shopping center in Parker. Photo from the Town of Parker.



Mainstreet, Parker. Photo from the Town of Parker.



Tallman Gulch Trail. Photo from the Town of Parker website.

ONLINE SURVEY FINDINGS

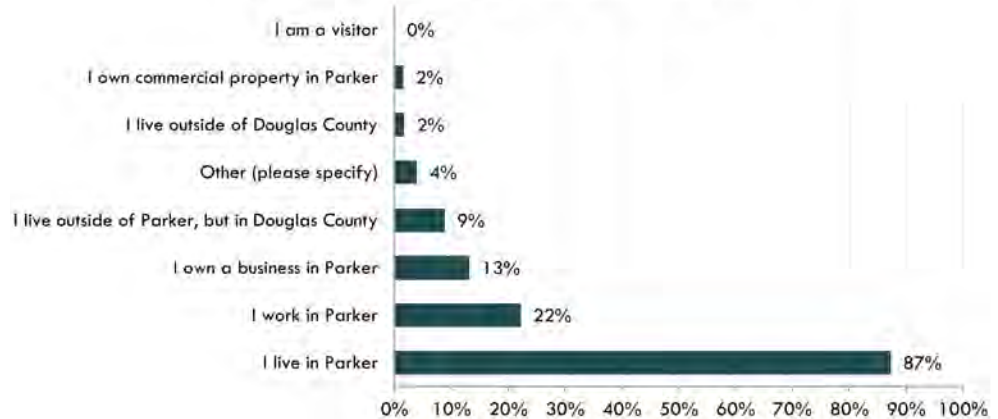
To help guide *Parker's Economic Playbook*, an online survey was distributed to the community with the goal of gathering input from a broad audience about their experiences and desires for economic vitality in Parker. The survey was available from February to March, 2023. A total of 660 responses were collected and analyzed, with key findings summarized below (full report in Appendix).

RESPONDENT CHARACTERISTICS

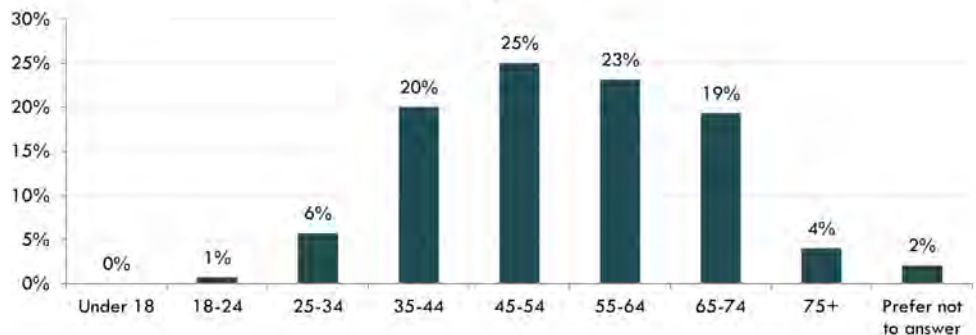
Survey participants represented a cross-section of community stakeholders. More details on respondent characteristics can be found in the full report, with a snapshot below. Key survey questions were also cross-tabulated by age and household income. A summary of findings from these cross-tabulations can be found in the full report in the appendix.

- » The majority (87%) of respondents live in Parker, with 1/3 living in Parker for 20+ years and another 20% for 6-10 years.
- » Survey participants represented a range of age groups, with roughly equal representation from ages 35-44 (20%), 45-54 (25%), 55-64 (23%) and 65-74 (19%), but only 7% were under the age of 34.
- » 79% of respondents identified as white, which mirrors the percentage of white residents in Parker based on Census data. However, only 3% of respondents identified as Hispanic/Latinx and 3% identified as Two or More races, both of which are lower than total residential estimates of 10.8% each.
- » Participants represented a range of household incomes, with \$150,000 to \$199,000 as the most common income range (22% of respondents).
- » 63% identified as female.
- » Lower income respondents tended to be older. Of respondents reporting incomes less than \$50,000, over half were from the 65+ demographic.

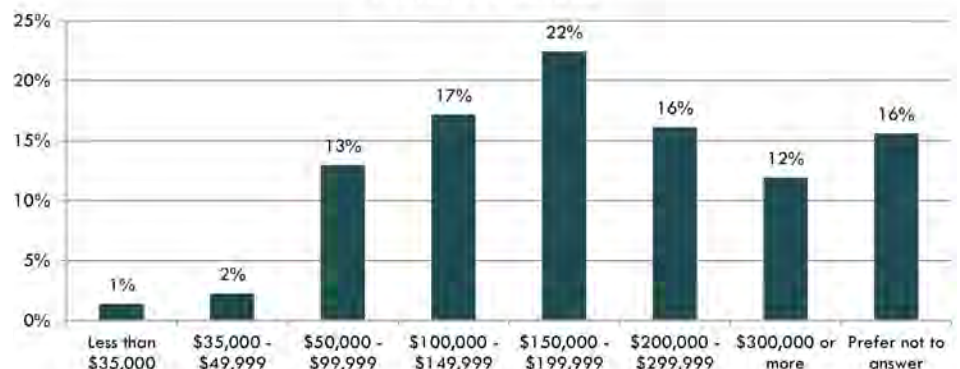
Which of the following best describes you?



Age

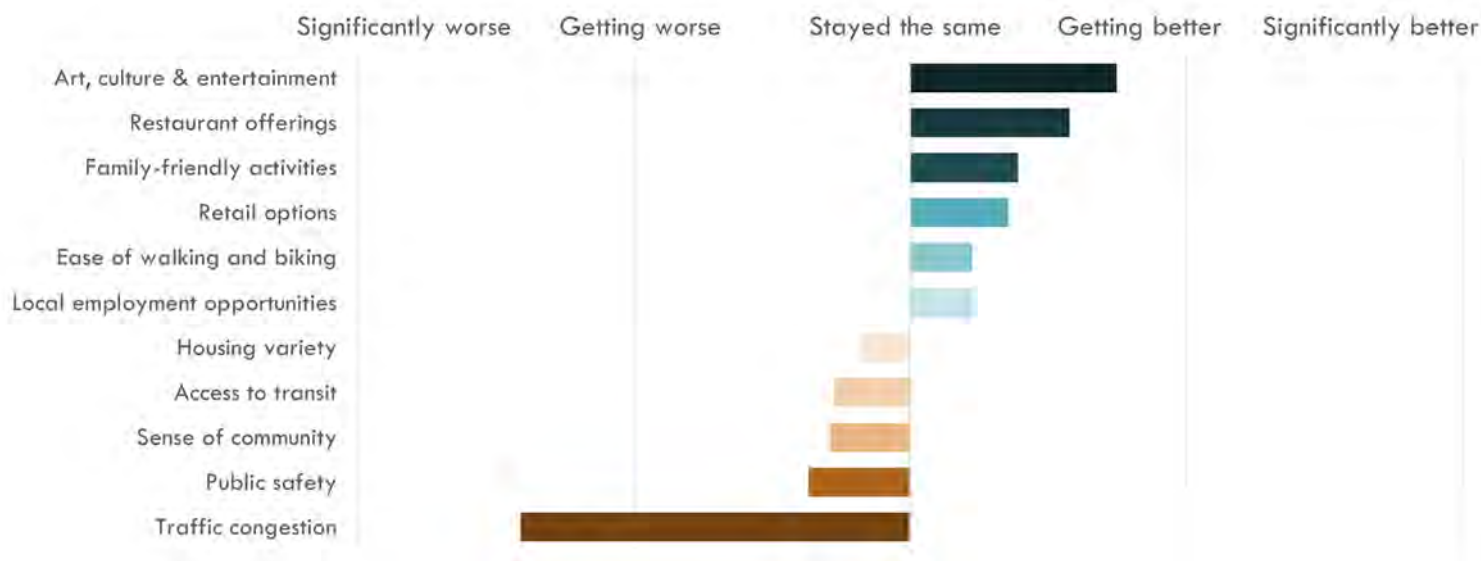


Household Income



PARKER TODAY

- » “Arts, culture, and entertainment” was the “most improved” characteristic of Parker in the past ten years, while traffic congestion was the characteristic more perceived to have gotten worse.
- » Respondents primarily conduct in-person shopping for goods and services within Parker, but there are key gaps in products and experiences that they are leaving Parker to find.
- » Downtown Parker is a highly utilized shopping destination.



Top Dining and Entertainment Destinations		
#1	Other areas in Parker	83%
#2	Downtown Parker	66%
#3	Lone Tree	52%
#4	Castle Rock	43%
#5	Denver	36%
#6	Littleton/Centennial/Highlands Ranch	36%
#7	Other (specify below)	30%
#8	Aurora	27%

When asked to indicate whether respondents visited dining or entertainment destinations frequently, occasionally, rarely, or never (Q3), the most frequently visited were Other areas in Parker and Downtown Parker. Note: score reflects cumulative “frequently” and “occasionally” ratings.

	Category	Mentions	Detail
#1	Clothes & shoes	307	Specific retailers mentioned, also both high-end and thrift
#2	Dining & Bars	201	Specific restaurants mentioned, healthy options, multicultural options
#3	Sporting Goods	80	Sports, hunting, hiking and camping supplies and attire
#4	Home goods/wares	77	Some specific retailers mentioned: Ikea, TJ Maxx, HomeGoods
#5	Entertainment	62	Movies are mentioned 22 times
#6	Auto services	55	Auto purchases and repairs
#7	Furniture	51	Particularly high-end furniture
#8	Groceries	47	Particularly specialty/high-end options and multicultural ingredients
#9	Medical services	28	Dental, medical and pharmacy services
#10	Salon services	25	Haircuts, nail services, massage
#11	Cannabis and CBD	14	Medical and recreational
#12	Electronics	18	Computers, parts, repairs, and other electronics
#13	Books	20	Particularly Barnes & Noble

The top retail items and services that survey respondents most often leave Parker to obtain (Q4, open-ended) include clothing, dining & bars, and sporting goods.

PARKER IN THE FUTURE

- » Respondents want to maintain Parker’s small town feel and parks/open space as it grows, while increasing the variety of local, unique businesses.
- » In addition to more restaurant and retail offerings, respondents want to see increased neighborhood pedestrian/bike access, greater housing variety, and a focus on sustainability and environmental quality.
- » The top three improvements with the most consensus and the highest combined rankings of “Very important” and “Important” are: Improve the variety of retail and restaurants (78% combined), More accessible parks and open space (77% combined), Increased neighborhood pedestrian/bike access (74% combined)
- » Respondents want Parker to attract more scientific and technical jobs in addition to workforce and business capacity-building opportunities. Older respondents are particularly interested in expanding healthcare and social service employment.
- » Younger respondents are the most entrepreneurial, with a third of respondents under 35 indicating interest in starting a business in Parker. The most commonly cited types of support desired included financial assistance, finding commercial space, and navigating the permitting process.

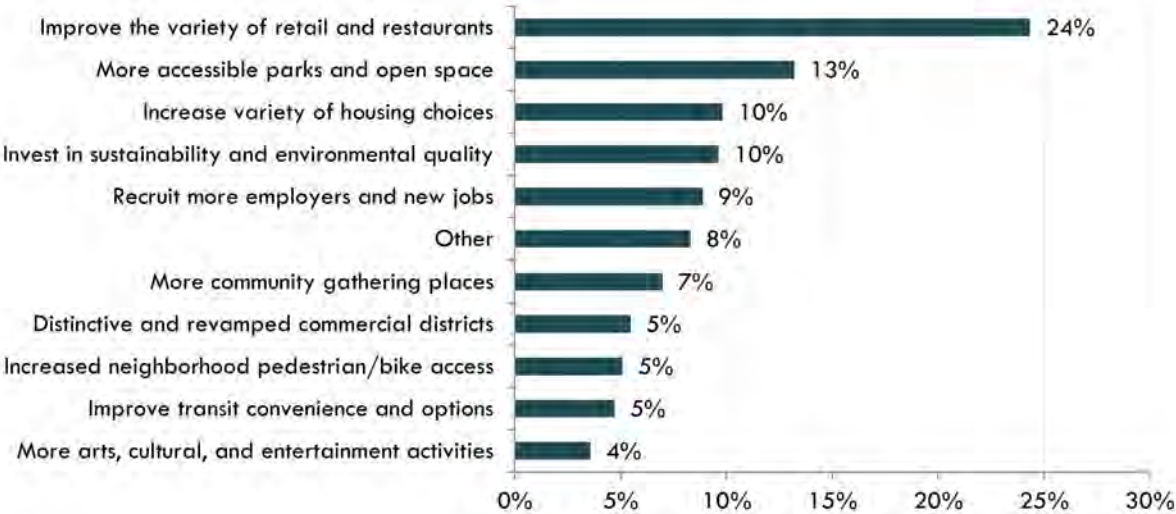
Survey respondents were asked to provide three types of stores and restaurants they’d like to see in the future in Parker. Results from the open-ended question are shown in the table below, listed by most frequently cited.

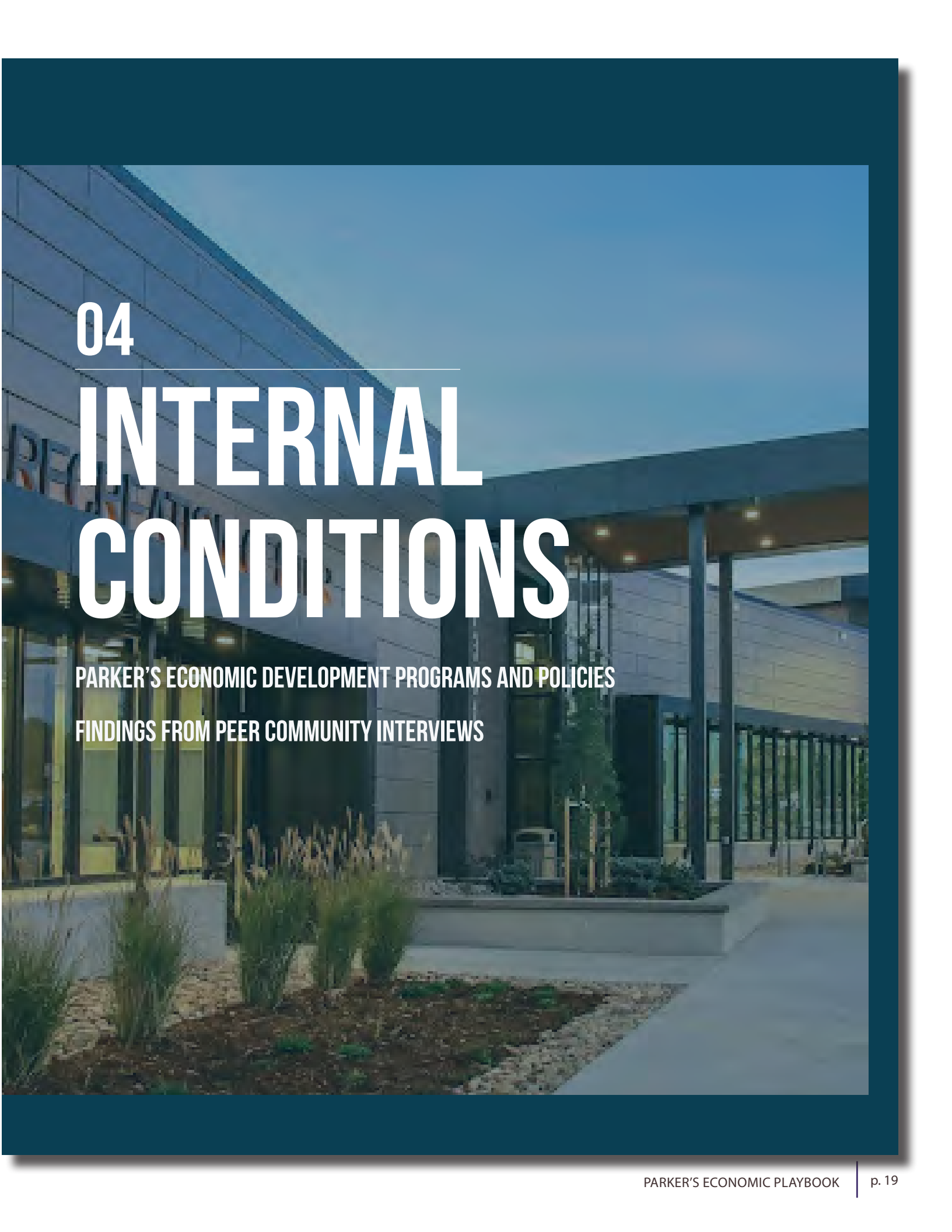
	Type of store or restaurant	Mentions
#1	Non-chain food and retail	79
#2	Upscale dining	71
#3	Culturally diverse food options	56
#4	Clothing	54
#5	Bars, breweries, and distilleries	49
#6	Home goods and décor	43
#7	Healthy food options	33
#8	Sporting and recreation supplies	29
#9	Patio/Outdoor seating options	28
#10	Art and craft	23
#11	More grocery	22
#12	Family-friendly options	20
#13	Food hall or trucks	17
#14	Live entertainment	15
#15	Furniture	14
#16	Butcher/deli	13



Respondents were asked for three words that best describe their vision for Parker in the year 2035. The word cloud at left visualizes words most commonly used by their frequency (shown by relative size).

Question 7 prompted respondents to select ONE action that would be the most important for achieving their vision of Parker. Results for question 7 are shown in the adjacent graph.





04

INTERNAL CONDITIONS

PARKER'S ECONOMIC DEVELOPMENT PROGRAMS AND POLICIES

FINDINGS FROM PEER COMMUNITY INTERVIEWS

PARKER'S ECONOMIC DEVELOPMENT PROGRAMS AND POLICIES

The Town of Parker's economic development functions were examined to better understand key opportunities for internal systems moving forward. In addition to reviewing policies and incentives, a high-level review of zoning, building codes, and the development review process was also conducted. Interviews with Town leaders, staff, external partners, and developers helped to illuminate internal strengths and challenges.

ECONOMIC DEVELOPMENT AND P3

Staffing and Organization

In the recent past, the Town's **Economic Development Department** was managed by an economic development director and several staff. When P.U.M.A. was first hired to facilitate this process, the department only had the director position, which became vacant in late 2022.

Currently, most of Parker's economic development functions are overseen by the town's Urban Renewal Authority (URA), known as **Partnering for Parker's Progress**, or **P3**, which is led by an executive director and a team of two support staff. P3 offices are located in Town Hall.

The goals and functions of the P3 overlap with town-wide economic development initiatives, particularly related to promoting economic vitality in Parker's three urban renewal areas (Parker Central, Cottonwood, and Parker Road). One of the primary functions of the P3 is to administer Tax Increment Financing (TIF) and business assistance related to projects located in the urban renewal areas.

Economic Development works directly with the Town Manager and Community Development, among other internal and external agencies, to administer and promote economic development in Parker. The

department assists with site selection and provides data and marketing materials that help attract and retain businesses in Parker. The department works with key local partners including the Parker Chamber of Commerce to assist small businesses and to promote the community to prospective employers, developers, and investors.

ECONOMIC DEVELOPMENT INCENTIVES

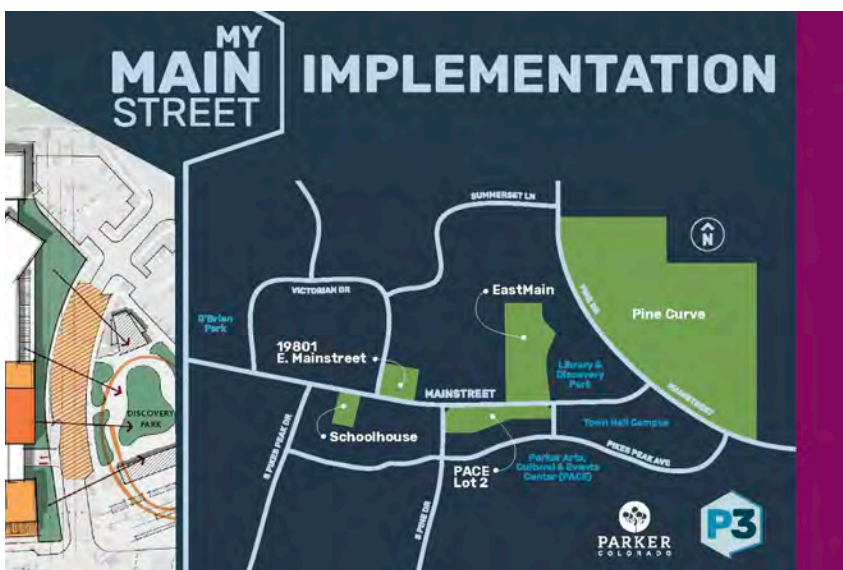
In addition to TIF, Economic Development administers several incentive programs for new development and businesses, as summarized below.

Shopping Center Assistance Program

- » For new shopping centers, a portion of fees and sales tax revenues (up to 50% for up to 10 years) is refunded by the Town of Parker to help offset cost of public improvements associated with the development of new shopping centers. Shopping centers are defined as two or more commercial buildings that are generally managed as a planned unit.

Tax and Fee Assistance Program

- » Similar to the Shopping Center Assistance Program, the Tax and Fee Assistance Program is targeted to any owner/operator of a business that wants to



Enhancing economic vitality has been identified as a key priority for the Town of Parker in many recent plans and initiatives.

With potentially transformative redevelopment projects like My Mainstreet, facilitated by the Town and P3 with private developers, Parker has an opportunity to create a distinctive, vibrant, and cohesive downtown experience for residents and visitors to live, play, and work.

locate in Parker or existing businesses that want to expand. The primary eligibility requirement is that the business would generate sales tax, permit fees, or construction use tax within the first year of operation.

Town of Parker Community Loan Fund

- » Microloans up to \$50,000 per project are available to new and existing businesses in Parker, providing financing for small businesses that aren't otherwise eligible through a traditional bank. Eligible uses of funds include start-up expenses, equipment, inventory, and operations. The program is a revolving loan fund that is administered through a partnership with the Colorado Enterprise Fund.

DEVELOPMENT REVIEW PROCESS

The **development review process** includes an online permitting and application system for all land and building improvements, from large scale development to minor facade upgrades. For more complex projects, pre-application meetings and collaborative work sessions are available with relevant staff across departments to help applicants navigate the process and modify plans to meet building, zoning, and engineering requirements.

The **Community Development Department** is a key internal partner and includes two divisions: Building and Planning. For companies and developers looking to start or expand a business or develop property in Parker, Community Development is often their first touch-point. The Building Division is responsible for approving building permits and enforcing the building code, while the Planning Division oversees comprehensive and long-range planning efforts, zoning

code updates and enforcement, and facilitates pre-application meetings for development review.

The **Department of Engineering/Public Works** also works closely with Community Development and is responsible for reviewing construction plans for new developments, public right-of-way construction, storm drainage and environmental impacts, and other technical engineering plans required for development projects. Engineering/Public Works also oversees the development and replacement of all Town capital improvements and transportation infrastructure.

KEY TAKEAWAYS:

- » Despite the strong working relationship between Economic Development, Community Development, and Engineering/Public Works, Parker's development services model is somewhat siloed. Moreover, feedback from developers is that the level of requirements from different departments can feel cumbersome and lengthen the time needed for approvals. One opportunity that was identified both by town staff and external partners is to create a development liaison position within Economic Development to help applicants navigate the development review and incentive application processes, and to provide greater cohesion and communication between the departments.
- » There are opportunities to further refine and simplify certain zoning, building, and design requirements. While there is less flexibility with engineering standards compared to landscaping, Parker's zoning and design standards could be improved to allow more flexibility and to ensure requirements are as clear as possible. Community Development is in the process of modernizing Parker's Land Development Ordinance.
- » The Shopping Center and Tax & Fee Assistance programs have been fairly well utilized. However, they have largely benefited chain retailers that likely would open in Parker even without a subsidy. Modifications to these incentives may be needed to better align with economic development goals, such as targeting small, independent businesses, retail and services that fill market gaps, and development types with desirable design elements like ground floor activation or outdoor dining spaces.
- » It was also determined through this planning process that the Community Loan Fund could be better utilized and promoted -- and that a more targeted approach to eligibility based on sub-area location or business types that fill market gaps would be beneficial.



FINDINGS FROM PEER COMMUNITY INTERVIEWS

The Town's economic development functions were compared with peer and aspirational communities in Colorado and beyond. The consultant team conducted interviews with economic and community development directors and managers from the following regional peer organizations:

- » *Arvada Economic Development Association (a 501c6 nonprofit funded by the City of Arvada)*
- » *City of Centennial Economic Development*
- » *City of Sheridan Community Development*
- » *Town of Superior Economic Development*

A summary of common interview themes follows:

The scope of economic development functions varied somewhat, but most treat economic development as an ecosystem and touch on housing and other quality of life matters.

- » The City of Centennial maintains some traditional functions (such as attraction/recruitment, and small business support), but has become more innovative. Examples include initiating research and public education about innovative affordable housing solutions.
- » In Sheridan, community and economic development staff wear many hats, from supporting regional workforce development initiatives, to helping manage capital improvement projects and creating affordable housing incentive packages.

More cities and towns are consolidating community development and economic development functions, resulting in more collaborative and efficient processes.

- » In Arvada, AEDA is now part of the City's "Community and Economic Work System" together with planning and engineering services.
- » Centennial merged some community development/ planning and economic development functions, and the result has been greater efficiency and ease of coordination, as well as a more holistic mind-set among staff.

Commercial retail center improvement incentives are a new tool set being used in places like Arvada and Centennial.

- » The City of Centennial's Retail Center Transformation Fund focuses on retail centers built in the late 80s/early 90s and reimburses owners for physical improvements. It can support simple improvements like façade and appearance, or new uses and redevelopment.

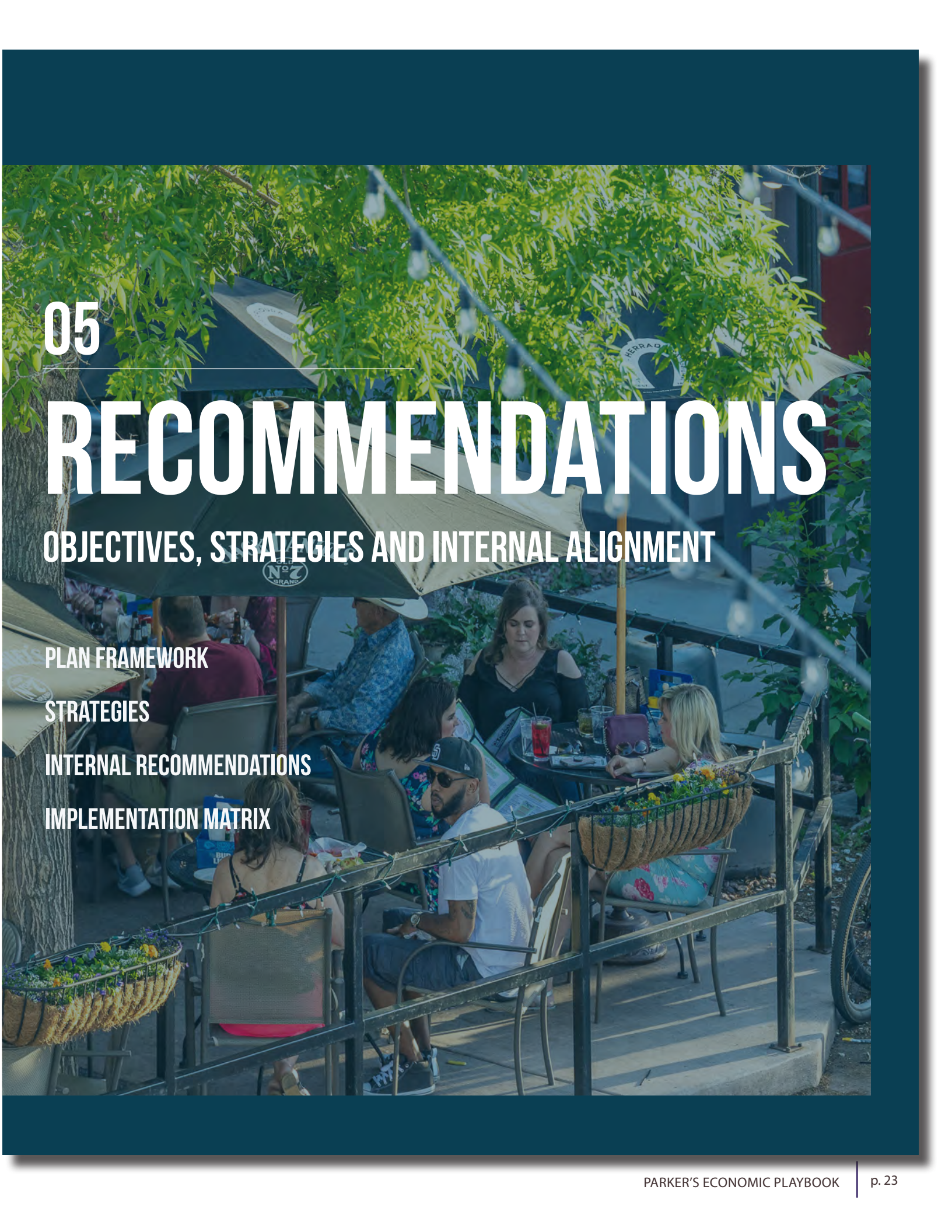
- » Arvada's shopping center revisioning pilot helps cover the cost of architectural designs (\$5,000 grants).

Regional collaboration can take many forms, and for many communities it is key to advancing certain projects

- » In Arvada, where there is a high concentration of economic development-related organizations, overlap of roles and responsibilities can occur but they operate within a mutually-supportive environment.
- » Centennial and Sheridan maintain relationships with workforce development (Arapahoe/Douglas Works), DRCOG, and Denver South. Sheridan is piloting a tailored workforce development program with Arapahoe/Douglas Works.

Most of the interviewed communities did not have "expedited review" per se, but they offered well-oiled internal mechanisms to ensure they can find a way to execute key projects.

- » In Arvada, one of the staff members attends weekly pre-application meetings for new commercial projects, and attends the weekly development review team meeting. While they do not have fast-tracking, AEDA often gets involved to help work through any issues that may arise.
- » Arvada, Centennial, and Sheridan each have a staff member that regularly participates with the redevelopment review team.



05

RECOMMENDATIONS

OBJECTIVES, STRATEGIES AND INTERNAL ALIGNMENT

PLAN FRAMEWORK

STRATEGIES

INTERNAL RECOMMENDATIONS

IMPLEMENTATION MATRIX

HOW THIS CHAPTER IS ORGANIZED

1. Plan Framework

Shown on this page, below, the plan framework graphic illustrates the organizational structure of the goals with corresponding objectives and strategies.

2. Strategies (Pages 25-30)

This section is organized by Goal Area (Jobs & Economic Opportunity, Amenities, and Infrastructure), with corresponding Objectives, Strategies, and Tactics. Tactics are explored in greater detail in the Implementation Matrix.

3. Internal Recommendations (Pages 31-32)

This section summarizes key recommendations for Town of Parker Economic Development and partners departments and agencies, including proposed staffing and incentive policies.

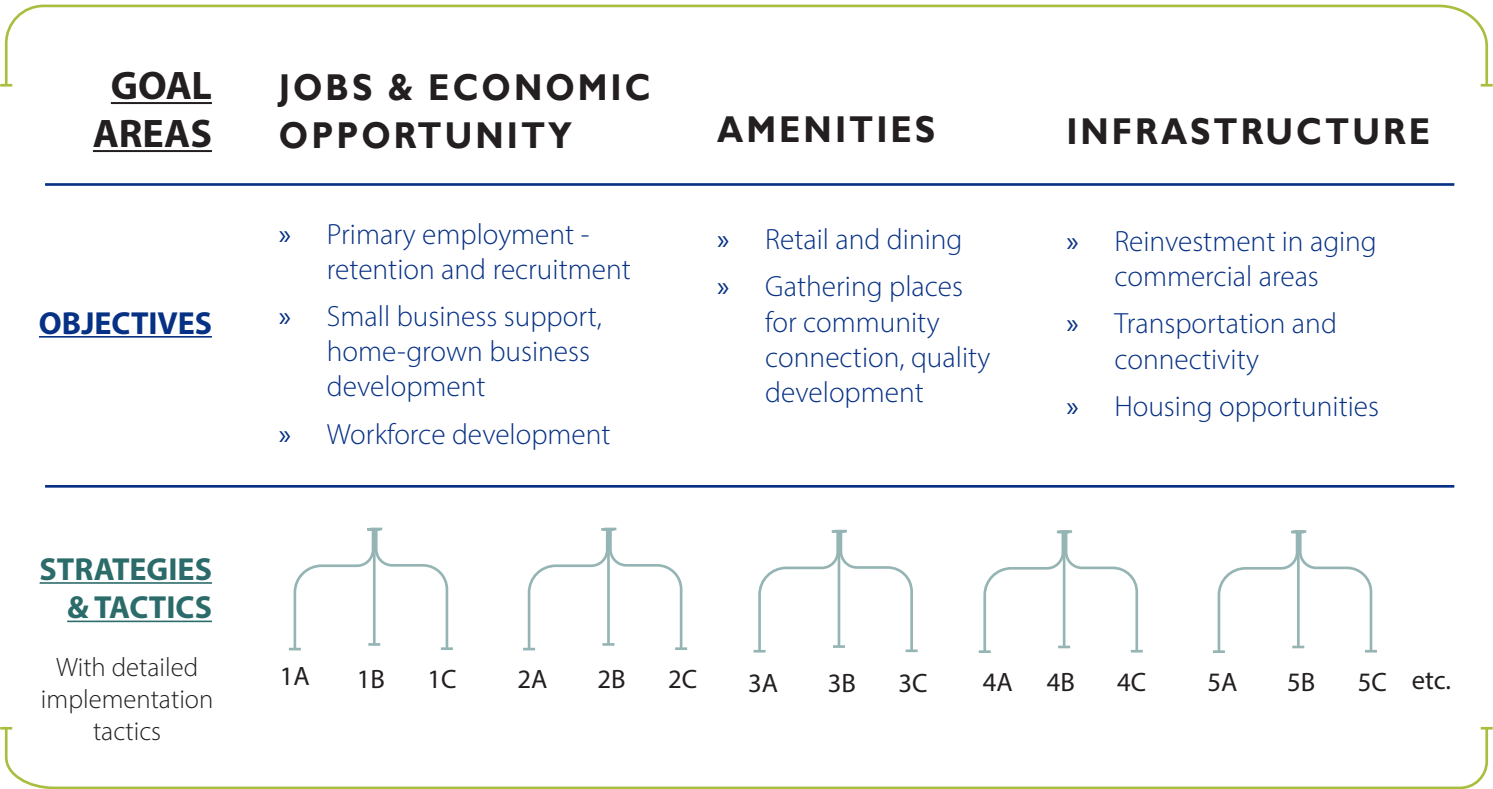
4. Implementation Matrix (Pages 33-44)

The Implementation Matrix provides detailed tactics for each strategy. It includes suggested sequencing, partner roles, and high-level cost estimates. Case study summaries are also provided for several tactics.

PLAN FRAMEWORK

The recommendations outlined in this plan were developed in tandem with the project working group and Town of Parker staff and leadership. They are based on a variety of inputs including community and stakeholder feedback, market research, and economic development best practices.

The framework graphic below has two purposes: to visualize the organizational hierarchy of the plan's recommendations, and to highlight the plan's overarching goals and objectives.



GOAL AREA: JOBS & ECONOMIC OPPORTUNITY

Objective I: Primary Employment

Strategy 1.1: Recruit companies and jobs in high-paying, high-growth sectors, particularly where Parker has a competitive advantage.

- » Recruit and nurture small-to-mid sized companies in niche manufacturing, renewable energy , and technology, including outdoor and sporting equipment manufacturing, small batch medical device manufacturing, photovoltaic and other energy technology.
- » Build on Parker's healthcare sector to meet increasing demand for medical care while creating new, high-paying employment opportunities.

Due to Parker's locational challenges relative to major highway corridors and limited availability of large developable parcels, it may be unrealistic for Parker to attract larger-scale companies. Instead, focus on second tier, small- and mid-sized firms or satellite offices, and remote jobs.

Strategy 1.2: Develop process incentives and programs to attract desired primary employers. Greater transparency and efficiency in the development review and incentive processes could add appeal for prospective companies to build their business in Parker.

- » Offer a menu of tools and incentives to attract new primary employers in target sectors.

See Process and Financial Incentives on page 32.

Strategy 1.3: Develop branding and a creative marketing campaign for relocating or expanding businesses to Parker.

- » Create a targeted marketing package for business recruitment that highlights Parker's quality of life and workforce advantages.
- » Develop a brand identity for the Town of Parker, in a way that conveys its core values and the advantages of living and working in the community.

A refreshed Parker Economic Development website should relay recruitment information in a visually cohesive manner.

Parker is largely built out, and remaining land should be carefully planned for in a way that maximizes employment and revenue-generating uses.

Strategy 1.4: Preserve and expand commercial and industrial uses to maximize primary employment.

- » Ensure adequate supplies of developable (and re-developable) land for new light industrial facilities and distribution centers.
- » Identify redevelopment sites and specific developable parcels, and offer expedited review and incentives, to expand Parker's inventory of diverse office and flex space.
- » Prioritize specific commercial opportunity sites and collaborate with private and public partners.

Objective 1: Primary Employment (CONTINUED)

Strategy 1.5: Accommodate more remote workers and encourage value-added workplace amenities attractive to all worker types.

- » Consider launching a public-private initiative with local perks for remote workers in Parker, such as vouchers to restaurants and coworking spaces.
- » Encourage more remote work hubs (co-working spaces) and informal “third places” (i.e., coffee shops).
- » Explore shared programs and spaces that offer value-added amenities for employees to encourage return-to-work.
- » Educate businesses about the return on investment for providing childcare and healthcare benefits to their employees, to help attract and retain a strong workforce.
- » Ensure that Parker has amenities that appeal to younger and middle-age populations, such as nighttime entertainment, bars/breweries/distilleries, outdoor eating, and more modern gathering spaces.



In response to Parker’s market and land limitations, focus on cultivating a powerful, high-tech labor force that can work remotely.

In a post-Covid era, a greater number of people have more autonomy in where they live and work, and Parker is well-positioned as an attractive workplace location. Remote workers require less in the way of conventional office space, providing a convenient solution for a town like Parker that needs more primary jobs but does not have much undeveloped land for new office spaces.

Objective 2: Small Business Support

Strategy 2.1: Cultivate homegrown businesses and start-ups.

- » Offer grants and technical assistance for innovative start-up concepts.
- » Work with key partners to engage entrepreneurial residents and to drum up interest in an entrepreneurial network.
- » Capture emerging entrepreneurial and arts-driven energy in places like the Dransfeldt industrial area to build a brand, business support services, and attract entrepreneurs.

Providing resources and inspiration to residents considering to start their own business ventures would help create more home-grown primary jobs.



Strategy 2.2: Streamline the delivery of hands-on business assistance.

- » Create a clear “one stop shop” guide and system for navigating permitting processes.
- » Play a proactive role in assisting prospective businesses find available space (retail, office, flex, industrial).
- » Create and promote environmental programs for businesses to reduce their carbon footprint.

15% of online survey respondents indicated they would be interested in starting a business in Parker. When asked what support they would need, common themes included: financial support, assistance finding affordable and appropriate space, and streamlined permitting processes.

Objective 2: Small Business Support (CONTINUED)

Strategy 2.3: Create policies and process incentives to help small, local retailers and other businesses acquire or lease space.

- » Conduct a “barriers and needs” assessment for small businesses to generate reasonable modifications to zoning, building, and permitting codes and processes that may unduly burden small businesses.
- » Work with developers to create and earmark spaces for mom-and-pop shops and restaurants within new mix-used buildings.
- » Provide incentives to businesses that meet the updated criteria (see



Parker's low retail vacancy rate is putting pressure on retailers, and could price out existing and would-be small businesses. Moreover, feedback from local businesses suggests that code requirements for building or renovating commercial space is seen as burdensome for small businesses.

Strategy 2.4: Build a culture of collaboration for more proactive business outreach and engagement.

- » Activate a network of businesses, entrepreneurs, commercial real estate brokers, developers, economic development entities, and civic leaders, to meet periodically to share information and ideas.



Greater local and regional collaboration can help deliver a more cohesive vision for redevelopment opportunities, streamline business and developer recruitment, test new Town policies and processes, and reduce redundancies.

Objective 3: Workforce Development, Training, and Economic Opportunities

There are a variety of regional and statewide workforce development initiatives available to Parker residents and businesses, which can be tailored to meet local needs.

Participating in regional sector partnerships can create opportunities for both local businesses and students.

Strategy 3.1: Promote existing workforce development programs, particularly in technology, manufacturing, healthcare, and other opportunities that match the local workforce.

- » Stay informed and involved in regional and statewide workforce development opportunities.

Strategy 3.2: Support sector partnership networks to connect students with local apprenticeship opportunities.

- » Participate in the Arapahoe/Douglas Workforce Center's regional Sector Partnership Initiative that brings together industry leaders, employers, educators, and economic development resources.
- » Partner with middle and high schools, and other educational institutions, to tailor workforce programs, create entrepreneurship pipelines, and recruit young talent.

GOAL AREA: AMENITIES

Objective 4: Retail, Dining, and Entertainment

Strategy 4.1: Support locally-owned retail and restaurant businesses.

- » Evaluate and eliminate incentives that are not delivering results aligned with Town goals, and retool incentives in alignment with this plan (see Process & Financial Incentives on page 10).
- » Remove barriers to incubating and launching retail and restaurant concepts, and help entrepreneurs test products and build brand awareness.
- » Devise a “shop local” card redeemable at Parker’s small businesses.

Reorienting incentives to be more targeted to companies that may need assistance, such as local independent retail, is a key recommendation. Existing incentives for retail development are broad and may be subsidizing concepts that can be sustained by the area’s market advantages alone.

Strategy 4.2: Recruit and retain retail concepts where there are market gaps.

- » Attract and support clothing and sporting goods retailers.
- » Cultivate and retain a niche for higher-end home furnishings, bridal, and unique artisan products.

According to online survey results, “improve the variety of retail and restaurants” was the top-rated action for improving Parker.



Regional “chain-lets” (loosely defined as having fewer than ten locations) with a market presence in other parts of the metro area could work well in Parker to help diversify the town’s dining and brewery offerings.

Strategy 4.3: Recruit desired local/regional “chain-let” restaurants and breweries.

- » Recruit chains and chain-lets that are already established in the north metro area that might be interested in additional locations.

Strategy 4.4: Adjust cultural and entertainment offerings to appeal to a younger and more diverse audience.

- » Prioritize and recruit interactive, family-friendly establishments.
- » Initiate a private-public partnership to reimagine the AMC movie theater.

Strategy 4.5: Encourage community-led events that spur interaction and creative placemaking.

- » Promote events designed to celebrate and welcome all of the cultures that make up the Town’s population.
- » Consider public-private partnerships to fund community driven projects (such as public art and creative place enhancements) that unite people across cultural backgrounds.

To help address growing competition from nearby communities, Parker’s cultural and entertainment offerings should cater to diverse audiences and income levels to the extent possible.

Objective 5: Quality Development & Community Gathering Places

Strategy 5.1: Support the build out and activation of Downtown Parker.

- » Support the creation of the Downtown Parker Business Improvement District (BID).
- » Continue to work with private sector developers to deliver the mixed-use vision for Downtown.
- » Begin planning for the transition/wind-down of the P3 Urban Renewable Authority.

Making Downtown Parker an asset and catalyst for revenue generation, economic development, creativity, sense of place, was a highly desired outcome among Parker community members.

Strategy 5.2: Enact development standards and incentives for high quality, activated, pedestrian-oriented design in designated areas.

- » Re-evaluate and implement new development standards for commercial and mixed-use areas to encourage ground floor activation, outdoor dining and activity areas, and well-designed pedestrian infrastructures.

Priority areas should include commercial/mixed-use nodes within residential developments (such as areas around Anthology and Hess Ranch), Parker Road commercial areas, and Cottonwood redevelopment area.

GOAL AREA: INFRASTRUCTURE

Objective 6: Reinvestment in Aging Commercial Areas

Strategy 6.1: Reimagine existing commercial centers, particularly shopping malls in areas along Parker Road, and Highway 83 corridor.

- » Pilot a “shopping center revisioning” incentive program to encourage redevelopment of excess space and re-invigorate aging low-density commercial areas.
- » Consider new economic opportunities and uses to maximize the potential of the Dransfeldt industrial area.
- » Encourage property assemblage in older commercial and industrial areas in order to accommodate businesses of scale and to generate a higher quality development.
- » Implement street-grid recommendations from the Parker Road Plan to open more land area to viable commercial use, relieve pressure on Parker Road, and improve connectivity.

The Parker Road corridor has a high concentration of shopping centers built in the 1980s and 90s, which means that certain properties could be due for cosmetic upgrades and/or redevelopment in the near and longer term. There are also opportunities to enhance the Dransfeldt industrial area through infrastructure upgrades and branding.

Objective 7: Transportation and Connectivity

Strategy 7.1: Improve pedestrian and non-vehicular connectivity to Downtown Parker.

- » Create additional safe pedestrian and bike routes from surrounding neighborhoods to downtown and other activity centers, particularly for kids/teens to move freely without cars.
- » Implement pedestrian infrastructure improvements across Parker Road to connect the two distinct Downtown Parker commercial districts.

Strategy 7.2: Consider public transportation improvements to alleviate congestion and provide transit assistance.

- » Increase carpooling and alternative transportation use.
- » Help implement micro transit solutions.

Multi-modal connectivity between neighborhoods was a top-rated priority identified through the online community survey as part of this planning process.

Dissatisfaction with Parker's traffic congestion issue was one of the key issues expressed by respondents in the online community survey.

Strategy 7.3: Ensure all existing and future businesses, households, and future development areas in Parker have access to high-speed broadband internet. Several areas within the town still lack broadband, such as parts of Southeast Parker.

- » Ensure that Town staff and utility providers are in alignment about future broadband investment priorities, and seek community input.



Objective 8: Housing

Housing affordability is a regional challenge that will require regional policies and solutions to address. The Town of Parker should work with other nearby communities to explore policy solutions and potential incentives with the goal of creating more housing that will address the mismatch between employment and housing.

Strategy 8.1: Broaden opportunities for engagement and collaboration around housing issues with neighboring municipalities.

- » Consider participating in a regional affordable housing strategy and fund.

Strategy 8.2: Strategize on future increased demand for senior housing and services.

- » Conduct a senior housing needs assessment.

Seniors are the fastest growing age group in Parker. More analysis is recommended to understand the needs of an aging population, such as the availability of options to downsize or age in place, and implications for the residential real estate market.

Strategy 8.3: Consider policies to add affordable living options within existing housing developments.

- » Allow and encourage innovative homeownership options, such as cooperatives, to create opportunities for the next generation of Parker residents.

INTERNAL RECOMMENDATIONS

STRUCTURE AND STAFFING

Streamlined Development Review

It is recommended that, in the near term, Economic Development remains a stand-alone department, with several adjustments made to ensure greater efficiency and collaboration with Community Development, Public Works & Engineering, and other departments and agencies involved in the development review and business permitting processes.

- » Create a **development liaison position** within Economic Development that will help guide applicants through the development review process and keep Community Development and Public Works & Engineering staff informed of new and ongoing economic development initiatives.
- » Create and circulate a concise **“one stop shop” guide** to business and development review that can be easily accessed through the Town’s website.
- » Provide targeted process incentives and expedited review for new development (and specific businesses that help fill market gaps), as described in more detail in the “Process and Financial Incentives” section.



Staffing (Proposed)

- » **Economic Development Director** – Provides department oversight, routinely meets with, and provides updates to Town leadership; primary employment and business recruitment; represents the Town in regional initiatives; large employer relationship manager. Continues to manage Parker P3 Urban Renewal Authority (URA) districts. With the Special Project Manager, helps to facilitate public-private collaborative initiatives and external organizational partnerships.
- » **Business and Development Liaison (New)**– Primary point of contact for prospective businesses and commercial developments seeking process/financial incentives; helps develop incentive packages; liaison to Community Development and Public Works & Engineering; small business relationship manager; assist businesses in finding available commercial space; assists with other special projects as needed.
- » **Special Project Manager (New)**– Provides a support role to the department with administrative, data collection/analysis, website management, research, communications, and other tasks as needed. Support special initiatives through research and project management – such as workforce development, housing, transportation, and other related topics.



Gateway to Old Town Parker. Photo from the Town of Parker.

PROCESS AND FINANCIAL INCENTIVES

Pilot an expedited review process for projects that meet desired use criteria.

Based on interviews with local developers, a smoother development review process would, in many cases, be a more desirable incentive than financial incentives. The box above provides a framework for a re-prioritization of incentives to meet desired business and development types. It is recommended that this program be piloted for a one-year period, to consider implementing on a permanent basis after the one-year period.

Case studies:

- » James City County, VA – Expedited Review/Fast Track Permitting. This policy guarantees a maximum turn-around time for County agencies to review a proposal and provide comments within 14 days of submittal.

- » Other examples include the Loudon County, Virginia Fast-Track Commercial Incentive Program and Berthoud, Colorado's Rapid Response Team.
- » Colorado peer communities: Among the Colorado peer communities interviewed (Arvada, Centennial, Sheridan, and Superior), most did not have "expedited review" per se, but they offered well-oiled internal mechanisms to ensure a way to execute key projects, including dedicated staff and review teams

Re-tool Parker's existing financial incentive policies to support and attract small businesses in the desired use types described above.

- » Tax and Fee incentives
- » (new) Shopping Center (Re)Envisioning
- » (new) Innovation Fund – to support home-grown business start-ups

DEVELOPMENT AND USE TYPES TO PRIORITIZE

Business Types

- » Retail and restaurant concepts that help fill the identified market gaps
- » Primary employment where the primary activity is within one of the target sectors

Development Types

- » Vertical mixed use with active ground floor retail
- » Flex space for light industrial and office uses

PROCESS INCENTIVES COULD INCLUDE:

- » Dedicated project manager (Business & Development Liaison)– main point of contact through all stages of the process
- » Special review team
- » Transparency and efficiency on timeline
- » Financial incentives could include:
 - » Waiver/deferment/rebate on application fees, personal property tax; sales tax reimbursement agreements
 - » Public infrastructure reimbursement (of a portion of the costs required on the site)
 - » Direct funding assistance: retail shopping center revisioning grant
 - » Parker Revolving Loan Fund priority

IMPLEMENTATION MATRIX

Sequencing: These recommendations are not meant to be initiated all at once. The matrix separates out near, mid, and long-term tactics.

Collaboration: While some tactics are designed to be led by Town of Parker Economic Development staff, most rely on internal and external collaboration. The matrix identifies potential “lead” and “support” departments and organizations.

GOAL AREA: Jobs and Economic Opportunity

OBJECTIVE 1: PRIMARY EMPLOYMENT

Matrix Key:

Timeline for Initiation:

- ▽ Near Term: Next 2 years
- ▽ Mid Term: 3-5 years
- ▽ Long Term: 5-10 years

Cost Estimate:

- ▽ P = Policy/Initiative
- ▽ \$ = Up to \$50,000
- ▽ \$\$ = \$50,000 to \$250,000
- ▽ \$\$\$ = \$250,000 or more

Tactics	Notes	Timeline	Cost	Partners
Strategy 1.1 Recruit companies and jobs in high-paying, high-growth sectors, particularly where Parker has a competitive advantage.				
Focus on small-to-mid sized companies in niche manufacturing, renewable energy, and technology sectors, including: ▽ outdoor and sporting equipment manufacturers ▽ photovoltaic and other renewables ▽ small batch medical device manufacturing ▽ satellite offices for regional engineering and tech companies	• Identify space and facility requirements for the targeted high-growth industries. • Nurture existing businesses, entrepreneurs, and remote workers who may have an interest in starting or creating an off-shoot company. • Grow existing business clusters, such as custom auto and home refinishing, and artisanal food and beverage products in the Dransfeldt industrial area. • Specific marketing and recruitment tactics – Strat. 1.3	Near Term; Ongoing	P	Lead: Parker Economic Development Support: Parker Chamber, Arapahoe/Douglas Workforce Center, existing employers, local entrepreneurs
Grow Parker's healthcare sector to meet increasing demand for medical care while creating new, high-paying employment opportunities.	• Encourage partnerships between Rocky Vista University College of Osteopathic Medicine and Parker's hospitals and medical providers for collaboration on employee training and recruitment. • Anticipate growth in diagnostic laboratories and help advertise available office/manufacturing facilities, or converted retail space, for this use.	Near – Mid Term	P	Lead: Parker Adventist Hospital, Rocky Vista Univ., Economic Development Support: Children's Hospital, medical offices, Parker Chamber, real estate brokers

Strategy 1.2 Develop process incentives and programs to attract desired primary employers.

Offer a menu of tools and incentives to attract new primary employers in target sectors.	- Create a policy with transparency about eligible uses, with some flexibility in terms of incentives offered. <i>Case Study: Berthoud, CO Primary Employer Incentive Policy. This incentive policy allows a range of incentives for primary employers in desired industry sectors, on a case-by-case basis, including waiver, deferment, or reimbursement of development fees, sales & use taxes; personal property tax rebates, public infrastructure reimbursement (of a portion of the costs of public infrastructure required on the site), and expedited review.</i>	Mid Term	\$\$\$P	Lead: Parker Economic Development Support: Community Development, major employers
--	---	----------	---------	---

Strategy 1.3 Develop branding and a creative marketing campaign for relocating or expanding businesses to Parker.

Create a targeted marketing package for business recruitment that highlights Parker's quality of life and workforce advantages.	- Marketing collateral could include economic metrics, such as Placer.ai data, to demonstrate consumer demand and demographics. - The website and social media should include testimonials from passionate local businesses willing to share their story. - Market Parker's outdoor recreation lifestyle and sustainability values to help attract renewable energy companies, and outdoor equipment manufacturers. - Tout the high educational attainment of the labor pool and quality-of-life benefits for commuting shorter distances. <i>Case Studies: Superior and Berthoud Colorado have economic development websites with local business testimonials that bring authority and credibility to doing business in the community.</i>	Mid Term	\$\$	Lead: Communications, Parker Economic Development Support: Community Development, Mayor and Town Council, Parker Chamber, Arapahoe/Douglas Workforce Center
Develop a brand identity for the Town of Parker.	The Town's Communications department can work with stakeholders to create a brand that speaks to these advantages and reflects community values and aspirations.	Mid Term	\$\$	Lead: Communications Support: Parker Economic Development, Community Development, Mayor and Town Council

	• A unified vision and brand can help guide decision-making regarding place enhancement and business attraction.			
Strategy 1.4 Preserve and expand commercial and industrial uses to maximize primary employment.				
Ensure adequate supplies of developable (and re-developable) land for new light industrial facilities and distribution centers.	• Work with local commercial real estate brokers to understand anticipated demand for distribution center uses, particularly along the E-470 corridor. • Identify primary locations for light industrial and distribution uses, which could include repurposed retail centers, or raw land that does not have other mixed-use potential. • Work with Community Development to determine if zoning and land use changes are needed.	Near – Mid Term	P/\$	Lead: Parker Economic Development Support: Community Development, developers
Identify redevelopment sites and specific developable parcels, and offer expedited review and incentives, to expand Parker's inventory of diverse office and flex space.	• To encourage development of more flex commercial space, including office and a range of light industrial and startup incubation spaces, offer expedited review and/or other process incentives (see Appendix).	Near Term – Ongoing	\$\$	Lead: Parker Economic Development, Community Development Support: Developers
Prioritize specific commercial opportunity sites and collaborate with private and public partners.	• Continue to promote redevelopment opportunities within the Cottonwood, Parker Road, and Parker Central urban renewal areas. • The undeveloped hospital-adjacent property is a key opportunity site for uses complementary to the medical center. Work with the property owners to understand vision/plans and any barriers. • Continue to partner in recruitment for the Compark industrial zone near the Centennial Airport which would provide indirect economic benefits to Parker. • Participate in incubation and site-finding together with the County and surrounding municipalities.	Near Term – Ongoing	\$\$	Lead: Parker Economic Development and P3 Support: Douglas County, employers, developers, Parker Chamber

Strategy 1.5 Accommodate more remote workers and encourage value-added workplace amenities attractive to all worker types.

Consider launching a public-private initiative with local perks for remote workers in Parker, such as vouchers to restaurants and coworking spaces.	- Explore examples of communities that teamed with local organizations and businesses to create relocation perks. Perks can include coworking and gym memberships, fiber internet discounts, and gift cards to local businesses. <i>Case Study: Mattoon, Illinois created an incentive program called "Move to Mattoon" that offers vouchers to amenities such as: 1-year free coworking membership, 6 months free fiber internet, 6 months free family gym membership, and gift cards to local businesses, in addition to cash relocation assistance.</i>	Mid Term	\$	Lead: Parker Economic Development Support: Parker Chamber, Downtown Business Alliance, local entrepreneurs
Encourage more remote work hubs (co-working spaces) and informal "third places" (i.e., coffee shops).	- Offer incentives for a local entrepreneur to establish additional co-working spaces. - Alternatively, directly recruit a regional or national coworking operator with experience in suburban markets.	Mid Term	\$	Lead: Parker Economic Development Support: Parker Chamber, Downtown Business Alliance, commercial real estate brokers, local entrepreneurs
Explore shared programs and spaces that offer value-added amenities for employees to encourage return-to-work.	Help employers understand the benefits of pooling resources to provide amenities and services, such as activity spaces, outdoor dining, childcare, dog-friendly workplaces, and health and wellness benefits.	Near – Mid Term	P	Lead: Parker Economic Development Support: Arapahoe/Douglas Workforce Center, Parker Chamber, major employers
Educate businesses about the return on investment for providing childcare and healthcare benefits to their employees, to help attract and retain a strong workforce.	Through existing business networks and resources partners (such as the Arapahoe/Douglas Workforce Center), educate employers in terms of return on investment and provide informational links to incentives/assistance: for example, there are federal	Near – Mid Term	P	Lead: Parker Economic Development, Arapahoe/Douglas Workforce Center

	tax benefits to offer on-site childcare (i.e., Employer-Provided Child Care Services tax credit).			Support: Parker Chamber, major employers
Ensure that Parker has amenities that appeal to younger and middle-age populations such as nighttime entertainment, bars/breweries/distilleries, outdoor eating, and more modern gathering spaces.	- See tactics for attracting entertainment and retail in the “Amenities” goal area. - Play an active role within existing collaborative efforts to cultivate a thriving young professionals’ scene, through partnerships with the Chamber of Commerce and other organizations.	Mid – Long Term	P	Lead: Parker Economic Development Support: Parker Chamber, Commercial real estate brokers, developers, residents, local entrepreneurs

OBJECTIVE 2: SMALL BUSINESS SUPPORT

Tactics	Notes	Timeline	Cost	Partners
Strategy 2.1 Cultivate homegrown businesses and start-ups.				
Offer grants and technical assistance for innovative start-up concepts.	Partner with local organizations and find creative funding mechanisms to start an innovation fund. Stipulate that awardees must be from Parker or have been in Parker for at least one year.	Near Term; – Ongoing	\$	Lead: Parker Economic Development Support: Parker Chamber, crowdsourcing other community-based funding
Work with key partners to engage entrepreneurial residents and to drum up interest in an entrepreneurial network.	Co-sponsor a series of informal gatherings for interested entrepreneurial residents to learn about opportunities and resources. These events could be hosted at existing companies willing to participate and share their space.	Near – Mid Term	P/\$	Lead: Economic Development Support: Parker Chamber, Arapahoe/Douglas Workforce Center

Tactics	Notes	Timeline	Cost	Partners
Capture emerging entrepreneurial and arts-driven energy in places like the Dransfeldt industrial area to build a brand, business support services, and attract entrepreneurs.	- Attract companies in target niches through cohesive branding and identity of the business park. <i>Case Study: Derby, Kansas' West End Business Park received city funding for a brand refresh, resulting in modern signage featuring distinct colors and imagery. The town's website features a webpage dedicated to the business park, with information about existing businesses and available properties.</i>	Mid Term	\$\$	Lead: Economic Development Support: Parker Chamber, Arapahoe/Douglas Workforce Center
Strategy 2.2 Streamline the delivery of hands-on business assistance.				
Create a clear “one stop shop” guide and system for navigating permitting processes.	- Develop an online guide with basic process information, including up-to-date contact information for key personnel. - Promote the guide among relevant Town departments and local and regional economic development partners.	Near – Mid Term	\$	Lead: Economic Development Support: Community Development, Public Works & Engineering
Assist prospective businesses with finding available space (retail, office, flex, industrial).	- Convene regular check-ins with real estate brokers and organizational partners including the Parker Chamber of Commerce. - Maintain an online, publicly-accessible property database to highlight available commercial properties. - Identify existing commercial spaces that could be reconfigured to accommodate additional small retailers.	Near-Mid Term; Ongoing	\$	Lead: Economic Development Support: Parker Chamber, local developers, commercial real estate brokers
Create and promote environmental programs for businesses to reduce their carbon footprint.	<i>Case Study: Denver's “Certifiably Green” campaign and marketing tool that helps businesses access incentives for making environmental upgrades.</i>	Mid Term	\$	Lead: Economic Development Support: Other relevant Town departments

Tactics	Notes	Timeline	Cost	Partners
Strategy 2.3 Create policies and process incentives to help small, local retailers and other businesses acquire or lease space.				
Conduct a “barriers and needs” assessment for small businesses to generate reasonable modifications to zoning, building, and permitting codes and processes that may unduly burden small businesses.	- Evaluate change of use and expansion of use procedures. - Ensure codes allow for shared facilities (bathrooms, etc.) that can reduce unit cost. - Create a process for regular evaluation.	Near – Mid Term	\$	Lead: Community Development Support: Economic Development, Public Works & Engineering
Work with developers to create and earmark spaces for mom-and-pop shops and restaurants within new mix-used buildings.	Compile and share Placer.ai data and community survey findings to help demonstrate demand for certain uses and connect them with local businesses that may be interested in leasing space.	Near – Mid Term	\$	Lead: Economic Development Support: Other relevant Town departments
Provide incentives to businesses that meet the updated criteria.	- Provide expedited review and incentives for retailers and restaurants that help fill market gaps (see “Amenities” section for target retail sectors and “Process & Financial Incentives” for details on tools and incentives). - Work with local organizational partners to better advertise the existing Parker Revolving Loan Fund.	Near – Mid Term; ongoing	\$\$\$	Lead: Economic Development Support: Community Development, Mayor and Town Council
Strategy 2.4 Build a culture of collaboration for proactive business outreach and engagement.				
Activate a network of businesses, entrepreneurs, commercial real estate brokers, developers, economic development entities, and civic leaders, to meet periodically to share information and ideas.	- This informal group could meet quarterly. - Desired outcomes include stronger recruitment prospects, shared strategies for redevelopment opportunities, a more cohesive vision and voice, and ease of communicating feedback regarding Town policies and processes.	Near – Mid Term; ongoing	\$	Lead: Economic Development Support: Parker Chamber, local businesses, developers and real estate community, others

OBJECTIVE 3: WORKFORCE DEVELOPMENT, TRAINING, AND ECONOMIC OPPORTUNITIES

Tactics	Notes	Timeline	Cost	Partners
Strategy 3.1 Promote workforce development programs, particularly in technology, manufacturing, healthcare, and other opportunities that match the local workforce.				
Stay informed and involved in regional and statewide workforce development opportunities.	• Collaborate with the Arapahoe/Douglas Workforce Center through funding and cross-promotion of resources. • Promote the Workforce Center's wide array of talent pipeline and educational initiatives. • Stay up-to-date on statewide workforce initiatives (such as <i>Manufacturer's Edge</i>) and explore specific programs that match economic development goals.	Near Term; ongoing	P	Lead: Economic Development Support: Arapahoe/Douglas Workforce Center
Strategy 3.2 Support sector partnership networks to help connect students with local apprenticeship opportunities.				
Participate in the Arapahoe / Douglas Workforce Center's regional Sector Partnership Initiative that brings together industry leaders, employers, educators, and economic development resources.	• A designated Parker staff member should keep tabs on sector partnerships by regularly attending meetings.	Near – Mid Term	P	Lead: Economic Development Support: Arapahoe/Douglas Workforce Center
Partner with middle and high schools, and other educational institutions, to tailor workforce programs, create entrepreneurship pipelines, and recruit young talent.	• Continue to engage with the new Legacy Campus that will focus on credentialing for jobs in aviation, healthcare, and other programs. • Economic development staff could help liaise between businesses and schools to help make connections for apprenticeship opportunities.	Near – Mid Term	P	Lead: Economic Development Support: Arapahoe/Douglas Workforce Center, schools, local businesses, Rocky Vista University

GOAL AREA: Amenities

OBJECTIVE 4: RETAIL, DINING, AND ENTERTAINMENT

Tactics	Notes	Timeline	Cost	Partners
Strategy 4.1 Support locally-owned retail and restaurant businesses.				
Evaluate and eliminate incentives that are not delivering results aligned with Town goals, and retool incentives in alignment with this plan.	- Consider reorienting incentives to be more targeted to companies that may need assistance, such as local independent retail. <i>Case Study: Berthoud, CO Commercial and Retail Development Incentive Policy. The purpose of Berthoud's policy is to encourage retail projects that fill an identified retail gap and/or create a redevelopment or infill opportunity. Projects are reviewed on a case-by-case basis with possible incentives that can include: waiver, deferment, reimbursement of development fees, sales & use taxes on construction materials; grants; sales tax rebate; façade improvement funds; and public infrastructure reimbursements.</i>	Near – Mid Term	P	Lead: Economic Development Support: Community Development, Mayor and Town Council
Devise a “shop local” card redeemable at Parker’s small businesses.	<i>Case Study: The City of Murrieta, California created “Murrieta Money” to support local businesses through an eGift card company called Yiftee.</i>	Mid Term	\$\$	Lead: Economic Development Support: Parker Chamber, DBA
Remove barriers to incubating and launching retail and restaurant concepts, and help entrepreneurs test products and build brand awareness.	- Consider dedicating one of the ground-floor retail spaces in the anticipated downtown development for a temporary “pop-up” market featuring several local artisans and food sellers. - Town funds could be used to subsidize this initiative.	Mid Term	\$	Lead: Economic Development Support:

Strategy 4.2 Recruit and retain retail concepts where there are market gaps.				
Attract and support clothing and sporting goods retailers.	- Attract and retain locally-owned clothing boutiques, including both higher-end and affordable, thrift and repurposed clothing retail. - Recruit chains (and chain-lets) for clothing retailers with an existing presence in the north metro area, that may be interested in south metro area opportunities.	Mid Term	P	Lead: Economic Development Support:
Cultivate and retain a niche for higher-end home furnishings, bridal, and unique artisanal products.	- Support the development of an art-related retail space. <i>Case study: “Marquee” in Asheville, North Carolina is an indoor market featuring artists and working studios, as well as food and wine stalls.</i> - Capitalize on Parker’s emerging wedding accessory retail and event venue niche by adding complementary shopping and experiences – e.g., wedding dress stores, spas.	Mid Term	\$\$	Lead: Economic Development Support:
Strategy 4.3 Recruit desired local/regional “chain-let” restaurants and breweries.				
Recruit chains and chain-lets that already have a presence in the north metro area that might be interested in additional locations.	Create a list of desired dining types and specific chain-lets that could be prospects for relocating to Parker – for example, healthy fast-casual options such as MAD greens, Chook, Meta Burger, Clean Eatx, and others.	Near Term	P	Lead: Economic Development Support: Other relevant Town departments
Strategy 4.4 Adjust cultural and entertainment offerings to appeal to a younger and more diverse audience to help address growing competition from nearby communities.				
Prioritize and recruit interactive, family-friendly entertainment establishments.	Attract or help create new entertainment businesses such as game rooms or a roller-skating rink.	Mid Term	P/\$	Lead: Economic Development Support: Other relevant Town departments

Strategy 4.5 Encourage community-led events that spur interaction and creative placemaking.				
Promote events designed to celebrate and welcome all of the cultures that make up the Town's population.	- Offer marketing assistance, resources, space, and even grants to local music, arts, and cultural organizations. - Implement recommendations from the Parker Arts Strategic Plan to continue to provide a diverse variety of programming that is accessible and inclusive to all.		P/\$	Lead: Parker Arts Support: P Economic Development
Consider public-private partnerships to fund community driven projects, such as public art and creative place enhancements), that unite people across cultural backgrounds.	- Work with Parker Arts to develop initiatives and promote them to interested organizations and resident groups. - Implement Parker Arts Strategic Plan recommendations to activate underutilized spaces through more consistent programming.		P/\$	Lead: Parker Arts Support: P Economic Development

OBJECTIVE 5: QUALITY DEVELOPMENT AND COMMUNITY GATHERING PLACES

Tactics	Notes	Timeline	Cost	Partners
Strategy 5.1 Support the build-out and activation of Downtown Parker.				
Support the creation of the Downtown Parker Business Improvement District (BID).	Work with the potential BID on projects that enhance the Downtown consumer experience.	Near Term	\$	Lead: Downtown Business Alliance, BID (once established) Support: Mayor and Town Council, P3
Continue to work with private sector developers to deliver the mixed-use vision for Downtown.		Near to Long Term	P/\$	Lead: Economic Development Support: Mayor and Town Council, P3
Begin planning for the transition/wind-down of the P3 Urban Renewal Authority.	Explore alternative models, such as a Downtown Development Authority (DDA).	Mid Term	\$	Lead: P Economic Development / P3 Support:

Tactics	Notes	Timeline	Cost	Partners
Strategy 5.2 Enact development standards and incentives for high quality, activated, pedestrian-oriented design in designated areas.				
Re-evaluate and implement new development standards for commercial and mixed-use areas to encourage ground floor activation, outdoor dining, and well-designed pedestrian infrastructure.	• Priority areas would include commercial and mixed-use nodes within residential developments (such as Anthology and Hess Ranch), Parker Road commercial corridor, and the Cottonwood redevelopment area. • Through zoning and/or design guidelines, encourage ground floor activation, active uses, built-to requirements, and better façade design. • Encourage and allow restaurants with patios, beer gardens, and interactive outdoor spaces. • Support the development of vacant parcels by including well-designed pedestrian and non-vehicle infrastructure to connect new residents to surrounding commercial areas and to transit.	Mid Term	\$	Lead: Community Development Support: P Economic Development, Public Works & Engineering, Mayor and Town Council, P3

GOAL AREA: Infrastructure

OBJECTIVE 6: REINVESTMENT IN AGING COMMERCIAL AREAS

Tactics	Notes	Timeline	Cost	Partners
Strategy 6.1 Reimagine existing commercial centers, particularly shopping malls in areas along Parker Road, and Highway 83 corridor.				
Pilot a “shopping center revisioning” incentive program to encourage redevelopment of excess space and re-invigorate aging low-density commercial areas.	• Focus on commercial shopping centers built before the 1990s (see “Commercial Areas by Age” map in the appendix). ▪ <i>Case Studies: Cities of Arvada and Centennial. The City of Centennial’s Retail Center Transformation Fund reimburses owners for physical improvements. Sales tax reimbursement agreements can also be applied. Focuses on retail centers built in the late 80s/early 90s. Recognizes that these centers are not the same amenity they used to be. Can support simple improvements like façade and appearance, or new uses and redevelopment. Arvada’s shopping center</i>	Near – Mid Term	P/\$\$	Lead: Economic Development, P3 Support: Community Development, Mayor and Town Council

Tactics	Notes	Timeline	Cost	Partners
	<i>revisioning pilot helps cover the cost of architectural designs (\$5,000 grants).</i>			
Consider new economic opportunities and uses to maximize the potential of the Dransfeldt industrial area.	In addition to the strategies for recruitment/retention of niche manufacturing in the Dransfeldt industrial area, consider building on the family-friendly services theme, through branding and recruitment of businesses that are synergistic with existing family and kid uses. These could include gymnastics and dance studios, daycare, children's clothing, as well as coffee shops, bakery, or restaurants.	Mid Term	\$\$	Lead: Economic Development, P3 Support: Community Development, Mayor and Town Council
Encourage property assemblage in older commercial and industrial areas in order to accommodate businesses of scale and to generate a higher quality development.				
Implement street-grid recommendations from the <i>Parker Road Corridor Plan</i> to open more land area to viable commercial use, relieve pressure on Parker Road, and improve connectivity.	Implement recommendations to improve pedestrian/bicycle infrastructure and reconfigure traffic in and around the Dransfeldt industrial area and in other parts of the Central Subarea including Main Street.			Lead: Public Works & Engineering Support: Community Development, Economic Development

OBJECTIVE 7: TRANSPORTATION AND CONNECTIVITY

Strategies and Tactics	Notes	Timeline	Cost	Partners
Strategy 7.1 Improve pedestrian and non-vehicular connectivity to Downtown Parker.				
Create additional safe pedestrian and bike routes from surrounding neighborhoods to downtown and other activity centers, particularly for kids/teens to move freely without cars.	Multi-modal connectivity between neighborhoods was a top-rated priority identified through the online community survey as part of this planning process.	Mid Term	\$\$\$	Lead: Community Development Support: Public Works & Engineering, Parks & Recreation

Strategies and Tactics	Notes	Timeline	Cost	Partners
Implement pedestrian infrastructure improvements across Parker Road to connect the two distinct Downtown Parker commercial districts.	- Additional pedestrian/bike connectivity over Parker Road should be considered. - More visual, identity, and wayfinding investments are needed to connect the two areas.	Mid Term	\$\$\$	Lead: Economic Development, P3 Support: Community Development, Mayor and Town Council
Strategy 7.2 Consider public transportation improvements to alleviate congestion and provide transit assistance.				
Increase carpooling and alternative transportation use within Parker.	Find creative ways to partner with Douglas County Transit Solutions, and work with employers to offer commuting assistance and carpooling incentives.	Mid Term	\$	Lead: Parker FlexRide Support: Douglas County Transit Solutions
Help implement micro transit solutions.	Work with private and public partners to strategize on future alternative means of transportation to the airport. For example, a shuttle service to the South Metro area could elevate Parker's appeal as a place to invest and relocate businesses.	Mid – Long Term	\$	Lead: Parker FlexRide Support: Douglas County Transit Solutions
Strategy 7.3 Ensure all existing and future businesses, households, and development areas in Parker have access to high-speed broadband internet.				
Ensure that Town staff and utility providers are in alignment about future broadband investment priorities, and seek community input.	- Prioritize areas in Southeast Parker that experience intermittent connectivity. - Seek community input on areas most in need of improved connectivity. - Investigate state and federal broadband infrastructure plans and incentives.	Mid Term	\$	Lead: Community Development Support: Economic Development, broadband providers, and other relevant agencies

OBJECTIVE 8: HOUSING

Strategies and Tactics	Notes	Timeline	Cost	Partners
Strategy 8.1 Broaden opportunities for engagement and collaboration with neighboring municipalities.				
Consider participating in a regional affordable housing strategy and fund.	• Work with nearby communities in Douglas and Arapahoe Counties to explore policy solutions and potential incentives with the goal of creating more housing that will address the mismatch between employment and housing. • Seek regional housing fund contributions from major employers. • Engage with the Douglas County Housing Partnership.	Mid Term	\$\$	Lead: Economic Development Support: Mayor and Town Council, Douglas County, Arapahoe County, Douglas County Housing Partnership
Strategy 8.2 Strategize on future increased demand for senior housing and services.				
Conduct a senior housing needs assessment.	• A detailed housing study is recommended to understand the housing needs of an aging population, such as opportunities to downsize or age in place, and implications for residential real estate market. • This study could be used as an opportunity to educate town leaders and the public.	Mid Term	\$	Lead: Economic Development Support: Mayor and Town Council, Community Development
Strategy 8.3 Consider policies to add affordable living options within existing housing developments.				
Allow and encourage innovative homeownership options, such as cooperatives, to create opportunities for the next generation of Parker residents.	• New models for innovative homeownership can create opportunities for the next generation of Parker residents, including younger adults and families from Parker that may want to move back into the area. • <i>Case Study: The City of Centennial has recently started exploring solutions to expand housing options, such as ADUs and land banks. This entails proactive education of city leadership and community members about the link between economic vitality and housing.</i>	Mid to Long Term	P/\$	Lead: Community Development Support: Economic Development, Mayor and Town Council



Request for Town Council Action

Date: February 5, 2024
Submitted By: Michael Lawson, Assistant Town Manager
Reviewed By: Michelle Kivela, Town Manager
Title: **RESOLUTION NO. 24-015**
A Resolution to Appoint the Board of Directors to the Greater Parker Foundation
Department: **Town Manager, Michael Lawson**

EXECUTIVE SUMMARY

Board members of the Greater Parker Foundation are appointed by Town Council by resolution.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town Council desires to appoint board members as described in Resolution No. 24-015.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 24-015

RECOMMENDED MOTION

I move to approve Resolution No. 24-015, as part of the consent agenda.

RESOLUTION NO. 24-015, Series of 2024

TITLE: A RESOLUTION TO APPOINT THE BOARD OF DIRECTORS OF THE GREATER PARKER FOUNDATION

WHEREAS, the Town Council of the Town of Parker desires to appoint Anne Barrington as a voting director to the Board of the Greater Parker Foundation;

WHEREAS, the Town Council of the Town of Parker desires to appoint Brandi Wilks as a voting director to the Board of the Greater Parker Foundation.

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 appoints Anne Barrington as a voting director to the Board of the Greater Parker Foundation, for the term ending January 31, 2025.

Section 3. The Town Council of the Town of Parker hereby appoints Brandi Wilks as a voting director to the Board of the Greater Parker Foundation, for the term ending January 31, 2025.

RESOLVED AND PASSED this _____ day of _____, 2024.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk



Request for Town Council Action

Date: February 5, 2024
Submitted By: Alex Mestdagh, Engineering Service Manager
Reviewed By: Michelle Kivela, Town Manager
Title: **RESOLUTION NO. 24-017**
A Resolution Approving the Release of the Slope Easement By and Between Parker Center, LLC, and the Town of Parker Concerning Tract A, Parker Town Center
Department: Engineering and Public Works, Alex Mestdagh

EXECUTIVE SUMMARY

This resolution proposes to release a slope easement held by the Town over a portion of Lot 1, Block 1, Parker Town Center Subdivision Filing No. 2.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In 2014, the Town constructed an extension of Pikes Peak Avenue between Pikes Peak Drive and Pine Drive. In order to accommodate the grading associated with the new roadway, a slope easement was obtained over a portion of the adjacent property. The easement agreement allowed for the backslope of the roadway to be graded onto that property, and contained language agreed that the easement would be released in conjunction with the development of the property.

The current owner of the property has obtained site plan approval and work on this development is currently underway. The Town's Engineering Department has reviewed the construction plans for the proposed grading and other improvements adjacent to Pikes Peak Avenue, and has determined that the development will adequately support the roadway, eliminating the need for this easement. Thus, the slope easement on the property can be released.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Vicinity Map
2. Resolution No. 24-017

RECOMMENDED MOTION

I move to approve Resolution No. 24-017 as part of the consent agenda.



Slope Easement Release
Vicinity Map



RESOLUTION NO. 24-017, Series of 2024

**TITLE: A RESOLUTION APPROVING THE RELEASE OF THE SLOPE EASEMENT
BY AND BETWEEN PARKER CENTER, LLC, AND THE TOWN OF PARKER
CONCERNING TRACT A, PARKER TOWN CENTER**

WHEREAS, the Town and Parker Town Center, LLC, (the “Grantor”), entered into a slope easement on January 10, 2014, which was recorded at Reception No. 2014003367 of the Douglas County Clerk and Recorder’s Office (the “Slope Easement”);

WHEREAS, Grantor requested the release of the Slope Easement, subject to site plan approval and the issuing of a grading permit; and

WHEREAS, the Town desires to release the Slope Easement, subject to the conditions described below.

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 approves the release of the Slope Easement, which is attached hereto as **Exhibit 1** and incorporated by this reference.

Section 2. This Resolution shall go into effect upon the Grantor obtaining Site Plan approval and a grading permit for the project.

Section 3. The Town Council directs the Town Clerk to record this Resolution with the Douglas County Clerk and Recorder.

RESOLVED AND PASSED this _____ day of _____, 2024.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

EXHIBIT 1

Electronically
Recorded

Date: 1/21/2014

Book/Page: _____

Reception No: 2014003367

SLOPE EASEMENT AGREEMENT

THIS SLOPE EASEMENT AGREEMENT, made this 10 day of January, 2014, between Parker Center, LLC, a Colorado limited liability company, whose legal address is 53 Charlou Circle, Englewood, Colorado, 80111 (the "Grantor"), and the TOWN OF PARKER, a Colorado home rule municipality, whose legal address is 20120 E. Mainstreet, Parker, Colorado 80138 (the "Grantee").

THE GRANTOR, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, a perpetual easement over, across and on, the following described real property located in the County of Douglas, State of Colorado, and described as follows:

(See attached Exhibit "A")

Said easement is for the purpose of providing and maintaining (1) a proper sight distance and line of sight, (2) lateral support, and (3) proper drainage grade, as determined by the Parker Public Works Department, for a public roadway, road shoulder and attendant road improvements and construction. Grantee, its successors, contractors or assigns, and their agents and employees shall have full right to enter at all times upon said premises to survey, construct, repair, remove, replace, reconstruct, inspect, improve and maintain a suitable slope or grade which will provide the above mentioned proper sight distance and line of sight, lateral support, and proper drainage grade.

Grantor retains the right to use said property for any and all purposes which will not interfere with the Grantee's full use and enjoyment of the rights acquired herein. Provided, however, Grantor or his successors, assigns and subsequent Grantees, will not use or improve said property or grant any easements upon, over, across or under said property without first obtaining the written consent of the Grantee. Such consent will not be unreasonably withheld provided that the sight distance and line of sight, lateral support and proper drainage grade necessary for the roadway and its attendant facilities, as determined by the Grantee, is maintained.

Grantor for himself, his successors and assigns, does covenant, grant, bargain and agree with the Grantee, its successors and assigns, that at the time of the signing and delivery of this easement, he is well seized of the property on which the easement above conveyed is located, and has good, sure, perfect, absolute and indefeasible estate, in law, in fee simple and has good right, full power and lawful authority to grant, bargain, sell and convey the above easement in the manner and form set forth above, and that the property is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever.

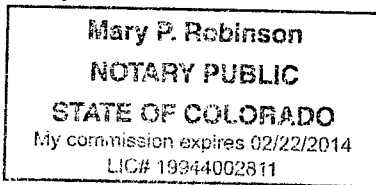
HTC® #0378840

1/7/2014

Grantor and Grantee agree that this Easement shall be released by Grantee upon the construction of an approved development on the Easement Property which provides the necessary subjacent support and protection of Pikes Peak Court that is created by this Easement. Grantor, in connection with obtaining development approval, shall provide drawings and specifications reasonably sufficient to demonstrate that the purpose of the easement herein granted will be satisfied by the proposed development. The Grantee may withhold the release required by this paragraph pending resolution of any reasonable and material objections identified by the Grantee with respect to how the Grantor's proposed development will obviate the need for the Easement to remain in effect. Any objection shall be specific and the Grantee shall make its engineering personnel available for the purpose of achieving a cooperative resolution of such objections.

The Grantor shall and will warrant and forever defend the above bargained easement in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, except for those matters listed in **Exhibit B**, attached hereto and made a part hereof, and the property taxes for the current year not yet due, as well as property taxes for subsequent years not yet due.

IN WITNESS WHEREOF, the Grantor has caused his name to be subscribed hereto, the day and year first written above.



GRANTOR: PARKER CENTER, LLC

By: _____

George Mattione
George Mattione, Director

STATE OF COLORADO)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 10th day of January, 2014, by George Mattione, as Director, of Parker Center, LLC.

My commission expires: 2/22/14.

SEAL

Mary P. Robinson
Notary Public

CONSENT AND SUBORDINATION OF LENDER

Parker Center, LLC, (the "Lender") as the beneficiary of a deed of trust that is secured against the Easement Property and recorded on December 22, 2008, at Reception No. 2008085692 of the Douglas County Clerk and Recorder's Office (the "Deed of Trust"), hereby consents to the Slope Easement Agreement, and agrees and confirms for itself and its successors and assigns that the lien of the Deed of Trust and other rights and interests of the Lender in the Easement Property are subject to and subordinate to the Slope Easement Agreement. In the event of a foreclosure of the Deed of Trust and the sale of the Easement Property that is the subject to the Deed of Trust

pursuant to such foreclosure, the rights of the Town acquired by virtue of the Easement Agreement shall not be affected thereby.

LENDER:

[name/title]

STATE OF COLORADO)
)ss.
COUNTY OF _____)

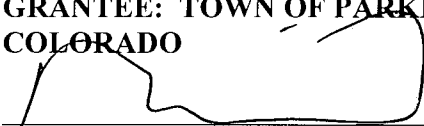
The foregoing instrument was acknowledged before me this ____ day of January, 2014,
by _____, as _____, of
_____.

My commission expires: _____.

SEAL

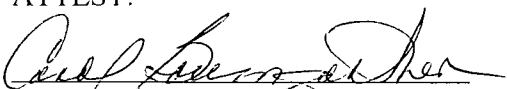
Notary Public

**GRANTEE: TOWN OF PARKER,
COLORADO**



Mike Waid, Mayor

ATTEST:



Carol Baumgartner, Town Clerk

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF TRACT A, PARKER TOWN CENTER, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2011031425 IN THE RECORDS OF THE DOUGLAS COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTHEAST 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:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT A WHENCE THE SOUTHERLY LINE OF SAID TRACT A BEARS N75°54'20"W A DISTANCE OF 43.53 FEET;

THENCE NORTH 09°39'43" WEST, A DISTANCE OF 152.63 FEET TO THE WESTERLY LINE OF SLOPE EASEMENT PARCEL 1A RECORDED AT RECEPTION NO. 2004101906 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 125.50 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 05°16'54" EAST, AND THE **POINT OF BEGINNING**;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°26'01", AN ARC LENGTH OF 46.95 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 63°17'06" WEST, A DISTANCE OF 83.30 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 74.50 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°12'20", AN ARC LENGTH OF 40.58 FEET;

THENCE TANGENT TO SAID CURVE NORTH 85°30'34" WEST, A DISTANCE OF 102.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 125.50 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°51'47", AN ARC LENGTH OF 47.89 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 72°37'39" WEST, A DISTANCE OF 58.26 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 74.50 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°20'52", AN ARC LENGTH OF 19.96 FEET TO THE WESTERLY LINE OF SAID TRACT A;

THENCE ALONG SAID WESTERLY LINE NORTH 13°21'10" EAST, A DISTANCE OF 3.88 FEET;

THENCE DEPARTING SAID WESTERLY LINE NORTH 74°03'59" EAST, A DISTANCE OF 32.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°16'03", AN ARC LENGTH OF 16.81 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 112.00 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°45'58", AN ARC LENGTH OF 79.69 FEET;

EXHIBIT A
LEGAL DESCRIPTION
CONTINUED

THENCE TANGENT TO SAID CURVE SOUTH 84°26'06" EAST, A DISTANCE OF 97.28 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 50.00 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°28'28", AN ARC LENGTH OF 32.70 FEET;

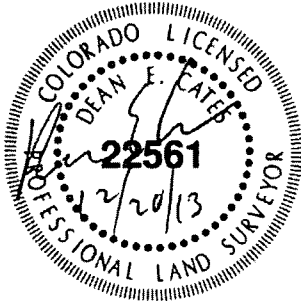
THENCE TANGENT TO SAID CURVE NORTH 58°05'26" EAST, A DISTANCE OF 77.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 152.39 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°53'33", AN ARC LENGTH OF 76.85 FEET TO THE WESTERLY LINE OF SAID EASEMENT;

THENCE ALONG SAID WESTERLY LINE SOUTH 12°52'51" WEST, A DISTANCE OF 25.97 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.142 ACRES, (6,193 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



DEAN E. CATES, PLS
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
8000 S. LINCOLN ST., SUITE 201, LITTLETON, CO 80122
303-713-1898

EAST MAINSTREET

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	21°26'01"	125.50'	46.95'
C2	31°12'20"	74.50'	40.58'
C3	21°51'47"	125.50'	47.89'
C4	15°20'52"	74.50'	19.96'
C5	19°16'03"	50.00'	16.81'
C6	40°45'58"	112.00'	79.69'
C7	37°28'28"	50.00'	32.70'
C8	28°53'33"	152.39'	76.85'

NE1/4
SEC. 22,
T.6S.,
R.66W.,
6TH P.M.

TR
A

3

LOT 1 HEATH COURT
FILING NO. 2 REC. NO.
L4 2006020314

TRACT A
PARKER TOWN CENTER
REC. NO. 2011031425

**PARCEL CONTAINS
6,193 (SQ.FT.)
0.142 ACRES
— MORE OR LESS**

POINT OF BEGINNING

S05°16'54"E
(RADIAL)

PINE DRIVE

SLOPE EASEMENT NO. 1A
REC. NO. 2004101906

N09°39'43"W
152.63'

**PIKES
PEAK
COURT**

S67°25'39"W.
54.14'
30' SEWER EASEMENT
BOOK 1203 PAGE 56

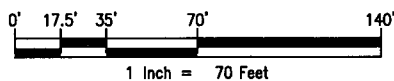
50' TRAIL EASEMENT
BOOK 1371 PAGE 1459

10' DRAINAGE EASEMENT REC. NO. 2011031425
N85°30'56"W 323.81'

~~SOUTHERLY~~
LINES OF
TRACT A

N75°54'20"W
43.53'

POINT OF COMMENCEMENT
SE CORNER OF TRACT A



PATH: V:\12313-01\DWG
 DWG NAME: SLOPE esmt exhibit
 DWG: DEC CHK: _____
 DATE: 12-12-2013
 SCALE: 1" = 70'



AZTEC
CONSULTANTS, INC.

**8000 SOUTH LINCOLN ST,
SUITE 201
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com**

EXHIBIT A

NE1/4 S22, T6S, R66W, 6TH PM
DOUGLAS COUNTY, COLORADO

JOB NUMBER 12313-01

3 OF 3 SHEETS

EXHIBIT B

1. The right of proprietor of a vein or lode to extract or remove his ore should the same be found to penetrate or intersect the premises thereby granted as reserved in United States patent recorded August 4, 1890, in Book 12 at Page 149, and any and all assignments thereof or interest therein.

2. Terms, conditions, provisions, agreements and obligations specified under the Easement by and between Hylaine J. Hein and Parker Water and Sanitation District recorded June 15, 1994, in Book 1203 at Page 568.

3. Terms, conditions, provisions, agreements and obligations specified under the Easement Agreement by and between Hylaine J. Hein and the Town of Parker, Colorado, recorded September 23, 1996, in Book 1371 at Page 1459.

4. Terms, conditions, provisions, agreements and obligations specified under the Boundary Line Agreement by and between Hylaine J. Hein and Morris Fisher, *et al.*, recorded April 14, 1998, in Book 1535 at Page 1299.

5. Terms, conditions, provisions, agreements and obligations specified under the Grant and Release of Easement by and between Intermountain Rural Electric Association and Hylaine J. Hein recorded January 24, 2000, in Book 1802 at Page 955.

6. Terms, conditions, provisions, agreements and obligations specified under the Grant and Release of Easement by and between Intermountain Rural Electric Association and Hylaine J. Hein recorded January 24, 2000, in Book 1802 at Page 963.

7. Terms, conditions, provisions, agreements and obligations specified under the Grant and Release of Easement by and between Intermountain Rural Electric Association and Hylaine J. Hein recorded March 14, 2000, in Book 1819 at Page 811.

8. Terms, conditions, provisions, agreements and obligations specified under the Agreements for Possession and Use with the Town of Parker recorded on January 24, 2003, at Reception Nos. 2003010224, 2003010226 and 2003010227.

9. Easements for right-of-way, slope, drainage, access and temporary construction purposes as set forth in the Final Rule and Order recorded October 1, 2004, at Reception No. 2004101906.

10. Terms conditions and provisions of and easements for Right-of-way, Access, Slope, Drainage, Recreational Trail and incidental purposes, as set forth in the Stipulated Final Rule and Order as recorded August 16, 2005, at Reception No. 2005076961.

11. Public Sidewalk Easement as Granted to the Town of Parker, as granted in instrument recorded April 20, 2010, at Reception No. 2010024377.

12. Notes, Conditions, Restrictions and Easements as shown on the Recorded Plat for Parker Town Center as recorded May 19, 2011, at Reception No. 2011031425.

13. Terms, Conditions Provisions, Burdens and Obligations of Subdivision Agreement Parker Town Center Property, as recorded May 19, 2011, at Reception No. 2011031426.

14. Terms, Conditions, Provisions, Burdens and Obligations of Parker Town Center Development Agreement (Use By Special Review) as recorded June 4, 2013, at Reception No. 2013046245; and First Amendment to Parker Town Center Development Agreement (Use By Special Review) as recorded October 16, 2013, at Reception No. 2013084124.



Request for Town Council Action

Date: February 5, 2024

Submitted By: Emily Hogan, Assistant Town Manager

Reviewed By: Michelle Kivela, Town Manager

Title: **RESOLUTION NO. 24-018**
A Resolution to Amend Resolution No. 23-038, Series of 2023,
Concerning the Town of Parker Policy Manual by the Adoption of a
New Town of Parker Policy Statement Number 1-18 Concerning
Lobbying Guidelines

Department: Town Manager, Emily Hogan

EXECUTIVE SUMMARY

The Town of Parker strives to support legislation that is consistent and furthers advancement of its priorities and objectives found in the Strategic Plan and oppose legislation that inhibits achievements of the Strategic Plan and its objectives. As such, Council adopted the 2024 Legislative Policy Agenda, which establishes positions taken by the Council on major policy issues under consideration at the federal, state and local levels that may impact the Town and its residents and businesses, and hired a lobbyist to advocate for the Town's priorities. Staff has drafted lobbying guidelines to establish a process for Councilmembers, staff and the lobbyist to follow when advocating for legislation on behalf of the Town.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The 2024 session of the Colorado General Assembly kicked off on January 10. The Town of Parker strives to support legislation that is consistent and furthers advancement of its priorities and objectives found in the Strategic Plan and oppose legislation that inhibits achievements of the Strategic Plan and its objectives. As such, Council adopted the 2024 Legislative Policy Agenda, which establishes positions taken by the Council on major policy issues under consideration at the federal, state and local levels that may impact the Town and its residents and businesses, and hired a lobbyist to advocate for the Town's priorities.

Staff has drafted lobbying guidelines to establish a process for Councilmembers, staff, and the lobbyist to adhere to when advocating for legislation on behalf of the Town. The policy includes the following guidelines:

- As the full Council serves as the Town's legislative review body, the majority of Council must agree upon a position before releasing an official Town position.
- As official positions on bills can be time-sensitive, staff will review legislation,

summarize the issue and provide Council with the Town's position based on the Legislative Policy Agenda. If a Councilmember has concerns about the proposed position, the Councilmember can request the item be added to a regularly scheduled meeting or a special meeting for discussion with the full Council.

- Any substantive matters or formal policy statements or positions conveyed to external agencies (i.e. CML, DRCOG) through Councilmembers should be discussed with and approved by the full Council. In instances where an official Town position has been agreed upon, Councilmembers should vote in alignment with the previously determined position of the full Council.
- Councilmembers are encouraged to testify on the Town's behalf and should notify the Town Manager's Office to ensure that Council has taken an official position on the legislation or issue.
- To streamline interaction and avoid confusion, staff will coordinate all correspondence with the lobbyist through one person designated by the Town Manager.
- Prior to engaging the lobbyist's efforts, Council will be surveyed to ensure that a majority of the Council concurs with moving forward with a position on a particular piece of legislation.
- Any interaction with state senators or representatives on behalf of the Town must have Council's approval and agreement that the issue is a priority. Staff must be apprised of any contacts made on specific legislation to ensure the lobbyist is also informed.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 24-018

RECOMMENDED MOTION

I move to approve Resolution No. 24-018, as part of the consent agenda.

RESOLUTION NO. 24-018, Series of 2024

TITLE: A RESOLUTION TO AMEND RESOLUTION NO. 23-038, SERIES OF 2023, CONCERNING THE TOWN OF PARKER POLICY MANUAL BY THE ADOPTION OF A NEW TOWN OF PARKER POLICY STATEMENT NUMBER 1-18 CONCERNING LOBBYING GUIDELINES

WHEREAS, the Town Council approved Resolution No. 23-038, Series of 2023, on April 17, 2023, to amend and readopt the Town of Parker Policy Manual;

WHEREAS, the Town Council desires to adopt a new Town Council Policy Statement 1-18 entitled Lobbying Guidelines, which is attached hereto as **Exhibit A** and incorporated by this reference (“Town Council Policy Statement 1-18”).

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 Town Council Policy Statement 1-18 entitled Lobbying Guidelines.

RESOLVED AND PASSED this _____ day of _____, 2024.

TOWN OF PARKER, COLORADO

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

EXHIBIT A

Town of Parker, Colorado

POLICY STATEMENT

TITLE Lobbying Guidelines	PAGE 1 of 3	POLICY NUMBER 1-18
EFFECTIVE DATE 2/5/2024	REVISED DATE	
APPROVED BY COUNCIL ACTION Resolution No. 24-018		

PURPOSE

The purpose of the Lobbying Guidelines is to establish a process for Councilmembers, staff and a contract lobbyist to follow when advocating for legislation on behalf of the Town.

POLICY STATEMENT

Official Town Position

Throughout the legislative session, the Town takes official positions in support of or opposition to proposed legislation that is being considered by the Colorado General Assembly. The Town may also take an “amend” position (either “support, if amended” or “oppose, unless amended”) on a bill to facilitate greater collaboration, greater negotiating power, and building and maintaining a relationship with a bill sponsor. The Town may also take a temporarily neutral “monitor” position on a bill of interest. It is important that policy issues be reviewed with Town Council to ensure that they are priorities of the Town. Prior to stating any official Town position, staff will review the legislation to determine the potential impact on the Town. After thorough review, staff will provide Council with a summary of the legislation and a recommendation.

To release an official Town position, the majority of Council must agree upon a position on the legislation or issue. Prior to publishing an official position, staff will notify Council whether there was a consensus in support of staff’s recommendation. Alternatively, staff may agree to work with bill sponsors, as guided by the Legislative Policy Agenda, to amend a bill with the goal of Council being able to take a position on the bill once it has been satisfactorily amended.

Official positions on specific bills frequently have a time sensitivity that requires staff to utilize emails to Council. As noted above, staff will review the legislation, summarize the issue, and provide Council with the Town’s position on a piece of legislation based on the Legislative Policy Agenda. If a Councilmember has concerns about the proposed position and would like to discuss it further with the full Council, the Councilmember should contact staff and request a special meeting be scheduled if timing will not allow discussion at a regularly-scheduled meeting. In these circumstances, staff will not take a position until the Council has discussed the legislation and reached a consensus on a position.

Representing the Town at CML, DRCOG, and Other Groups

Members of Council serve as representatives of the Town for a variety of groups, including the Colorado Municipal League (CML), Denver Regional Council of Governments (DRCOG), Partnership of Douglas County Governments (PDCG), E470, and others. At these meetings, Councilmembers are frequently asked to take positions concerning legislation, and in some cases, legislation for which the Town has not yet taken formal action. Any substantive matters, or formal policy statements or positions conveyed to external agencies through Councilmembers should be discussed with and approved by the full Council. In instances where an official Town position has been agreed upon, Councilmembers should vote in alignment with the previously determined position of the full Council.

In instances where an issue or bill arises for vote that is not discussed within the Legislative Policy Agenda or that has not yet been taken up by Council, a Councilmember should indicate that the Town does not have an official position and that the issue will be discussed with the entire Council before a position will be shared. As such, Councilmembers may need to abstain from voting in certain circumstances where an official Town position is not clear.

If a Councilmember votes in a public forum on an issue or bill that the Council has not yet taken an official position on, the voting Councilmember must report to the entire Council at the next possible meeting or by email the vote that was cast on behalf of the Town.

Testimony at the Capitol

Councilmembers are encouraged to testify on the Town's behalf while, Board and Commission members, or staff are occasionally requested to testify on the Town's behalf on various pieces of proposed legislation at the State Capitol. When testifying, Councilmembers, Board and Commission members, and/or staff must notify the Town Manager's Office to ensure that Council has taken an official position on the legislation or issue. Notifying the Town Manager's Office ensures that both Council and the Town's lobbyist are advised that a Town representative will testify on a particular bill. It is important that lines of communication between staff and the lobbyist remain open at all times to ensure that the Town's lobbying efforts are as effective as possible and that we coordinate our efforts with other groups, including CML.

If testimony is not in support of the Town's official position on the legislation, the Councilmember, Board or Commission member, or staff are strongly encouraged to note that they are testifying on their own behalf and not as a representative of the Town. Please refer to the Town's Legislative Policy Agenda for additional requirements on individual advocacy and free speech.

Lobbyist Interaction

To streamline interaction and avoid confusion with Council, staff will coordinate all correspondence with the lobbyist through one person designated by the Town Manager. This individual will coordinate the tracking of legislation, obtaining Council's official position, and conducting other miscellaneous research/support as necessary in presenting the official

position(s) of Council. The lobbyist, in turn, will coordinate all correspondence with Council and staff through the same designee.

Prior to engaging the lobbyist's efforts, Council will be surveyed to ensure that a majority of the Council concurs with moving forward with a position on a particular piece of legislation.

Any interaction (whether Councilmembers, Board and Commission members, or staff) with state Senators or Representatives on behalf of the Town must have Council's approval and agreement that the issue is a priority. Staff must be apprised of any contacts made on specific legislation to ensure the lobbyist is well informed to maximize their effectiveness and prevent the occurrence of conflicting messaging.



Request for Town Council Action

Date: February 5, 2024
Submitted By: Jim Gilbert, Deputy Director of Operations
Reviewed By: Michelle Kivela, Town Manager
Title: **Street Sweeper Purchase**
Amount: **\$425,000**
Contractor: **Intermountain Sweeper Company**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Town of Parker's Fleet Maintenance division is seeking authorization to purchase a street sweeper as part of the 2024 fleet capital plan. This piece of equipment was identified and approved as part of the 2024 budget process as an addition to the operational fleet. This purchase will be for a Tymco 500X High Dump Regenerative Air Sweeper mounted on a Freightliner chassis. The total cost of the sweeper with all the required attunements is \$408,795. An additional \$13,205 is added to this request for parts and service related costs for maintenance of this and other sweepers in the fleet.

The quote provided by the vendor, Intermountain Sweeper Company, is based on a current competitively bid contract through Utah State Contract #MA3488. This contract includes a cooperative capacity which allows the Town of Parker the ability to purchase items that have been competitively bid and are available to other entities for the same pricing. This is an efficient means of purchasing equipment and is an acceptable practice. The base replacement cycle for street sweepers is currently set at 7 years. The maintenance cost for sweepers increases significantly as it passes the planned replacement cycle.

The Town continues to perform street sweeping activities year round. While the Town benefits from the beautification aspect of this effort, the main purpose of doing this function is to address air quality and water quality issues. The Town renewed its commitment to participate in the State of Colorado's PM10 Air Quality program. The use of sweepers to perform this work is essential to meeting this commitment. The vendor provided a complete quote which meets the specifications for this replacement unit.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town currently has three (3) street sweepers allowing two (2) to operate daily during post-snow event sweeping and routine daily sweeping from April to November annually. The Town is responsible for maintaining existing street and stormwater assets, and by maintaining the

current level of service, we can continue to provide reliable infrastructure and effective mobility for our residents. It is estimated that 133 lane miles of streets will be added to the Town by 2025. These streets will be added to the Town's inventory for maintenance, which includes sweeping. Due to the expected increase in lane miles and the increased geographic area, an additional street sweeper and an additional staff member will be needed to maintain the current level of service and are included in the approved 2024 Budget. Street sweeping is performed to keep the Town and streets clean and free of debris and litter, reduce sediment run-off and accumulation in the Town's stormwater system, and to meet the Town's air quality improvement commitment to the Regional Air Quality Council (RAQC).

Street sweepers typically require a great deal of maintenance to remain effective. Repairs to the equipment can incur extended periods of downtime while waiting on parts. Some repairs may take several weeks to a month to perform. This increase in downtime affects staff's ability to perform this function effectively throughout the year. It is typical for a fleet to incorporate at least one spare street sweeper for every two to three operating units.

Current service levels for street sweeping activities include two different functions. During the winter months, street sweeping activity is focused on removing materials within 72 hours after a snow event on primary and collector streets. This is a requirement by the Regional Air Quality Council and affects Denver's air quality on a large scale. During the summer months, street sweeping activities are planned to sweep all streets, including residential streets, a minimum of four (4) times per year. All of these efforts affect our air and water quality and are considered Best Management Practices (BMP) for the Town and its citizens.

FINANCIAL IMPACT

\$425,000. The cost for this unit was approved by Town Council as part of the 2024 fiscal year budget. No additional 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.



Request for Town Council Action

Date: February 5, 2024
Submitted By: Jim Gilbert, Deputy Director of Operations
Reviewed By: Michelle Kivela, Town Manager
Title: **Fleet Equipment Capital and Replacement**
Amount: **\$125,000**
Contractor: **Bobcat of the Rockies**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Town's Fleet Maintenance Division is requesting approval for the replacement of three (3) skidsteer loaders and two snow blower attachments, the purchase of a multi-functional Toolcat UW56, and the ability to have this vendor provide parts and repairs for equipment in the fleet. These purchases are part of a competitively bid solution by Sourcewell (#040319-CEC) and, as such, an approved method for purchasing this equipment.

The three (3) skidsteers are part of an annual trade in program through Bobcat of the Rockies.

The Town has the continued ability to trade in our existing two (2) year old units under this program each year. This program provides a cost-effective and operational efficient solution for the Town's fleet of skidsteer units. Participation in this program allows the Town to have brand-new units every other year at a cost of \$3,750 per unit per year.

The two (2) snow blower attachments are replacements for existing units identified for replacement in 2024. Both of these units meet the criteria for equipment being replaced and are operationally required Town's snow mitigation efforts.

The multi-functional Toolcat unit is an upgrade to an existing piece of equipment that was scheduled for replacement in 2024. The existing unit in the Streets Division is part of the replacement plan for 2024. Evaluation of the existing unit identified an opportunity to improve use and efficiency through this upgraded equipment. The Toolcat is primarily to provide necessary equipment for Right Of Way (ROW) maintenance and, secondarily, to provide support for other routine street maintenance activities. This upgrade will allow the Town to maintain and increase current levels of service for the Town's ROW maintenance.

In addition to the aforementioned purchases, this request provides additional funding in the amount of \$13,236.80 to pay for parts and maintenance cost through this vendor as determined as necessary by the Fleet Maintenance division.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

This request includes the following pieces of equipment and items for purchase;

- One (1) Toolcat unit - \$81,181.01
- Three (3) skidsteer units - Annual Lease Program - \$3,750 each
- Two (2) Snow Blower Attachments - One (1) 32X86 160CC unit \$12,515.63 - One (1) 32X60 130CC unit \$6,816.76
- Additional purchasing capability for parts and repairs - \$13,236.80

The Streets Division is responsible for ROW maintenance, not just mowing of roadsides but also cleaning sidewalks, road shouldering, rocking medians and weed spraying. This construction grade side-by-side will provide the needed, multi-function versatility to perform a wide range of maintenance tasks within the ROW.

Currently, sidewalk maintenance becomes the last priority as the machines necessary to complete these tasks are in use during warmer months. Working on sidewalks in the early spring becomes the only opportunity with little result from the effort, as these months still provide wet snow that carry debris back onto the sidewalks.

A Toolcat will provide a multitude of ways to help serve us in our ROW functions. This equipment will come with the ability to install different types of attachments to perform a wide variety of tasks. Having the ability to have a broom application on this piece of equipment will allow our ROW team to sweep up dirt and debris from sidewalks. The bucket attachment can be used to scrape harden material on sidewalks, perform road shouldering tasks and assist with rocking medians. Along with carrying the weed spraying apparatus. As our Town continues to grow, so does the ROW responsibility. This includes the sidewalks along Parker Rd., sidewalks along bridges, and sidewalks that see regular erosion from surrounding hillsides.

FINANCIAL IMPACT

\$125,000. The replacement and upgraded equipment included in this request were previously approved by Council as part of the 2024 budget. The additional costs for parts and repairs are also part of the fleet maintenance budget. No additional financial impacts are anticipated at this time.

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



SUPPORT AN
ACTIVE COMMUNITY



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: February 5, 2024
Submitted By: Jim Gilbert, Deputy Director of Operations
Reviewed By: Michelle Kivela, Town Manager
Title: **Cab and Chassis Capital and Replacement Units**
Amount: **\$250,848**
Contractor: **Transwest Truck Trail RV**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Town of Parker's Engineering and Public Works Department is requesting the approval to proceed with the procurement of two (2) cab and chassis class 8 trucks from Transwest Truck Trailer RV ("Transwest"). These units operate in the Streets division and are replacements for one (1) tandem axle dump truck with snow plow and sander and one (1) single axle dump truck with plow and sander. This is for the purchase of the cab and chassis only. The up-fit of these units will be completed by another vendor.

Parker's Financial and Budget Policy includes provisions for the Town to acquire goods and services without competition using contracts based on competitive solicitations received by other government agencies. Transwest Truck Trailer RV holds a competitively bid contract award with The City and County of Denver (#SC-0003076). Quotes provided by Transwest are in accordance with this contract and meet the Town of Parker procurement guidelines.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town's Fleet Replacement Policy provides that:

It is the policy of the Town to equip staff with the tools needed to provide services to our citizens in a professional, competent and safe manner. Among the biggest "tools" in accomplishing this task are vehicles and other fleet equipment ("Fleet Unit"). In addition, these items represent a substantial financial investment and must be handled in the most economical manner, both in their operation and in maximizing their disposal value.

The purpose of this policy is to establish procedures to ensure that the decision to replace fleet is in the best interest of the Town, financially and economically. This policy recognizes that extending the life of the fleet beyond the proper time for replacement only shifts the funding of fleet from being capital to operational in nature and may actually increase overall expenses if repair costs surpass the cost to replace.

As identified, one of the units being purchased is for the replacement of an existing unit in the fleet. The existing unit has exceeded its useful life (identified as 12 years) by several years and is one of the oldest plow trucks in the fleet. As equipment ages, the cost of repairs, ability to locate parts, and the effectiveness of the operation becomes hampered.

As part of the 2024 Capital Budget, Council approved the addition of a single axle dump truck with snow plow and sander.

The Town is the sole entity responsible for plowing snow from Town-owned and operated streets as well as performing repair and replacement of asphalt and concrete assets associated with streets to provide reliable infrastructure and effective mobility.

During plowing activities, Town staff will typically operate from 8 to 12 snowplows, depending on the severity of the event and availability of staff. It is typical for these pieces of equipment to incur maintenance related issues during an event. Maintaining a sufficient percentage of necessary resources to perform this function is essential to keeping the roadways passable. This addition will provide additional ability to sustain snow removal efforts during long-duration events. The single axle truck can also be used for residential plowing when required and is a maneuverable and versatile truck that is easier to operate while still possessing sufficient power to operate as a full-size plow truck.

During the period of time Streets staff perform asphalt and concrete repair, the single axle allows for maneuverability, versatility, and efficient operation on narrow residential streets. Due to the expected increase in lane miles and the increased geographic area, an additional snowplow and an additional staff member will be needed to maintain the current level of service, which are included in the approved 2024 Budget.

FINANCIAL IMPACT

\$250,848. The 2024 budget includes funding for the purchase of these units. 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.



Request for Town Council Action

Date: February 5, 2024
Submitted By: Jim Gilbert, Deputy Director of Operations
Reviewed By: Michelle Kivela, Town Manager
Title: **Upfit of Cab and Chassis Units**
Amount: **\$477,286**
Contractor: **OJ Watson Company**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Public Works and Engineering department is requesting the approval to purchase two dump bodies and snow and ice removal equipment for installation on two (2) cab and chassis being purchased as part of the 2024 budget. This purchase requires the construction and installation of specialized equipment onto separately purchased cab and chassis units.

This purchase and the associated quote provided by the vendor is submitted under and in accordance with a competitive bid process with the City & County of Denver contract #SC-0003211 and includes the capacity for all necessary attunements for purchase and installation of snow and ice equipment as specified by the Town of Parker.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town's Fleet Replacement Policy provides that:

It is the policy of the Town to equip staff with the tools needed to provide services to our citizens in a professional, competent and safe manner. Among the biggest “tools” in accomplishing this task are vehicles and other fleet equipment (“Fleet Unit”). In addition, these items represent a substantial financial investment and must be handled in the most economical manner, both in their operation and in maximizing their disposal value.

The purpose of this policy is to establish procedures to ensure that the decision to replace fleet is in the best interest of the Town, financially and economically. This policy recognizes that extending the life of the fleet beyond the proper time for replacement only shifts the funding of fleet from being capital to operational in nature and may actually increase overall expenses if repair costs surpass the cost to replace.

This request includes the provisions to proceed with the following purchase and up-fit of the following;

- One (1) 15' combo dump body with sander, snow plow and wing plow for tandem axle cab and chassis - \$258,325
- One (1) 10' combo dump body with sander and snow plow for single axle cab and chassis - \$218,961

FINANCIAL IMPACT

\$477,286. The 2024 budget provides appropriate funding for this purchase. No additional financial impacts are anticipated at this time.

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: February 5, 2024
Submitted By: Jim Gilbert, Deputy Director of Operations
Reviewed By: Michelle Kivela, Town Manager
Title: **Replacement and Capital Fleet Vehicles**
Amount: **\$607,909**
Contractor: **John Elway Chevrolet**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Engineering and Public Works Department is requesting Council approval to purchase eleven (11) vehicles from John Elway Chevrolet. These vehicles are being purchased as part of the approved fleet replacement budget for 2024. The Town of Parker is purchasing these vehicles through a competitively bid procurement contract by and through Arapahoe County (contract #19-48). This contract includes a cooperative capacity, which allows the Town of Parker the ability to purchase items that have been competitively bid and are available to other entities for the same pricing. This is an efficient means of purchasing equipment and has been acceptable practice. The Town's procurement policy provides the ability to make purchases through this methodology.

The vehicles being purchased through this contract include the following;

- Six (6) Tahoes - Police - \$310,980
- One (1) Suburban - Police Investigations - \$64,815
- Two (2) Silverado 1500 - Police Investigations - \$97,032
- One (1) Tahoe - Police Admin - \$61,027
- One (1) Silverado 1500 EV - Traffic - \$74,055

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town's Fleet Replacement Policy provides that:

It is the policy of the Town to equip staff with the tools needed to provide services to our citizens in a professional, competent and safe manner. Among the biggest “tools” in accomplishing this task are vehicles and other fleet equipment (“Fleet Unit”). In addition, these items represent a substantial financial investment and must be handled in the most economical manner, both in their operation and in maximizing their disposal value.

The purpose of this policy is to establish procedures to ensure that the decision to replace the fleet is in the best interest of the Town, financially and economically. This policy recognizes that extending the life of the fleet beyond the proper time for replacement only shifts the funding of the fleet from being capital to operational in nature, and may actually increase expenses overall if repair costs surpass the cost to replace.

This policy recognizes that each Fleet Unit has a number of “lives.”

- Service life – amount of time a unit is capable of rendering service
- Economic life – amount of time the unit’s average total cost is at a minimum
- Technological life – amount of time the relative productivity of the unit is comparable to newer models

The following costs and other factors should be considered in determining Fleet Unit replacement recommendations.

- Operation/maintenance costs
- Repair costs
- Parts availability
- Downtime
- Technological obsolescence
- Condition
- Safety

FINANCIAL IMPACT

\$607,909. Funding for these vehicles is through the approved 2024 budget. No additional financial impacts are anticipated at this time.

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY



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: February 5, 2024
Submitted By: Patrick Burke, Project Engineer
Reviewed By: Michelle Kivela, Town Manager
Title: **Parker Road Sidewalk Project - Pine Drive to Stroh Road - Final Design**
Amount: \$347,426
Contractor: Merge Resource Group Ltd
Department: Engineering and Public Works, Patrick Burke

EXECUTIVE SUMMARY

This agenda item is for the approval of a professional services agreement with Merge Resource Group, Ltd., for final design services of the Parker Road Sidewalks (Pine Drive to Stroh Road) project.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town is currently in the preliminary design phase for an upcoming capital improvement project known as the Parker Road Sidewalk Project - Pine Drive to Stroh Road. The project includes two segments on the east side of Parker Road where there are currently gaps in the sidewalk. The first segment consists of a multi-use trail between Pine Drive and the existing multi-use trail that terminates at the Town of Parker open space property near the Pine Bluffs neighborhood. The second segment consists of a multi-use trail between the existing trail fronting the Big Tool Box property, crossing J. Morgan Boulevard, and then connecting to the existing multi-use trail just south of Robinson Ranch.

In June 2023, a Request for Qualifications was advertised and Merge Resource Group, Ltd., was selected as the most qualified consultant to complete the design for the project. This selection resulted in the execution of a preliminary design contract with Merge Resource Group Ltd., that was approved by Town Council in November 2023. The preliminary design effort is nearing completion and the team is ready to move the project into the final design phase.

The final design services generally include: project management, utility coordination, right-of-way plans, environmental clearances, public involvement, final design, and limited bidding assistance. The total cost of this final design effort is \$347,426 and the estimated contract duration is approximately 12 months from notice to proceed. An additional contract will be needed once the project is ready to award a construction contract for construction administration services. Construction is tentatively scheduled for spring 2025.

FINANCIAL IMPACT

\$347,426. Funding for this agreement has been appropriated in the Highway and Streets Capital Projects Fund (301-4310).

STRATEGIC GOAL(S)



**SUPPORT AN
ACTIVE COMMUNITY**



**ENHANCE ECONOMIC
VITALITY**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**



**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: February 5, 2024

Submitted By: Jared Musil, Parks and Open Space Manager

Reviewed By: Michelle Kivela, Town Manager

Title: **First Amendment to Agreement for Professional Services**

Amount: **\$104,170.25**

Contractor: **Mountain High Lawn and Landscape LLC**

Department: **Parks, Recreation and Open Space, Jared Musil**

EXECUTIVE SUMMARY

The Mountain High Lawn and Landscape LLC contract is up for renewal in 2024, in the amount of \$104,170.25, which represents a 4.8% increase in the price for 2024 as part of the contracted renewal term pricing schedule. The overall scope of work remains the same as in 2023.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker, Parks, Forestry and Open Space division utilizes a maintenance contractor to perform routine median maintenance on select Town medians. In 2023, the median contract was put out for competitive bid and awarded to Mountain High Lawn and Landscape LLC. While 2023 was the first year the Town contracted with Mountain High Lawn and Landscape LLC, the company performed well and met the Town's expectations outlined within the contracted scope of work. The contract is a year-to-year contract with the option to renew for four additional years (five years total) with 2024 being the first year for renewal. If approved, the contractor will begin routine median maintenance on March 1, 2024, and end routine median maintenance on October 1, 2024, or with final and approved weed control and trash clean up, whichever occurs last. The contracted work consists of herbaceous plant and ornamental grass trimming, weed control and trash and debris cleanup. The contract does not include irrigation maintenance as Town staff will perform this function.

FINANCIAL IMPACT

\$104,170.25. Project funding was approved by Town Council as part of the annual budget process.

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 a part of the consent agenda.



Request for Town Council Action

Date: February 5, 2024

Submitted By: Scott Borzillo, Operations Manager, Streets & Stormwater Maintenance

Reviewed By: Michelle Kivela, Town Manager

Title: **Purchase of Snow Mitigation Material for the 2024 Season**

Amount: \$533,200

Contractor: GMCO Corp.

Department: Engineering and Public Works, Scott Borzillo

EXECUTIVE SUMMARY

The Engineering and Public Works Department is requesting authorization to purchase solid and liquid deicing material from GMCO Corp., utilizing a Colorado Department of Transportation ("CDOT") contract award.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Public Works is responsible for removal of snow and ice from Town streets. This operation requires the use of deicing materials to aid in removing snow and ice from the street surface. GMCO Corp. distributes both granular and liquid deicing material, which is currently more cost-effective than their competitors. GMCO Corp. has a CDOT award resulting from a bid process conducted by CDOT. This is a cooperative capacity which allows the Town of Parker the ability to purchase items that have been competitively bid and are available to other entities for the same pricing. This is an efficient means of purchasing equipment and is an acceptable practice to continue to meet our level of service. This purchase of this material will be needed for the 2024 snow season.

FINANCIAL IMPACT

\$533,200. Funding has been appropriated in the 2024 Engineering and Public Works Streets Division general fund account.

STRATEGIC GOAL(S)



ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendations as part of the consent agenda.



Request for Town Council Action

Date: February 5, 2024
Submitted By: Bob Exstrom, Project Manager
Reviewed By: Michelle Kivela, Town Manager
Title: **Second Amendment to the Construction Contract (CIP22-051-CI) for the Town Hall Expansion Project**
Amount: \$361,000
Contractor: JHL Constructors
Department: Engineering and Public Works, Bob Exstrom

EXECUTIVE SUMMARY

This item is to award a second amendment to the construction contract (CIP22-051-CI) with JHL Constructors for the Town Hall Expansion project to investigate/report existing electrical conditions at Town Hall and to place an early order for a new building generator by Lakewood Electric ("Lakewood") for a total amount of \$361,000.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On January 3, 2023, Town Council awarded a contract for construction management/general contractor services (CIP22-051-CI) and amendment 01 for preconstruction services with JHL Constructors for the Town Hall expansion project.

Design and preconstruction services continue to move forward and JHL is recommending they contract with an electrical subcontractor early to assist with the electrical design and to order the new building generator due to long lead times. The generator has a 33+ week lead time from day of order, so procurement must take place now to keep the project on schedule.

Consistent with the contract agreement, JHL solicited budgets from at least 3 qualified electrical contractors based on the 60% design development drawings/specs and received budgets as follows:

Company	Preliminary Budget for Total Trade Package
Lakewood Electric	\$3,154,744
Greiner Electric	\$3,169,551
Carlton Electric	\$3,412,133

JHL is recommending that we move forward with selecting Lakewood based on their budget, availability, and experience. Lakewood was the electrical subcontractor to JHL on the new Parker Water & Sanitation District building, and they exceeded expectations. JHL has additional experience with Lakewood on previous projects over the past decade and highly recommends Lakewood for the Town Hall expansion project.

This amendment to the contract is considered an “early works package” and includes a limited scope of work, in an amount of \$361,000, which represents approx. 11.4% of Lakewood’s overall preliminary budget. If this amendment is approved by Town Council, JHL will release Lakewood to order the new building generator and investigate/report electrical conditions related to the existing electrical equipment at Town Hall. After investigations are complete and Lakewood understands the configuration of the existing equipment and feeders, Lakewood will provide recommendations and options to the design team to optimize and economize the design.

When the design documents are 100% complete, Lakewood will submit a final proposal to JHL for the balance of the electrical work, and if their pricing remains reasonably in line with their preliminary budget, then Lakewood’s final proposal will be incorporated into JHL’s final guaranteed maximum price ("GMP") proposal for the Town’s review and acceptance. If Lakewood’s proposal for the balance of the electrical work does not remain competitive, the Town has the right to require JHL to supplement or replace Lakewood for such work.

FINANCIAL IMPACT

\$361,000. Funding has been appropriated for this first amendment in the 2023 Town Hall Expansion Fund (303-4194).

STRATEGIC GOAL(S)



ATTACHMENTS

None

RECOMMENDED MOTION

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

TOWN MANAGER REPORT

Winter 2024



PARKER
COLORADO

TOWN MANAGER REPORT

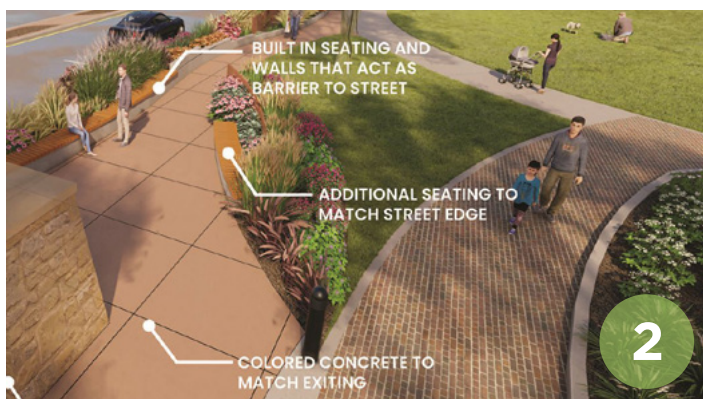
Town Council Meetings - Notable Actions

Oct. 2

- **Parker Youth Commission Appointments (1):** Town Council approved the appointment of Isabella Corriere to fill a vacancy on the Parker Youth Commission for a two-year term.

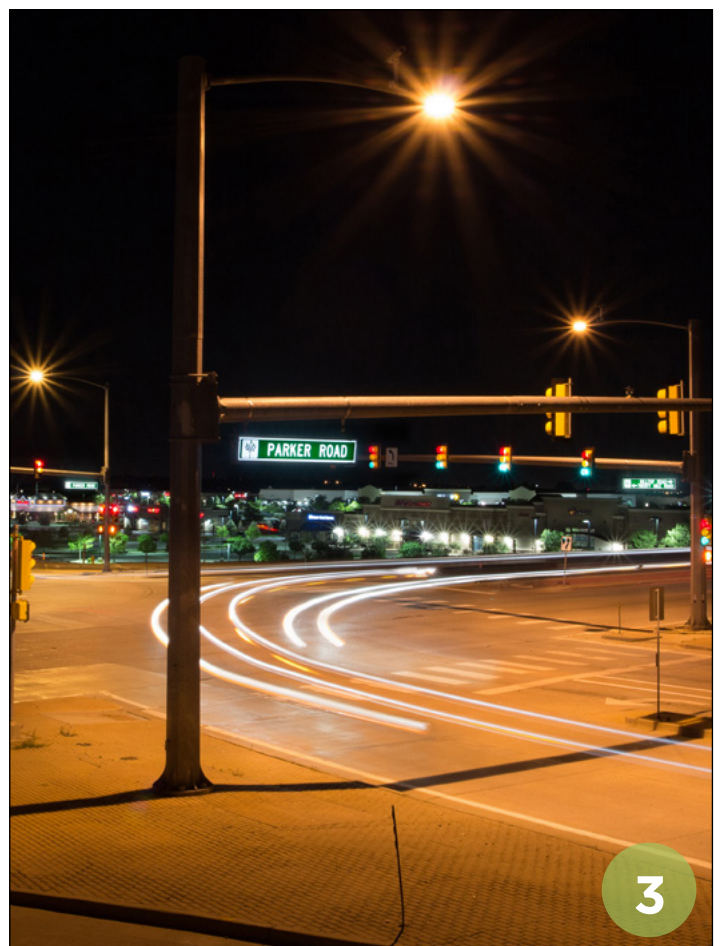


- **Newlin Crossing Townhomes:** Town Council approved a sketch and preliminary plan for the Newlin Crossing Townhomes community planned for the northeast corner of the intersection of Mainstreet and Chambers Road. The approval allowed the applicant to proceed with the final planning and design process and prepare a Final Plat and Site Plan application for future approval.
- **Lemon Gulch Trail:** Town Council approved a contract with Jalisco International, Inc for the Lemon Gulch Trail Improvements Project, which will connect the Lemon Gulch Trail to the Cherry Creek Regional Trail at Stroh Soccer Park.
- **O'Brien Park Streetscape (2):** Town Council approved a contract with Sabell's Civil and Landscape, LLC, for the O'Brien Park Streetscape Project, which will perform landscape improvements to the streetscape along O'Brien Park's south and west perimeter.



Oct. 23

- **Retail Establishment Permits:** Town Council approved an ordinance authorizing the administrative approval of retail establishment permits by the Town Clerk and repealing Article V of Chapter 5.02 regarding the Greater Downtown Special Private Art Permit. The repeal expands the Town's art gallery permit to allow almost all other types of retail establishments to serve alcoholic beverages at their place of business, subject to certain requirements.
- **North Parker Road Operational Improvements (3):** Town Council approved a contract with Goodland Construction Inc. for the North Parker Road Operational Improvements Project, which will install traffic and multi-modal operational improvements on Parker Road between Lincoln Avenue and E-470 in 2024.

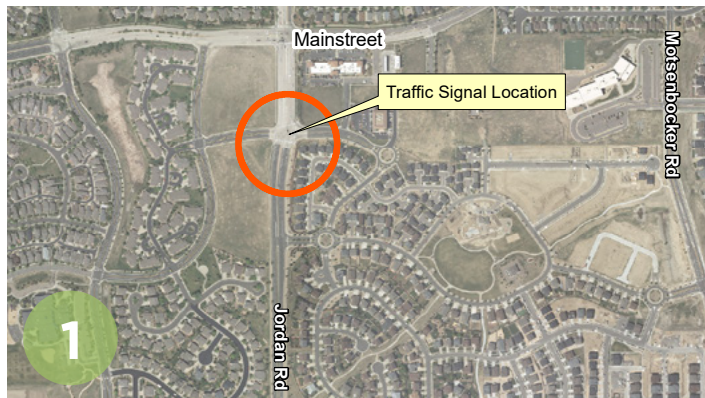


TOWN MANAGER REPORT

Town Council Meetings - Notable Actions

Nov. 6

- **Downtown Business Improvement District:** Town Council denied a petition from the property owner of PT Lot 3 Replat of Parker Central Area 5 to exclude the property from the boundaries of the Downtown Business Improvement District.
- **Shopping Center Assistance Program Agreement:** Town Council approved an agreement with Kings Point Retail, LLC, the developer of the Whole Foods shopping center, to participate in the Town's Shopping Center Assistance Program. A maximum rebate of 50% of enhanced sales tax for 7 years or \$3.2 million dollars is allowed under the agreement to offset a portion of the infrastructure and development cost associated with the project. Total anticipated revenue for the Town over 10 years is \$14,064,000.
- **Jordan Road - Cedar Gulch Parkway Traffic Signal (1):** Town Council approved a contract with Sturgeon Electric Company Inc. for the addition of a new traffic signal at the intersection of Jordan Road and Cedar Gulch Parkway.



Nov. 20

- **Pope Property Annexation and Zoning (2):** Town Council approved the annexation and zoning of a 38-acre enclave parcel located in unincorporated Douglas County known as the Pope property. Zoning was approved for three different zone districts: Open Space, Agricultural and Greater Downtown District - Market Center. A proposed extension of Dransfeldt Road will be constructed through the subject property to expand the Town's transportation system across Cherry Creek.
- **2023 Budget and 2024 Budget Approvals:** Town Council adopted the Town's 2024 Annual Budget while also approving revisions to the 2023 Annual Budget.

Dec. 4

- **Parks, Recreation and Open Space (PROS) Advisory Commission Appointments:** Town Council approved the appointments of Andrei Teudean and Michael Doyle for three-year terms to the PROS Commission. Heather Bennett was approved to continue as the commission chair.
- **Crown Point Center Rezone Application:** Town Council approved a rezone application to permit assisted living with memory care as a use by right at a property located in the Crown Point Center Planned Development. The property is located south of E-470 and east of Parker Road at the roundabout where Crown Crest Boulevard and Cottonwood Drive converge.
- **Upper Jordan Road Tributary Flood Control Improvements:** Town Council approved an amendment to an agreement between the Town and Mile High Flood Control District (MHFD) that will bring in additional funds from the MHFD to complete funding for the construction of flood control improvements to Upper Jordan Road Tributary, located in the Bradbury Ranch neighborhood.

Dec. 11

- **Police Equipment Agreement:** Town Council approved an agreement with Axon for the maintenance, support and video storage related to the Police Department's body-worn camera equipment, tasers, in-car video cameras and interview-room video cameras.

TOWN MANAGER REPORT

Town Manager's Office Updates

- **Iron Horse Elementary School Visit (1):** The Town hosted Iron Horse Elementary School's third-grade class on Nov. 8 as part of the class' civics curriculum. Mayor Toborg, Chief Tsurapas and Town Manager's Office staff were privileged to present; however, all were upstaged and outshined by the arrival of Teddy, the Police Department's new therapy Bernadoodle.
- **Operation Greenlight (2):** The exteriors of both Parker Town Hall and the Parker Police Department were illuminated in green light during the week of Nov. 6 to 12 as a way for Parker to celebrate Veterans Day.
- **2023 Town Election Results:** The Town held a special election Nov. 7 in conjunction with the Douglas County general election to decide four ballot questions regarding proposed amendments to the Town Charter. Three of the questions were approved, including issues relating to: Town Council's ability to set fines and lengths of imprisonment for violations of the Parker Municipal Code; the Town Manager's ability to provide for the manner by which department heads may supervise, control and discipline their employees; and the ability for the Chief of Police to administer the oath of office to new officers rather than the Town Clerk or a judge. One ballot question was rejected by voters that would have allowed Town Council to delegate authority to receive bequests, gifts and donations.
- **National League of Cities:** The Town recently became a first-time member of the National League of Cities, a century-old organization of more than 2,700 communities. The group advocates for, and protect the interests of, cities, towns and villages across the U.S. by influencing federal policy, strengthening local leadership and driving innovative solutions.



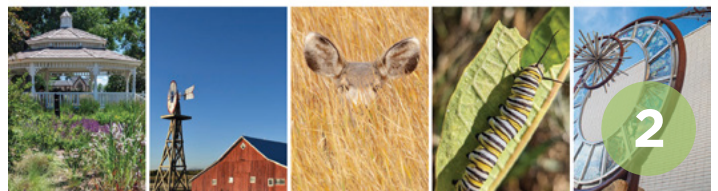
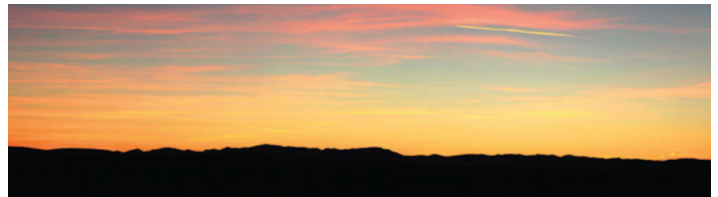
Additional Resources

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

TOWN MANAGER REPORT

Communications Updates

- **Holiday Events and Activities (1):** Downtown Parker was once again the center of our community's celebrations for the holiday season in 2023. Traditional favorite events returned, such as the Mayor's Holiday Lighting that helped usher in the season on Nov. 25. The Hometown Holiday Experience helped Parker's downtown area come alive during the weekends of Nov. 25 through Dec. 3 with festive decorations and walk-around holiday characters. Additionally, the Town set a new record for its Holidays Home Decorating Contest with 26 homes participating in the holiday decorations promotion.
- **New Community Event Permit System:** The Town of Parker has been working on rolling out a new Community Event Permit system to replace the current legacy system that operates through TRAKiT, which was originally developed to handle building and planning permitting. The new event permit system will make the process of applying for and hosting events easier than ever for our local community groups. The new system is open for use now. As this is still a new platform, staff expects there will be some minor issues that may need to be ironed out in the future, but we expect it to be a major benefit to everyone who is involved in hosting and approving community events in Parker. To view the new platform, visit ParkerOnline.org/EventPermits.
- **2023 Annual Report / 2024 Calendar (2):** Staff once again spent much of November working on the Town's Annual Report and Calendar publication that is mailed to all Parker households. The Town takes advantage of the opportunity that a yearlong publication like a calendar provides to highlight past year accomplishments, as well as future events, programs and activities that are available to residents. All photos in the calendar are selected from photo contest entries submitted by citizens. This year's contest saw strong participation yet again with 388 individual entries. The publication arrived in residents' mailboxes during the last week of December, with additional copies being made available free for pickup at select Town of Parker facilities.
- **Youth Commission Activities:** The Parker Youth Commission once again found itself busy in Fall 2023. Among the group's accomplishments was setting a variety of goals for the upcoming year, such as helping link their teen peers with volunteer opportunities located in the community, increasing the group's social media presence, and working on ways to provide assistance for youth entrepreneurs. The commission also began advertising and accepting submissions for its annual Pride of Parker and Spirit of Parker Awards.



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:**
121 in Q4; 625 total in 2023
- **Commercial Permits Issued:**
188 in Q4; 794 total in 2023
- **Total Value of Permits:**
\$60,637,729 in Q4; \$446,932,355 total in 2023
- **Total Inspections:**
6,933 in Q4; 50,585 total in 2023

Development Activity Summary

- **Commercial Development Interest:**
6 applications submitted in Q4
- **Pre-application Requests:**
9 in Q4; 42 total in 2023
- **Active Applications:**
104 at end of 2023
- **Approvals:**
8 in Q4; 87 total in 2023

Long-range Planning Projects

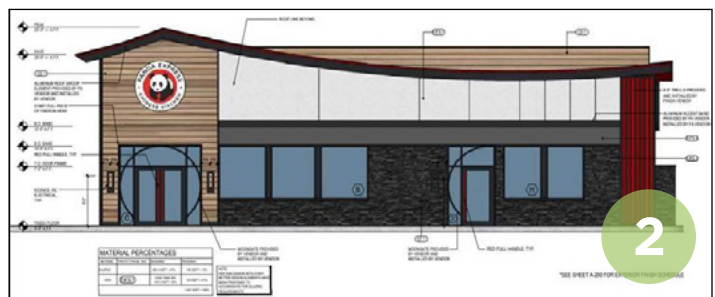
- **Land Development Ordinance Modernization:**
Completed the Adoption Draft; final public open house scheduled for Q1 2024; public hearing(s) for adoption scheduled for Q2.
- **Parker and Pine Subarea Plan:** Staff relaunched this plan to prepare a community vision, land use framework and strategic plan for the area around the Parker Road and Pine Drive intersection.
- **Parker 2035 Master Plan Update:** Staff prepared and issued a Request for Proposals for this update scheduled to begin in mid-2024.

Major Development Applications

- **Senderos Creek North Townhomes:** Site Plan extension approved for site south of Mainstreet between Jordan Road and Motsenbocker Road.
- **Mainstreet Town Center Apartments:** Multi-family residential development approved site north of Parker Hilltop Apartments.
- **Newlin Crossing Townhomes:** Sketch and Preliminary Plan approved for site at the northeast corner of Mainstreet and Chambers Road.
- **Scooter's Coffee:** Site Plan approved for site at the northeast corner of Jordan Road and Parkerhouse Road.



- **Andy's Custard (1):** Site Plan approved for site south of Lincoln Avenue between Dransfeldt Road and Parker Road.
- **In-N-Out Burger:** Building and Grading Permits approved for site at the southwest corner of Parker Road and Pine Lane.
- **Panda Express (2):** Site Plan approved for site along Parker Road (southbound) just south of Silverado Drive.
- **Whole Foods:** Site Plan approved for site at the northwest corner of the Cottonwood Drive and Kings Point Way.
- **Crown Point Center Planned Development Rezoning:** Town Council approved a rezoning application to permit residential assisted living use in the commercial planning area located at the intersection of Cottonwood Drive and Crown Crest Boulevard.
- **Pope Property Annexation and Zoning:** Town Council approved annexation and zoning of a 38-acre property fronting Twenty Mile Road.



Additional Resources

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

TOWN MANAGER REPORT

Cultural Department Updates

- **Parker Science Night (1):** On Nov. 5, Parker Arts, in partnership with the Council of Arts, Science and Culture, welcomed more than 2,000 young scientists and their families for a variety of hands-on activities and exhibits while exploring the areas of science, technology, nature, space and engineering! Participating exhibitors included the Butterfly Pavilion, Cheyenne Mountain Zoo, Denver Museum of Nature and Science, Buckley Space Force, Advent Health Parker and more.
- **Utility Box Wraps (2):** To beautify and turn ordinary utility boxes into works of art, nine boxes throughout Parker were wrapped with whimsical, historical and nature-inspired designs. Three additional boxes will be wrapped as weather permits. This project was a collaboration between Parker Arts, the Town of Parker, and Colorado's Art in Public Places and History committees, with help from our friends in the Engineering and Public Works Department.
- **Holiday Programming (3):** Parker Arts patrons enjoyed another festive holiday season with returning favorites such as The Nutcracker, A Classic Parker Holiday and Holiday Hits from Stage and Screen with the CJRO. Guests also enjoyed new seasonal twists, including a showing of National Lampoon's Christmas Vacation on the PACE big screen and performances from The Squirrel Nut Zippers Holiday Caravan Tour and Stunt Dog Experience for the Holidays.
- **Tiny Art:** Parker Arts partnered with art teachers and elementary/middle school students from Parker Performing Arts School to create temporary, mini masterpieces that brighten up O'Brien Park and encourage children to explore their surroundings.



- **Education:** Parker Arts Education presented student matinees of Giraffes Can't Dance The Musical and Pete The Cat's Big Hollywood Adventure where students ranging as far as El Paso County filled the theater for four sold-out performances. We also partnered with the Mizel Museum to present Eyewitness to History: A Holocaust Survivor Speaks to audiences, including home-school organizations and public school students. Our aging adult population enjoyed the introduction of our new 5280+ Senior Chorale and are eager to return for a second season starting February 2024.

Additional Resources

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

TOWN MANAGER REPORT

Economic Development Division Updates

- **Parker Economic Playbook:** Town staff worked with consultant P.U.M.A. to finalize the Town of Parker's new Economic Strategic Plan, "Parker's Economic Playbook – Moving Parker Towards a Thriving Economic Future." The plan was developed throughout 2023 and provides a strategic framework to achieve Parker's economic goals and objectives. The final Economic Playbook will be presented to the Town Council during a Jan. 22 study session.
- **Parker Chamber Partnership:** An existing partnership agreement with the Parker Chamber of Commerce was updated to ensure that all business-related trainings offered by the Chamber are open to all Parker Businesses. This agreement also includes seminars on workforce and business development.
- **Shopping Center Assistance Program (1):** Economic Development staff worked with Kings Point LLC on a final Shopping Center Assistance Program Agreement that was approved by Town Council during their Nov. 6 meeting that will help lead to the development of a new shopping center in the Kings Point area on Parker's north side. The shopping center will be anchored by a Whole Foods grocery store and also include two additional smaller retail spaces.



Additional Resources

- [Parker Business and Demographic Data](#)

Human Resources Department Updates

- **Town Staff Recruitment Efforts:** The Town filled 12 vacant full-time positions in the fourth quarter. Across all positions (full-time, part-time, seasonal), the Town received 466 job applications.

Additional Resources

- [Current Employment Opportunities](#)

Town Clerk / Municipal Court Updates

2023 End-of-Year Data

- Community Event Permits Processed – 50
- Current Liquor Licenses – 132
- Special Events Permits Issued – 18
- Peddlers and Solicitors Permits Issued – 19
- Open Records Requests Received – 274
- Municipal Court Tickets Issued – 2,081
- Municipal Court Trials Held – 2
- Teen Court Cases – 33

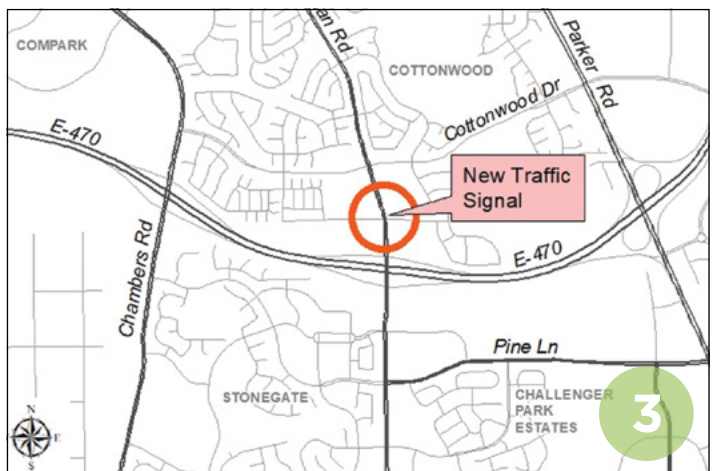
Additional Resources

- [Town Meeting Agendas and Minutes](#)
- [Parker Municipal Code](#)
- [Parker Teen Court Information](#)

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) (1):** The Town's contractor completed this sidewalk and streetscape project 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. Project was completed ahead of schedule and within budget.
- **Pikes Peak Drive Sidewalk Project (2):** This project 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.
- **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 High Flood District and includes funding from the Town, Cherry Creek Basin Water Quality Authority and the Mile High Flood District. The project is expected to be complete by 2nd quarter 2024.
- **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/Parkerhouse Road intersection (photo 3 below).



Additional Resources

- [Capital Improvements Update](#)

TOWN MANAGER REPORT

Parks, Recreation and Open Space Department Updates

- **Membership and Fitness Specials:** The Recreation Division of the Parks, Recreation and Open Space Department offered membership and fitness specials during the months of November and December. The two, one-day-only Black Friday and holiday specials were very successful and featured the following number of sales:
 - * 33 – Paid-in-Full Memberships
 - * 166 – 20-visit Passes
 - * 62 – Personal Training Packages
 - * 81 – One-month Student Memberships.
- **Turkey Day 5K (1):** A maximum capacity of 1,800 registrants participated in this annual race on Nov. 28. The race is the most popular event each year in Parker Parks and Recreation's annual Run Series.
- **Harvie Open Space (2):** A ribbon-cutting ceremony celebrating the opening of the 71.4-acre Ray J. Harvie Open Space located at Mainstreet and Canterbury Parkway was held Dec. 2. Mayor Toborg and Councilmembers Barrington, Diak, Hefta and Wilks were in attendance along with Douglas County Commissioner Lora Thomas and members of the Douglas Land Conservancy and COSAC staff, as well as members of the public. The completed park includes soft surface trails, picnic shelters, fencing, a roadbase parking lot, a restroom and signage.
- **Memorial Garden Restoration:** The Parks Division assisted the Rowan Foundation with the restoration of their memorial garden located near McCabe Meadows after several trees were chopped down by coordinating the planting of new trees with a local nursery and landscaping company. Parks staff acted swiftly in this effort in order to replant the trees prior to the Foundation's annual event of remembrance, which took place only a few days after the vandalism occurred.
- **Parker, Recreation and Open Space Commission Appointments (3):** Town Council approved the appointment of two members to the Parks, Recreation and Open Space Commission on Dec. 4. Incumbent member Andrei Teudean and new member Mike Doyle will serve three-year terms.



Additional Resources

- [Upcoming Parks and Recreation Events](#)

TOWN MANAGER REPORT

Police Department Updates

- **"Crime in Parker" Town Hall (1):** In October, nearly 100 people attended the PACE Center for a Town Hall meeting about Crime in Parker. Chief Tsurapas and Sheriff Weekly talked about Parker and Douglas County crime trends and answered residents' questions for more than an hour. Chief Tsurapas discussed the Parker Police's Monthly Reports, where residents can find information on crime trends, crash data and special unit activity. Our monthly reports and community crime map are available online at ParkerPolice.org.
- **New Staff Additions:** The Parker Police Department welcomed five new faces in the fourth quarter of 2023. In November, Officers Hurd and Sparks were sworn in. Officer Hurd has been an officer for eight years, and Officer Sparks brings five years of experience to the PD. Officers Anderson and Trujillo graduated from the Highlands Ranch Law Enforcement Training Academy in November. All four officers must graduate from the department's Police Training Officer program before they achieve solo status. Michael Montgomery is the newest member of the Communications team. He joined the department as a dispatcher in the fourth quarter and is working on his 20-week training program.
- **Fentanyl Panel Discussion:** More than 40 Parker residents attended the Fentanyl Panel Discussion Town Hall at Legend High School, hosted by the Parker Police Department in November. Chief Tsurapas was joined by the Douglas County Sheriff's Office, DEA, healthcare and local leaders to discuss the fentanyl crisis and its impact on our community. Thank you to all the presenters who shared their knowledge and expertise for an outstanding, educational event.
- **Shop with a Cop (2):** Parker Police Officers and professional staff had an amazing time shopping with 12 of the youngest members of our community in December. Shop with a Cop is a fantastic event for officers to build relationships with youth while they pick out Christmas gifts for loved ones and themselves. Seeing their smiles and the sparkle in their eyes as they picked gifts for their siblings, parents and other loved ones was heartwarming. They were such a great group of selfless kids. We thank Walmart for sponsoring this event and allowing us to build a positive relationship with these children. Without their support, this event wouldn't be possible.
- **Coffee with a Cop:** More than 40 local community and business leaders joined Parker Police Department staff members for a special holiday Coffee with a Cop Open House featuring warm drinks, sweet treats and lots of wonderful conversations. Town Manager Michelle Kivela and Assistant Town Manager Michael Lawson joined Mayor Toborg, Chief Tsurapas, and Councilmembers Diak, Hendreks, Rivero and Wilks for the festive morning. Guests also had the opportunity to complete a scenario on the Department's Use of Force Training Simulator.



Additional Resources

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



Request for Town Council Action

Date: February 5, 2024

Submitted By: Ashley Chasez, Planner I
Bryce Matthews, Assistant Director - Planning
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Manager

Title: **HARDING HEIGHTS**
Department: Community Development, Ashley Chasez

EXECUTIVE SUMMARY

The subject property is located at the southwest corner of the intersection of Parker Road and Longs Way. The property is partially developed but is underutilized and includes vacant land with frontage on Parker Road. The applicant, Quick Trip, is proposing three (3) land use applications with the goal of developing a gas station with a convenience store and creating two (2) additional lots to be sold for future commercial use. The proposal may be summarized as follows:

1. **Rezoning:** Applicant proposes to rezone the subject property to the C - Commercial zone district. Currently, the property is located in three (3) different zone districts; the Moran Planned Development (PD), Modified Commercial and C - Commercial zone districts.
2. **Use by Special Review (UbSR):** Applicant seeks UbSR approval to permit a gas station with a convenience store at the intersection of Parker Road and Longs Way.
3. **Minor Development Plat (MDP):** Applicant proposes to create three (3) lots for future commercial use with public improvements addressed in a subdivision improvement agreement.

Criteria for Rezoning Approval

The first application is to rezone the subject property to the C - Commercial zone district.

Section 13.04.240b(7) of the Municipal Code requires the applicant to address, and the Town Council to evaluate, the nine (9) criteria for rezoning approval:

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 proportional degree necessary due to the impacts created by the proposed land uses.

Criteria for Use by Special Review Approval

The second application is for an UbSR approval to permit a gas station with a convenience store on the subject property. Section 13.04.200b of the Municipal Code requires the applicant to address, and the Town Council to evaluate, the nine (9) criteria for UbSR approval:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhood;
2. Will be consistent with the Town Master Plan;
3. Will not result in an over-intensive use of land;
4. Will not have a material adverse effect on community capital improvement programs;
5. Will not require a level of community facilities and services greater than that which is available;
6. Will not result in undue traffic congestion or traffic hazards;
7. Will not cause significant air, water or noise pollution;
8. Will be adequately landscaped, buffered and screened; and
9. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town.

Criteria for Minor Development Plat Approval

The third application is for a Minor Development Plat (MDP) to subdivide the subject property into three (3) lots for future commercial use. Section 13.07.100d of the Municipal Code requires the applicant to address, and the Town Council to evaluate, the six (6) criteria MDP approval:

1. Consistency with Master Plan. The proposed subdivision is consistent with the goals and policies of the Town of Parker Master Plan and the General Land Use Plan.
2. Consistency with the Land Development Ordinance and other minimum standards established by the Town. The proposed subdivision complies with this Section and all other provisions of this Title, the Town's Stormwater Drainage and Environmental Criteria Manual and the Town of Parker Roadway Design and Construction Criteria Manual and other applicable standards adopted by the Town.
3. Consistency with Zone District Standards or Planned Development Guide, if applicable. The proposed subdivision complies with all provisions of the applicable Zone District or Planned Development Guide.
4. Public notice requirements. The applicant has demonstrated that all public notice requirements have been met.
5. Agreements. A subdivision agreement and/or other agreements have been executed by the applicant as required by the Town Council.
6. Public dedications. All applicable public dedication requirements have been satisfied.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The applicant has submitted three (3) land use applications for the subject property, which consists of multiple lots, that were previously owned by Mountain Man Fruit & Nut Company. The property is located at the intersection of Parker Road and Longs Way and has a total area of 6.17 acres. It has been partially developed with several older, light industrial buildings used by the previous owner and a food truck operated by Big Jim's Ribs. The surrounding area has a commercial land use character and the subject property is bordered by commercial retail uses to the north, south, east and west. The property also borders Parker Cemetery to the southwest.

Rezoning

The subject property is located in three (3) different zone districts: the Moran PD, Modified Commercial, and C - Commercial. The irregular zoning is a constraint to future use, so the applicant is proposing to rezone the entirety of the property to the C - Commercial zone district while eliminating the PD and Modified Commercial zoning at the site. The purpose of the rezoning is to create simpler, more uniform zoning across the subject property that will support future commercial development. This action will also produce greater consistency in permitted uses, development standards, and administrative process while increasing transparency for the public, property owner(s) and future developers.

The applicant must address and satisfy the nine (9) criteria for approval of a rezoning application referenced in the Executive Summary above. The proposed rezoning request appears to satisfy, or can satisfy, the nine (9) criteria for rezoning approval, as described in the attached staff report.

Use by Special Review

In addition to the rezoning application, the applicant has submitted a Use by Special Review ("UbSR") application for a gas station with a convenience store. The applicant is proposing to construct a 5,312 square foot convenience store with gasoline pumps at the southwest corner of Parker Road and Longs Way on one (1) of the three (3) lots to be created with the Minor Development Plat.

The proposed C-Commercial zoning for the property lists a Convenience Store with Gasoline Pumps as a Use by Special Review. The proposed location of the gas station with a convenience store is surrounded by existing commercial uses, including a fast food restaurant to the north, undeveloped commercial lot to the south, a tractor and farm equipment sales business to the west and commercial uses to the east across Parker Road.

The UbSR requires the applicant to address, and the Town Council to determine, whether the proposed use meets (or can meet) the nine (9) approval criteria set forth in the Land Development Ordinance (LDO). The UbSR application appears to satisfy, or can satisfy, the nine (9) criteria for approval, as described in the attached staff report.

Minor Development Plat

The Minor Development Plat (MDP) creates three (3) lots for future commercial development, including a QuikTrip gas station with a convenience store. The MDP incorporates an internal, private road that connects a full movement intersection on Longs Way to a right in/right out access point on Parker Road. The MDP aligns with the Master Plan by creating vehicular and pedestrian access to underutilized commercial properties in the Central Commercial Character Area and creating lots designed to support future commercial development. The MDP also aligns with the Parker Road Corridor Plan by providing consolidated access to the three (3) commercial lots with one (1) access point on Parker Road. There is a Subdivision Agreement for the construction of public improvements associated with the MDP.

Planning Commission

The Planning Commission held a public hearing for the proposal on January 11, 2024, and voted unanimously to recommend that the Town Council approve the proposed rezoning, UbSR, and MDP applications.

The applicant has also submitted a site plan application for the proposed QuikTrip gas station with a convenience store that is being reviewed administratively. It will be approved subject to Town Council action on the above-referenced applications.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ATTACHMENTS

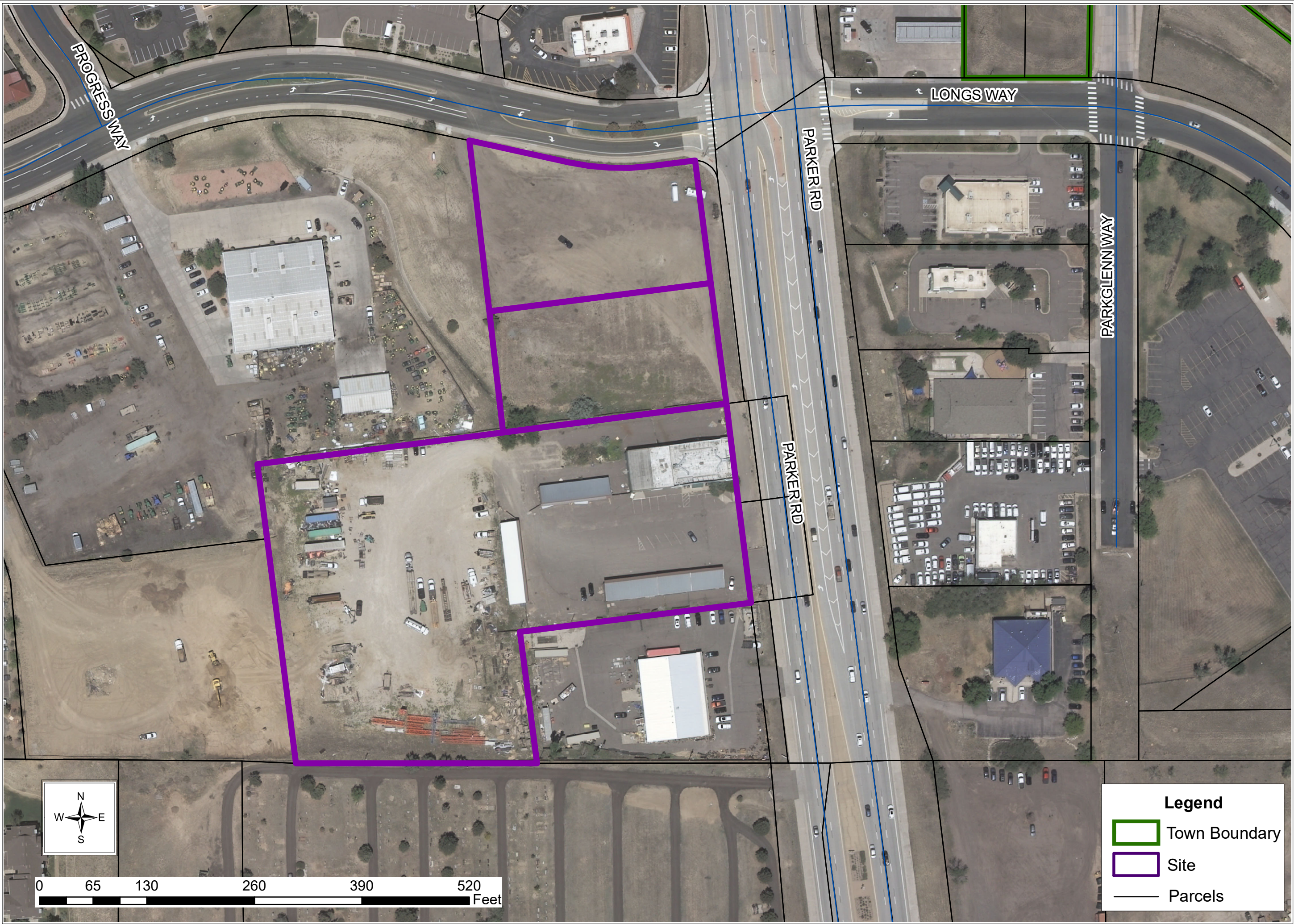
1. Harding Heights Vicinity Map
2. Harding Heights Staff Report Final
3. Harding Heights Combined Project Reviews
4. Harding Heights Zoning Map
5. Ordinance No. 3.88.1
6. Ordinance No. 3.06.1
7. Ordinance No. 3.370
8. Harding Heights Conceptual Site Plan
9. Harding Heights MDP
10. Harding Heights Signed SIA

RECOMMENDED MOTION

1. I move to approve Ordinance No. 3.88.1 on second reading.
2. I move to approve Ordinance No. 3.06.1 on second reading.
3. I move to approve Ordinance No. 3.370 on second reading.
4. I move to approve the Use by Special Review application.
5. I move to approve the Minor Development Plat application.
6. I move to approve the Subdivision Agreement.

Harding Heights - Minor Development Plat, Use by Special Review & Rezone

Vicinity Map





Planning Commission Staff Report

Planning Commission Date: 1/11/2024

Town Council Date: 2/5/2024

Hearing Type: Public Hearing
Harding Heights –
1. Parker Downs Filing No. 3 Lots 1 and 2 Rezone to Commercial
2. McClintock II Lot 1 Rezone to Commercial
3. Use by Special Review
4. Minor Development Plat
TRAKiT Nos: Z20-016, Z20-021, SUB20-031

Location: Southwest corner of Parker Road and Longs Way

Project Planner: Ashely Chasez, Planner I

Applicant: Coy Williams, Kimley Horn

Executive Summary: The applicant, Kimley Horn, is proposing three land use applications to accommodate a gas station with two additional commercial vacant parcels:
1. Rezone of 2.01 acres from Moran PD to C-Commercial and 1.94 acres from Modified Commercial to C-Commercial, this rezone will ensure the entire 6 acre development is the same zoning of C-Commercial
2. Use by Special Review to allow for a convenience store with gasoline pumps on the lot located at the southeast corner of Parker Road and Longs Way.
3. Minor Development Plat to subdivide 6 acres into three commercial lots to be known as Harding Heights.

Staff Recommendation: Approval

RECOMMENDED MOTION

1. ***"I move the Planning Commission recommend Town Council approve the zoning request for Parker Downs Filing No. 3 Lots 1 and 2."***
2. ***"I move the Planning Commission recommend Town Council approve the zoning request for a portion of McClintock Lot 1."***

3. ***“I move the Planning Commission recommend Town Council approve the Use by Special Review, subject to the following condition:”***
 - *That the Use by Special Review materials submitted to the Community Development Department on December 09, 2020, shall be the approved Use by Special Review materials.*
4. ***“I move the Planning Commission recommend Town Council approve the Minor Development Plat.”***

ALTERNATIVE MOTIONS

Zoning Request for Parker Downs

1. ***“I move the Planning Commission recommend Town Council approve the zoning request for Parker Downs Filing No. 3 Lots 1 and 2, subject to the following conditions:”***
 - *List proposed conditions*
2. ***“I move the Planning Commission recommend Town Council deny the zoning request for Parker Downs Filing No. 3 Lots 1 and 2 as the request does not meet the following approval criteria:”***
 - *List criteria not met (either by staff or Planning Commission)*
3. ***“I move the Planning Commission vote to continue the zoning request for Parker Downs Filing No. 3 Lots 1 and 2 to a future date.”***

Zoning Request for McClintock II

1. ***“I move the Planning Commission recommend Town Council approve the zoning request, for a portion of McClintock Lot 1 subject to the following conditions:”***
 - *List proposed conditions*
2. ***“I move the Planning Commission recommend Town Council deny the zoning request for a portion of McClintock Lot 1 as the request does not meet the following approval criteria:”***
 - *List criteria not met (either by staff or Planning Commission)*
3. ***“I move the Planning Commission vote to continue the zoning request for a portion of McClintock Lot 1 to a future date.”***

Use by Special Review

1. ***“I move the Planning Commission recommend Town Council approve the Use by Special Review”***
2. ***“I move the Planning Commission recommend Town Council deny the Use by Special Review as the request does not meet the following approval criteria:”***
 - *List criteria not met (either by staff or Planning Commission)*
3. ***“I move the Planning Commission vote to continue the Use by Special Review to a future date.”***

Minor Development Plat

1. *"I move the Planning Commission recommend Town Council approve the Minor Development Plat, subject to the following conditions:"*
 - *List proposed conditions*
2. *"I move the Planning Commission recommend Town Council deny the Minor Development Plat as the request does not meet the following approval criteria:"*
 - *List criteria not met (either by staff or Planning Commission)*
3. *"I move the Planning Commission vote to continue the Minor Development Plat to a future date."*

I. BACKGROUND/DISCUSSION

The applicant has submitted three (3) applications for the subject properties located at the southwest corner of Parker Road and Longs Way. Currently, the subject parcels are vacant with the exception of an existing unused lumber yard buildings on a portion of one lot. The property on the corner of Parker Road and Longs Way is currently used by a food truck.

Zoning Requests

The first application is to request a zone change for the subject property. The 6.169 acre parcel currently has 3 zonings, Moran PD, Modified Commercial and C-Commercial. The purpose of the rezonings is to make the entire property have the same zoning C-Commercial. Having one zone district for the development will create consistency in allowed uses and standards, ease of administration and will be more understandable for property owners. All rezone proposals must meet the nine approval criteria set forth in the Land Development Ordinance (LDO) as outlined in Section VII of this staff report.

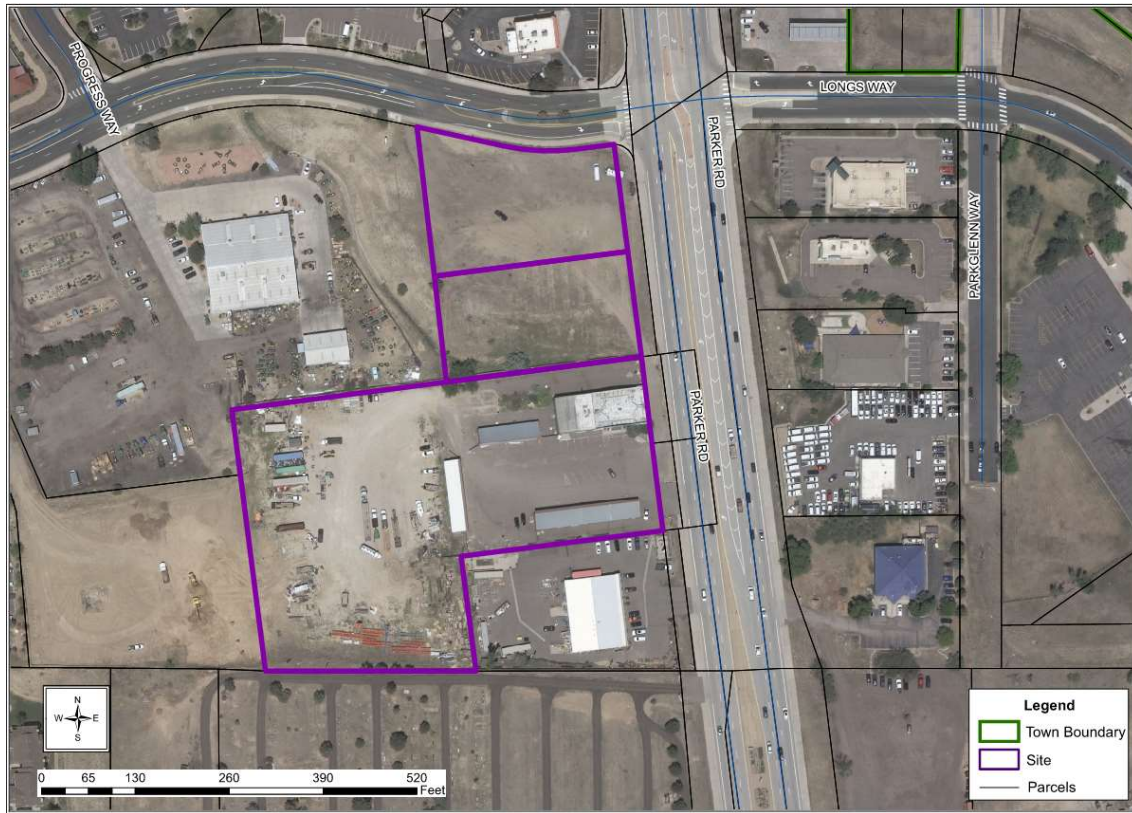
Use by Special Review for Convenience Store with Gasoline Pumps

The second application is a Use by Special Review to allow for a gas station on the property. The proposed C-Commercial zoning within the Town lists a 'Convenience Store with Gasoline Pumps' as a use permitted by special review. The applicant is proposing to construct a 5,312 square foot convenience store with gasoline pumps at the southeast corner of Parker Road and Longs Way. The proposed zoning establishes uses that are permitted by right, those permitted by special review and those not listed are prohibited. Uses by Special Review are established in zone districts when a proposed use may present external impacts that require additional review beyond those uses that are considered uses by right within a zone district. The request for a Use by Special Review is a discretionary request made by a private property owner or applicant. The Use by Special Review is to determine whether the requested use meets or can meet, subject to conditions, the nine approval criteria set forth in the LDO and outlined in Section VIII of this staff report.

Minor Development Plat

The third application is a Minor Development Plat to subdivide the subject property into three commercial parcels that can be accessed from a private drive connecting Parker Road and Longs Way. The considerations for a Minor Development Plat are consistency with the Master Plan, LDO, and the property's zoning as well as dependent on meeting public notice requirements.

VICINITY MAP



PRIOR ACTIONS

Date	Action
1982	Annexed into the Town and zoned Moran PD.
1991	McClintock II Plat Approved
1992	Parker Downs Filing No. 3 Plat Approved
1992	Parker Downs Filing No. 3 Lots 1 and 2 zoned to Modified Commercial.

II. CURRENT SITE DATA

Existing Zoning	C - Commercial District, Moran PD and Modified Commercial		
Overlay District	N/A		
PD & Plan Area	Commercial		
Master Plan Area	Central Commercial		
Site Acreage	6.169 Acres		
Subdivision	Parker Downs Filing No. 3 and McClintock II		
Existing Use	Commercial and Vacant		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Central Commercial & Light Industrial	C - Commercial District	Commercial and Light Industrial

South	Downtown Core	C - Commercial District & Public Facilities	Cemetery and Commercial
East	Downtown Core	C - Commercial District	Commercial
West	Central Commercial & Light Industrial	C - Commercial District & Light Industrial	Light Industrial

III. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Central Commercial ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	Central Commercial District: The Central Commercial District encompasses the commercial core of the Town. Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road and current land uses, growth in this Character Area should focus on core retail, services, offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses as part of a development with a mix of uses and a design that focuses on vehicular and pedestrian connectivity between uses. Vertical mixed use is highly encouraged where appropriate.
Consistent Goals/Strategies	<u>Land Use 1.C</u> <u>Land Use 1.E</u> <u>Jobs and Economic Vitality 2.A</u> <u>Jobs and Economic Vitality 2.B</u> <u>Jobs and Economic Vitality 2.E</u>
Staff Analysis	The subject property is located at the Southwest corner of Parker Road and Longs Way and is within the Central Commercial Character Area designated by the Parker 2035 Master Plan. This area is intended to provide commercial uses which focus on retail, services, lodging, restaurants, and entertainment. The proposed zoning aligns with the Master Plan. The proposed use, convenience store with gas pumps, in the Use by Special Review aligns with the Master Plan by providing a supporting commercial use and service to the area. The Minor Development Plat aligns with the Master Plan by creating vehicular and pedestrian access to underutilized commercial properties in the Central Commercial planning area and creating lots laid out to support commercial development.

	Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
--	---

IV. OTHER MASTER PLANNING DOCUMENTS

OTHER PLANNING DOCUMENTS CONSISTENCY	
Other Planning Documents	Parker Road Corridor Plan
Consistency Review	☒ Consistent ☐ Inconsistent ☐ N/A
Staff Analysis	The Parker Road Corridor Plan is a document that functions as a roadmap that coordinates both the Town's and CDOT's policies and programming for future land development and transportation investments. This Plan was created to aid Town staff with difficult zoning challenges, guide the creation of new development standards as well as assist other land use goals. Within the land use chapter of the Plan, it is stated that the future land goals for the corridor are commercial in nature rather than the current suburban character. One of the key takeaways of the Parker Road Corridor is to encourage commercial nodes along Parker Road. Another key takeaway from the Parker Road Corridor Plan is to encourage shared access points for developments with the aim of reducing access points along Parker Road. Based on this analysis, staff has determined that the request is consistent with the Parker Road Corridor Plan.

V. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Site Plan/UBSR/Sketch/Prelim Plan/MDP)			
Provisions	Existing/Required	Proposed	Analysis
Setbacks	Front – 40 ft Side – None, except when adjacent to a residential zone Rear – 25ft	Setbacks will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Density	N/A	The request is for commercial development.	☐ Consistent ☐ Inconsistent ☒ N/A

Height/Stories	35ft	Building height will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Size	Width: 75ft.	Width: 75ft	☒ Consistent ☐ Inconsistent ☐ N/A
Lot Coverage	None.	Compliance for lot coverage is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	Compliance for landscape requirements is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Off-Street Parking	Title 13.06.050	Compliance for parking is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	The specific details related to the development of the property are not a part of the Use by Special Review but are being reviewed as a part of the concurrent administrative site plan review. A site plan for the proposed gas station cannot be approved unless the Use by Special Review is approved. The proposed site is large enough and is regular shaped as to allow for a convenience store with gas to be constructed that meets the zoning and Development Design Standards requirements.		

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	N/A	N/A. The proposed zoning is for commercial uses that do not allow for single-family or multiple-family residential.	☐ Consistent ☐ Inconsistent ☐ No Change ☒ N/A
Allowed Uses	Commercial	Commercial	☐ Consistent ☐ Inconsistent ☒ No Change
Height/Stories	None	35ft	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	As detailed in the analysis above, the requested zoning is consistent with the Parker 2035 Master Plan for the allowed uses and the requested height maximum for buildings.		

	Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
--	---

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The applicant is proposing access to their property from both Parker Road and Longs Way along a private internal road. The access on Parker Road is a right in/ right out and a full movement access is on Longs Way. The internal drive that will provide access to all three proposed parcels, which supports the Town’s goal of reducing the number of access points along Parker Road as outlined in the Parker Road Corridor Plan. The proposed project will provide sidewalks along the private drive and sidewalk improvements along Parker Road which will ensure pedestrian accessibility when the property further develops.

VII. APPROVAL CRITERIA ZONING

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant Response:

The current Site area is made up of three different zoning designations. Consistent with coordination with the Town, it is understood that the entire site should be rezoned to be consistent designation for the new Harding Heights Subdivision. The proposed use on Lot 1, convenience store with fuel sales, is a use permitted by special review under the current zoning of the property and will remain a use permitted by special review under the proposed zoning of the property. For the majority of the property, the allowed uses are not changing; however, per Town requirements the entire property will need to be rezoned to a consistent zoning since it is being re-platted.

Staff Analysis:

Currently, the property in question consists of three different zonings classifications and included in one Master Plan Character Area, the Central Commercial Character Area. The proposed rezone application is needed to provide consistent zoning within the project area, replace the out-of-date Moran PD zoning and to align the zoning with the Master Plan. Having a single zone district for the development will create consistency in allowed uses and standards, ease of administration and will be more understandable for property owners.

Based on this analysis, staff has determined that this criterion has been met.

2. The particular parcel of ground is indeed the correct site for the proposed development.

Applicant Response:

As shown in Figure 6B in the Town of Parker 2035 Master Plan – Updated December 3, 2018 (the “Master Plan”), the property is located within the Central Commercial Character Area. Central Commercial District is described in the Master Plan as an area that “should focus on core retail, services, offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses as part of a development with a mix of uses and a design that focuses on vehicular and pedestrian connectivity between uses.” The proposed zoning, Commercial, is consistent with the Master Plan as it allows

uses generally consisting of core retail, offices, lodging, restaurants, and entertainment. The proposed development, convenience store with fuel sales, is compatible with the Central Commercial District Character Area as it will provide the Town of Parker residents with access to core retail as well as quick-service restaurant amenities.

Staff Analysis:

The subject property is located within the Central Commercial area as designated by the Parker 2035 General Land Use Plan, which is planned to provide commercial uses for the Town. The property is located along Parker Road, a major thoroughfare, and properties to the north and south are zoned and used for commercial uses. The commercial zoning and uses are compatible with the surrounding area.

Based on this analysis, staff has determined that this criterion has been met.

3. There has been an error in the original zoning; or
N/A
4. There have been significant changes in the area to warrant a zone change.

Applicant Response:

No significant changes have occurred to warrant this proposed zone change. The change is intended to establish consistent zoning in this area consistent with the Master Plan

Staff Analysis:

The original zonings for these properties were established in 1982 and 1992. Since this time, Parker Road has been widened and significant growth has occurred in the community. While the zoning and lot layout were appropriate 30+ years ago; the land uses, lot layout and access requirements from Parker Road have changed significantly over that time frame. This zoning is necessary to respond to these changes and to create a consistent zoning in the development.

Based on this analysis, staff has determined that this criterion has been met.

5. Adequate circulation exists and traffic movement would not be impeded by development; and

Applicant Response:

The proposed development, and future development, is proposed to be accessed via a right-in/right-out access onto Parker Road and a full movement access onto Longs Way. Internal circulation will be provided via private on-site access roads serving all three lots. For the purposes of the Traffic Study, the future development is assumed to include 14,000 square feet of retail, 5,400 square feet of fast-casual restaurants, a 4,200 square foot fast food restaurant with drive through, and a 16-fueling position gas station with a 4,995 square foot convenience market (Lot 1 Development). As part of the project, a shared right turn lane/acceleration lane will be installed along the property frontage to serve the project. At the time the property to the south of the project develops, it is understood that the acceleration lane will be extended. A design waiver

has been reviewed and approved by CDOT for this configuration and will be designed to CDOT standard by the southern property owner. Due to the Traffic Counts being collected during the COVID-19 Pandemic, the counts were adjusted based off 2017 counts from the Parker Road Corridor Plan completed by Kimley-Horn. The 2017 counts from the Parker Road Corridor Plan were grown to existing year 2020 by using a 1.50 percent annual growth rate. With the proposed project traffic, all movements at all of the project accesses are expected to operate acceptably during the peak hours throughout the 2023 horizon, therefore, based on the analysis of the Traffic Study, it is believed that the project and adjacent development area will be successfully incorporated into the existing roadway network.

Staff Analysis:

The subject property is located at the corner of Parker Road and Longs Way which will provide access to the site. The proposed rezone will align with the Master Plan and the land uses will remain commercial in character, which will not create a notable change in potential traffic impacts.

Additionally at the time of development, the applicant will be required to construct any additional auxiliary lanes necessary for their development as identified within the traffic study for the property and create cross access easements to ensure adequate circulation.

Based on this analysis, staff has determined that this criterion has been met.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

Applicant Response:

Parker Water and Sanitation District (PWSD) has confirmed that existing infrastructure has capacity to serve the proposed development and to our knowledge, no additional municipal costs will be incurred with the project.

Staff Analysis:

Any construction on the subject properties will be considered private and will be privately maintained.

As evidenced by the inclusion of the subject property in the Town's Center Commercial Character Area, the Town is prepared to meet any additional municipal service costs associated with the uses on the subject property.

Based on this analysis, staff has determined that this criterion has been met.

7. There are minimal environmental impacts or impacts that can be mitigated.

Applicant Response:

To our knowledge, environmental impacts with the proposed zone change will be minimal, as the current and proposed zoning allowing for the same general uses. With the current development, convenience stores with fuel sales, a number of protections

are put in place on site in order to mitigate environmental impacts to the extent practicable. All inlets are equipped with a BMP Snout Device which, in the event of a fuel spill, will help to capture any fuel on-site prior to any spill being discharged into downstream infrastructure. The fuel canopy is graded to ensure that all drainage, including fuel in the event of a spill, is routed to an on-site inlet equipped with a BMP Snout Device. There are multiple emergency shut off switches located in the canopy area to minimize fuel discharged in the event of a spill. All underground storage tanks (USTs) and fuel lines to the dispensers are equipped with state-of-the-art leak detection which will alert the store in the event of detection of fuel leakage.

Staff Analysis:

The subject property is surrounded by urbanized areas and will be required to meet all Town environmental standards as set forth in the Land Development Ordinance, such review will occur during the subdivision and Site Plan processes. As a part of this review, site improvements will be required to be designed to ensure that any environmental impacts are mitigated.

Based on this analysis, staff has determined that this criterion has been met.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Applicant Response:

As shown in Figure 6B in the Town of Parker 2035 Master Plan – Updated December 3, 2018 (the “Master Plan”), the property is located within the Central Commercial Character Area. Central Commercial District is described in the Master Plan as an area that “should focus on core retail, services, offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses as part of a development with a mix of uses and a design that focuses on vehicular and pedestrian connectivity between uses.” The proposed zoning, Commercial, is consistent with the Master Plan as it allows uses generally consisting of core retail, offices, lodging, restaurants, and entertainment. The proposed development, convenience store with fuel sales, is compatible with the Central Commercial District Character Area as it will provide the Town of Parker residents with access to core retail as well as quick-service restaurant amenities.

Staff Analysis:

As detailed in Section IV. of this staff report, the proposed zoning of the property to C-Commercial is consistent with the Parker 2035 Master Plan designation as Central Commercial.

Based on this analysis, staff has determined that this criterion has been met.

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

Applicant Response:

To our knowledge, and per coordination with Parker Water and Sanitation District, the adjacent water and sanitary sewer mains have capacity to serve the Site. The proposed zone change will have minimal impact to the overall density of the area.

Staff Analysis:

The property is surrounded by existing commercial uses located within the commercial core of the Town. As a part of the review of this proposal, referrals were sent to the appropriate service providers and departments within the Town, these referrals agencies responded with no concerns regarding the provision of required services. Adequate services are located within the area and will be available to the property at the time of development.

Based on this analysis, staff has determined that this criterion has been met.

VIII. APPROVAL CRITERIA USE BY SPECIAL REVIEW

Title 13.04.200.b. Criteria for approval for Uses Permitted by Special Review:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhoods.

Applicant Response:

The proposed development is compatible and consistent with the large amount of commercial and light industrial uses in the area on Parker Road. The convenience store will offer the surrounding neighborhoods a new option for high quality to-go food as the store is equipped with a full-service kitchen preparing grab and-go meals, coffee, and drinks.

Staff Analysis:

The subject property is located within the Central Commercial Area as identified within the Parker 2035 Master Plan. The site is located next to Parker Road, a State Highway and the area surrounding the site currently consists of commercial uses which are compatible with a gas station use. To the north of the proposed site is Longs Way and a drive-through restaurant, to the west is an equipment rental business and to the south are future vacant commercial properties to be developed with this project. The addition of a gas station would add to the mix of uses in the area, serve the traveling public and is not located near any residential uses.

The applicant has submitted a Site Plan application for the proposed gas station that staff is reviewing it administratively.

Therefore, staff has determined that this criterion can be satisfied.

2. Will be consistent with the Town Master Plan.

Applicant Response:

Per the 2035 Parker Master Plan, the site is located in the Central Commercial Character Area of the General Land Use Plan. Consistent with the Central

Commercial District definition, the proposed development will provide a core service of a refueling station as well as a convenience store to the Town residents and travelers through the Town

Staff Analysis:

As detailed in Section IV. of this staff report, the property is located within the Central Commercial Character Area of the Parker 2035 Master Plan. Uses proposed within the Central Commercial Area should focus on core retail, services, offices, lodging, restaurants, and entertainment. The proposed gas station use is defined as a service which is a use contemplated by the Master Plan.

Therefore, staff has determined that this criterion can be satisfied.

3. Will not result in an over-intensive use of land.

Applicant Response:

In the existing condition, the site is either undeveloped or vacant buildings with little to no vegetation. The convenience store development is proposed to have ample parking and provides 1.6 times the required landscape area, significantly enhancing the overall site. The proposed development also consists of two pedestrian plaza areas with enhanced landscaping and benches.

Staff Analysis:

The proposed gas station will be located on the northernmost lot of the property at the corner of Parker Road and Longs Way with the remainder of the 6.169 acres being developed as commercial lots for future development. All requirements of the Land Development Ordinance as it relates to setbacks, landscaping, parking, drainage, and architecture will be reviewed and required to be satisfied prior to construction through the Site Plan process.

Therefore, staff has determined that this criterion can be satisfied.

4. Will not have a material adverse effect on community capital improvement programs.

Applicant Response:

The proposed development is anticipated to be all privately funded. The site is currently vacant undeveloped land. With this proposed development the Town will receive significant tax increases from the fuel and convenience store item sales. As part of this project, a new acceleration/deceleration lane and protected crosswalk on Parker Road will be constructed. The improvements to Parker Road will be privately funded and will add additional safety for the community.

Staff Analysis:

It is anticipated that the existing roadway network around the subject property will be able to handle the additional traffic generated by the gas station use at this location subject to the provision of access easements between and through the adjoining properties as proposed in the Minor Development Plat. The applicant will be required

to construct an additional right-turn lane along Parker Road as identified within the traffic study.

Therefore, staff has determined that this criterion can be satisfied.

5. Will not require a level of community facilities and services greater than that which is available.

Applicant Response:

The site utility and stormwater analysis confirm that the existing infrastructure include stormwater detention, sanitary sewer, roadway infrastructure, and domestic water services are adequate to serve the project site.

Staff Analysis:

The applicant's request will not require a level of community facilities and services greater than that which is available.

Therefore, staff has determined that this criterion can be satisfied.

6. Will not result in undue traffic congestion or traffic hazards.

Applicant Response:

In preparation for this project, a Traffic Study was completed by KimleyHorn and Associates in June 2020 (due to the COVID-19 Pandemic, these counts were adjusted based off 2017 counts from the Parker Road Corridor Plan completed by Kimley-Horn). This Traffic Study outlines not only the proposed Special Use development, but also the other two lots located within the subdivision (30,000 SF of retail, 6,600 SF of fast-casual restaurant, 16 fueling position gas station with 4,995 SF convenience store). Direct access to the project is proposed from one full movement access on Longs Way and one existing right-in/right-out on Parker Road. As the traffic study notes, while the development will increase traffic counts, at full buildout of all three lots, all access points and roads will still function properly without any additional infrastructure. With the addition of the project, all intersections are expected to operate acceptably during both the AM Peak Hour and the PM Peak Hour.

Staff Analysis:

The existing roadway network around the site provides adequate infrastructure to support the development of this site. The proposed gas station will be located at the intersection of a regional State highway (Parker Road) and a collector roadway (Longs Way). The applicant will be required to construct a new full movement access on Longs Way along with a right-turn lane on Parker Road and a private road connecting the access points as a part of the Minor Development Plat.

Therefore, staff has determined that this criterion can be satisfied.

7. Will not cause significant air, water, or noise pollution.

Applicant Response:

The convenience store will have food/store deliveries as needed on a Monday through Friday daytime delivery schedule. Fuel delivery will occur as needed based on sales as replenishment is needed, these deliveries happen prior to morning rush and after evening rush whenever possible to limit the possible vehicle congestion on the site. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated. Due to the immediate vicinity to Parker Road, any noise generated from the project will likely be insignificant relative to the road noise generated by vehicles traveling on the state highway Parker Road. The Briargate on Main Apartment Homes are the closest residential use to the project, located approximately 700 feet southwest of the site. All properties between the project and the residential development are zoned for commercial use. With the significant spacing and other industrial uses in between the properties, this project is not anticipated to have any noticeable noise impact to Town residents.

Staff Analysis:

The applicant will be required to meet all state and federal requirements for the installation of the underground gas tanks along with annual monitoring of the ground water and soils.

Therefore, staff has determined that this criterion can be satisfied.

8. Will be adequately landscaped, buffered, and screened.

Applicant Response:

The convenience store development is proposed to have ample parking (50 spaces provided with 20 spaces required) while still providing more than the required landscape area (0.32 acres required with 0.55 acres provided). The proposed development also consists of two separate pedestrian plaza areas with enhanced landscaping and benches. All buffering/yard requirements outlined in the code are sufficiently provided along the proposed parking and property lines around the site.

Staff Analysis:

A detailed Site Plan has been submitted for the application in order to evaluate the development requirements for the subject property. All landscape and design standards outlined in the Land Development Ordinance and the Development Design Standards will be required to be met prior to approval of the Site Plan.

Therefore, staff has determined that this criterion can be satisfied.

9. Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town.

Applicant Response:

The proposed project will not be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town. The project will add more options to the residents for refueling as well as quick-serve food options.

Staff Analysis:

The request will not be detrimental to the health, safety, or welfare of current or future Parker residents. The property, subject to approval of the zoning request before you tonight, will be zoned for commercial uses and the portion of the property not subject to the use by special review request, will be developed with compatible commercial uses. The proposed gas station will be required to meet all Town, State and Federal regulations and guidelines. In addition, the applicant will be required to meet all requirements for site layout, landscaping, parking, lighting, drainage, and circulation of the Town Land Development Ordinance.

Therefore, staff has determined that this criterion can be satisfied.

IX. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Rezone Comments	Use by Special Review Comments	Minor Development Plat Comments
Parker Engineering	Approved	Approved	Approved
South Metro Fire & Rescue Authority	No Comment	No Comment	No Comment
Parker Police	No Comment	No Comment	No Comment
Cherry Creek Basin Water Quality Authority	N/A	N/A	Advisory Comments - 1. The Authority's Control Regulation 72 requires construction and post-construction Best Management Practices (BMPs). 2. No exceptions taken to the proposed Post-Construction and Construction BMPs. 3. No further referrals to the authority on this project are required.
IREA	Approved	Approved	Approved
CenturyLink	Approved	No Comment	No Comment
E470 Highway Authority	N/A	N/A	N/A

X. CONCLUSION

The Rezone application cleans up inconsistent zoning for the development and gets rid of the outdated Moran PD on the site. The proposal has been determined to meet the zoning approval criteria of the Parker Land Development Ordinance and aligns with the Master Plan.

In addition, the proposed Use by Special Review to allow for a convenience store with gasoline pumps on the property will bring an added service to this area of Parker along the heavily traveled Parker Road. All local, State and Federal requirements for gas stations will

be required to be satisfied. The application has been determined to meet the Use by Special Review approval criteria of the Parker Land Development Ordinance

The Minor Development Plat redesigns the commercial lot layouts to meet current market requirements and creates a private access road to connect the lots and limit access onto Parker Road. The application has been determined to meet the requirements of the Land Development Ordinance for a Minor Development Plat

Based on the analysis contained in this staff report, staff recommends that Planning Commission recommends Town Council approve the rezoning, Use by Special Review and Minor Development Plat proposals.

XI. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission recommend that the Town Council approve the Parker Downs Filing No. 3 Lots 1 and 2 zoning to C-Commercial with no conditions.

Staff recommends that the Planning Commission recommend that the Town Council approve the McClintock II zoning to C-Commercial with no conditions.

Staff recommends that the Planning Commission recommend that the Town Council approve the Harding Heights Use by Special Review to allow a gas station, subject to the condition below:

1. That the Use by Special Review materials submitted to the Community Development Department on December 09, 2020 shall be the approved Use by Special Review materials.

Staff recommends that the Planning Commission recommend that the Town Council approve the Harding Heights Minor Development Plat.

XII. ATTACHMENTS

1. Referral Agency Comments
2. Zoning Map
3. Gas Station Site Plan
4. Harding Heights Minor Development Plat

Report Approved By: Bryce Matthews, Assistant Director - Planning



Project Number: Z20-016

Description: Parker Downs F3 L1 & L2 - QuikTrip

Applied: 10/30/2020

Approved:

Site Address:

Closed:

Expired:

City, State Zip Code: PARKER, CO

Status: PUBLIC HEARING

Applicant: Shelby Madrid - Kimley-Horn

Parent Project: SP20-102

Owner: QuikTrip Corporation

Contractor: <NONE>

Details:

The applicant, Kimley Horn, is proposing a rezoning of approximately 6 acres located at the southwest corner of Parker Road and Longs Way to Modified Commercial.

LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
-----------	---------------	----------	------	---------	--------	---------



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ALL

11/6/2020	11/24/2020	11/16/2020	COMPLETENESS REVIEW	BrieAnna Simon	COMPLETED	01 Review
-----------	------------	------------	---------------------	----------------	-----------	-----------

Notes:

From: Simon, BrieAnna

Sent: Tuesday, November 24, 2020 6:45 PM

To: 'Madrid, Shelby' <Shelby.Madrid@kimley-horn.com>; Williams, Coy <Coy.Williams@kimley-horn.com>

Cc: Matthews, Bryce <bmatthews@parkeronline.org>

Subject: Completeness Review (Z20-016, SUB20-031, and SP20-102) - QuikTrip

Good afternoon

Staff has received the zoning application (Z20-016), minor development plat (SUB20-031) and final site plan application (SP20-102) for Parke Downs - QuikTrip located adjacent to Longs and Parker Road. I will be the case manager for this application.

The following two applications have been sent out for its first referral. The comment due date is December 23, 2020. You should hear from staff on or near this date. However, please see the following information which is required to be provided to staff by December 1, 2020.

Z20-016 Rezoning

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- Please fill out and upload to eTRAKiT the attached Charge Back Agreement
- Please pay the fee of \$1,306.88 found in eTRAKiT. Note, there is a credit card convenience fee of \$31.88 applied to this case. If you are not paying by card please let me know so this fee can be removed.

The items above must be completed no later than December 1, 2020.

SUB20-031 – Minor Development Plat

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- Please fill out and upload to eTRAKiT the attached Charge Back Agreement
- Please pay the fee of \$10,050.13 found in eTRAKiT. Note, there is a credit card convenience fee of \$245.13 applied to this case. If you are not paying by card please let me know so this fee can be removed.

The items above must be completed no later than December 1, 2020.

The completeness review for the following application has also been completed. The following items are required:

SP20-102 – Full Site Plan for Parker Downs L1 QuikTrip

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- The physical material board will need to be delivered to Town Hall prior to the second referral. The second referral will not be sent out for review without this item.
- Two public notice signs are required on the site. A follow up email will be provided to FastSigns with the sign information. You will need to coordinate the posting of these signs. Once the signs have been posted please fill out the provided affidavit (in FastSign email) with photos of the signs.
- Please pay the fee of \$927.63 found in eTRAKiT. Note, there is a credit card convenience fee of \$22.63 applied to this case. If you are not paying by card please let me know so this fee can be removed.

Please note, this application will not be sent out for its first referral until after the second review of the Preliminary Site Plan has been completed. Any required changes may be required prior to sending this application out for review.

Please let me know if you have any question on the above information.

Thank you.

Review Group: AUTO

10/30/2020			ENGINEERING ADMINISTRATIVE	Tom Williams		
------------	--	--	-------------------------------	--------------	--	--

Notes:

10/30/2020	11/5/2020	11/16/2020	LAND USE COMPLETENESS REVIEW	Alex Mestdagh	COMPLETED	Fees added
------------	-----------	------------	---------------------------------	---------------	-----------	------------

Notes:



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ZONING 1ST 20

11/24/2020	12/23/2020	12/23/2020	AzTec Consultants, Inc. 20	Dean Cates	REVISIONS REQUIRED	01 Review 20
------------	------------	------------	-------------------------------	------------	-----------------------	--------------

Notes:

11/24/2020	11/25/2020	12/23/2020	Building 20	Randy Capra	APPROVED	01 Review 20
------------	------------	------------	-------------	-------------	----------	--------------

Notes:

11/24/2020	11/30/2020	12/23/2020	CenturyLink Communications 20	CenturyLink	APPROVED	01 Review 20
------------	------------	------------	----------------------------------	-------------	----------	--------------

Notes:

Approved per email 11.25.20

11/24/2020		12/23/2020	Comcast 20	Butch Buster		01 Review 20
------------	--	------------	------------	--------------	--	--------------

Notes:

11/24/2020	12/22/2020	12/23/2020	Comprehensive Planning 20	Bryce Matthews	ADVISORY COMMENTS	01 Review 20
------------	------------	------------	------------------------------	----------------	----------------------	--------------

Notes:

This property is located with the Parker 2035 Master Plan Central Commercial Character Area. Due to it's central location, land uses recommended include core retail, office, entertainment and other similar commercial uses. This site is also within the Parker Road Corridor Plan area which does not change the land use recommendation, but reinforces the need for both pedestrian and vehicular connectivity parallel and perpendicular to Parker Road. The Parker Road Corridor Plan also describes this area as a transition from highway serving commercial uses to the north, to the downtown to the south. Please work with your case manager to ensure that the Site Plan design adequately reflects this transition with the use of high quality design and character.

11/24/2020	1/13/2021	12/23/2020	CRITERIA REVIEW 20	BrieAnna Simon	REVISIONS REQUIRED	01 Review 20
------------	-----------	------------	--------------------	----------------	-----------------------	--------------

Notes:

Please see attached comment letter and red lines.

11/24/2020	12/21/2020	12/23/2020	Douglas County Assessors Office 20	Brooke Decker	NO COMMENT	01 Review 20
------------	------------	------------	---------------------------------------	---------------	------------	--------------

Notes:

11/24/2020	12/17/2020	12/23/2020	Douglas County Planning Services Division 20	DC Referrals	NO COMMENT	01 Review 20
------------	------------	------------	---	--------------	------------	--------------

Notes:

11/24/2020		12/23/2020	Economic Development 20			01 Review 20
------------	--	------------	----------------------------	--	--	--------------

Notes:



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	11/25/2020	12/23/2020	FIRE LIFE SAFETY 20	Randy Capra	APPROVED	01 Review 20
Notes:						
11/24/2020	12/3/2020	12/23/2020	IREA 20	Brooks Kaufman	APPROVED	01 Review 20
Notes:						
11/24/2020	12/3/2020	12/23/2020	Parker Authority for Reinvestment 20	Kim Heckber	NO COMMENT	01 Review 20
Notes:						
11/24/2020	1/27/2021	12/23/2020	PLANNED DEVELOPMENT / ZONING PLAN - PW	Alex Mestdagh	NO COMMENT	See Notes
Notes: Public Works has no comments regarding the rezoning request. Traffic Impacts and improvements necessary to support this development will be fully analyzed with the subdivision application.						
11/24/2020		12/23/2020	Police 20	Greg Epp		01 Review 20
Notes:						
11/24/2020	12/22/2020	12/23/2020	Public Service Company of Colorado 20	Donna George	ADVISORY COMMENTS	please see attached
Notes: please see attached						
11/24/2020		12/23/2020	RTD 20	RTD		01 Review 20
Notes:						
11/24/2020		12/23/2020	SOUTH METRO FIRE 20	South Metro Fire		01 Review 20
Notes:						
Review Group: ZONING 1ST 20 ADD						
11/24/2020	11/25/2020	12/23/2020	Parker Water and Sanitation District 20	Drayton Sanderson	APPROVED	01 Review 20
Notes: Approved for Zoning.						
2/19/2021	3/15/2021	3/11/2021	CDOT Region 1 20	Marilyn Cross	REVISIONS REQUIRED	
Notes: See attached comment letter and red lines.						



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ZONING 2ND 15

2/1/2021	2/4/2021	2/24/2021	AzTec Consultants Inc 15	Dean Cates	REVISIONS REQUIRED	02 Review 15
----------	----------	-----------	--------------------------	------------	-----------------------	--------------

Notes:

2/1/2021	3/8/2021	2/24/2021	CRITERIA REVIEW 15	BrieAnna Simon	REVISIONS REQUIRED	02 Review 15
----------	----------	-----------	--------------------	----------------	-----------------------	--------------

Notes:

Please see attached comment letter.

Review Group: ZONING GRP 10

4/22/2021	5/10/2021	5/14/2021	AzTec Consultants Inc 10	Dean Cates	NO COMMENT	03 Review 15
-----------	-----------	-----------	--------------------------	------------	------------	--------------

Notes:

4/22/2021	5/28/2021	5/14/2021	CRITERIA REVIEW 10	BrieAnna Simon	REVISIONS REQUIRED	03 Review 15
-----------	-----------	-----------	--------------------	----------------	-----------------------	--------------

Notes:

Please see attached red lines and comment letter.

7/2/2021	7/23/2021	7/19/2021	CRITERIA REVIEW 10	BrieAnna Simon	APPROVED	04 Review 10
----------	-----------	-----------	--------------------	----------------	----------	--------------

Notes:

Review Group: ZONING GRP 10 ADD

4/22/2021	5/21/2021	5/14/2021	CDOT Region 1 10	Marilyn Cross	NO COMMENT	03 Review 15
-----------	-----------	-----------	------------------	---------------	------------	--------------

Notes:

CDOT has no issues with the rezone or use by special review, per email sent to Town staff on 5/21/21.

4/23/2021	5/21/2021	5/14/2021	CDOT Region 1 2 10	David Dixon	NO COMMENT	03 Review 15
-----------	-----------	-----------	--------------------	-------------	------------	--------------

Notes:

CDOT has no issues with the rezone or use by special review, per email sent to Town staff on 5/21/21.



Project Number: Z20-016

Description: Parker Downs F3 L1 & L2 - QuikTrip

Applied: 10/30/2020

Approved:

Site Address:

Closed:

Expired:

City, State Zip Code: PARKER, CO

Status: PUBLIC HEARING

Applicant: Shelby Madrid - Kimley-Horn

Parent Project: SP20-102

Owner: QuikTrip Corporation

Contractor: <NONE>

Details:

The applicant, Kimley Horn, is proposing a rezoning of approximately 6 acres located at the southwest corner of Parker Road and Longs Way to Modified Commercial.

LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
-----------	---------------	----------	------	---------	--------	---------



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ALL

11/6/2020	11/24/2020	11/16/2020	COMPLETENESS REVIEW	BrieAnna Simon	COMPLETED	01 Review
-----------	------------	------------	---------------------	----------------	-----------	-----------

Notes:

From: Simon, BrieAnna

Sent: Tuesday, November 24, 2020 6:45 PM

To: 'Madrid, Shelby' <Shelby.Madrid@kimley-horn.com>; Williams, Coy <Coy.Williams@kimley-horn.com>

Cc: Matthews, Bryce <bmatthews@parkeronline.org>

Subject: Completeness Review (Z20-016, SUB20-031, and SP20-102) - QuikTrip

Good afternoon

Staff has received the zoning application (Z20-016), minor development plat (SUB20-031) and final site plan application (SP20-102) for Parke Downs - QuikTrip located adjacent to Longs and Parker Road. I will be the case manager for this application.

The following two applications have been sent out for its first referral. The comment due date is December 23, 2020. You should hear from staff on or near this date. However, please see the following information which is required to be provided to staff by December 1, 2020.

Z20-016 Rezoning

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- Please fill out and upload to eTRAKiT the attached Charge Back Agreement
- Please pay the fee of \$1,306.88 found in eTRAKiT. Note, there is a credit card convenience fee of \$31.88 applied to this case. If you are not paying by card please let me know so this fee can be removed.

The items above must be completed no later than December 1, 2020.

SUB20-031 – Minor Development Plat

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- Please fill out and upload to eTRAKiT the attached Charge Back Agreement
- Please pay the fee of \$10,050.13 found in eTRAKiT. Note, there is a credit card convenience fee of \$245.13 applied to this case. If you are not paying by card please let me know so this fee can be removed.

The items above must be completed no later than December 1, 2020.

The completeness review for the following application has also been completed. The following items are required:

SP20-102 – Full Site Plan for Parker Downs L1 QuikTrip

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- The physical material board will need to be delivered to Town Hall prior to the second referral. The second referral will not be sent out for review without this item.
- Two public notice signs are required on the site. A follow up email will be provided to FastSigns with the sign information. You will need to coordinate the posting of these signs. Once the signs have been posted please fill out the provided affidavit (in FastSign email) with photos of the signs.
- Please pay the fee of \$927.63 found in eTRAKiT. Note, there is a credit card convenience fee of \$22.63 applied to this case. If you are not paying by card please let me know so this fee can be removed.

Please note, this application will not be sent out for its first referral until after the second review of the Preliminary Site Plan has been completed. Any required changes may be required prior to sending this application out for review.

Please let me know if you have any question on the above information.

Thank you.

Review Group: AUTO

10/30/2020			ENGINEERING ADMINISTRATIVE	Tom Williams		
------------	--	--	-------------------------------	--------------	--	--

Notes:

10/30/2020	11/5/2020	11/16/2020	LAND USE COMPLETENESS REVIEW	Alex Mestdagh	COMPLETED	Fees added
------------	-----------	------------	---------------------------------	---------------	-----------	------------

Notes:



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ZONING 1ST 20

11/24/2020	12/23/2020	12/23/2020	AzTec Consultants, Inc. 20	Dean Cates	REVISIONS REQUIRED	01 Review 20
------------	------------	------------	-------------------------------	------------	-----------------------	--------------

Notes:

11/24/2020	11/25/2020	12/23/2020	Building 20	Randy Capra	APPROVED	01 Review 20
------------	------------	------------	-------------	-------------	----------	--------------

Notes:

11/24/2020	11/30/2020	12/23/2020	CenturyLink Communications 20	CenturyLink	APPROVED	01 Review 20
------------	------------	------------	----------------------------------	-------------	----------	--------------

Notes:

Approved per email 11.25.20

11/24/2020		12/23/2020	Comcast 20	Butch Buster		01 Review 20
------------	--	------------	------------	--------------	--	--------------

Notes:

11/24/2020	12/22/2020	12/23/2020	Comprehensive Planning 20	Bryce Matthews	ADVISORY COMMENTS	01 Review 20
------------	------------	------------	------------------------------	----------------	----------------------	--------------

Notes:

This property is located with the Parker 2035 Master Plan Central Commercial Character Area. Due to it's central location, land uses recommended include core retail, office, entertainment and other similar commercial uses. This site is also within the Parker Road Corridor Plan area which does not change the land use recommendation, but reinforces the need for both pedestrian and vehicular connectivity parallel and perpendicular to Parker Road. The Parker Road Corridor Plan also describes this area as a transition from highway serving commercial uses to the north, to the downtown to the south. Please work with your case manager to ensure that the Site Plan design adequately reflects this transition with the use of high quality design and character.

11/24/2020	1/13/2021	12/23/2020	CRITERIA REVIEW 20	BrieAnna Simon	REVISIONS REQUIRED	01 Review 20
------------	-----------	------------	--------------------	----------------	-----------------------	--------------

Notes:

Please see attached comment letter and red lines.

11/24/2020	12/21/2020	12/23/2020	Douglas County Assessors Office 20	Brooke Decker	NO COMMENT	01 Review 20
------------	------------	------------	---------------------------------------	---------------	------------	--------------

Notes:

11/24/2020	12/17/2020	12/23/2020	Douglas County Planning Services Division 20	DC Referrals	NO COMMENT	01 Review 20
------------	------------	------------	---	--------------	------------	--------------

Notes:

11/24/2020		12/23/2020	Economic Development 20			01 Review 20
------------	--	------------	----------------------------	--	--	--------------

Notes:



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	11/25/2020	12/23/2020	FIRE LIFE SAFETY 20	Randy Capra	APPROVED	01 Review 20
Notes:						
11/24/2020	12/3/2020	12/23/2020	IREA 20	Brooks Kaufman	APPROVED	01 Review 20
Notes:						
11/24/2020	12/3/2020	12/23/2020	Parker Authority for Reinvestment 20	Kim Heckber	NO COMMENT	01 Review 20
Notes:						
11/24/2020	1/27/2021	12/23/2020	PLANNED DEVELOPMENT / ZONING PLAN - PW	Alex Mestdagh	NO COMMENT	See Notes
Notes: Public Works has no comments regarding the rezoning request. Traffic Impacts and improvements necessary to support this development will be fully analyzed with the subdivision application.						
11/24/2020		12/23/2020	Police 20	Greg Epp		01 Review 20
Notes:						
11/24/2020	12/22/2020	12/23/2020	Public Service Company of Colorado 20	Donna George	ADVISORY COMMENTS	please see attached
Notes: please see attached						
11/24/2020		12/23/2020	RTD 20	RTD		01 Review 20
Notes:						
11/24/2020		12/23/2020	SOUTH METRO FIRE 20	South Metro Fire		01 Review 20
Notes:						
Review Group: ZONING 1ST 20 ADD						
11/24/2020	11/25/2020	12/23/2020	Parker Water and Sanitation District 20	Drayton Sanderson	APPROVED	01 Review 20
Notes: Approved for Zoning.						
2/19/2021	3/15/2021	3/11/2021	CDOT Region 1 20	Marilyn Cross	REVISIONS REQUIRED	
Notes: See attached comment letter and red lines.						



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ZONING 2ND 15

2/1/2021	2/4/2021	2/24/2021	AzTec Consultants Inc 15	Dean Cates	REVISIONS REQUIRED	02 Review 15
----------	----------	-----------	--------------------------	------------	-----------------------	--------------

Notes:

2/1/2021	3/8/2021	2/24/2021	CRITERIA REVIEW 15	BrieAnna Simon	REVISIONS REQUIRED	02 Review 15
----------	----------	-----------	--------------------	----------------	-----------------------	--------------

Notes:

Please see attached comment letter.

Review Group: ZONING GRP 10

4/22/2021	5/10/2021	5/14/2021	AzTec Consultants Inc 10	Dean Cates	NO COMMENT	03 Review 15
-----------	-----------	-----------	--------------------------	------------	------------	--------------

Notes:

4/22/2021	5/28/2021	5/14/2021	CRITERIA REVIEW 10	BrieAnna Simon	REVISIONS REQUIRED	03 Review 15
-----------	-----------	-----------	--------------------	----------------	-----------------------	--------------

Notes:

Please see attached red lines and comment letter.

7/2/2021	7/23/2021	7/19/2021	CRITERIA REVIEW 10	BrieAnna Simon	APPROVED	04 Review 10
----------	-----------	-----------	--------------------	----------------	----------	--------------

Notes:

Review Group: ZONING GRP 10 ADD

4/22/2021	5/21/2021	5/14/2021	CDOT Region 1 10	Marilyn Cross	NO COMMENT	03 Review 15
-----------	-----------	-----------	------------------	---------------	------------	--------------

Notes:

CDOT has no issues with the rezone or use by special review, per email sent to Town staff on 5/21/21.

4/23/2021	5/21/2021	5/14/2021	CDOT Region 1 2 10	David Dixon	NO COMMENT	03 Review 15
-----------	-----------	-----------	--------------------	-------------	------------	--------------

Notes:

CDOT has no issues with the rezone or use by special review, per email sent to Town staff on 5/21/21.



Project Number: SUB20-031

Description: Harding Heights - Minor Development Plat

Applied: 10/30/2020

Approved:

Site Address: Harding Heights

Closed:

Expired:

City, State Zip Code: PARKER, CO

Status: PUBLIC HEARING

Applicant: Shelby Madrid - Kimley-Horn

Parent Project: SP20-102

Owner: QuikTrip Corporation

Contractor: <NONE>

Details:

The applicant, Kimley Horn, is proposing a Minor Development Plant to subdivide 6 acres into three commercial lots to be known as Harding Heights. The site is located on the southwest corner of Parker Road and Longs Way.

LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
-----------	---------------	----------	------	---------	--------	---------



PARKER
COLORADO

Project Reviews Town of Parker



Review Group: ALL

11/24/2020	11/24/2020	11/26/2020	COMPLETENESS REVIEW	BrieAnna Simon	COMPLETED	01 Review
------------	------------	------------	---------------------	----------------	-----------	-----------

Notes:

From: Simon, BrieAnna

Sent: Tuesday, November 24, 2020 6:45 PM

To: 'Madrid, Shelby' <Shelby.Madrid@kimley-horn.com>; Williams, Coy <Coy.Williams@kimley-horn.com>

Cc: Matthews, Bryce <bmatthews@parkeronline.org>

Subject: Completeness Review (Z20-016, SUB20-031, and SP20-102) - QuikTrip

Good afternoon

Staff has received the zoning application (Z20-016), minor development plat (SUB20-031) and final site plan application (SP20-102) for Parke Downs - QuikTrip located adjacent to Longs and Parker Road. I will be the case manager for this application.

The following two applications have been sent out for its first referral. The comment due date is December 23, 2020. You should hear from staff on or near this date. However, please see the following information which is required to be provided to staff by December 1, 2020.

Z20-016 Rezoning

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- Please fill out and upload to eTRAKiT the attached Charge Back Agreement
- Please pay the fee of \$1,306.88 found in eTRAKiT. Note, there is a credit card convenience fee of \$31.88 applied to this case. If you are not paying by card please let me know so this fee can be removed.

The items above must be completed no later than December 1, 2020.

SUB20-031 – Minor Development Plat

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- Please fill out and upload to eTRAKiT the attached Charge Back Agreement
- Please pay the fee of \$10,050.13 found in eTRAKiT. Note, there is a credit card convenience fee of \$245.13 applied to this case. If you are not paying by card please let me know so this fee can be removed.

The items above must be completed no later than December 1, 2020.

The completeness review for the following application has also been completed. The following items are required:

SP20-102 – Full Site Plan for Parker Downs L1 QuikTrip

- Please fill out and upload to eTRAKiT the attached Exhibit D – Disclosure Letter
- The physical material board will need to be delivered to Town Hall prior to the second referral. The second referral will not be sent out for review without this item.
- Two public notice signs are required on the site. A follow up email will be provided to FastSigns with the sign information. You will need to coordinate the posting of these signs. Once the signs have been posted please fill out the provided affidavit (in FastSign email) with photos of the signs.
- Please pay the fee of \$927.63 found in eTRAKiT. Note, there is a credit card convenience fee of \$22.63 applied to this case. If you are not paying by card please let me know so this fee can be removed.

Please note, this application will not be sent out for its first referral until after the second review of the Preliminary Site Plan has been completed. Any required changes may be required prior to sending this application out for review.

Please let me know if you have any question on the above information.

Thank you.

3/22/2022		4/5/2022	CDOT REGION 1 10	Marilyn Cross		05 Review 10
-----------	--	----------	------------------	---------------	--	--------------

Notes:



PARKER
COLORADO

Project Reviews Town of Parker



12/8/2022	1/17/2023	12/22/2022	CDOT REGION 1 10	David Dixon	REVISIONS REQUIRED	06 Review
Notes: From: Dixon - CDOT, David <david.dixon@state.co.us> Sent: Tuesday, January 17, 2023 9:35 AM To: Duncan, Julia <jduncan@parkeronline.org> Subject: Re: SP20-102 - QuikTrip 4214 Good Morning Julia, Attached are our comments for Referral SP20-102 for the QuikTrip. Thanks! Very Respectfully, David Dixon Assistant Access Manager 720-541-0441 2829 W. Howard Pl. 2nd Floor, Denver, CO 80204 david.dixon@state.co.us www.codot.gov www.cotrip.org						
Review Group: AUTO						
10/30/2020			ENGINEERING ADMINISTRATIVE	Tom Williams		
Notes:						
10/30/2020	11/23/2020	11/16/2020	LAND USE COMPLETENESS REVIEW	Alex Mestdagh	COMPLETED	Fees added
Notes:						
Review Group: MIN DEV 1ST 20						
11/24/2020	12/23/2020	12/23/2020	AzTec Consultants, Inc. 20	Dean Cates	REVISIONS REQUIRED	01 Review 20
Notes:						
11/24/2020	11/25/2020	12/23/2020	Building 20	Randy Sale	ADVISORY COMMENTS	See Notes
Notes: Building/Fire Life Safety permit application will not be accepted/reviewed until the associated site plan is approved. All plans submitted for Building Department review must meet the 2018 I-Codes, the 2017 NEC, and the correctly referenced NFPA editions noted in applicable codes (i.e. 2018 IFC references the 2016 edition of NFPA 72). NFRC certificates, interior/exterior lighting along with the mechanical and envelope compliance path must be included with the original submittal. All Fire Permit applications and inspections will be handled through the Parker Building Division. All land use applications and the associated Grading Permit must be approved/issued per Planning and Public Works prior to the Building Permit being approved/issued. Note - a building permit is required for commercial fencing, pergolas, outbuildings, outdoor lighting, and for retaining walls that are four feet or taller... as measured from the base of the retaining wall footing.						



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	11/30/2020	12/23/2020	CenturyLink Communications 20	CenturyLink	APPROVED	01 Review 20
Notes: Approved per email 11.25.20						
11/24/2020	12/21/2020	12/23/2020	Cherry Creek Basin Water Quality Authority 20	Rich Borchardt	REVISIONS REQUIRED	See Notes
Notes: The Authority's Control Regulation 72 requires construction and post-construction Best Management Practices (BMPs). No information was provided on construction BMPs. Provide information on construction BMPs (i.e. CBMP/GESC plans), so it can be reviewed. No exceptions were taken to the proposed post-construction BMPs. The Authority reserves the right to review and comment on future submittals for this project.						
11/24/2020		12/23/2020	Comcast 20	Butch Buster		01 Review 20
Notes:						
11/24/2020	12/22/2020	12/23/2020	Comprehensive Planning 20	Bryce Matthews	ADVISORY COMMENTS	01 Review 20
Notes: The Minor Development Plat does not conflict with the Parker 2035 Master Plan or the Parker Road Corridor Plan. Future east/west access may be required during the Site Plan review for Lot 3. Public access from the Parker Downs Filing 3 Lot 3 to the west will be required when the property redevelops.						



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	12/22/2020	12/23/2020	CONST PLANS - ENVIRONMENTAL	Michael Walton	REVISIONS REQUIRED	See Notes
------------	------------	------------	-----------------------------	----------------	--------------------	-----------

Notes:

GENERAL COMMENTS

1. Please note that the CBMP estimate will be reviewed with the Grading Permit after all CBMP comments have been addressed and the site plan is near approval.
2. Please revise to "CBMP INITIAL" and "CBMP INTERIM/FINAL" for the sheet titles. The "initial" CBMP Drawing shall show the existing conditions and contours along with the proposed grading as the base. Please show the initial CBMP's for the site plan on that drawing. The "interim" and "final" CBMP drawings shall show the proposed site development along with proposed grading and ultimate site stabilization.
3. Please consider splitting the interim and final sheets in to two separate sheets. This simply makes it quicker and easier to determine when each phases' control measures should be implemented, and which control measures will need to be left during the final stabilization stage.
4. Omit all existing and proposed utilities from the CBMP Drawings, except those relating to stormwater.
5. Limit of Disturbance should be Limit of Construction (LOC) to match Town's Standards.
6. Label and identify the ratio of all slopes that are 4:1 or greater. Please note that Erosion Control Blanket (ECB) is required on all slopes which are greater than 4:1.
7. Please specify Portable Toilet Protection (PTP) for the site.
8. Include within the plan set all of the town's 31 CBMP Notes & Details.
9. Provide a legend of symbols to correspond to the Town's 31 CBMP Notes & Details.
10. Add a callout/label on all properties adjacent to the project stating that no work shall occur in these areas.
11. Add the following note to the initial and final CBMP plan sheets:
"LOT PROTECTION (LP) IS REQUIRED ON COMMERCIAL LOTS WHEN LANDSCAPING IS NOT POSSIBLE."

INITIAL CBMP PLANS

1. Provide a callout outside the perimeter controls along the public sidewalk(s) to be modified/replaced with the project that states the following:
"ALL WORK WITHIN PUBLIC RIGHT-OF-WAY (ROW) WILL REQUIRE A TOWN ROW PERMIT. INITIAL AND INTERIM CBMPs FOR WORK WITHIN THE TOWN'S ROW SHALL BE COORDINATED WITH THE TOWN'S ENVIRONMENTAL INSPECTOR PRIOR TO THE BEGINNING OF ANY ROW WORK."
2. Please replace Construction Fence (CF) perimeter control with Silt Fence (SF) anywhere downstream of flows. Specifically noted potential for surface runoff exiting site along southern and western perimeter of site.
3. Please specify Diversion Ditches (DD) to route surface flows across the site to the TSB.

INTERIM/FINAL CBMP PLANS

1. Please specify Debris and Trash Control (DTC) on all proposed and existing paved driving surfaces.
2. Provide and identify sediment control logs (SCL) along all paved areas adjacent landscape/pervious areas. This includes landscape islands and all pedestrian walks.
3. Construction Fence (CF) is shown faded back on plans. Please revise legend to match.
4. Please provide Sidewalk Transition Protection (STP) at all proposed pedestrian ramps.
5. Please use Town's standard nomenclature for all CBMPs. Specifically noted inlet protection and the PL labels which appears to be for seeding, but is not defined in the legend, do not match Town standards. If a non-standard control measure is necessary, please ensure that the appropriate MHFD or CDOT standard detail for the measure is provided alongside the Town's standard details.
6. Please specify Erosion Control Blanket on all slopes greater than 4:1. It is unclear but appears there may be some on the southern side of the site.
7. Please specify Surface Roughening (SR) in all landscaped areas other than those which require Erosion Control Blanket (ECB).
8. Please also specify that the contractor is to remove the Stockpile (SP) and Stabilized Staging Area (SSA) at the end of construction.

11/24/2020	12/22/2020	12/23/2020	CONST PLANS - STORMWATER	Michael Walton	REVISIONS REQUIRED	See Notes
------------	------------	------------	--------------------------	----------------	--------------------	-----------

Notes:

1. All storm sewer systems collecting drainage from the proposed drive aisles and parking areas shall be considered public and must adhere to the standards and specifications outlined within Section 6.3.3 of the Town's SDECM, including the use of RCP. Landscape drains, roof drains, and leaders for these systems are considered private and may be constructed with plastic pipe and catch basins. These private systems must connect to the public storm sewer system at an inlet or manhole structure.
2. Please provide a drainage easement for Lateral C and Inlet C1.
3. Please replace all CIP and HDPE with RCP. Please also replace the existing storm sewer down to the existing inlet on the east side of the property with RCP as well.
4. Please use a structure to connect to the existing 36-inch Steel Storm Sewer Pipe.
5. Please consider replacing all PVC connections with structures instead of Wyes and Elbows.
6. Please provide additional details and dimensions for the proposed modifications to swale armoring which are discussed within the drainage report.
7. Please include the CDOT RCP detail with the other CDOT storm sewer details.



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	12/30/2020	12/23/2020	CONSTRUCTION PLANS - CIVIL	Tyler Sandt	REVISIONS REQUIRED	01 Review 20
Notes: 1. Comments provided with SP20-048.						
11/24/2020	3/24/2021	12/23/2020	CONSTRUCTION PLANS - TRAFFIC	David Aden	NO COMMENT	01 Review 20
Notes:						
11/24/2020	12/21/2020	12/23/2020	Douglas County Assessors Office 20	Brooke Decker	REVISIONS REQUIRED	01 Review 20
Notes: The Douglas County Assessor's Office has the following comments: 1) The owner name must be typed on all signature lines. "Owner/Mortgagee" is not sufficient. Current records show the owner is Heirborn Partners LLC. 2) There is no plat approval paragraph/signature for Town of Parker.						
11/24/2020	12/17/2020	12/23/2020	Douglas County Engineering Division 20	DC Referrals	NO COMMENT	01 Review 20
Notes:						
11/24/2020	12/17/2020	12/23/2020	Douglas County Planning Services Division 20	DC Referrals	NO COMMENT	01 Review 20
Notes:						
11/24/2020	12/30/2020	12/23/2020	DRAINAGE REPORT - CIVIL	Tyler Sandt	REVISIONS REQUIRED	01 Review 20
Notes: 1. The Engineering Department will not review any more submittals until a revised drainage report is uploaded.						



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	12/23/2020	12/23/2020	DRAINAGE REPORT - STORMWATER	Michael Walton	REVISIONS REQUIRED	See Notes
Notes: 1. The existing regional detention facility report, OSP, and a "Master Drainage Report" are discussed throughout the report. The Master Drainage Report is never clearly defined or referenced. Please also provide the materials referenced from these reports and any additional pertinent design details which act as a constraint on this design within the appendix. 2. In the Sub-Basin Description section please provide additional descriptions of the existing sub-basins on site and their relative flow patterns. These do not need to be as detailed as the proposed sub-basin descriptions but should outline the general flow patterns found on site in existing conditions. Please also provide an existing drainage plan and existing hydrologic calculations within the appendix to coincide with this description. 3. Based on the assumption of 75% impervious values for all other commercial areas, please use the same 75% impervious value for Sub-basin OS3 unless shown to be lower through weighted impervious value calculations or in another referenced report. 4. Please show all basins on the offsite drainage map, and revise to be the overall drainage plan. Please remove basin OS1 from the proposed drainage plan and revise to be the on-site drainage plan. 5. Please provide the same runoff summary table on the offsite basin map as is shown on the proposed drainage map. 6. In the Regulations section please also specifically discuss compliance with the Town's Floodplain Ordinance. 7. Please reference the OSP and Regional Detention reports along with the impervious value constraints they place on design within the Development Criteria Reference and Constraints section. Please also discuss any required improvements to the swale within this section including the erosion protection which is being added. This could be removed from the previous section and simply placed here instead. 8. At the first mention of the outfall protection please reference the Hydraulic Criteria section for discussions on the design method. 9. Please discuss the Town's HGL requirements within the Storm Sewer Pipe Hydraulics section. 10. Please add outfall protection to the "Gutter Capacity and Inlet Hydraulics" heading. 11. Please include a Variance from Criteria section after the Hydraulic Criteria Section. If no variances are requested, please simply state as such within this section. 12. In the Environmental Protection Criteria General section please explicitly state whether wetlands or waters of the US will be impacted by the project. 13. Please also either provide calculations showing the developed flows will not exceed the existing swales capacity, or reference the design calculations from previous reports in the appendix.						
11/24/2020	11/30/2020	12/23/2020	Economic Development 20	Weldy Feazell	NO COMMENT	01 Review 20
Notes:						
11/24/2020	1/14/2021	12/23/2020	FINAL PLAT 20	BrieAnna Simon	REVISIONS REQUIRED	01 Review 20
Notes:						
11/24/2020	11/25/2020	12/23/2020	FIRE LIFE SAFETY 20	Randy Capra	REVISIONS REQUIRED	See Notes
Notes: See response letter, uploaded to this application, "SUB20-031 Harding Heights Minor Development Plat - Quick Trip Gas Station SP [1] Fire Life Safety Response Ltr 112520" for all comments.						
11/24/2020	12/10/2020	12/23/2020	IREA 20	Brooks Kaufman	REVISIONS REQUIRED	01 Review 20
Notes: Please add IREA easement to replat. IREA will not need to review again.						
11/24/2020	12/3/2020	12/23/2020	Parker Authority for Reinvestment 20	Kim Heckber	NO COMMENT	01 Review 20
Notes:						



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	12/30/2020	12/23/2020	PLAT - CIVIL	Tyler Sandt	REVISIONS REQUIRED	See Notes
------------	------------	------------	--------------	-------------	-----------------------	-----------

Notes:

- Please note that comments on drainage easements are subject to change without an approved master study.
- The existing storm sewer on the south side of the site should already be covered by drainage easements. Please confirm there are already existing drainage easements and update the plat accordingly.
- On future submittals, provide a public improvements cost estimate for the work within the right-of-way.
- Show the Longs and Parker sight triangles on the plat and add the following note:

"Within the sight triangles, as shown, limited landscaping shall be allowed but no solid structures or trees will be permitted. Solid structures shall include, but not be limited to, fences, mailboxes, and utility boxes. Landscaping within the sight triangles will be limited to shrubs and plantings that at maturity will be no taller than two feet. Landscaping within the sight triangle shall be maintained by the property owner or appropriate association."
- Please also add the following notes to the plat:

"ACCESS EASMENT ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE DEVELOPMENT FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THESE PROPERTIES FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION. SHOULD PROPERTIES BE FURTHER SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND ROADWAYS FOR PUBLIC ACCESS PURPOSES."

"NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS AND NECESSARY ONSITE IMPROVEMENTS ARE COMPLETED AND ACCEPTED IN WRITING BY THE TOWN."

"NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE SHALL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED AND APPROVED BY THE TOWN OR AS OTHERWISE ALLOWED IN THE LAND DEVELOPMENT CODE."

"PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPANCY AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN."

"PROPERTIES IN THIS PLAT ARE SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS PARKING EASEMENT FOR THE SHARED USE OF ALL PARKING SPACES SITUATED WITH THE PROPERTIES SHOWN HEREIN. THE OWNER OF EACH LOT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THERE RESPECTIVE LOT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR."
- An additional access easement may be required for a connection to the property south of the proposed development in order to preserve access once their Parker Road access is removed per CDOT's master plan.

11/24/2020		12/23/2020	Police 20	Greg Epp		01 Review 20
------------	--	------------	-----------	----------	--	--------------

Notes:

11/24/2020	12/22/2020	12/23/2020	Public Service Company of Colorado 20	Donna George	ADVISORY COMMENTS	please see attached
------------	------------	------------	--	--------------	----------------------	---------------------

Notes:

please see attached

11/24/2020		12/23/2020	SOUTH METRO FIRE 20	South Metro Fire		01 Review 20
------------	--	------------	---------------------	------------------	--	--------------

Notes:



PARKER
COLORADO

Project Reviews Town of Parker



11/24/2020	12/30/2020	12/23/2020	TRAFFIC IMPACT STUDY - CIVIL 20	Tyler Sandt	REVISIONS REQUIRED	01 Review 20
Notes: 1. Comments provided with SP20-048.						
11/24/2020	3/24/2021	12/23/2020	TRAFFIC IMPACT STUDY - TRAFFIC 20	David Aden	NO COMMENT	01 Review 20
Notes: Review Group: MIN DEV 1ST 20 ADD						
11/24/2020	12/17/2020	12/23/2020	Parker Water and Sanitation District 20	Drayton Sanderson	REVISIONS REQUIRED	01 Review 20
Notes: Please refer to PWSD comment letter 1st referral for revisions required prior to approval.						
2/19/2021	3/15/2021	3/11/2021	CDOT Region 1 20	Marilyn Cross	REVISIONS REQUIRED	
Notes: See attached red lines and comment letter.						
Review Group: MIN DEV 2ND 15						
4/22/2021	5/10/2021	5/14/2021	AzTec Consultants Inc 15	Dean Cates	REVISIONS REQUIRED	02 Review 15
Notes:						
4/22/2021	5/12/2021	5/14/2021	Cherry Creek Basin Water Quality Authority 15	Rich Borchardt	ADVISORY COMMENTS	See Comments
Notes: 1. No exceptions taken to the Subdivision Minor Development Plat 2. The Authority's Control Regulation 72 requires construction and post-construction Best Management Practices (BMPs). 3. No exceptions take with the proposed post construction BMPs 4. When GESC plans and final construction plans are available, the authority reserves the right to review and comment on future submittals for this project.						



PARKER
COLORADO

Project Reviews Town of Parker



4/22/2021	5/13/2021	5/14/2021	CONST PLANS - ENVIRONMENTAL 15	Michael Walton	REVISIONS REQUIRED	See Notes
-----------	-----------	-----------	-----------------------------------	----------------	-----------------------	-----------

Notes:

GENERAL COMMENTS

1. Revise sheet titles from "Phase 1" to "Initial" and from "Phase 2" to "Interim/Final" to match Town standard nomenclature.
2. Existing contour shading was adjusted per a previous comment. The adjustments made during revision appear to have made the contours not display on the plan. Provide existing contours.
3. Ensure all control measures shown on the plans are also represented in the sheet specific legend. Specifically noted Sediment Control Log (SCL), Portable Toilet Protection (PTP), Debris and Trash Control (DTC), and Masonry Work Protection (MWP) as missing from the legend.

INITIAL CBMP PLANS

4. Verify Limits of Construction (LOC) are drawn to the full extents of proposed disturbance. Specifically, the LOC linework in the southwest corner appears to exclude a portion of the site. If no disturbance is proposed in this area, please adjust the Silt Fence (SF) linework to match the LOC linework.

INTERIM/FINAL CBMP PLANS

5. Limits of Construction (LOC) linework is not readable where the property line or proposed major contour lines overlap it. Adjust line width or shading for clear readability.
6. Provide and identify sediment control logs (SCL) along all paved areas adjacent landscape/pervious areas. This includes landscape islands and all pedestrian walks. Please note this control measure should extend the full perimeter of the interface between pervious and impervious areas.
7. Replace all Permanent Landscaping (PL) labels with Seeding, Mulching, and Crimping (SMC) labels to match Town standard nomenclature and details.
8. Provide and identify Surface Roughening (SR) in all landscaped areas. Repeat comment with the response "Surface roughening note and seeding locations have been added to the plan". Surface roughening note was not found on the plans and should be represented as labels on the plan rather than a blanket note.

4/22/2021	5/13/2021	5/14/2021	CONST PLANS - STORMWATER 15	Michael Walton	REVISIONS REQUIRED	See Notes
-----------	-----------	-----------	--------------------------------	----------------	-----------------------	-----------

Notes:

1. With the proposed storm sewer infrastructure split between two plan sets, please label all proposed storm sewer lines in both sets and provide a leader referencing the sheet and set which the storm sewer plan and profiles can be located in.
2. Provide a minimum of a 0.2-foot drop between the storm sewer inverts into any structure and the storm sewer invert out of the structure.
3. Provide the minor and major storms' Hydraulic Grade Lines for all storm sewer profiles.
4. Please make pipe soffits match the downstream pipe's soffit when changing pipe sizes within a structure. Previous response states this has been addressed, but soffits do not match where pipe sizes change across structures.
5. Provide CDOT RCP standard detail (M-603-02). Previous response stated this was provided, but not noted within the plans.
6. Provide details for the proposed riprap apron which conform to the MHFD Figure 9-34 from Volume 2 Chapter 9 of the criteria manual. Please note this detail should include the size of riprap and dimensions reflected in the calculations provided with the drainage report.
7. Provide size and depth of riprap for the Curb Opening detail.
8. A "Detention Pond Outlet Structure Detail" was provided with the infrastructure plan set. This appears to be an artifact from a previous iteration/design. If so, please remove. If not, please provide all pertinent design information within the report and provide a plan sheet for the outlet structure.



PARKER
COLORADO

Project Reviews Town of Parker



4/22/2021	5/21/2021	5/14/2021	CONSTRUCTION PLANS - CIVIL 15	Tyler Sandt	REVISIONS REQUIRED	See Notes
-----------	-----------	-----------	-------------------------------	-------------	--------------------	-----------

Notes:

1. On future submittals, and when the plans are being routed for signatures, files too large to but uploaded to eTrakit should be sent directly to the Engineering Department. Note that the Engineering Department will no longer accept plan sets split into multiple files.
2. Add the following note the overall utility plan:
"The proposed utility connection will require a Town right-of-way permit prior to commencing work. The Town prefers connections to be bored to the extent possible, and any street cut allowed by the Town will be required to be patched according to the Town's construction standards and details. The limits of patching will be determined by the Town at the time of construction. The Town of Parker does not allow roadway closures for utility work."
3. It does not appear a public improvements cost estimate was uploaded with this submittal.
4. Please provide a signing and striping plan for the Longs Way improvements with the infrastructure plans.
5. Please provide a cost estimate for the continuous auxiliary lane from the site's east access to Crossroads recommended by the traffic study. Coordinate with the Town regarding how the cost of this lane will be shared.
6. The sight triangle shown on the MDP landscape plan does not appear to drawn per Town standards. Please show the sight triangle from 15-feet behind the curb line (reference detail 24 in the RDCCM).

4/22/2021	5/11/2021	5/14/2021	Douglas County Assessors Office 15	Brooke Decker	REVISIONS REQUIRED	02 Review 15
-----------	-----------	-----------	------------------------------------	---------------	--------------------	--------------

Notes:

The Assessor's Office uploaded comments under "Harding Heights 1 comments 5.11.21."

A brief summary of comments is as follows:

The plat approval paragraph is missing ROW acceptances and does not appear to follow the template language we normally see for Town of Parker.

The subdivision (bold) boundary should include the dedicated ROW parcels.

There is a dimension missing where lots 1, 2, & 3 meet.

Brooke Decker
Douglas County Assessor's Office
303.660.7450 x4284

4/22/2021	5/13/2021	5/14/2021	DRAINAGE REP - STORMWATER 15	Michael Walton	REVISIONS REQUIRED	See Notes
-----------	-----------	-----------	------------------------------	----------------	--------------------	-----------

Notes:

The design report and plans for the existing swale have been uploaded to TRAKiT. Revise the existing swale calculations and narrative to reflect the information provided within said documents.

4/22/2021	5/21/2021	5/14/2021	DRAINAGE REPORT - CIVIL 15	Tyler Sandt	NO COMMENT	02 Review 15
-----------	-----------	-----------	----------------------------	-------------	------------	--------------

Notes:

4/22/2021	5/28/2021	5/14/2021	FINAL PLAT 15	BrieAnna Simon	REVISIONS REQUIRED	02 Review 15
-----------	-----------	-----------	---------------	----------------	--------------------	--------------

Notes:

See attached comment letter and red lines.

4/22/2021	4/29/2021	5/14/2021	FIRE LIFE SAFETY 15	Randy Capra	APPROVED	See Notes
-----------	-----------	-----------	---------------------	-------------	----------	-----------

Notes:

See response named "RFCC SUB20-031 Harding Heights Minor Development Plat - Quick Trip Gas Station SP [2] Fire Life Safety Response Ltr 043021" for comments



PARKER
COLORADO

Project Reviews Town of Parker



4/22/2021	4/29/2021	5/14/2021	IREA 15	Brooks Kaufman	APPROVED	02 Review 15
Notes:						
4/22/2021	5/21/2021	5/14/2021	PLAT - CIVIL 15	Tyler Sandt	REVISIONS REQUIRED	See Notes
Notes:						
1. The comment response letter noted that additional easement width was being provided over the existing storm sewer to reach a 20' total easement width. Please confirm that the width is at least the required 25-feet.						
2. The provided access easement for the south property's future connection should extend to their property line for their use.						
3. Please clarify that the right-of-way being dedicated on Parker Road is being dedicated to CDOT.						
4/22/2021	5/21/2021	5/14/2021	TRAFFIC IMPACT STUDY - CIVIL 15	Tyler Sandt	NO COMMENT	02 Review 15
Notes:						
Review Group: MIN DEV 2ND 15 ADD						
4/22/2021	4/29/2021	5/14/2021	Parker Water and Sanitation District 15	Drayton Sanderson	REVISIONS REQUIRED	02 Review 15
Notes:						
Please refer to PWSD Redline plans and PWSD comment letter 2nd referral for revisions required prior to PWSD plan approval.						
4/22/2021	5/14/2021	5/14/2021	CDOT Region 1 15	Marilyn Cross	REVISIONS REQUIRED	02 Review 15
Notes:						
Please see the attached comment letter provided to Town staff on 5/14/21.						
Review Group: MIN DEV GRP 10						
7/2/2021	7/12/2021	7/19/2021	AzTec Consultants Inc 10	Dean Cates	REVISIONS REQUIRED	03 Review 10
Notes:						
The plat looked good to me except for the line and curve tag comments on sheet 3. DEC						
7/2/2021		7/19/2021	Cherry Creek Basin Water Quality Authority 10	Rich Borchardt		03 Review 10
Notes:						
7/2/2021	7/19/2021	7/19/2021	CONST PLANS - ENVIRONMENTAL 10	Michael Walton	REVISIONS REQUIRED	See Notes
Notes:						
Provide the surface roughening labels on the construction documents as well as the infrastructure construction documents.						



PARKER
COLORADO

Project Reviews Town of Parker



7/2/2021	7/19/2021	7/19/2021	CONST PLANS - STORMWATER 10	Michael Walton	REVISIONS REQUIRED	See Notes
Notes: Per SDECM section 6.3.3.4 the hydraulic grade line must be a minimum of 12-inches below finished grade. Several locations along Storm Lateral B appear to be close to if not less than 12-inches, please verify adequate cover above the hydraulic grade line. The 100-year HGL meets finished grade at Inlet A1 along Storm Lateral A, revise to provide adequate cover above the hydraulic grade line.						
7/2/2021	7/26/2021	7/19/2021	CONSTRUCTION PLANS - CIVIL 10	Tyler Sandt	REVISIONS REQUIRED	See Notes
Notes: 1. It does not appear the requested cost estimates (public or Parker Road accel lane) were provided. The comment response noted that an estimate was uploaded with the second submittal. The estimate needs to be updated per the most recent plans. 2. Landscape plan not uploaded.						
7/2/2021	7/6/2021	7/19/2021	Douglas County Assessors Office 10	Brooke Decker	NO COMMENT	03 Review 10
Notes:						
7/2/2021	7/19/2021	7/19/2021	DRAINAGE REP - STORMWATER 10	Michael Walton	REVISIONS REQUIRED	See Notes
Notes: 1. In Table 1: Runoff Summary (Site Only) a loss in contributory area is shown between the existing and proposed condition. Provide further detail on this loss and define how this additional area is conveyed in the narrative. 2. The existing report defines a maximum flow capacity for the two downstream culverts as 52.20 cfs. While 60 cfs was assumed for design of the swale, the flows being discharged through the swale must be equal to or less than 52.20 cfs for downstream conveyance. If this is not feasible, further analysis will be required to prove capacity for conveyance from the site to the regional detention facility.						
7/2/2021	7/26/2021	7/19/2021	FINAL PLAT 10	BrieAnna Simon	REVISIONS REQUIRED	03 Review 10
Notes: Please see attached red lines and comment letter.						
7/2/2021	7/26/2021	7/19/2021	PLAT - CIVIL 10	Tyler Sandt	REVISIONS REQUIRED	See Notes
Notes: 1. The Parker Road right of way dedications do not appear to have the requested CDOT callouts. Feel free to reach out to the Town if this was missed in review. Otherwise, please revise as previously requested.						
12/6/2021	12/17/2021	12/20/2021	AzTec Consultants Inc 10	Dean Cates	ADVISORY COMMENTS	04 Review 10
Notes: see my comment and question about the row dedication note (to cdot) on sheet 2. otherwise i would have no comment. DEC						
12/6/2021	12/20/2021	12/20/2021	CONST PLANS - ENVIRONMENTAL 10	Michael Walton	APPROVED	04 Review 10
Notes:						



PARKER
COLORADO

Project Reviews Town of Parker



12/6/2021	12/20/2021	12/20/2021	CONST PLANS - STORMWATER 10	Michael Walton	REVISIONS REQUIRED	See Notes
Notes: SHT C301: Proposed grade profile missing from Storm Lateral C.						
12/6/2021	12/27/2021	12/20/2021	CONSTRUCTION PLANS - CIVIL 10	Tyler Sandt	REVISIONS REQUIRED	See Notes
Notes: These comments are minor and can be coordinated directly with the Engineering Department: 1. Revise the public cost estimate and soft costs per the standard cost estimate template in Appendix B of the Roadway Design and Construction Criteria Manual. 2. Per previous discussion with the applicant, the traffic study noted the need for a continuous auxiliary lane between the site's proposed Parker Road access and Crossroads drive. The Town agrees that this cost should not fully fall on the applicant. Please provide a cost estimate for that auxiliary lane and coordinate with the Town on how the prorated cost will be determined.						
12/6/2021	12/20/2021	12/20/2021	DRAINAGE REP - STORMWATER 10	Michael Walton	REVISIONS REQUIRED	See Notes
Notes: 1. Sub-Basin C was previously only proposed to discharge to Longs Way in a failure condition. This basin is now proposed to discharge to existing infrastructure in Longs Way under normal conditions. Due to the increased magnitude of flows proposed to the existing infrastructure, provide capacity calculations for the existing inlet. 2. Sub-basin D mislabeled as Sub-basin OS4 on the Offsite Drainage Plan. 3. Please note the existing flows contributing to the swale from Sub-Basins G and H must be included as part of the receiving infrastructure capacity evaluation. While they do not need to be modeled as a full build out condition (ie 75% impervious) for the capacity calculations, the existing conditions and imperviousness of the basins must be evaluated. Please note both basins have some level of development in existing conditions. If the additional flows from these basins exceed the culvert capacity, the capacity issue will need to be addressed with this proposed design. The two standard options to address the capacity issue would be either upsizing the culvert or providing on site detention to detain flows in excess of the available capacity. If capacity issues exist, the full buildout condition for Basins G and H should be used when designing the proposed resolution.						
12/6/2021	1/12/2022	12/20/2021	FINAL PLAT 10	BrieAnna Simon	REVISIONS REQUIRED	04 Review 10
Notes: See attached comment letter and red lines						
12/6/2021	12/27/2021	12/20/2021	PLAT - CIVIL 10	Tyler Sandt	APPROVED	04 Review 10
Notes:						
3/22/2022	3/30/2022	4/5/2022	AZTEC CONSULTANTS INC 10	Dean Cates	REVISIONS REQUIRED	05 Review 10
Notes: I had "no comment" on the subdivision plat or the right of way dedication description and exhibit map. DEC						
3/22/2022	4/8/2022	4/5/2022	CONST PLANS - STORMWATER 10	Michael Walton	APPROVED	05 Review 10
Notes:						



PARKER
COLORADO

Project Reviews Town of Parker



3/22/2022	4/13/2022	4/5/2022	CONSTRUCTION PLANS - CIVIL 10	Alex Mestdagh	REVISIONS REQUIRED	See Notes
Notes: Revise the new median nose on Longs Way to match Town Standard Detail 27, including the R4-7 sign and Type II object marker. Show the opposing access point on the north side of Longs Way and ensure that the proposed access aligns. Ensure that the new median nose layout on Longs Way allows ample room for left turns from the existing access. If necessary, the median nose can be shortened and replaced with striping to allow an adequate turning radius. The narrow stretch of the Longs Way median should be paved with the Town's standard median cover (see Town Standard Detail 27). The remainder of the median should be discussed with Planning, including the removal of the existing trees. This median is currently a "test section" of artificial turf, and may be better replaced with colored concrete or landscaping rock. Revise the curb ramps at the Longs Way entrance to match Town Standard Detail 18. Include a 2' x 10' crosswalk across the Longs Way entrance. Include an R6-1 sign in the Parker Road median at the proposed access point. Please separate the Public Improvements (what will be constructed by the Developer) into a separate cost estimate. Please make the following revisions: • Remove all interior improvements (Public Drive Improvements). All on-site work will be considered private and does not require security. • Add the Longs Way median cover to the estimate. • Add inlet and asphalt removals. • Remove all water and sanitary sewer items from this estimate. Those will be secured separately through PWSD. • Shift soft costs to the bottom of the estimate and use the correct standard Town costs: -3% for surveying -5% for mobilization -12% for CM and testing -10% for contingency • Erosion Control should be omitted from this estimate. It will be secured separately with the Grading Permit. • Show the required security at 110% of the Grand Total. Depending on the resolution of CDOT comments, the auxiliary lane estimate will need to be further reconfigured. Please discuss with Town Staff. Please address all CDOT comments. Specifically, CDOT's requirement for the construction of an acceleration lane will need to be settled before this project can move forward. A draft Subdivision Improvement Agreement will be provided for review when all estimates and exhibits are completed.						
3/22/2022	4/8/2022	4/5/2022	DRAINAGE REP - STORMWATER 10	Michael Walton	REVISIONS REQUIRED	See Notes
Notes: 1. Please verify the inlet capacity calculations for the existing inlets downstream of the site. It was specifically noted in the inlet management tab that EX7 has an input major storm discharge value of 3.21, but as shown on the drainage plan this basin should have a major storm discharge value of 6.21. 2. Update the flowmaster analysis provided in Appendix C for the existing swale to reflect the new proposed discharge value of 81.65 cfs. 3. Please note the channel sections from the Parker Downs F3 project do not appear to have the necessary approximate 2-feet of depth needed to convey the flows through the swale from approximately STA 1+00 to STA 2+00.						
3/22/2022	4/11/2022	4/5/2022	FINAL PLAT 10	BrieAnna Simon	REVISIONS REQUIRED	05 Review 10
Notes: See attached red lines and comment letter. See addition red lines dated 4/22/22 as well.						



PARKER
COLORADO

Project Reviews Town of Parker



12/8/2022	12/29/2022	12/22/2022	CONSTRUCTION PLANS - CIVIL 10	Michael Walton	REVISIONS REQUIRED	See Notes
-----------	------------	------------	----------------------------------	----------------	-----------------------	-----------

Notes:

Please continue to update all drainage related improvements as necessary to accommodate the drainage report comments provided. Please also see below for the comments which were provided on 4/13/2022 which have not yet been addressed.

Revise the new median nose on Longs Way to match Town Standard Detail 27, including the R4-7 sign and Type II object marker.

Show the opposing access point on the north side of Longs Way and ensure that the proposed access aligns. Ensure that the new median nose layout on Longs Way allows ample room for left turns from the existing access. If necessary, the median nose can be shortened and replaced with striping to allow an adequate turning radius.

The narrow stretch of the Longs Way median should be paved with the Town's standard median cover (see Town Standard Detail 27). The remainder of the median should be discussed with Planning, including the removal of the existing trees. This median is currently a "test section" of artificial turf, and may be better replaced with colored concrete or landscaping rock.

Revise the curb ramps at the Longs Way entrance to match Town Standard Detail 18.

Include a 2' x 10' crosswalk across the Longs Way entrance.

Include an R6-1 sign in the Parker Road median at the proposed access point.

Please separate the Public Improvements (what will be constructed by the Developer) into a separate cost estimate. Please make the following revisions:

- Remove all interior improvements (Public Drive Improvements). All on-site work will be considered private and does not require security.
- Add the Longs Way median cover to the estimate.
- Add inlet and asphalt removals.
- Remove all water and sanitary sewer items from this estimate. Those will be secured separately through PWSD.
- Shift soft costs to the bottom of the estimate and use the correct standard Town costs:

-3% for surveying

-5% for mobilization

-12% for CM and testing

-10% for contingency

- Erosion Control should be omitted from this estimate. It will be secured separately with the Grading Permit.

- Show the required security at 110% of the Grand Total.

Depending on the resolution of CDOT comments, the auxiliary lane estimate will need to be further reconfigured. Please discuss with Town Staff.

Please address all CDOT comments. Specifically, CDOT's requirement for the construction of an acceleration lane will need to be settled before this project can move forward.

A draft Subdivision Improvement Agreement will be provided for review when all estimates and exhibits are completed.



PARKER
COLORADO

Project Reviews Town of Parker



12/8/2022	1/17/2023	12/22/2022	FINAL PLAT 10	Julia Duncan	ADVISORY COMMENTS	06 Review
Notes: From: Duncan, Julia Sent: Tuesday, January 17, 2023 2:38 PM To: 'Williams, Coy' <Coy.Williams@kimley-horn.com>; Munekata, Mary <mmunekata@parkeronline.org>; Matthews, Bryce <bmatthews@parkeronline.org> Cc: Madrid, Shelby <Shelby.Madrid@kimley-horn.com>; Powell, Alexis <Alexis.Powell@kimley-horn.com> Subject: RE: SP20-102, Z20-021, SUB20-031, Z20-016 Tree Conservation - MINOR DEVELOPMENT PLAT OUTSTANDING ITEMS Good Morning Coy, I had the opportunity to come up to speed on the status of your project with Mary last week. I also touched base with Michael this morning before your meeting. CDOT sent their comments for SP20-102 and SUB20-031 this morning as well. I have added them to eTRACKit but have also attached here for your convenience. Planning has no outstanding comments but Engineering's comments for "Construction Plans" and "Drainage-Stormwater" need to be addressed in addition to PWSD's and CDOT's comments. Please let me know when these items have been addressed and responses/resolutions uploaded to eTRACKit so I may get these items to the respective reviewers. Unfortunately, until these items are resolved we cannot schedule a hearing. Sincerely, Julia						
10/3/2023	10/10/2023	10/17/2023	CONSTRUCTION PLANS - CIVIL 10	Michael Walton	APPROVED	07 Review 10
Notes:						
10/3/2023	12/15/2023	10/17/2023	FINAL PLAT 10	Ashley Chasez	APPROVED	07 Review 10
Notes:						
Review Group: MIN DEV GRP 10 ADD						
7/2/2021	7/15/2021	7/19/2021	Parker Water and Sanitation District 10	Robert Ramsey	REVISIONS REQUIRED	03 Review 10
Notes: Please note: PWSD will need all the following: Wet Stamped Engineers Estimate, SIA, LOC, All PWSD Easement agreements. The correct size and location of Domestic and Irrigation taps. with Addresses on plans. Please confirm all comments for the comment letter dated 7-7-21 have been addressed.						
7/2/2021		7/19/2021	CDOT Region 1 10	Marilyn Cross		03 Review 10
Notes:						
7/2/2021		7/19/2021	CDOT Region 1 2 10	David Dixon		03 Review 10
Notes:						



PARKER
COLORADO

Project Reviews Town of Parker



12/6/2021	12/20/2021	12/20/2021	Parker Water and Sanitation District 10	Robert Ramsey	REVISIONS REQUIRED	04 Review 10
-----------	------------	------------	---	---------------	--------------------	--------------

Notes:

PWSD will need all the following:

Wet Stamped Engineers Estimate, SIA, LOC, All PWSD Easement agreements.

The correct size and location of Domestic and Irrigation taps. with Addresses on plans.

12/6/2021		12/20/2021	CDOT Region 1 10	Marilyn Cross		04 Review 10
-----------	--	------------	------------------	---------------	--	--------------

Notes:

12/6/2021		12/20/2021	CDOT Region 1 2 10	David Dixon		04 Review 10
-----------	--	------------	--------------------	-------------	--	--------------

Notes:

3/22/2022	4/5/2022	4/5/2022	PARKER WATER AND SANITATION DISTRICT 10	Robert Ramsey	REVISIONS REQUIRED	05 Review 10
-----------	----------	----------	---	---------------	--------------------	--------------

Notes:

PWSD will need all the following:

Wet Stamped Engineers Estimate, SIA, LOC, All PWSD Easement agreements.

The correct size and location of Domestic and Irrigation taps. with Addresses on plans.

Please see the invoices for fee's due

3/22/2022	4/13/2022	4/5/2022	CDOT REGION 1 10	David Dixon	REVISIONS REQUIRED	05 Review 10
-----------	-----------	----------	------------------	-------------	--------------------	--------------

Notes:

See attached comment letter. Also the comment below:

For our drainage comments, the previous comments still apply and are as followed:

"I have reviewed the attached drainage report, the drainage plan does not show the plan for the new developed flows from the site and historic existing drainged will be maintained. I suggest a site visit with the designer to discuss and take a closer look at existing drainage patterns.

12/8/2022	12/19/2022	12/22/2022	PARKER WATER AND SANITATION DISTRICT 10	Robert Ramsey	REVISIONS REQUIRED	06 Review
-----------	------------	------------	---	---------------	--------------------	-----------

Notes:

PWSD will need all the following:

Please note PWSD has asked for all Invoices to be paid and all documents to be provided.

No further reviews of this project will be completed until all comments and invoices are completed.

Current Invoices are good thru the end of 2022

Please note the new invoices for 2023 will be available at your request after 12-31-2022

Wet Stamped Engineers Estimate, SIA, LOC, All PWSD Easement agreements.

The correct size and location of Domestic and Irrigation taps. with Addresses on plans.



PARKER
COLORADO

Project Reviews Town of Parker

Please note all Invoices have been paid, Please note PWSD will need all PWSD Easement documents to be completed.

PWSD will need the completed SIA, LOC, And or Cash in lieu.

Please feel free to contact me with any questions you may have.

Robert

10/3/2023	10/18/2023	10/17/2023	PARKER WATER AND SANITATION DISTRICT 10	Robert Ramsey	ADVISORY COMMENTS	07 Review 10
-----------	------------	------------	--	---------------	----------------------	--------------

Notes:

PWSD will need a set of final construction plans signed by the TOP Life Safety prior to PWSD signatures.

10/3/2023		10/17/2023	CDOT REGION 1 10	David Dixon		07 Review 10
-----------	--	------------	------------------	-------------	--	--------------

Notes:

Review Group: STORMWATER 5TH

12/8/2022	2/27/2023	12/22/2022	DRAINAGE REPORT - STORMWATER	Michael Walton	APPROVED	See Notes
-----------	-----------	------------	---------------------------------	----------------	----------	-----------

Notes:

Please note that these comments have been provided to the design group via email and the offer for an offline review to avoid additional referrals has been extended by the reviewer. Please coordinate directly with the reviewer if this direction is selected by the design group.

1. The Developed Runoff Summary Table (Table 1) appears to have a typo as the sum of the values shown equals 78.44 rather than 74.19 as indicated. Please verify the values provided and revise throughout the report as appropriate.
2. The StormCAD analysis is missing the channel geometry table previously provided and the release at the headwall appears to be coded as free outfall rather than intermediate as previously discussed.
3. The flowmaster reports appear to be designed to an approximately 6 cfs flowrate rather than the anticipated flowrate of the channel listed throughout the report. Please verify the flowmaster flow rate and ensure the previously provided delineation of ponding extents is based on the appropriate flow rate.
4. Please help me better understand the two flowmaster cases provided. One calls out the existing swale, which appears to be for the proposed swale up to the drop down to the culvert. Is the second just representing the drop from the end of the proposed concrete channel down into the culvert itself? Please reconsider the titling of these sheets to indicate the proposed swale and the stations being analyzed for better clarity of what is being evaluated in the flowmaster analysis. Please also consider providing an individual analysis for this at each indicated grade break on the profile.
5. The area just upstream of the culvert which appears to be analyzed in the second flowmaster analysis appears to indicate supercritical flows but this area is not proposed to be protected. Please note that riprap should be incorporated up to the ponding extents in this area to protect the culvert and channel from undermining. Please ensure this is clear in the report and plans.

Revised report provided.

1
L
C
OV
QU
MI
14
WE
TE
1
EX
ZON

_____ - - - _____ PROPERTY LINE
 _____ - - - _____ LOT LINE
 PROPERTIES NOT INCLUDED IN REZONE REQUEST

<u>OWNER/APPLICANT</u>	<u>CIVIL ENGINEER</u>
BUKTRIP CORPORATION	KIMLEY-HORN & ASSOCIATES, INC.
CHAEAL TALCOTT	SHELBY MADRID, P.E.
199 W. 120TH AVENUE, SUITE 110	4582 SOUTH ULSTER STREET, SUITE 1500
ESTMINSTER, CO 80234	DENVER, CO, 80237
TEL: (913) 593-1690	TEL: (303) 228-2327

OWNER: J S PARKER CEMETERY
ASSOCIATION
EXISTING USE: INSTITUTIONAL
ZONING: PUBLIC FACILITY

OWNER: MAINSTREET
DEVELOPERS LLC
EXISTING USE: UNDEVELOPED
ZONING: LIGHT INDUSTRIAL

OWNER: NEW BEGINNING
COMMUNITY CHURCH
EXISTING USE: INSTITUTIONAL
ZONING: COMMERCIAL

BEING A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, ALL IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, DOUGLAS COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15 AND
ASSUMING THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER OF SECTION 15
AS BEARING NORTH 89°30'00" WEST, WITH ALL BEARINGS CONTAINED HEREIN
RELATIVE THERETO:

- THENCE NORTH 89°30'00" WEST ALONG SAID SOUTH LINE A DISTANCE OF 466.97 FEET TO THE MOST SOUTHERLY CORNER OF LOT 1, MCCLINTOCK II SUBDIVISION AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTH, WEST, AND NORTH LINES OF SAID LOT 1, THE FOLLOWING 3 COURSES:
- 1) NORTH 89°30'00" WEST, 287.30 FEET;
 - 2) NORTH 06°51'00" WEST, 364.90 FEET;
 - 3) NORTH 83°08'59" EAST, 299.88 FEET TO THE SOUTHWEST CORNER OF LOT 2, PARKER DOWNS FILING NO. 3, RECORDED AT RECEPTION NO. 9251062 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, STATE OF COLORADO.

THENCE NORTH 06°51'00" WEST, ALONG THE WEST LINE OF SAID LOTS 2 AND 1, SAID PARKER DOWNS FILING NO. 3, A DISTANCE OF 355.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ALONG THE SOUTH RIGHT-OF-WAY LINE OF LONGS WAY, AN 80 FOOT PUBLIC RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF SAID LONGS WAY AND S. PARKER ROAD, THE FOLLOWING 6 COURSES:

- 1) SOUTH 77°00'00" EAST, 123.63 FEET;
- 2) ALONG A CURVE HAVING A RADIUS OF 285.00 FEET, A DELTA OF 19°51'02" AND IS SUBTENDED BY A CHORD BEARING NORTH 86°55'29" WEST A DISTANCE OF 98.25 FEET TO THE END POINT OF SAID CURVE;
- 3) NORTH 83°09'00" EAST, 55.00 FEET, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF S. PARKER RD.
- 4) SOUTH 06°51'00" EAST, 296.77 FEET;
- 5) NORTH 83°09'00" EAST, 26.50 FEET;
- 6) SOUTH 06°51'00" EAST, 242.78 FEET;

THENCE SOUTH 83°11'15" WEST ALONG SAID WEST RIGHT-OF-WAY LINE AND
ALONG THE NORTH LINE OF A TRACT OF LAND IN THE SE 1/4 OF THE SW 1/4
OF SAID SECTION 15 RECORDED AT REG. NO. 0352998 IN THE RECORDS OF THE
CLERK OF THE DISTRICT COURT OF THE COUNTY OF SHERMAN, TEXAS, A
PORTION OF LOT 2, DECU COMMERCIAL PARK AND THE SOUTH LINE OF SAID LOT
1, MCCLINTOCK II SUBDIVISION, A DISTANCE OF 309.50 FEET TO THE NORTHWEST
CORNER OF SAID TRACT; THENCE SOUTH 06°51'00" EAST ALONG THE WEST LINE
OF SAID TRACT, TO THE BEGIN THE EAST LINE OF SAID LOT 1, MCCLINTOCK II
SUBDIVISION, A DISTANCE OF 158.00 FEET TO THE POINT OF BEGINNING,
CONTAINING 268,710.00 SQ FT OR 6.169 ACRES, MORE OR LESS.

COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL, LOT NAME	EXISTING ZONING	PROPOSED ZONING
PARCEL I, LOT 1 PARKER DOWNS FILING NO. 3	MODIFIED COMMERCIAL	COMMERCIAL
PARCEL I, LOT 2 PARKER DOWNS FILING NO. 3	MODIFIED COMMERCIAL	COMMERCIAL
PARCEL II, LOT 1 MCCLINTOCK II SUBDIVISION	PLANNED DEVELOPMENT	COMMERCIAL
PARCEL III, PORTION OF LOT 1 DECU COMMERCIAL PARK	COMMERCIAL	COMMERCIAL
PARCEL III, PORTION OF LOT 2 DECU COMMERCIAL PARK	COMMERCIAL	COMMERCIAL

PROJECT NO.:096888008

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
4582 South Ulster Street, Suite 1500
Denver, Colorado 80237 (303) 228-2300

QuikTrip No. 4214
SWC PARKER RD & LONGS WAY
PARKER, CO, 80134



© COPYRIGHT QUIKTRIP CORPORATION 2013
ANY UNAUTHORIZED USE, REPRODUCTION,
PUBLICATION, DISTRIBUTION, OR SALE IN
WHOLE OR IN PART, IS STRICTLY FORBIDDEN

PROTOTYPE: P-108 (08/01/21)
DIVISION: COLORADO
VERSION: 001
DESIGNED BY: SAM
DRAWN BY: CMW
REVIEWED BY: SAM

[illegible]

SHEET TITLE

SIMPLIFIED REZONING MAP

SHEET NUMBER:

EXHIBIT B

ORDINANCE NO. 3.88.1, Series of 2024

TITLE: A BILL FOR AN ORDINANCE REZONING LOTS 1 AND 2 OF PARKER DOWNS FILING NO. 3 SUBDIVISION FROM MODIFIED COMMERCIAL TO C-COMMERCIAL 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 Lots 1 and 2 of Parker Downs Filing No. 3 Subdivision (the “Property”) from Modified Commercial, pursuant to Ordinance No. 3.88, Series of 1992, to C-Commercial 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 C-Commercial District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby zoned C-Commercial District.

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 ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

ORDINANCE NO. 3.06.1, Series of 2024

TITLE: A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3.06 BY THE DELETION OF CERTAIN PROPERTY FROM THE PLANNED DEVELOPMENT ZONED AREA KNOWN AS THE MORAN PLANNED DEVELOPMENT PROPERTY

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 the attached **Exhibit A**, within the Town of Parker, as PD-Planned Development, which is a portion of the property known as the Moran Planned Development Property, which was zoned PD-Planned Development pursuant to Town of Parker Ordinance No. 3.06 (the "Property"), to include the Property into the C-Commercial District.

b. Public notice has been given of such rezoning by publication on the Town of Parker's website, at least fifteen (15) days prior to the public hearing of such rezoning.

c. Written notice was sent by first class mail to all owners of property that abuts 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 factors contained in Section 13.04.240(b)(6)(f) of the Parker Land Development Ordinance for rezoning of the property described in Exhibit A to C-Commercial District have been satisfied.

Section 2. The Property is hereby deleted from the Planned Development area known as the Moran Planned Development, as described in Town of Parker Ordinance No. 3.06 and is rezoned as more particularly set forth in Ordinance No. 3.370, approved concurrently herewith.

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 of the Town of Parker.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper

legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF LOT 1, McCLINTOCK II SUBDIVISION, IN THE TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, PER THE PLAT RECORDED SEPTEMBER 20, 1991 AT RECEPTION NO. 9128358 IN THE OFFICE OF THE CLERK AND RECORDER FOR SAID COUNTY, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID TOWN, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE SOUTH, WEST, AND NORTH LINES OF SAID LOT 1 THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°30'00" WEST, A DISTANCE OF 287.30 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
- 2) NORTH 06°51'00" WEST, A DISTANCE OF 364.90 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;
- 3) NORTH 89°08'59" EAST, A DISTANCE OF 284.94 FEET TO THE INTERSECTION OF SAID NORTH LINE OF LOT 1 AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 1;

THENCE ALONG SAID NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 1 AND THE EAST LINE OF LOT 1, SOUTH 06°51'00" EAST, A DISTANCE OF 401.66 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE **POINT OF BEGINNING**.

CONTAINS 109,212 SQUARE FEET OR 2.507 ACRES, MORE OR LESS.

AS SHOWN ON THE EXHIBIT ATTACHED HERETO, MADE A PART HEREOF.

BASIS OF BEARINGS: THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WHICH BEARS NORTH 89°30'00" WEST, BETWEEN THE SOUTH 1/4 CORNER OF SECTION 15, BEING A FOUND 3.25" ALUMINUM CAP STAMPED "PLS 9133 1990", 0.4' ABOVE GRADE, PER THE COLORADO LAND SURVEY MONUMENT RECORD ACCEPTED FEBRUARY 28, 2015, AND THE SOUTHWEST CORNER OF SECTION 15, BEING A FOUND 3.25" ALUMINUM CAP STAMPED "WSSI LS 23053 1989", IN MONUMENT BOX, PER THE COLORADO LAND SURVEY MONUMENT RECORD ACCEPTED MAY 31, 2010.

JESUS A. LUGO, PLS 38081
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, LLC
6950 SOUTH TUCSON WAY, UNIT C
CENTENNIAL, COLORADO 80112

EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION

LOT 3
PARKER DOWNS FILING NO. 3
(REC. NO. 9251062)

Southeast
corner of Lot 3

LOT 2

299.88'

14.94'

North line of Lot 1

284.94'

N83°08'59"E

Northwest corner
of Lot 1

N00°15.90'N

SW1/4
SECTION 15
T6S, R66W,
6TH P.M.

S06°51'00"E

LOT 1

241.86'

McCLINTOCK II
SUBDIVISION
(REC. NO. 9128358)

LOT 1

Contains
109,212 Square Feet
or 2.507 Acres±

Most Northerly,
South corner
of Lot 1

East line
of Lot 1

GRAPHIC SCALE

60 0 30 60



FEET

UNPLATTED

Quit Claim Deed
Rec. No.
2021017759

South 1/4
corner of
Section 15

Southeast corner
of Lot 1 & Point
of Beginning

401.66'

466.97'

2698.08'

South Line of the Southwest 1/4 of Section 15
(Basis of Bearings)

South line of Lot 1

287.30'

Southwest
corner of Lot 1

364.90'

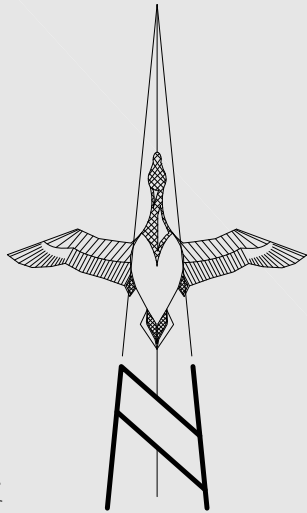
Southwest
corner of
Section 15

1943.81'

N89°30'00"W

MARK SIX BUSINESS SUBDIVISION
2ND AMENDMENT
(REC. NO. 2007015659)

West line of Lot 1



UNPLATTED

Special Warranty Deed
Book 156, Page 395

NOTE:

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. THE PURPOSE OF THIS EXHIBIT IS SOLELY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.



SHEET 2 OF 2

JOB NO. 20213

DATE: 01/03/24

SCALE: 1" = 50'

ORDINANCE NO. 3.370, Series of 2024

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE MORAN PLANNED DEVELOPMENT PROPERTY FROM PD-PLANNED DEVELOPMENT TO C-COMMERCIAL DISTRICT PURSUANT TO THE 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 PD-Planned Development to C-Commercial District, pursuant to the 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 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 of Section 13.04.240 of the Parker Land Development Ordinance for rezoning of the Property have been satisfied.

Section 2. The Property is hereby zoned C-Commercial District.

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

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

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this

Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2024.

Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Interim Town Attorney

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF LOT 1, McCLINTOCK II SUBDIVISION, IN THE TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, PER THE PLAT RECORDED SEPTEMBER 20, 1991 AT RECEPTION NO. 9128358 IN THE OFFICE OF THE CLERK AND RECORDER FOR SAID COUNTY, LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SAID TOWN, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE SOUTH, WEST, AND NORTH LINES OF SAID LOT 1 THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°30'00" WEST, A DISTANCE OF 287.30 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
- 2) NORTH 06°51'00" WEST, A DISTANCE OF 364.90 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;
- 3) NORTH 89°08'59" EAST, A DISTANCE OF 284.94 FEET TO THE INTERSECTION OF SAID NORTH LINE OF LOT 1 AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 1;

THENCE ALONG SAID NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 1 AND THE EAST LINE OF LOT 1, SOUTH 06°51'00" EAST, A DISTANCE OF 401.66 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE **POINT OF BEGINNING**.

CONTAINS 109,212 SQUARE FEET OR 2.507 ACRES, MORE OR LESS.

AS SHOWN ON THE EXHIBIT ATTACHED HERETO, MADE A PART HEREOF.

BASIS OF BEARINGS: THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WHICH BEARS NORTH 89°30'00" WEST, BETWEEN THE SOUTH 1/4 CORNER OF SECTION 15, BEING A FOUND 3.25" ALUMINUM CAP STAMPED "PLS 9133 1990", 0.4' ABOVE GRADE, PER THE COLORADO LAND SURVEY MONUMENT RECORD ACCEPTED FEBRUARY 28, 2015, AND THE SOUTHWEST CORNER OF SECTION 15, BEING A FOUND 3.25" ALUMINUM CAP STAMPED "WSSI LS 23053 1989", IN MONUMENT BOX, PER THE COLORADO LAND SURVEY MONUMENT RECORD ACCEPTED MAY 31, 2010.

JESUS A. LUGO, PLS 38081
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, LLC
6950 SOUTH TUCSON WAY, UNIT C
CENTENNIAL, COLORADO 80112

EXHIBIT TO ACCOMPANY PROPERTY DESCRIPTION

LOT 3
PARKER DOWNS FILING NO. 3
(REC. NO. 9251062)

Southeast
corner of Lot 3

LOT 2

299.88'

14.94'

North line of Lot 1

284.94'

N83°08'59"E

Northwest corner
of Lot 1

N 00°15.90'N

S06°51'00"E

241.86'

LOT 1

SW1/4
SECTION 15
T6S, R66W,
6TH P.M.

McCLINTOCK II
SUBDIVISION
(REC. NO. 9128358)

LOT 1

Contains
109,212 Square Feet
or 2.507 Acres±

Most Northerly,
South corner
of Lot 1

East line
of Lot 1

GRAPHIC SCALE

60 0 30 60



FEET

UNPLATTED

Quit Claim Deed
Rec. No.
2021017759

South 1/4
corner of
Section 15

Southeast corner
of Lot 1 & Point
of Beginning

401.66'

466.97'

2698.08'

South Line of the Southwest 1/4 of Section 15
(Basis of Bearings)

South line of Lot 1

287.30'

Southwest
corner of Lot 1

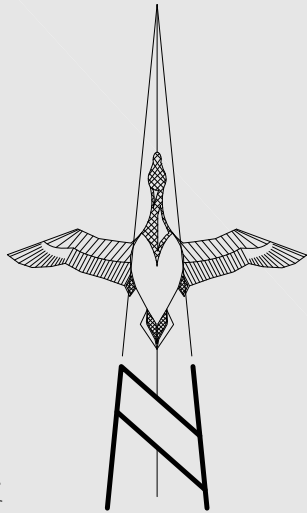
364.90'

Southwest
corner of
Section 15

1943.81'
N89°30'00"W

MARK SIX BUSINESS SUBDIVISION
2ND AMENDMENT
(REC. NO. 2007015659)

West line of Lot 1



UNPLATTED

Special Warranty Deed
Book 156, Page 395

NOTE:

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. THE PURPOSE OF THIS EXHIBIT IS SOLELY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.



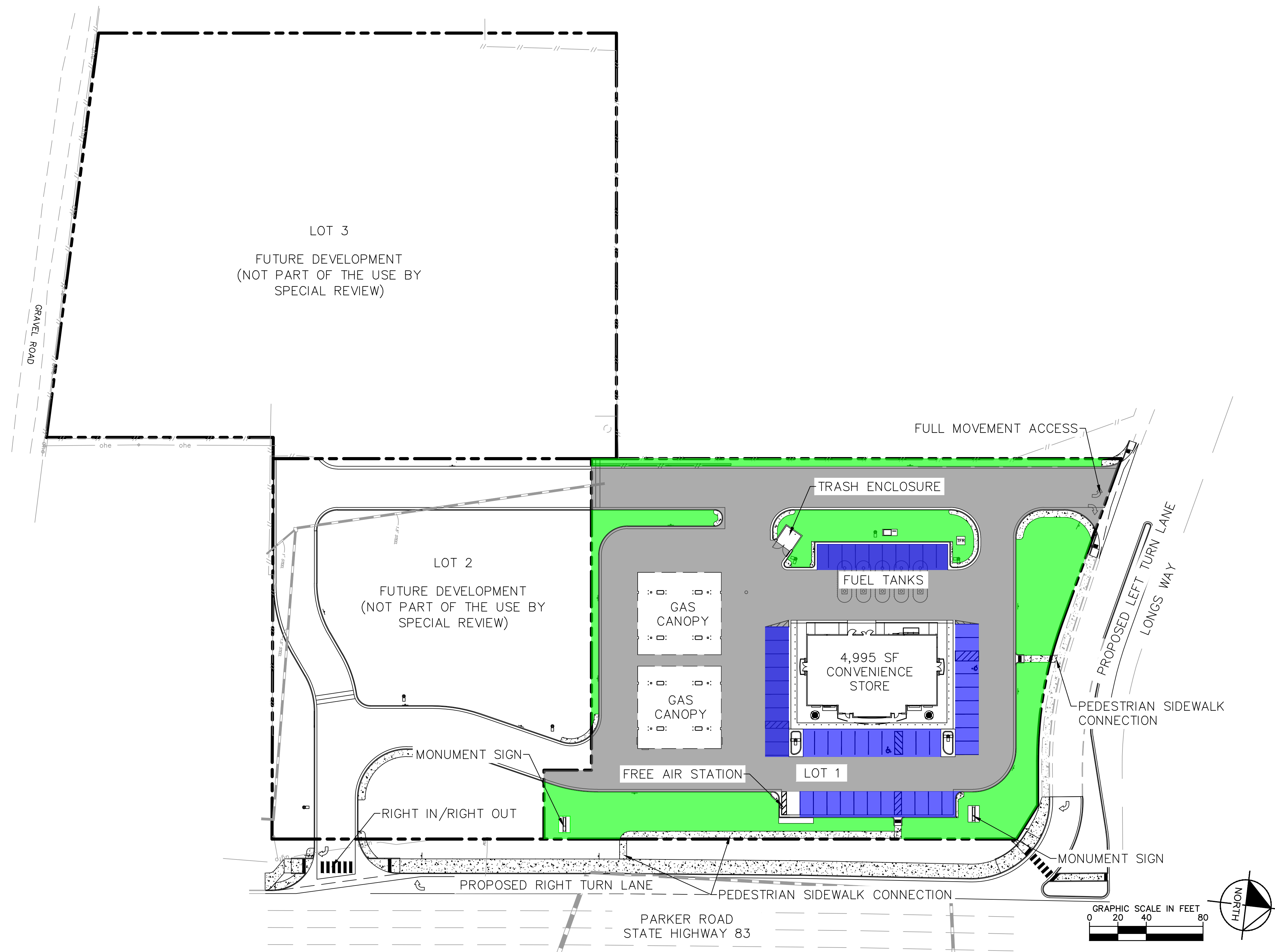
SHEET 2 OF 2

JOB NO. 20213

DATE: 01/03/24

SCALE: 1" = 50'

HARDING HEIGHTS MINOR SUBDIVISION FILING NO. 1, LOT 1
A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15,
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
SITE PLAN



Kimley»Horn

2021 KIMLEY-HORN AND ASSOCIATES, INC.
4362 South Ulster Street, Suite 1500
Denver, Colorado 80237 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: RET
CHECKED BY: SAM
DATE: 04/15/2021

HARDING HEIGHTS MINOR SUBDIVISION
FILING NO. 1, LOT 1
SITE PLAN
USE BY SPECIAL REVIEW EXHIBIT

PRELIMINARY
FOR REVIEW ONLY
NOT FOR
CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888008

DRAWING NAME
Simplified Site Plan

EXHIBIT

HARDING HEIGHTS FILING NO. 1

MINOR DEVELOPMENT PLAT

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

3 LOTS, 6.169 ACRES/268,710 SQUARE FEET±

LEGAL DESCRIPTION

BEING A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, ALL IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, DOUGLAS COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER OF SECTION 15 BEARING NORTH 89°30'00" WEST, AS SHOWN ON THE MCCLINTOCK II SUBDIVISION RECORDED AT REC. NO. 9128358 AND PARKER DOWNS FILING NO. 3 RECORDED AT REC. NO. 9251062, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

THENCE NORTH 89°30'00" WEST ALONG SAID SOUTH LINE A DISTANCE OF 466.97 FEET TO THE MOST SOUTHEASTERLY CORNER OF LOT 1, MCCLINTOCK II SUBDIVISION AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTH, WEST, AND NORTH LINES OF SAID LOT 1, THE FOLLOWING 3 COURSES:

- 1) NORTH 89°30'00" WEST, 287.30 FEET;
- 2) NORTH 06°51'00" WEST, 364.90 FEET;
- 3) NORTH 83°08'59" EAST, 299.88 FEET TO THE SOUTHWEST CORNER OF LOT 2, PARKER DOWNS FILING NO. 3, RECORDED AT RECEPTION NO. 9251062 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, STATE OF COLORADO.

THENCE NORTH 06°51'00" WEST, ALONG THE WEST LINE OF SAID LOTS 2 AND 1, SAID PARKER DOWNS FILING NO. 3, A DISTANCE OF 355.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ALONG THE SOUTH RIGHT-OF-WAY LINE OF LONGS WAY, AN 80 FOOT PUBLIC RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF SAID LONGS WAY AND S. PARKER ROAD, THE FOLLOWING 6 COURSES:

- 1) SOUTH 77°00'00" EAST, 123.63 FEET;
- 2) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 285.00 FEET, A DELTA OF 19°51'02" AND IS SUBTENDED BY A CHORD BEARING SOUTH 86°55'29" EAST A DISTANCE OF 98.25 FEET TO THE END POINT OF SAID CURVE AND A POINT OF TANGENCY;
- 3) NORTH 83°09'00" EAST, 55.00 FEET, TO A POINT BEING ALONG THE WEST RIGHT-OF-WAY LINE OF S. PARKER RD.
- 4) SOUTH 06°51'00" EAST, 296.77 FEET;
- 5) NORTH 83°09'00" EAST, 26.50 FEET;
- 6) SOUTH 06°51'00" EAST, 242.78 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE OF SOUTH PARKER ROAD, SOUTH 83°19'15" WEST ALONG THE NORTH LINE OF A TRACT OF LAND IN THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 15 RECORDED AT REC. NO. 0352988 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, ALSO BEING THE SOUTH LINE OF SAID PORTION OF LOT 2, DECU COMMERCIAL PARK AND THE SOUTH LINE OF SAID LOT 1, MCCLINTOCK II SUBDIVISION, A DISTANCE OF 309.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 06°51'00" EAST ALONG THE WEST LINE OF SAID TRACT, ALSO BEING THE EAST LINE OF SAID LOT 1, MCCLINTOCK II SUBDIVISION A DISTANCE OF 159.80 FEET TO THE POINT OF BEGINNING.

COUNTY OF DOUGLAS, STATE OF COLORADO.

CONTAINING 268,710 SQ FT OR 6.169 ACRES, MORE OR LESS.

DEDICATION STATEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATED SAID LANDS INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF **HARDING HEIGHTS FILING NO. 1**.

RIGHTS-OF-WAY:

ALL PUBLIC STREETS AND RIGHTS-OF-WAY SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF PARKER, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES.

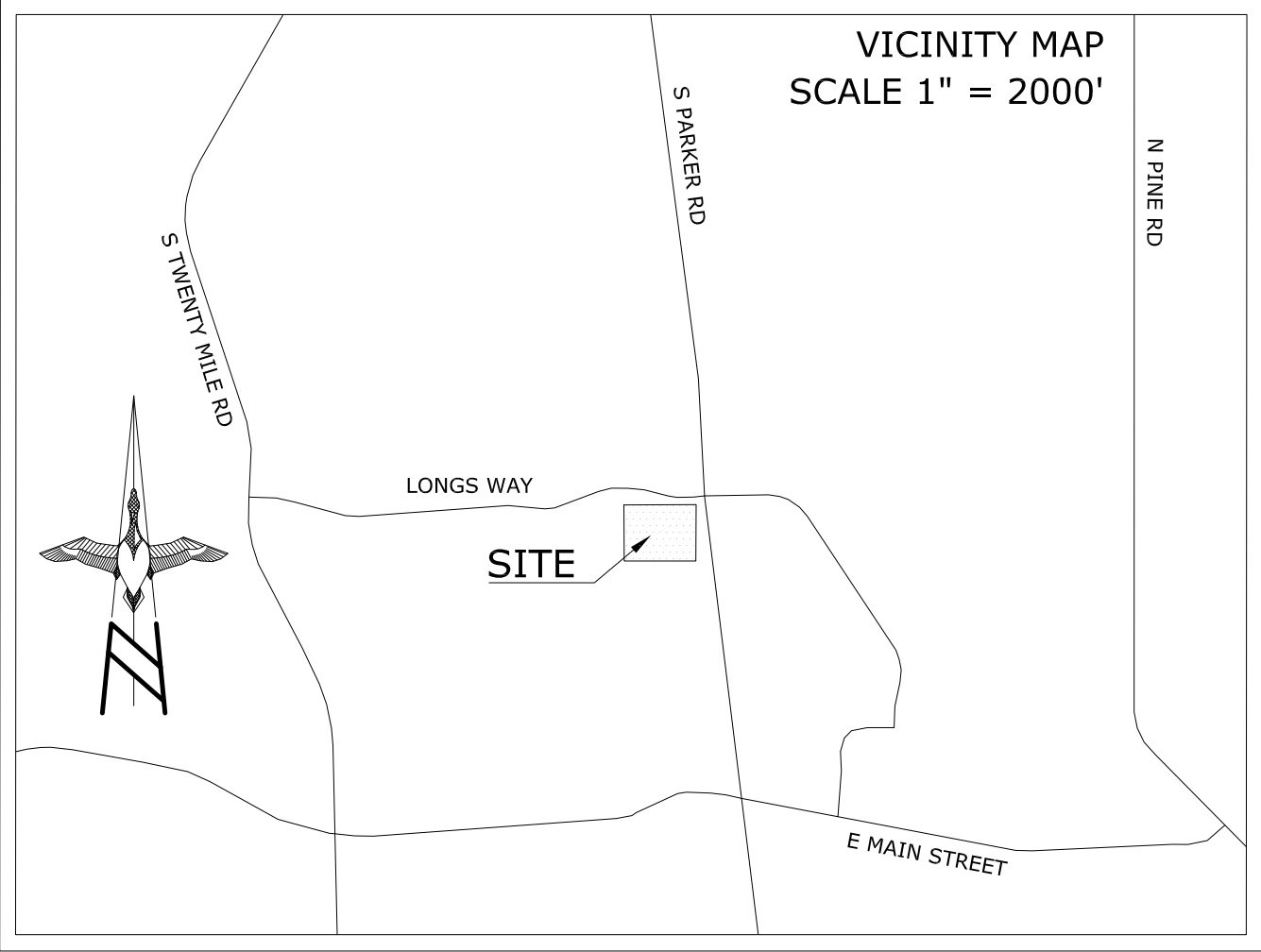
UTILITY EASEMENTS:

THE UTILITY EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED FOR PUBLIC UTILITIES, CABLE COMMUNICATION SYSTEMS FIBER AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES THAT ARE RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES, NO IMPROVEMENTS THAT CONFLICT WITH OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR ACCESS TO UTILITIES SHALL BE PLACED WITHIN THE UTILITY EASEMENTS. PROHIBITED IMPROVEMENTS INCLUDE, BUT ARE NOT LIMITED TO, PERMANENT STRUCTURES, BUILDINGS, DECKS, STAIRS, WINDOW WELLS, AIR CONDITIONING UNITS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE AND MAINTENANCE THEREOF. PROHIBITED IMPROVEMENTS MAY BE REMOVED BY THE ENTITIES RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES. THE OWNERS OF THE PROPERTY SUBJECT TO OR ADJACENT TO THE UTILITY EASEMENTS SHOWN HEREIN ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SUCH AREAS, WHICH DOES NOT INCLUDE UTILITY LINES AND RELATED FACILITIES. WHEN THE OWNER(S) OR ADJACENT OWNERS FAIL TO ADEQUATELY MAINTAIN SUCH UTILITY EASEMENTS, INCLUDING THE REMOVAL OF PROHIBITED IMPROVEMENTS, THE MAINTENANCE, OPERATION, RECONSTRUCTION AND REMOVAL SHALL BE AT THE COST OF THE OWNER(S).

DRAINAGE AND STORMWATER:

DRAINAGE AND DETENTION EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO THE ADJACENT PROPERTIES FOR CONSTRUCTION, REPAIR, MAINTENANCE, OPERATION AND REPLACEMENT OF STORM SEWERS AND DRAINAGE FACILITIES. THE OWNERS OF THE LANDS DESCRIBED HEREIN SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE EASEMENTS SHOWN HEREON AND RELATED FACILITIES, AS PROVIDED IN THE STORM DRAINAGE AND ENVIRONMENTAL CRITERIA MANUAL, AS AMENDED. THE UNDERSIGNED GRANTS THE TOWN OF PARKER A PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTY TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES COVERED BY CHAPTER 4.08 OF THE TOWN OF PARKER MUNICIPAL CODE, AS AMENDED; AND TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES NOT COVERED BY CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE, AS AMENDED, WHEN THE OWNER(S) FAIL TO ADEQUATELY MAINTAIN SUCH DRAINAGE EASEMENTS AND RELATED FACILITIES, WHICH MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S).

VICINITY MAP SCALE 1" = 2000'



DEDICATION STATEMENT (continued)

SIGHT EASEMENTS:

THE UNDERSIGNED GRANTS TO THE TOWN SIGHT EASEMENT(S) AS SHOWN HEREON WITHIN THE SUBDIVISION TO MAINTAIN ADEQUATE SIGHT DISTANCE AT ALL ROADWAY INTERSECTIONS AS PROVIDED BY THE TOWN OF PARKER ROADWAY DESIGN AND CONSTRUCTION CRITERIA MANUAL, AS AMENDED. NO SOLID STRUCTURES, TREES, OR LANDSCAPING TALLER THAN TWO FEET SHALL BE INSTALLED WITHIN THE SIGHT EASEMENTS. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT TO INGRESS AND EGRESS ACROSS ALL LOTS AND TRACTS WITHIN THE SUBDIVISION TO REMOVE ANY OBSTRUCTION TO THE PROPER SIGHT DISTANCE, INCLUDING, BUT NOT LIMITED TO, ANY STRUCTURE, FENCE, UTILITY BOX, RAISED MEDIAN, TREES, AND LANDSCAPING, AT THE SOLE COST AND EXPENSE OF THE OWNER OF THE LOT/TRACT UPON WHICH SUCH OBSTRUCTION IS SITUATED. THE OWNER(S) OR ADJACENT PROPERTY OWNERS OF THE LANDS SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SIGHT EASEMENTS SHOWN HEREON. SHOULD THE OWNER(S) OR ADJACENT OWNERS FAIL TO ADEQUATELY MAINTAIN SUCH SIGHT EASEMENTS, THE TOWN MAY PERFORM OR CAUSE TO BE PERFORMED THE NECESSARY MAINTENANCE, OPERATION OR RECONSTRUCTION AT THE COST OF THE OWNER(S).

SIDEWALKS:

THE UNDERSIGNED HEREBY DEDICATES SIDEWALK EASEMENTS AS SHOWN HEREON, WHICH SIDEWALKS SHALL REMAIN OPEN FOR PUBLIC USE. THE UNDERSIGNED GRANTS THE TOWN THE PERPETUAL RIGHT OF INGRESS AND EGRESS UPON THE ADJACENT PROPERTY FOR THE OPERATION, MAINTENANCE, AND RECONSTRUCTION OF THE SIDEWALKS. THE TOWN SHALL ALSO HAVE THE RIGHT TO REMOVE ANY OBSTRUCTION THAT WOULD ADVERSELY AFFECT THE OPERATION AND MAINTENANCE OF THE SIDEWALKS, AS DETERMINED BY THE TOWN.

ACKNOWLEDGEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBLVATE SAID UNDERSIGNED'S NEED OR RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. §1 531, ET SEQ., AS AMENDED, OR WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS OR REGULATIONS.

QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION

BY: _____

JASON ACORD

TITLE: DIRECTOR OF REAL ESTATE

ATTEST:

SECRETARY

STATE OF _____)

_____) SS

COUNTY OF _____)

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY JASON ACORD AS DIRECTOR OF REAL ESTATE FOR QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

LAND USE TABLE				
LOT/TRACT	AREA (SF)	AREA (AC)	USE	PROPOSED OWNERSHIP
LOT 1	91,369	2.098	COMMERCIAL DEVELOPMENT	RETAINED BY OWNER
LOT 2	58,538	1.344	COMMERCIAL DEVELOPMENT	RETAINED BY OWNER
LOT 3	112,194	2.576	COMMERCIAL DEVELOPMENT	RETAINED BY OWNER
R.O.W.	6,609	0.151	R.O.W. FOR PARKER ROAD	TOWN OF PARKER, COLORADO
TOTAL	268,710	6.169		

STATEMENT OF PURPOSE

THIS FINAL PLAT IS BEING PREPARED AND RECORDED TO ACCOMPLISH THE FOLLOWING: VACATE THE LOT LINE COMMON TO LOTS 1 & 2, PARKER DOWNS FILING NO. 3 & LOT 1, MCCLINTOCK II SUBDIVISION & PORTIONS OF LOTS 1 & 2, DECU COMMERCIAL PARK AS DESCRIBED IN WARRANTY DEED RECORDED 2/25/2005 AS RECEPTION NO. 2005015175 OF THE RECORDS OF DOUGLAS COUNTY TO CREATE THREE (3) SINGLE PLATTED LOTS.

GENERAL NOTES

- 1) 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.
- 2) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ALTURA LAND CONSULTANTS, LLC. TO DETERMINE RECORD TITLE, EASEMENTS OR RIGHTS-OF-WAY. TITLE COMMITMENT NO. 20000310098, WITH AN EFFECTIVE DATE OF JANUARY 31, 2020, PREPARED BY STEWART TITLE GUARANTY COMPANY WAS RELIED UPON FOR ALL INFORMATION REGARDING TITLE OF RECORD, EASEMENTS OF RECORD AND RIGHTS-OF-WAY.
- 3) FLOOD ZONE DESIGNATION: THE SUBJECT PROPERTY LIES ENTIRELY WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD).
- 4) FIELD SURVEY COMPLETION DATE: FEBRUARY 18, 2020
- 5) UNIT OF MEASUREMENT: U.S. SURVEY FOOT.
- 6) ANY FUTURE ACCESS POINTS TO THE LOT SHALL BE REVIEWED BY TOWN STAFF.
- 7) BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEARING NORTH 89°30'00" WEST DEFINED AND MEASURED BETWEEN THE MONUMENTS FOUND AND SHOWN, ALSO REFERENCED IN MCCLINTOCK II SUBDIVISION RECORDED AT RECEPTION NO. 9128358, AND PARKER DOWNS FILING NO. 3 RECORDED AT RECEPTION NO. 9251062.
- 8) WITHIN THE SIGHT TRIANGLES, AS SHOWN, LIMITED LANDSCAPING SHALL BE ALLOWED BUT NO SOLID STRUCTURES OR TREES WILL BE PERMITTED. SOLID STRUCTURES SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES, MAILBOXES, AND UTILITY BOXES. LANDSCAPING WITHIN THE SIGHT TRIANGLES WILL BE LIMITED TO SHRUBS AND PLANTINGS THAT AT MATURITY WILL BE NO TALLER THAN TWO FEET. LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE MAINTAINED BY THE PROPERTY OWNER OR APPROPRIATE ASSOCIATION.
- 9) ACCESS EASEMENT ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE DEVELOPMENT FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THIS PROPERTY FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION. SHOULD THIS PROPERTY BE SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND ROADWAYS FOR PUBLIC ACCESS PURPOSES.
- 10) NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS AND NECESSARY ONSITE IMPROVEMENTS ARE COMPLETED AND ACCEPTED IN WRITING BY THE TOWN.
- 11) NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE SHALL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED AND APPROVED BY THE TOWN OR AS OTHERWISE ALLOWED IN THE LAND DEVELOPMENT CODE.
- 12) PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPANCY AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN.
- 13) THIS PLAT IS SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS PARKING EASEMENT FOR THE SHARED USE OF ALL PARKING SPACES SITUATED WITH THE PROPERTIES SHOWN HEREIN. THE OWNER OF EACH LOT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THERE RESPECTIVE LOT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR.

TITLE VERIFICATION

WE, STEWART TITLE GUARANTY COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

DATE _____ STEWART TITLE GUARANTY COMPANY

STATE OF _____)

_____) SS

COUNTY OF _____)

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS MINOR DEVELOPMENT PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON THIS ____ DAY OF _____, 20____.

PLANNING DIRECTOR, ON BEHALF OF THE PLANNING COMMISSION

TOWN COUNCIL CERTIFICATE OF APPROVAL

THIS PLAT WAS APPROVED BY THE TOWN COUNCIL AND/OR, WHERE APPLICABLE, THE PLANNING DIRECTOR AND DIRECTOR OF ENGINEERING OF THE TOWN OF PARKER, COLORADO, ON THE ____ DAY OF _____, 20____, FOR FILING. THE DEDICATIONS ARE HEREBY ACCEPTED.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE TOWN OF PARKER. THE TOWN SHALL ONLY ACCEPT MAINTENANCE OF THE ROADWAY IMPROVEMENTS AFTER CONSTRUCTION HAS BEEN COMPLETED, AND AFTER THE WARRANTY PERIOD, IN ACCORDANCE WITH TOWN REGULATIONS.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED.

MAYOR, TOWN OF PARKER

ATTEST: _____
TOWN CLERK

SURVEYOR'S CERTIFICATE

I, JESUS A. LUGO, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF **HARDING HEIGHTS FILING NO. 1** WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 8TH DAY OF JULY, 2020, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF THAT ALL MONUMENTS EXIST AS SHOWN HEREON; IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS. THIS SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID MINOR DEVELOPMENT PLAT AND THE SURVEY THEREOF.

I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 20____.

JESUS A. LUGO, A COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, LICENSE NO. 38081

FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, L.L.C.

PREPARED BY:



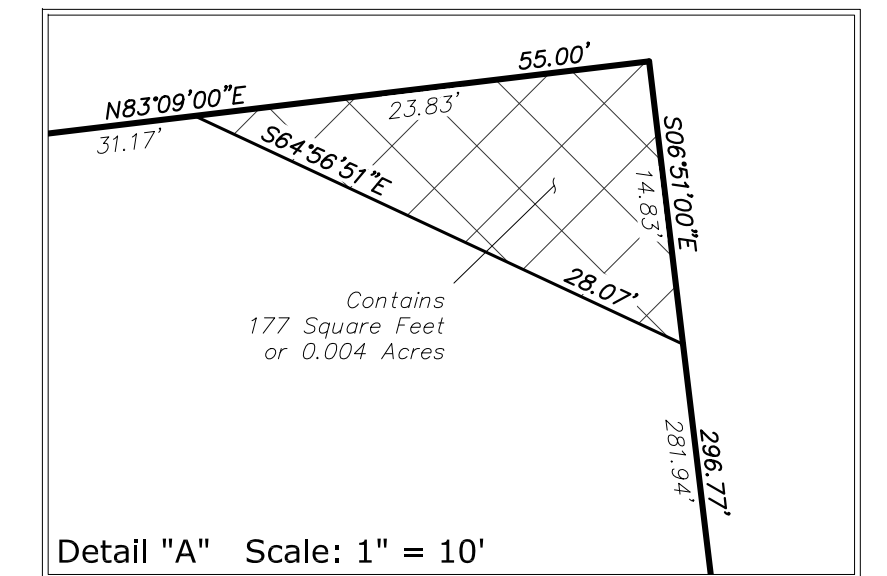
6950 South Tucson Way, Unit C
Centennial, Colorado 80112 Phone: (720)488-1303
JOB NO. 20213 PREPARED JULY 8, 2020

REVISIONS

NO.	DATE	REVISION	BY
6	11/21/23	6TH SUBMITTAL REVIEW REVISION	KJS
2	06/02/21	2ND SUBMITTAL REVIEW REVISION	KJS
3	11/05/21	3RD SUBMITTAL REVIEW REVISION	KJS
4	02/01/23	4TH SUBMITTAL REVIEW REVISION	KJS
5	10/26/23	5TH SUBMITTAL REVIEW REVISION	KJS

SHEET 1 OF 4

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
3 LOTS, 6.169 ACRES/268,710 SQUARE FEET±



REC. NO.	RECEPTION NUMBER	R.O.W.	RIGHT OF WAY
BOOK/PAGE		Δ	DELTA/CENTRAL ANGLE
PLS	PROFESSIONAL LAND SURVEYOR	R	RADIUS
LS	LAND SURVEYOR	L	LENGTH
CDOT	COLORADO DEPARTMENT OF TRANSPORTATION		
PWSD	PARKER WATER & SANITATION DISTRICT		

2) INDICATES PORTION DEDICATED FOR RIGHT-OF-WAY PURPOSES

●	INDICATES FOUND MONUMENT AS NOTED
○	INDICATES SET MONUMENT STAMPED "ALTURA LAND PLS 38081"
⊕	INDICATES FOUND SECTION MONUMENT AS NOTED

_____ = SUBJECT PARCEL BOUNDARY LINES
 - - - - - = SECTION LINES
 _____ = ADJOINING PARCEL BOUNDARY LINES
 _____ = INTERIOR LOT LINE
 - - - - - = EASEMENT LINES
 _____ = DEDICATED EASEMENT LINES

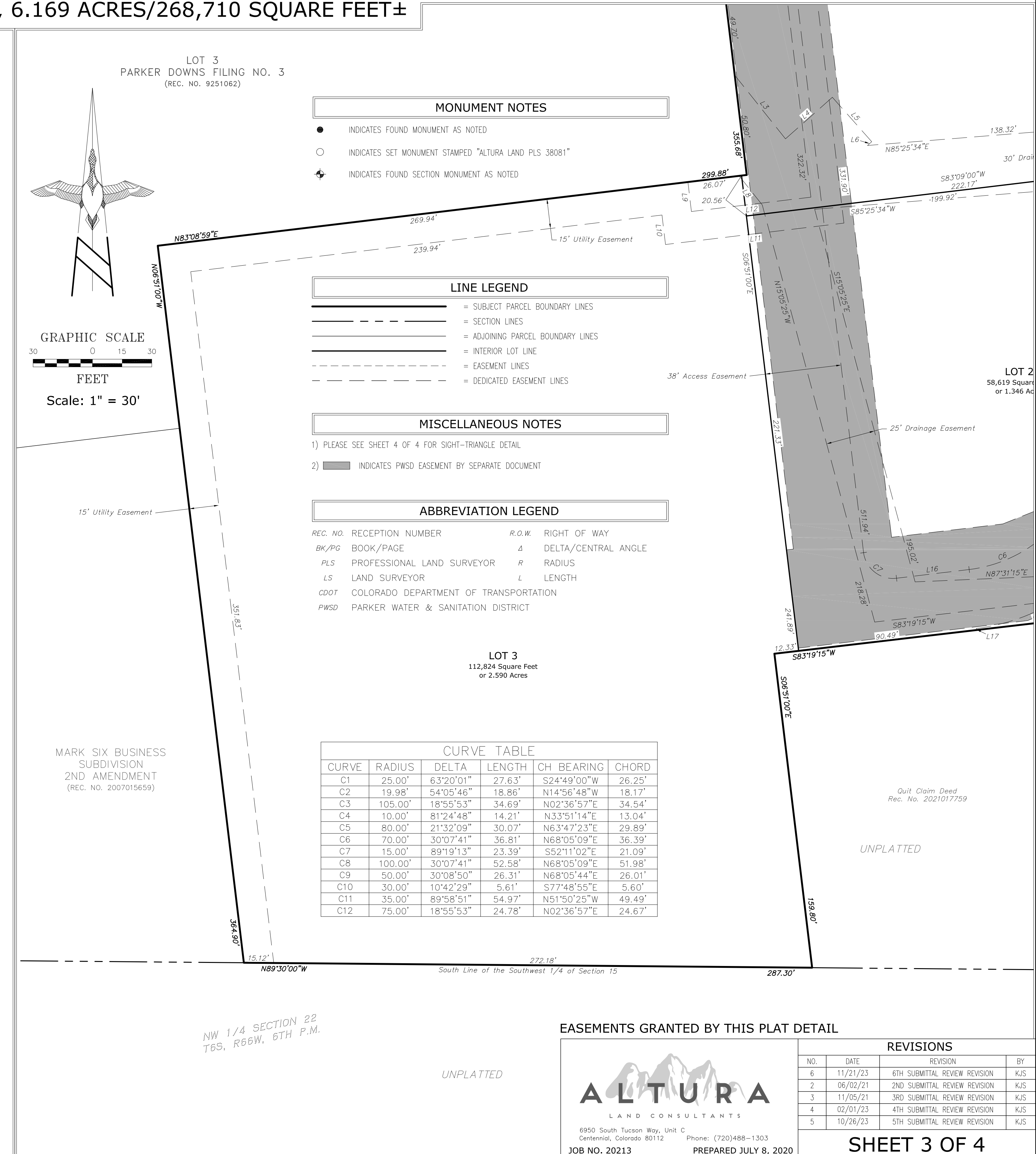
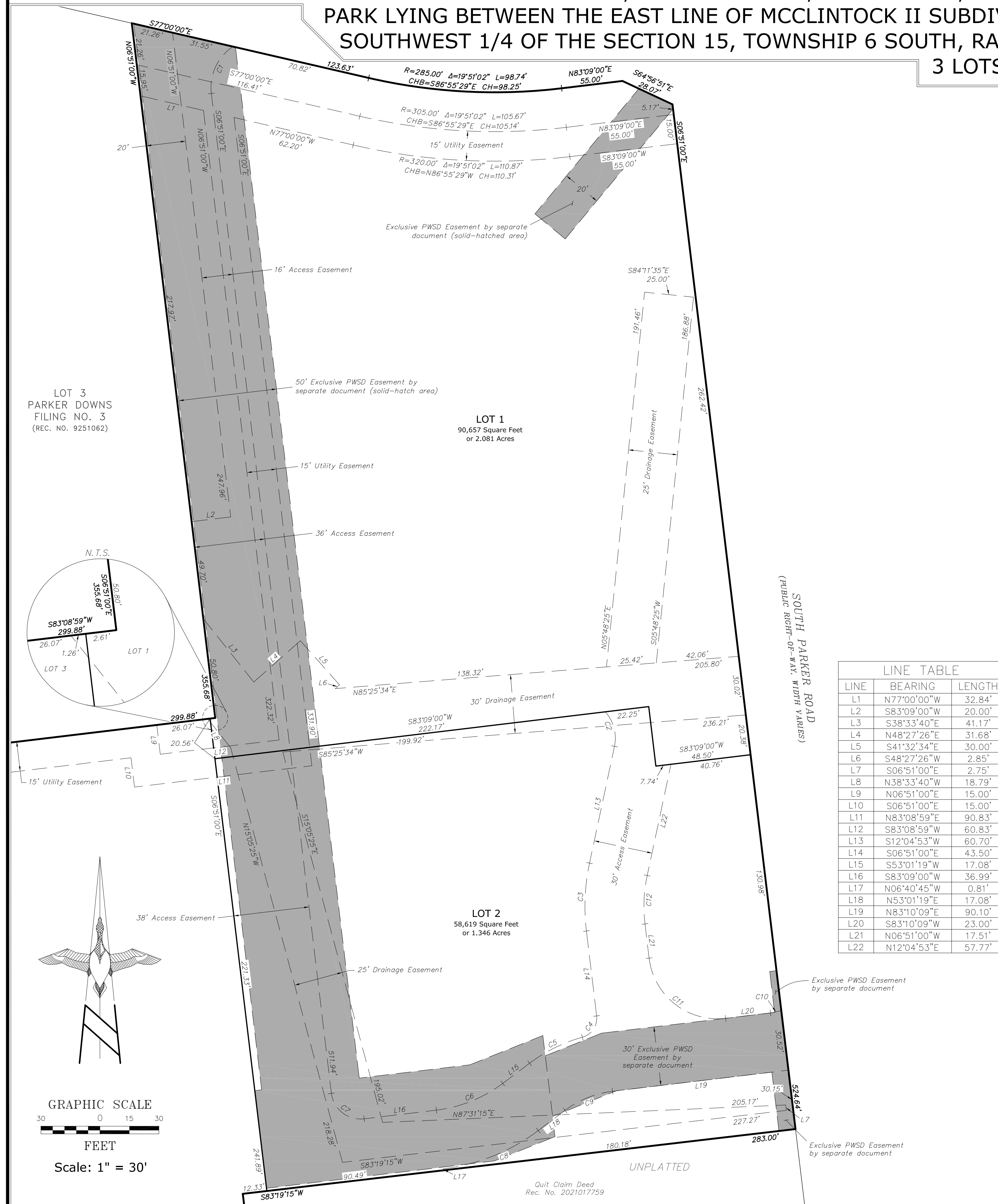
ALTURA
LAND CONSULTANTS

REVISIONS				
NO.	DATE	REVISION		BY
6	11/21/23	6TH SUBMITTAL	REVIEW REVISION	KJS
2	06/02/21	2ND SUBMITTAL	REVIEW REVISION	KJS
3	11/05/21	3RD SUBMITTAL	REVIEW REVISION	KJS
4	02/01/23	4TH SUBMITTAL	REVIEW REVISION	KJS
5	10/26/23	5TH SUBMITTAL	REVIEW REVISION	KJS

HARDING HEIGHTS FILING NO. 1

MINOR DEVELOPMENT PLAT

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

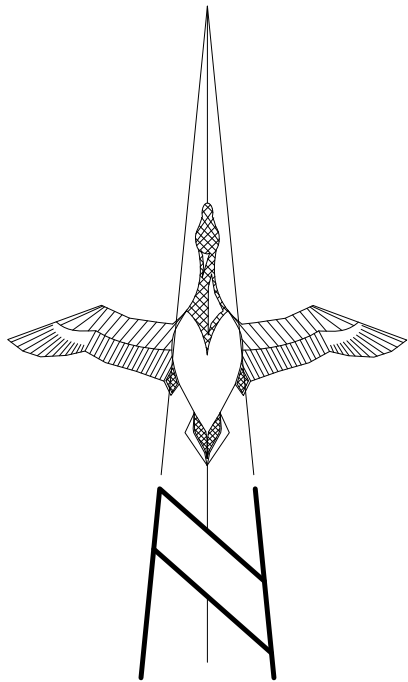


HARDING HEIGHTS FILING NO. 1

MINOR DEVELOPMENT PLAT

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

3 LOTS, 6.169 ACRES/268,710 SQUARE FEET±



GRAPHIC SCALE
40 0 20 40
FEET
Scale: 1" = 40'

LINE LEGEND	
	= SUBJECT PARCEL BOUNDARY LINES
	= SECTION LINES
	= ADJOINING PARCEL BOUNDARY LINES
	= INTERIOR LOT LINE
	= EASEMENT LINES
	= DEDICATED EASEMENT LINES

SIGHT-TRIANGLE DETAIL

REVISIONS			
NO.	DATE	REVISION	BY
6	11/21/23	6TH SUBMITTAL REVIEW REVISION	KJS
2	06/02/21	2ND SUBMITTAL REVIEW REVISION	KJS
3	11/05/21	3RD SUBMITTAL REVIEW REVISION	KJS
4	02/01/23	4TH SUBMITTAL REVIEW REVISION	KJS
5	10/26/23	5TH SUBMITTAL REVIEW REVISION	KJS

6950 South Tucson Way, Unit C
Centennial, Colorado 80112 Phone: (720)488-1303
JOB NO. 20213 PREPARED JULY 8, 2020

SHEET 4 OF 4

SUBDIVISION AGREEMENT
Harding Heights Filing No. 1

THIS AGREEMENT is made this _____ day of _____, 20____, by and between the Town of Parker, a Colorado home rule municipality (the "Town"), and QuikTrip Corporation, an Oklahoma corporation (the "Developer").

RECITALS:

A. The Developer is the owner of certain real property located in the Town of Parker known as Harding Heights Filing 1, which is more particularly described in **Exhibit A**, attached hereto and incorporated herein (the "Property").

B. The Town Council and the Planning Commission of the Town of Parker held all necessary public hearings concerning the plat for the Property. A copy of the final plat is attached hereto as **Exhibit B** and incorporated herein.

C. The approvals cited above are contingent upon the express condition that all duties created by this Agreement are faithfully performed by the Developer.

AGREEMENT:

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

1. **Purpose.** The purpose of this Agreement is to set forth the terms, conditions and fees to be paid by the Developer, upon subdivision of the Property. All conditions contained herein are in addition to any and all requirements of the Town of Parker Subdivision Ordinance and Zoning Ordinance, the Town of Parker Charter, any and all state statutes, and any other sections of the Parker Municipal Code, and are not intended to supersede any requirements contained therein.

2. **Agreements and Other Requirements.** The Developer hereby agrees to perform any and all requirements of the Annexation Agreement entered into between the Town and the Developer on March 30, 1982, which was recorded in Book 437, Page 787, of the Douglas County real estate records (the "Annexation Agreement"). The requirements of the Annexation Agreement are in addition to the requirements of this Agreement and are not intended to supersede any requirements contained herein.

3. **Fees.** The following fees shall be paid to the Town by the Developer.

a. The Developer hereby agrees to pay the Town the actual cost to the Town for plan review, engineering review, hydrological and surveying review, prior to and during the development process, and for construction observation, inspection and materials testing during the construction process for public improvements, and for construction observation, inspection and materials testing and electronic deliverable review during the warranty period for public

improvements, and for legal services (the “actual costs”) rendered in connection with the review of the subdivision of the Property, including related administrative fees not to exceed one hundred fifteen percent (115%) of the actual costs. In addition, the Developer shall reimburse the Town for the costs of making corrections or additions to the master copy of the official Town map and for the fee for recording the final plat and accompanying documents with the Douglas County Clerk and Recorder.

b. The Developer shall pay the impact fees, as established by Town ordinances, in effect at the time this Agreement is executed. The Developer shall pay the foregoing impact fees in effect at the time specified by such ordinances.

c. The Developer acknowledges and agrees that the Town, pursuant to this Agreement, shall be granted construction easement(s) that are reasonably sufficient to complete the public improvements.

4. Specific Conditions. The Developer hereby agrees that:

a. Any approval obtained from the Town of Parker does not obviate the Developer’s need to comply with the requirements of Sections 7 and 9 of the Endangered Species Act of 1973, 16 U.S.C. 1531, *et seq.*, as amended, or with any other applicable federal, state or local laws and regulations.

b. Prior to probationary acceptance of all drainage structures, paved streets, including sidewalk, curb, gutter and slope easements, and necessary appurtenances, as shown on the final plat, landscape plans and the associated construction documents for the Property (the “Public Improvements”), the Developer shall install all plant material and related irrigation facilities as described in the landscape plans approved by the Town for the Property (the “Streetscape Improvements”). If installation of Streetscape Improvements cannot be reasonably accomplished prior to probationary acceptance of the Public Improvements for the Property, the Developer shall post a letter of credit amounting to one hundred ten percent (110%) (the “Streetscape Security”) of the materials cost as described in **Exhibit E**, attached hereto and incorporated herein, and will complete the Streetscape Improvements according to the landscape plans as provided by Section 13.07.150(c)(2) of the Town’s Land Development Ordinance. The Town may reduce the Streetscape Security, in the exercise of its sole discretion, as the Streetscape Improvements are completed and accepted by the Town for final acceptance, subject to Section 13.07.150(c) of the Town's Land Development Ordinance for the Streetscape Improvements.

c. Prior to probationary acceptance of the Public Improvements for the Property, the Developer shall install all plant material and related irrigation facilities within all tracts as described in the landscape plans approved by the Town for the Property (the “Landscape Improvements”), subject to the warranty provisions of this Agreement. If installation of the Landscape Improvements cannot be reasonably accomplished prior to probationary acceptance of the Public Improvements for the Property, the Developer shall post a letter of credit amounting to one hundred ten percent (110%) (the “Landscape Security”) of the materials cost as described in **Exhibit F**, attached and incorporated herein, and will complete the Landscape Improvements according to the landscape plans prior to final acceptance of the Public Improvements by the Town. The Town may reduce the Landscape Security, in the exercise of its sole discretion, as the

Landscape Improvements are completed on a tract-by-tract basis and accepted by the Town for probationary acceptance, subject to the warranty provisions of this Agreement and Section 13.07.150(c) of the Town's Land Development Ordinance for the Landscape Improvements.

d. Prior to recordation of the final plat, the Developer shall pay or cause to be paid to the Town Seven-Hundred and Forty-One Thousand Four-Hundred and Eighty-Two Dollars (\$741,482.00), which is the total cost to construct the future auxiliary lane for Parker Road along the Property as described in **Exhibit D**, attached hereto and incorporated herein. The Town shall only use these funds for construction of the auxiliary lane improvements for Parker Road.

e. Prior to probationary acceptance of the Public Improvements, the Developer shall pay to the Town, Two Thousand Two Hundred and Fifty Dollars (\$2,250.00) for tree mitigation purposes, as more particularly described in **Exhibit G**, attached hereto and incorporated herein.

5. **Title Commitment.** A title commitment for the Property shall be provided to the Town. The title commitment shall show that all property to be dedicated to the Town is or shall be, subsequent to the execution and recording of the final plat, free and clear of all liens and encumbrances (other than real estate taxes which are not yet due and payable), which would make the dedications unacceptable as the Town, in its sole discretion, determines.

6. **Breach by the Developer; the Town's Remedies.** In the event of a breach of any of the terms and conditions of this Agreement by the Developer, the Town Council shall be notified immediately and the Town may take such action, as permitted and/or authorized by law, this Agreement or the ordinances and Charter of the Town, as the Town deems necessary to protect the public health, safety and welfare; to protect lot buyers and builders; and to protect the citizens of the Town from hardship and undue risk. The remedies include, but are not limited to:

- a. The refusal to issue any building permit or certificate of occupancy;
- b. The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party;
- c. A demand that the security given for the completion of the public improvements be paid or honored; or
- d. Any other remedy available at law.

Unless necessary to protect the immediate health, safety and welfare of the Town, or to protect the interest of the Town with regard to security given for the completion of the public improvements, the Town shall provide the Developer thirty (30) days' written notice of its intent to take any action under this paragraph, during which thirty-day period the Developer may cure the breach described in the notice and prevent further action by the Town.

7. **Public Improvements and Warranty.** All Public Improvements, as approved by the Director of Engineering/Public Works of the Town, shall be installed and completed at the expense of the Developer and dedicated and/or conveyed to the Town. The Public Improvements required

by this Agreement and shown on the final plat, as well as associated construction documents approved by the Director of Engineering/Public Works of the Town and the costs of these Public Improvements, are set forth on **Exhibit C**, attached hereto and incorporated herein. All Public Improvements covered by this Agreement shall be made in accordance with the final plat and associated construction documents drawn according to regulations and construction standards for such improvements and approved by the Director of Engineering/Public Works of the Town.

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

- a. That the title conveyed shall be marketable and its transfer rightful;
- b. Any and all facilities conveyed shall be free from any security interest or other lien or encumbrance; and
- c. Any and all facilities so conveyed shall be in conformity with the Town's specifications and shall be free of defects in materials or workmanship for a period of two (2) years, as stated above, including, but not limited to, cracks, breakage, settling, or other deterioration of the Public Improvements, no matter the cause, for a period of two (2) years, as stated above.

The Town will accept for maintenance all Public Improvements after the warranty period has expired, provided all warranty work has been completed. The Town shall accept for snow removal purposes only all dedicated public streets after probationary acceptance has been granted in writing by the Director of Engineering/Public Works. The Developer shall make all corrections necessary to bring the Public Improvements into conformity with the Town's specifications, prior to final acceptance.

Notwithstanding anything to the contrary contained in this Agreement, the Town will not accept for ownership, maintenance or operation any private improvements that are described as Public Improvements in this Agreement, that include, but are not limited to, private streets, private parks, private open space, drainage facilities, landscaping and medians that will be privately maintained, as described on the final plat and/or subject to a license agreement as provided by paragraph 14 of this Agreement.

8. Observation. The Town shall have the right to make reasonable engineering observations at the Developer's expense, as the Town may request. Observation, acquiescence in, or approval by any engineering inspector of the construction of physical facilities at any particular time shall not constitute the approval by the Town of any portion of the construction of such Public Improvements. Such approval shall be made by the Town only after completion of construction and in the manner hereinafter set forth.

9. Completion of Public Improvements. The obligations of the Developer provided for in Paragraph 7 of this Agreement, including the inspections hereof, shall be performed on or before December 31, 2025 , and proper application for acceptance of the Public Improvements shall be made on or before such date. Upon completion of construction by the Developer of such Public Improvements, the Town's Director of Engineering/Public Works or his designee shall inspect the improvements and certify with specificity their conformity or lack thereof to the Town's specifications. The Developer shall make all corrections necessary to bring the improvements into conformity with the Town's specifications. Once approved by the Town's Director of Engineering/Public Works, the Town shall accept said improvements upon conveyance, pursuant to Paragraph 11; provided, however, the Town shall not be obligated to accept the Public Improvements until the actual costs described in paragraphs 3.a. and b. of this Agreement are paid in full by the Developer.

10. Related Costs – Public Improvements. The Developer shall provide all necessary engineering designs, surveys, field surveys and incidental services related to the construction of the Public Improvements, at its sole cost and expense, including reproducible “as built” drawings certified accurate by a professional engineer registered in the State of Colorado.

11. Improvements to be the Property of the Town. All Public Improvements for roads, concrete curbs and gutters, storm sewers, and drainage improvements accepted by the Town shall be dedicated to the Town and warranted for a period of two (2) years following probationary acceptance by the Town, as provided above.

12. Performance Guarantee. In order to secure the construction and installation of the Public Improvements, the Developer shall, prior to recording the final plat in the real estate records of Douglas County, which recording shall occur no later than ninety (90) days after the execution of this Agreement, furnish the Town, at the Developer's expense, with the performance guarantee described herein. The performance guarantee provided by the Developer shall be an irrevocable letter of credit in which the Town is designated as beneficiary in an amount equal to one hundred ten percent (110%) of the estimated costs of the Public Improvements to be constructed and installed, as set forth in Exhibit C, to secure the performance and completion of the Public Improvements. The Developer agrees that approval of the final plat by the Town is contingent upon the Developer's provision of an irrevocable letter of credit to the Town within ninety (90) days of the execution of this Agreement, in the amount and form provided herein. Failure of the Developer to provide an irrevocable letter of credit to the Town, in the manner provided herein, shall negate the Town's approval of the final plat. Letters of credit shall be substantially in the form and content set forth in **Exhibit D**, attached hereto and incorporated herein, and shall be subject to the review and approval of the Town Attorney. The Developer shall not start the construction of any public or private improvement on the Property, including, but not limited to, staking, earth work, overlot grading or the erection of any structure, temporary or otherwise, until the Town has received and approved the irrevocable letter of credit.

The estimated costs of the Public Improvements shall be a figure mutually agreed upon by the Developer and the Town's Director of Engineering/Public Works, as set forth in Exhibit C. If, however, they are unable to agree, the Director of Engineering/Public Works' estimate shall govern after giving consideration to information provided by the Developer, including, but not limited to, construction contracts and engineering estimates. The purpose of the cost estimate is

solely to determine the amount of security. No representations are made as to the accuracy of these estimates and the Developer agrees to pay the actual costs of all such Public Improvements.

The estimated costs of the Public Improvements may increase in the future. Accordingly, the Town reserves the right to review and adjust the cost estimates on an annual basis. Adjusted cost estimates will be made according to changes in the Construction Costs Index, as published by the Engineering News Record. If the Town adjusts the cost estimate for the Public Improvements, the Town shall give written notice to the Developer. The Developer shall, within thirty (30) days after receipt of said written notice, provide the Town with a new or amended letter of credit in the amount of the adjusted cost estimates. If the Developer refuses or fails to so provide the Town with a new or amended letter of credit, the Town may exercise the remedies provided for in Paragraph 6 of this Agreement; provided, however, that prior to increasing the amount of additional security required, the Town shall give credit to the Developer for all required Public Improvements which have actually been completed so that the amount of security required at any time shall relate to the cost of required Public Improvements not yet constructed.

In the event the Public Improvements are not constructed or completed within the period of time specified by Paragraph 9 of this Agreement or a written extension of time mutually agreed upon by the parties to this Agreement, the Town may draw on the letter of credit to complete the Public Improvements called for in this Agreement. In the event the letter of credit is to expire within fourteen (14) calendar days and the Developer has not yet provided a satisfactory replacement, the Town may draw on the letter of credit and either hold such funds as security for performance of this Agreement or spend such funds to finish the Public Improvements or correct problems with the Public Improvements, as the Town deems appropriate.

Upon completion of performance of such improvements, conditions and requirements within the required time and the approval of the Town's Director of Engineering/Public Works, the Developer shall issue an irrevocable letter of credit to the Town in the amount of twenty percent (20%) of the total cost of construction and installation of the Public Improvements, to be held by the Town during the two-year warranty period. If, at the conclusion of the warranty period, the Developer does not remedy any defects in the Public Improvements as identified by the Town's Director of Engineering/Public Works, including items included in a punch list, the monies may be used to fix any such identified defects in the Public Improvements.

13. Nuisance Conditions. The Developer agrees to prevent the existence of any nuisances by way of its construction activities, as nuisances are defined by Title 6 of the Parker Municipal Code, and as referenced in Title 11 of the Parker Municipal Code. In the event the authorized inspector/designated Town authority determines that a nuisance exists, the Developer shall be subject to the provisions set forth in Parker Municipal Code Sections 11.12.040 and 11.12.050, regarding the abatement of nuisances and the cost assessed for the abatement thereof.

In addition to the provisions above, if the nuisance is not abated or an abatement plan is not submitted to the satisfaction of the Town, the Town may, upon thirty (30) days' notice under this Agreement, exercise the right to draw upon the performance guarantee specified in Paragraph 12 of this Agreement. The Town may draw on the performance guarantee in order to pay the cost of abating the nuisance, including any expenses and penalties incurred under the Parker Municipal Code. The Town may exercise this right in addition to, or in lieu of, the withholding of permits

and/or the withholding of certificates of occupancy. The right to draw on the performance guarantee shall be subject to the sole discretion of the Town, provided the Developer has received thirty (30) days' notice, as provided herein.

The Town Planning Department and the Department of Engineering/Public Works shall be authorized to cease processing any land use or permit applications submitted by the same developer for the property that is contained within the same Planned Unit Development, until the nuisance is abated. This shall include, but not be limited to, acceptance of applications, sending referrals, scheduling meetings or hearings, or conducting reviews of projects.

14. Association. An association shall be created by the Developer under the laws of the State of Colorado or the Property shall be included in an existing association, if possible. The association must be lawfully established in accordance with the requirements of the Parker Municipal Code, concerning Associations, before any properties within the development are sold to third parties. The articles of incorporation shall be reviewed by the Town Attorney to ensure that they have met the Town's requirements and the articles provide that the association will maintain the private improvements, including, but not limited to, private streets, private parks, private open space, drainage facilities, landscaping and medians, common areas and facilities, recreation areas and facilities, stormwater management areas and facilities, walkways and other facilities, as identified on the final plat and/or subject to a license agreement(s) entered into between the Developer and the Town, contemporaneously with this Agreement or prior to final acceptance of the Public Improvements, and to assume all responsibilities therefor as shown on the final plat and/or described in the license agreement(s), including sufficient funding to meet these responsibilities.

15. Indemnification. The Developer shall indemnify and hold harmless the Town, its officers, employees, agents or servants from any and all suits, actions and claims of every nature and description caused by, arising from or on account of any act or omission of the Developer, or of any other person or entity for whose act or omission the Developer is liable, with respect to construction of the Public Improvements; and the Developer shall pay any and all judgments rendered against the Town as the result of any suit, action or claim, together with all reasonable expenses and attorney fees incurred by the Town in defending any such suit, action or claim.

The Developer shall pay all property taxes on the Property dedicated to the Town, and shall indemnify and hold harmless the Town for any property tax liability.

The Developer shall require that all contractors and other employees engaged in construction of Public Improvements shall maintain adequate workers' compensation insurance and public liability coverage and shall faithfully comply with the provisions of the Federal Occupational Safety and Health Act.

16. Waiver of Defects. In executing this Agreement the Developer waives all objections it may have concerning defects, if any, in the formalities whereby it is executed, or concerning the power of the Town to impose conditions on the Developer, as set forth herein, and concerning the procedure, substance and form of the ordinances or resolutions adopting this Agreement.

17. Modifications. This Agreement shall not be amended, except by subsequent written agreement of the parties.

18. Release of Liability. It is expressly understood that the Town cannot be legally bound by the representations of any of its officers or agents or their designees, except in accordance with the Parker Municipal Code and the laws of the State of Colorado.

19. Captions. The captions to this Agreement are inserted only for the purpose of convenient reference and in no way define, limit or prescribe the scope or intent of this Agreement or any part thereof.

20. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns, as the case may be.

21. Invalid Provision. If any provision of this Agreement shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision hereof, and all of the other provisions shall remain in full force and effect. It is the intention of the parties hereto that if any provision of this Agreement is capable of two constructions, one of which would render the provision void and the other which would render the provision valid, then the provision shall have the meaning which renders it valid.

22. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that venue of such suit or action shall be in Douglas County, Colorado.

23. Attorney Fees. Should this Agreement become the subject of litigation to resolve a claim of default of performance by the Developer and a court of competent jurisdiction determines that the Developer was in default in the performance of the Agreement, the Developer shall pay the attorney fees, expenses and court costs of the Town.

24. Notice. All notice required under this Agreement shall be in writing and shall be hand delivered or sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective 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 of Parker
Attn: Director of Engineering/Public Works
20120 E. Mainstreet
Parker, Colorado 80138

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

Notice to Developer: QuikTrip Corporation
Attn: Jason Acord, Regional Director of Real Estate
4705 S. 129th East Avenue
Tulsa, OK 74134

25. Approvals. Whenever approval or acceptance of the Town is necessary, pursuant to any provision of this Agreement, the Town shall act reasonably and in a timely manner in responding to such request for approval or acceptance.

26. Assignment or Assignments. There shall be no partial transfer or assignment of any of the rights or obligations of the Developer under this Agreement. There shall be no assignment of this Agreement without the prior written approval of the Town, which the Town may grant or withhold in its sole discretion. The Developer agrees to provide the Town with at least fourteen (14) days' advance written notice of the proposed transfer or assignment of this Agreement.

27. Recording of Agreement. This Agreement shall be recorded in the real estate records of Douglas County and shall be a covenant running with the Property, in order to put prospective purchasers or other interested parties on notice as to the terms and provisions hereof.

28. Title and Authority. The Developer expressly warrants and represents to the Town that it is the record owner of the property constituting the Property and further represents and warrants, together with the undersigned individuals, that the undersigned individuals have full power and authority to enter into this Subdivision Agreement. The Developer and the undersigned individuals understand that the Town is relying on such representations and warranties in entering into this Agreement.

[Remainder of the page intentionally left blank]

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

TOWN OF PARKER, COLORADO

By: _____
Jeff Toborg, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Town Attorney's Office

**DEVELOPER: QUIKTRIP CORPORATION,
An Oklahoma corporation**

By: _____
Jason Acord, Regional Director of Real Estate,
QuikTrip Corporation

STATE OF COLORADO)
)ss.
COUNTY OF ADAMS)

The foregoing instrument was acknowledged before me this 13th day of December, 2023, by Jason Acord, as Regional Director of Real Estate of QuikTrip Corporation.

My commission expires: December 6, 2025.

(SEAL)

Notary Public

JESSICA GLAVAS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20214047350
MY COMMISSION EXPIRES DECEMBER 06, 2025

EXHIBIT LIST

Exhibit A	Legal Description of the Property
Exhibit B	Copy of the Final Plat
Exhibit C	Estimated Cost of Public Improvements
Exhibit D	Form of Letter of Credit
Exhibit E	Estimated Cost of Streetscape Improvements
Exhibit F	Estimated Cost of Landscape Improvements
Exhibit G	Tree Mitigation Plan

EXHIBIT A

QT 4214 Project Legal Description

BEING LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING EAST OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT OF WAY OF STATE HIGHWAY 83, ALL IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, DOUGLAS COUNTY, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15 AND ASSUMING THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF AS BEARING NORTH 89°30'00" WEST ALL CONTAINED HEREIN RELATIVE THERETO:

THENCE NORTH 89°30'00" WEST ALONG SAID SOUTH LINE A DISTANCE OF 466.97 FEET TO THE SOUTHERLY CORNER OF LOT 1, MCCLINTOCK II SUBDIVISION POINT OF BEGINNING; THENCE ALONG THE SOUTH, WEST AND NORTH LINES OF SAID LOT 1, THE FOLLOWING 3 COURSES:

1. NORTH 89°30'00" WEST, 287.30 FEET;
2. NORTH 06°51'00" WEST, 364.90 FEET;
3. NORTH 83°08'59" EAST, 299.88 FEET TO THE SOUTHEAST CORNER OF LOT 3, PARKER DOWNS FILING NO. 3 RECORDED AT RECEPTION NO. 9251062 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, STATE OF COLORADO.

THENCE NORTH 06°05'00" WEST, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 355.68 FEET TO THE NORTHEAST CORNER OF SAID LOT 3, SAID POINT ALSO BEING ALONG THE SOUTH RIGHT-OF-WAY LINE OF LONGS WAY; THENCE ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF SAID LONGS WAY AND S. PARKER ROAD, THE FOLLOWING 6 COURSES:

1. SOUTH 77°00'00" EAST, 123.63 FEET;
2. CURVE HAVING A RADIUS OF 285.00 FEET, A DELTA OF 19°51'02" AND IS SUBTENDED BY A CHORD BEARING NORTH 86°55'29" WEST A DISTANCE OF 98.25 FEET TO THE END POINT OF SAID CURVE;
3. NORTH 83°09'00" EAST, 55.00 FEET, SAID POINT ALSO BEING ALONG THE WEST RIGHT-OF-WAY LINE OF S. PARKER RD.
4. SOUTH 06°51'00" EAST, 296.77 FEET;
5. NORTH 83°09'00" EAST, 26.50 FEET;
6. SOUTH 06°51'00" EAST, 242.78 FEET;

THENCE SOUTH 83°19'15" WEST ALONG THE NORTH LINE OF A TRACT OF LAND IN THE SE 1/4 SW 1/4 OF SAID SECTION 15 WITH REC. NO. 0352998 A DISTANCE OF 309.50 FEET TO THE NORTHWEST

CORNER OF SAID TRACT; THENCE SOUTH 06°51'00" EAST ALONG THE WEST LINE OF SAID TRACT A DISTANCE OF 159.80 FEET TO THE POINT OF BEGINNING, CONTAINING 268,710 SQFT AND 6.169 ACRES.

COUNTY OF DOUGLAS, STATE OF COLORADO

EXHIBIT B

Existing Legal Description:

LOT 2, BLOCK 1, CROWN POINT FILING 1, 11TH AMENDMENT, COUNTY OF DOUGLAS,
STATE OF COLORADO.

EXHIBIT C

Engineer's Opinion of Probable Construction Costs
QuikTrip 4214
Public Improvements

Prepared for:
QuikTrip Corporation

Prepared By:

Kimley»»Horn

4582 South Ulster Street, Suite 1500
Denver, Colorado, 80237

Summary of Required Security (110% of Grand Total)

Commercial Lot	\$	1,050,439
Parker Road Aux Lane ProRata	\$	741,482
Total	\$	1,791,921

This OPC is not intended for basing financial decisions, or securing funding. Since Kimley-Horn and Associates, Inc. has no control over the cost of labor, materials, equipment, or services furnished by others, or over methods of determining price, or over competitive bidding or market conditions, any and all opinions as to the cost herein, including but not limited to opinions as to the costs of construction materials, shall be made on the basis of experience and best available data. Kimley-Horn and Associates, Inc. cannot and does not guarantee that proposals, bids, or actual costs will not vary from the opinions on costs shown herein. Contractor shall be responsible for their own take off and bid numbers. The quantities shown herein shall not be used for bidding purposes and may not be all inclusive.

Basis for Cost Projection:

- ☐ No Design Completed
- ☐ Preliminary Design
- ☒ Final Design

Item Description	Quantity	Unit	Unit Cost	Amount
New Construction/Earthwork/Demo				
Remove Existing Inlet	1	EA	\$ 5,000.00	\$ 5,000
Remove Existing Asphalt	453	SY	\$ 19.00	\$ 8,607
Remove Existing Concrete Curb and Gutter	926	LF	\$ 10.00	\$ 9,260
Remove Existing Sidewalk and Base Material	674	SY	\$ 19.00	\$ 12,812
Cleaning and Grubbing	3.43	AC	\$ 1,500.00	\$ 5,140
Subtotal				\$40,820
Public Drive Improvements (Longs Way)				
Install Road Subgrade (7-inch base course)	245	CY	\$ 80.00	\$ 19,593
Install Full-Depth Asphalt (6-inch depth)	1,260	SY	\$ 100.00	\$ 125,956
Install ADA Ramps (with Truncated Domes)	2	EA	\$ 5,000.00	\$ 10,000
Install Stamped Median Cover	38	SY	\$ 175.00	\$ 6,650
Install 6-inch Catch Curb and Gutter	436	LF	\$ 40.00	\$ 17,440
Subtotal				\$ 179,639
Public Drive Improvements (Parker Road)				
Install Road Subgrade (7-inch base course)	362	CY	\$ 80.00	\$ 28,940
Install Full-Depth Pavement (Assumed Depth of 12")	1,860	SY	\$ 200.00	\$ 372,089
Install ADA Ramps (with Truncated Domes)	5	EA	\$ 5,000.00	\$ 25,000
Install 10-ft wide Concrete Sidewalk	544	SY	\$ 100.00	\$ 54,444
Install 6-inch Catch Curb and Gutter	644	LF	\$ 40.00	\$ 25,760
Subtotal				\$ 506,234
Utility Improvements				
Install 18" RCP Pipe	8	LF	\$ 65.00	\$ 520
Install 36" RCP Pipe	295	LF	\$ 85.00	\$ 25,075
Install Type C Inlet	1	EA	\$ 6,500.00	\$ 6,500
Install 10" Type R Inlet	1	EA	\$ 7,500.00	\$ 7,500
Flared End Section & Connection to Ex. Swale	1	EA	\$ 3,500.00	\$ 3,500
Connection to Existing Inlet	1	EA	\$ 5,000.00	\$ 5,000
Install 5' Diameter Precast Manhole (Storm)	3	EA	\$ 7,000.00	\$ 21,000
Subtotal				\$69,095
Summary				Amount
Includes all improvements in the public right-of-way and public utility/access easements on Site				
Sub-Total				\$795,787
Surveying (3%)				\$23,874
Mobilization (5%)				\$39,789
Construction Management and Testing (12%)				\$95,494
Contingency (10%)				\$79,579
Grand Total				\$934,944
Required Security (110% Grand Total)				\$1,050,439
This OPC is not intended for basing financial decisions, or securing funding. Since Kimley-Horn and Associates, Inc. has no control over the cost of labor, materials, equipment, or services furnished by others, or over methods of determining price, or over competitive bidding or market conditions, any and all opinions as to the cost herein, including but not limited to opinions as to the costs of construction materials, shall be made on the basis of experience and best available data. Kimley-Horn and Associates, Inc. cannot and does not guarantee that proposals, bids, or actual costs will not vary from the opinions on costs shown herein. Contractor shall be responsible for their own take off and bid numbers. The quantities shown herein shall not be used for bidding purposes and may not be all inclusive.				

Basis for Cost Projection:

- ☐ No Design Completed
☐ Preliminary Design
☒ Final Design

Preliminary Engineer's Opinion of Probable Construction Costs
QuikTrip 4214
Public Improvements - Auxiliary Lane (to Crossroads)

Item Description	Quantity	Unit	Unit Cost	Amount
New Construction/Earthwork/Demo				
Remove Existing Concrete Curb and Gutter	670	LF	\$ 10.00	\$ 6,700
Remove Existing Sidewalk and Base Material	744	SY	\$ 19.00	\$ 14,144
Cleaning and Grubbing	0.25	AC	\$ 1,500.00	\$ 375
Subtotal				\$21,219
Public Aux Lane Improvements				
Install Road Subgrade (7-inch base course)	376	CY	\$ 80.00	\$ 30,109
Install Full-Depth Pavement (Assumed Depth of 12")	1,936	SY	\$ 200.00	\$ 387,111
Install ADA Ramps (with Truncated Domes)	3	EA	\$ 5,000.00	\$ 15,000
Lighting (assumed relocations)	2	EA	\$ 10,000.00	\$ 20,000
Striping	1	LS	\$ 5,000.00	\$ 5,000
Install 6-inch Catch Curb and Gutter	670	LF	\$ 40.00	\$ 26,800
Subtotal				\$484,020
Utility Improvements				
Install 18" RCP Pipe (size to be confirmed)	12	LF	\$ 65.00	\$ 780
Relocate Type R Inlet	1	EA	\$ 7,500.00	\$ 7,500
Connection to Existing Pipe	1	EA	\$ 5,000.00	\$ 5,000
Subtotal				\$13,280
Summary				Amount
Includes all improvements in the public right-of-way for the future construction of an auxiliary lane from Harding Heights to Crossroads.				
Sub-Total				\$518,519
Surveying (3%)				\$15,556
Mobilization (5%)				\$25,926
Instruction Management and Testing (12%)				\$62,222
Contingency (10%)				\$51,852
Grand Total				\$674,075
Required Security (110% Grand Total)				\$741,482
This OPC is not intended for basing financial decisions, or securing funding. Since Kimley-Horn and Associates, Inc. has no control over the cost of labor, materials, equipment, or services furnished by others, or over methods of determining price, or over competitive bidding or market conditions, any and all opinions as to the cost herein, including but not limited to opinions as to the costs of construction materials, shall be made on the basis of experience and best available data. Kimley-Horn and Associates, Inc. cannot and does not guarantee that proposals, bids, or actual costs will not vary from the opinions on costs shown herein. Contractor shall be responsible for their own take off and bid numbers. The quantities shown herein shall not be used for bidding purposes and may not be all inclusive.				

Basis for Cost Projection:

- ☒ No Design Completed
☐ Preliminary Design
☐ Final Design

EXHIBIT D

FORM – IRREVOCABLE LETTER OF CREDIT

Issuing Bank's Letterhead

Irrevocable Letter of Credit

Issuing Bank: [Type in bank name.]

Letter of Credit No.: [Type LOC number.]

Amount: [Type in aggregate amount.]

Issuance Date: [Type LOC issuance date.]

Expiry Date: [Type LOC expiration date.]

Name of Developer: [Type in name of developer.]

Town of Parker

20120 East Mainstreet

Parker, Colorado 80138

Attention: Mayor and Town Attorney

Ladies and Gentlemen:

We hereby establish this Irrevocable Letter of Credit in your favor for an amount up to the aggregate sum of \$ _____ U.S. Dollars.

Funds under this credit are available to you by your draft or drafts drawn at sight on us containing the number of this Letter of Credit, as set forth above, in the Form of Sight Draft attached hereto as **Exhibit 1** and incorporated by this reference. Partial drawings are permitted. The amount of the funds available under this Letter of Credit may not be reduced, except by payment of drafts drawn hereunder, or pursuant to written authorization given to us by the Town. The sole condition for payment of any draft under this Letter of Credit is that the draft be accompanied by a letter, on the Town's letterhead, signed by the Mayor or designee, stating that one or more of the following conditions exist:

a. The Town has determined that the Developer is in default of its obligations under that certain [type in "agreement" or "permit"], to secure the performance of the [type in the name of the agreement, such as "Subdivision Agreement between the Town and Developer" and the name of the project, or "Development Agreement between the Town and Developer" and the name of the project] or [for permit, type in the name of the project];

or

b. That the expiry date of this Irrevocable Letter of Credit is less than fourteen (14) days from the date of the Mayor or designee's letter and the Developer has not provided the Town with a replacement letter of credit in an amount and form acceptable to the Town to secure the performance of the [type in name of the agreement] or [for permit, type in the name of the project] described herein.

Drafts for payment by the Town, pursuant to this Letter of Credit, shall be deemed timely presented if, prior to the date of expiration of the Letter of Credit, the draft is deposited in the U.S. mail or otherwise delivered for transmission by any other usual means of communication

EXHIBIT 1

FORM OF SIGHT DRAFT

[*Name of Issuing Bank*]

[*Address of Issuing Bank*]

Date: _____

At sight, pay to the order of Town of Parker _____ Dollars
(\$ _____), for value received and charge to the account of [*name of Developer*].

Drawn under Letter of Credit No. _____, dated _____ [*type in
letter of credit issuance date*].

By: _____
_____, Mayor
Town of Parker

EXHIBIT E**Kimley-Horn & Associates, Inc.****Opinion of Probable Construction Cost**

Client: Quik Trip	Date: 10/10/2022
Project: QT 4214	Prepared By: AP
KHA No.: 096888008	Checked By: CPH

Title: QT 4214 - Exhibit E: Streetscape Improvements					
Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost
4	Landscaping - Longs Way & Parker Road				
	Shade Trees (2" Caliper Minimum)	8	Each	\$ 600	\$ 4,800
	Ornamental Trees (2" Caliper Minimum)	-	Each	\$ 500	\$ -
	Evergreen Trees (6' Height Minimum)	-	Each	\$ 600	\$ -
	Evergreen Shrubs (5 Gal.)	34	Each	\$ 39	\$ 1,326
	Deciduous Shrubs (5 Gal.)	76	Each	\$ 27.00	\$ 2,052
	Ornamental Grasses	-	Each	\$ 17.00	\$ -
	Rock Mulch (3" Depth)	2,415	SF	\$ 1.55	\$ 3,743
	Wood Mulch (3" Depth)	-	SF	\$ 0.75	\$ -
	Steel Edging	202	FT	\$ 1.50	\$ 303
	Sod with Soil Preparation	2,064	SF	\$ 0.85	\$ 1,754
4	Landscaping - Longs Way Median				
	Shade Trees (2" Caliper Minimum)	-	Each	\$ 600	\$ -
	Ornamental Trees (2" Caliper Minimum)	-	Each	\$ 500	\$ -
	Evergreen Trees (6' Height Minimum)	-	Each	\$ 600	\$ -
	Evergreen Shrubs (5 Gal.)	20	Each	\$ 39	\$ 780
	Deciduous Shrubs (5 Gal.)	37	Each	\$ 27.00	\$ 999
	Ornamental Grasses	58	Each	\$ 17.00	\$ 986
	Rock Mulch (3" Depth)	2,490	SF	\$ 1.55	\$ 3,860
	Wood Mulch (3" Depth)	-	SF	\$ 0.75	\$ -
	Steel Edging	-	FT	\$ 1.50	\$ -
	Sod with Soil Preparation	-	SF	\$ 0.85	\$ -
4	Landscaping - Private Road Streetscape				
	Shade Trees (2" Caliper Minimum)	8	Each	\$ 600	\$ 4,800
	Ornamental Trees (2" Caliper Minimum)	-	Each	\$ 500	\$ -
	Evergreen Trees (6' Height Minimum)	-	Each	\$ 600	\$ -
	Evergreen Shrubs (5 Gal.)	20	Each	\$ 39	\$ 780
	Deciduous Shrubs (5 Gal.)	30	Each	\$ 27.00	\$ 810
	Ornamental Grasses	-	Each	\$ 17.00	\$ -
	Rock Mulch (3" Depth)	1,430	SF	\$ 1.55	\$ 2,217
	Wood Mulch (3" Depth)	-	SF	\$ 0.75	\$ -
	Steel Edging	328	FT	\$ 1.50	\$ 492
	Seed Mix with Soil Preparation	19,133	SF	\$ 0.16	\$ 3,061
	Sod with Soil Preparation	-	SF	\$ 0.85	\$ -
5	Irrigation				
	Backflow Preventer (2")		Each	\$ 2,000	\$ -
	Pedestal Controller		Each	\$ 3,500	\$ -
	Rain Sensor		Each	\$ 150	\$ -
	Flow Sensor (2")		Each	\$ 200	\$ -
	Valves (1", 1.5", 2")		Each	\$ 250	\$ -
	Quick-Coupling Valve		Each	\$ 250	\$ -

Irrigation Lateral (PVC)	LF	\$ 3.00	\$ -
Irrigation Mainline (PVC)	LF	\$ 5.00	\$ -
Pipe Sleeve	LF	\$ 4.00	\$ -
Sprinkler Heads	Each	\$ 25	\$ -
Root Watering System	Each	\$ 30	\$ -

- Basis for Cost Projection:**
- ☐ No Design Completed
- ☐ Preliminary Design
- ☒ Final Design

Subtotal:		\$ 32,763
Contingency	10%	\$3,276
Mobilization	0%	\$0.00
Surveying	0%	\$0.00
CM & Testing	0%	\$0.00
Project Total:		\$36,039
Required Security:	110%	\$39,643

Design Landscape Architect:

Chris Hepler, PLA

EXHIBIT F**Kimley-Horn & Associates, Inc.****Opinion of Probable Construction Cost**

Client: Quik Trip	Date: 10/10/2022
Project: QT 4214	Prepared By: AP
KHA No.: 096888008	Checked By: CPH

Title: QT 4214 - Exhibit F: Landscape Improvements					
Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost
4	Landscaping - On-Site				
	Shade Trees (2" Caliper Minimum)	15	Each	\$ 600	\$ 9,000
	Ornamental Trees (2" Caliper Minimum)	-	Each	\$ 500	\$ -
	Evergreen Trees (6' Height Minimum)	13	Each	\$ 600	\$ 7,800
	Evergreen Shrubs (5 Gal.)	84	Each	\$ 39	\$ 3,276
	Deciduous Shrubs (5 Gal.)	348	Each	\$ 27.00	\$ 9,396
	Ornamental Grasses	185	Each	\$ 17.00	\$ 3,145
	Rock Mulch (3" Depth)	15,637	SF	\$ 1.55	\$ 24,237
	Wood Mulch (3" Depth)	-	SF	\$ 0.75	\$ -
	Steel Edging	328	FT	\$ 1.50	\$ 492
	Sod with Soil Preparation	2,720	SF	\$ 0.85	\$ 2,312
5	Irrigation				
	Drip Irrigation		SF	\$ 0.35	\$ -
Subtotal:					\$ 59,658
Contingency 10%					\$5,966
Mobilization 0%					\$0.00
Surveying 0%					\$0.00
CM & Testing 0%					\$0.00
Project Total:					\$65,624
Required Security: 110%					\$72,187

Basis for Cost Projection:

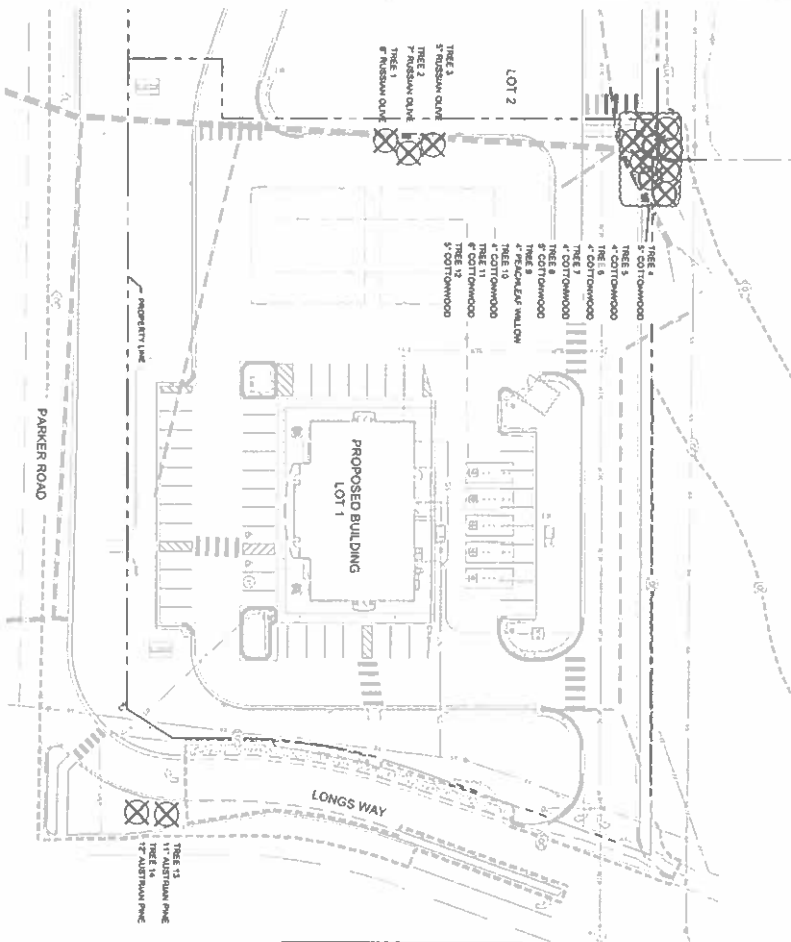
- ☐ No Design Completed
- ☐ Preliminary Design
- ☒ Final Design

Design Landscape Architect

Chris Hepler, PLA

EXHIBIT C

HARDING HEIGHTS MINOR SUBDIVISION FILING NO. 1 MASTER DEVELOPMENT SET A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M. TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO



TREE OBSERVATION

Tree #	Species	DBH	Height	Condition	Location	Notes
1	Russian Olive	8"	10'	Good	North of Building	Remove
2	Russian Olive	8"	10'	Good	North of Building	Remove
3	Russian Olive	8"	10'	Good	North of Building	Remove
4	Russian Olive	8"	10'	Good	North of Building	Remove
5	Russian Olive	8"	10'	Good	North of Building	Remove
6	Russian Olive	8"	10'	Good	North of Building	Remove
7	Russian Olive	8"	10'	Good	North of Building	Remove
8	Russian Olive	8"	10'	Good	North of Building	Remove
9	Russian Olive	8"	10'	Good	North of Building	Remove
10	Russian Olive	8"	10'	Good	North of Building	Remove
11	Russian Olive	8"	10'	Good	North of Building	Remove
12	Russian Olive	8"	10'	Good	North of Building	Remove
13	Russian Olive	8"	10'	Good	North of Building	Remove
14	Russian Olive	8"	10'	Good	North of Building	Remove
15	Russian Olive	8"	10'	Good	North of Building	Remove
16	Russian Olive	8"	10'	Good	North of Building	Remove
17	Russian Olive	8"	10'	Good	North of Building	Remove
18	Russian Olive	8"	10'	Good	North of Building	Remove
19	Russian Olive	8"	10'	Good	North of Building	Remove
20	Russian Olive	8"	10'	Good	North of Building	Remove
21	Russian Olive	8"	10'	Good	North of Building	Remove
22	Russian Olive	8"	10'	Good	North of Building	Remove
23	Russian Olive	8"	10'	Good	North of Building	Remove
24	Russian Olive	8"	10'	Good	North of Building	Remove
25	Russian Olive	8"	10'	Good	North of Building	Remove
26	Russian Olive	8"	10'	Good	North of Building	Remove
27	Russian Olive	8"	10'	Good	North of Building	Remove
28	Russian Olive	8"	10'	Good	North of Building	Remove
29	Russian Olive	8"	10'	Good	North of Building	Remove
30	Russian Olive	8"	10'	Good	North of Building	Remove
31	Russian Olive	8"	10'	Good	North of Building	Remove
32	Russian Olive	8"	10'	Good	North of Building	Remove
33	Russian Olive	8"	10'	Good	North of Building	Remove
34	Russian Olive	8"	10'	Good	North of Building	Remove
35	Russian Olive	8"	10'	Good	North of Building	Remove
36	Russian Olive	8"	10'	Good	North of Building	Remove
37	Russian Olive	8"	10'	Good	North of Building	Remove
38	Russian Olive	8"	10'	Good	North of Building	Remove
39	Russian Olive	8"	10'	Good	North of Building	Remove
40	Russian Olive	8"	10'	Good	North of Building	Remove
41	Russian Olive	8"	10'	Good	North of Building	Remove
42	Russian Olive	8"	10'	Good	North of Building	Remove
43	Russian Olive	8"	10'	Good	North of Building	Remove
44	Russian Olive	8"	10'	Good	North of Building	Remove
45	Russian Olive	8"	10'	Good	North of Building	Remove
46	Russian Olive	8"	10'	Good	North of Building	Remove
47	Russian Olive	8"	10'	Good	North of Building	Remove
48	Russian Olive	8"	10'	Good	North of Building	Remove
49	Russian Olive	8"	10'	Good	North of Building	Remove
50	Russian Olive	8"	10'	Good	North of Building	Remove
51	Russian Olive	8"	10'	Good	North of Building	Remove
52	Russian Olive	8"	10'	Good	North of Building	Remove
53	Russian Olive	8"	10'	Good	North of Building	Remove
54	Russian Olive	8"	10'	Good	North of Building	Remove
55	Russian Olive	8"	10'	Good	North of Building	Remove
56	Russian Olive	8"	10'	Good	North of Building	Remove
57	Russian Olive	8"	10'	Good	North of Building	Remove
58	Russian Olive	8"	10'	Good	North of Building	Remove
59	Russian Olive	8"	10'	Good	North of Building	Remove
60	Russian Olive	8"	10'	Good	North of Building	Remove
61	Russian Olive	8"	10'	Good	North of Building	Remove
62	Russian Olive	8"	10'	Good	North of Building	Remove
63	Russian Olive	8"	10'	Good	North of Building	Remove
64	Russian Olive	8"	10'	Good	North of Building	Remove
65	Russian Olive	8"	10'	Good	North of Building	Remove
66	Russian Olive	8"	10'	Good	North of Building	Remove
67	Russian Olive	8"	10'	Good	North of Building	Remove
68	Russian Olive	8"	10'	Good	North of Building	Remove
69	Russian Olive	8"	10'	Good	North of Building	Remove
70	Russian Olive	8"	10'	Good	North of Building	Remove
71	Russian Olive	8"	10'	Good	North of Building	Remove
72	Russian Olive	8"	10'	Good	North of Building	Remove
73	Russian Olive	8"	10'	Good	North of Building	Remove
74	Russian Olive	8"	10'	Good	North of Building	Remove
75	Russian Olive	8"	10'	Good	North of Building	Remove
76	Russian Olive	8"	10'	Good	North of Building	Remove
77	Russian Olive	8"	10'	Good	North of Building	Remove
78	Russian Olive	8"	10'	Good	North of Building	Remove
79	Russian Olive	8"	10'	Good	North of Building	Remove
80	Russian Olive	8"	10'	Good	North of Building	Remove
81	Russian Olive	8"	10'	Good	North of Building	Remove
82	Russian Olive	8"	10'	Good	North of Building	Remove
83	Russian Olive	8"	10'	Good	North of Building	Remove
84	Russian Olive	8"	10'	Good	North of Building	Remove
85	Russian Olive	8"	10'	Good	North of Building	Remove
86	Russian Olive	8"	10'	Good	North of Building	Remove
87	Russian Olive	8"	10'	Good	North of Building	Remove
88	Russian Olive	8"	10'	Good	North of Building	Remove
89	Russian Olive	8"	10'	Good	North of Building	Remove
90	Russian Olive	8"	10'	Good	North of Building	Remove
91	Russian Olive	8"	10'	Good	North of Building	Remove
92	Russian Olive	8"	10'	Good	North of Building	Remove
93	Russian Olive	8"	10'	Good	North of Building	Remove
94	Russian Olive	8"	10'	Good	North of Building	Remove
95	Russian Olive	8"	10'	Good	North of Building	Remove
96	Russian Olive	8"	10'	Good	North of Building	Remove
97	Russian Olive	8"	10'	Good	North of Building	Remove
98	Russian Olive	8"	10'	Good	North of Building	Remove
99	Russian Olive	8"	10'	Good	North of Building	Remove
100	Russian Olive	8"	10'	Good	North of Building	Remove

NOTE: CLIPART AND GRAPHIC VALUES OF TREES REMOVED BY PERIOD 12-30-2022 TO THE CITY OF PARKER ARE RESTRICTED AMOUNT OF PRINCE OR PRINCE A RESULT OF CLIPART.

TREE REMOVAL DATA IS BASED ON FIELD OBSERVATIONS PROVIDED BY CHARTERED SURVEYOR IN FIELD OF SURVEYED PROPERTY 1-1-2022.





Request for Town Council Action

Date: February 5, 2024

Submitted By: Chris Hudson, Deputy Director of Engineering

Reviewed By: Michelle Kivela, Town Manager

Title: **Dransfeldt Road Extension (CIP 23-001) Construction Management, Inspection & Material Testing**

Amount: \$1,441,615

Contractor: Alfred Benesch & Company

Department: Engineering and Public Works, Chris Hudson

EXECUTIVE SUMMARY

This agenda item is for the approval of a professional services agreement with Alfred Benesch & Company for the construction management, inspection and material testing services for the Dransfeldt Road extension project.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town issued RFQ 23-027 for the Dransfeldt extension construction management services on November 9, 2023, with a deadline to respond by December 7, 2023. The project consists of the extension of Dransfeldt Road south of the Twenty Mile Road intersection, crossing Cherry Creek with a new bridge and connecting to Motsenbocker Road at the proposed Salisbury North park property. The project includes reconstruction/realignment of Motsenbocker Road between Todd Drive and Longland Parkway (Salisbury Heights subdivision). Also included in the project is storm drainage improvements to the KOA Tributary and new connections to the Cherry Creek Trail.

The Town received responses from three (3) firms for the necessary Dransfeldt Road extension project related construction management, inspection and material testing professional services. A selection committee reviewed the proposals to select the most qualified firm and after careful consideration, the selection committee agreed that Alfred Benesch & Company is the most qualified firm for this project. A scope of work was negotiated based on the construction project that was awarded by Town Council on January 16, 2023, and is approximately 6.8% of the cost of the awarded construction contract.

FINANCIAL IMPACT

\$1,441,615. Funding for this project is included as part of the approved 2023 Capital Improvement Fund.

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



SUPPORT AN
ACTIVE COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

None

RECOMMENDED MOTION

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