

**TOWN OF PARKER COUNCIL
MINUTES
AUGUST 20, 2018**

Mayor Mike Waid opened the meeting at 5:30 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were four items. Under C.R.S. § 24-6-402(4)(f) there was one item concerning the Town Administrator Evaluation Process; under C.R.S. § 24-6-402(4)(b) there were two items, the first was to receive legal advice on specific legal questions on the terminated Reinstatement of and Fifth Amendment to Agreement for the Sale and Purchase of Land (TAP House Property) and the second was to receive legal advice on specific legal questions on Section 13.10.110 of the Parker Municipal Code concerning tree and shrub replacement; under C.R.S. § 24-6-402(4)(e) there was one item concerning a proposed Third Amended and Restated Establishing Contract for the E-470 Public Highway Authority.

EXECUTIVE SESSION

Amy Holland moved and Joshua Rivero seconded to go into Executive Session to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f), to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

The motion was approved unanimously.

Mayor Waid left the meeting at 6:14 P.M. Mayor Pro Tem John Diak presided over the remainder of the meeting.

Joshua Rivero moved and Debbie Lewis seconded to come out of Executive Session at 6:56 P.M.

The motion was approved unanimously.

REGULAR SESSION

Mayor Pro Tem John Diak reconvened the meeting at 7:03 P.M.

John Diak led the Council and audience in the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES – None

PUBLIC COMMENTS

Mike Appleby, 11605 Blackmoor St., stated that Parker is the most transparent city that he has ever lived in. Mr. Appleby requested that Council not cut officers' training and equipment and to look at the number of officers needed.

Eric Johanson, 10548 E. Stone Meadow Drive (Douglas County) asked how Town happenings are communicated to the residents. Wanted to know if he had to submit questions in writing to get answers.

Julian Veraski (sp), 17525 Wilde Ave. (Douglas County). advised she did not know if the Master Plan was comprehensive and would like it updated.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. APPROVAL OF MINUTES - August 6, 2018

B. RESOLUTION NO. 18-054

A Resolution to Adopt the Town of Parker Policy Manual

Department: Dannette Robberson, Assistant to the Town Administrator

C. RESOLUTION NO. 18-057

A Resolution Assigning and Transferring to Douglas County Housing Partnership All of the Town of Parker's 2018 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds, and Authorizing the Execution and Delivery of an Assignment and Other Documents in Connection Therewith

*Department: Community Development, Carolyn Washee-Freeland
Community Development, Bryce Matthews*

D. RESOLUTION NO. 18-058

A Resolution to Extend the Expiration Date of the Final Plats for the Trails at Crowfoot Filing Nos. 1 through 13 through December 31, 2018

Department: Engineering/Public Works, Alex Mestdagh

E. CONTRACTS OVER \$100,000

1. Contract Modification - Sierra Middle School Detention Pond Improvements (CIP 18-017)

Amount: \$11,246.30

Contractor: Iron Woman Construction & Environmental Services, LLC

Department: Engineering/Public Works, Kurt Patrick

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 5A through 5E.

The motion was approved unanimously

PUBLIC HEARINGS

A. PARKER POINTE - Annexation and Zoning

Applicant: Parker and Stroh, LLC
Location: Southeast Corner of Parker Road and Stroh Road
Department: Community Development, Paul Workman
TRAKiT Nos.: ANX17-008 and Z17-024

- (1) RESOLUTION NO. 18-055**
A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Parker Pointe Property for Annexation into the Town of Parker
- (2) ORDINANCE NO. 2.262 - Second Reading**
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Parker Pointe Property in Douglas County
- (3) ORDINANCE NO. 3.337 - Second Reading**
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Parker Pointe Property to Modified Commercial District and OS-Open Space District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith
- (4) ANNEXATION AGREEMENT**

7:20 P.M.

Attorney Jim Maloney asked that the title of the ordinance be corrected. It should state: "...to Modified Commercial District and OS-Open space District..."

The applicant has submitted applications to annex the property into the Town of Parker and zone it for future commercial use. According to the Parker 2035 Master Plan, the subject property is located within the Town's Urban Growth Area in a designated Community Center. The Community Center designation is for locations that are planned for mixed commercial development which serves multiple neighborhoods. The applicant's proposal to annex and zone the property for future commercial development and open space is therefore consistent with the Master Plan.

On July 26, 2018 the Planning Commission recommended that Town Council approve the Modified Commercial and open space zoning application and on August 6, 2018. Town Council approved the annexation and zoning ordinances on first reading.

The applicant has also submitted a Minor Development Plat (MDP) application to subdivide the property into 14 commercial development parcels with access driveways, a tract for drainage and open space. The MDP is still under review and will be scheduled for public hearing once all review comments have been addressed.

Applicant

The applicant was available for questions.

Public Comment

Eric Johanson, 10548 E. Stone Meadow Dr. (unincorporated Douglas County) advised that he would help relocate the prairie dogs.

Siobhan Roder-Cox, 42943 Vista Ridge Rd. (Elbert County), suggested Town can annex property and purchase it as open space. She stated that everything is being destroyed (prolong antelope, Prebles Meadow Jumping Mouse, etc.).

Jeff Toborg, 11765 Crow Hill Dr., asked for clarification of modified commercial zoning.

Dwayne Heightman, 18624 E. Mainstreet, Parker, asked why a turn lane wasn't created.

Terry Dodd, 14450 Marborough Dr., asked the feasibility of keeping the structure on this property.

Amanda Sigerhasen (?), 9157 Bayou Gulch Rd. (unincorporated Douglas County), gave history of the site.

Kenneth Ramsey, 3862 Elm Ave. (unincorporated Douglas County), gave his concerns regarding prairie dogs and the Prebles Meadow Jumping Mouse.

The Public Hearing was closed at 7:45 P.M.

Questions asked by the audience were answered as follows:

- Prairie dogs are state issues.
- Prebles Meadow Jumping Mouse – the area in green zoned as open space are surveyed boundaries of the mice. Open space does not allow development.
- Cottonwood Trees – the majority of cottonwoods will be preserved and some will be removed. The developer will pay mitigation fee as part of the removal fee.
- Modified Commercial – the commercial is for commercial only; there is no property in the Town of Parker that allows this zoning.
- The access traffic is specifically related to a minor development plat and the applicant is working with CDOT; the access for Stroh will be shared.

- Raptor nest – staff also observed this. This is a state requirement and no construction will take place during the nesting period.
- The home is in severe disrepair and any preservation efforts would be significant at best, if feasible.

Applicant

The applicant stated that they will follow state law regarding the prairie dogs. If citizens have methods, they would look at them. He stated that it is difficult to find a place to relocate the prairie dogs.

They checked with the Town regarding prairie dogs and they have no set regulations. He stated that they have no intention of poisoning the prairie dogs. The four individuals who were at the Planning Commission meeting were asked to call him but he had not heard from anyone. They are more than willing to work something out if it is reasonable.

Amy Holland moved to approve Resolution No. 18-055.

Renee Williams seconded the motion.

The motion was approved unanimously.

Debbie Lewis moved to approve Ordinance No. 2.262 on second reading.

Joshua Rivero seconded the motion.

Renee Williams moved to approve Ordinance No. 3.337 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

Joshua Rivero moved to approve the Annexation Agreement.

Josh Martin seconded the motion.

The motion was approved unanimously.

B. KIME RANCH - Annexation (To be Continued to a Date Uncertain)

Applicant: Shannon Robbins, Brookfield Residential

Location: Generally Located at the Northwest of the Sunset Ridge Neighborhood in the Vicinity of Crestone Needles Drive

Department: Community Development, Paul Workman

TRAKit No.: ANX17-007

(1) ORDINANCE NO. 2.263

A Bill for an Ordinance Approving and Accomplishing the Annexation of

**Contiguous Unincorporated Territory Known as the Kime Ranch Property
in Douglas County**

Josh Martin moved to continue Ordinance No. 2.263 to a date uncertain.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

**C. TAX AND FEE ASSISTANCE PROGRAM AGREEMENT FOR MAINSTREET
PIER, LLC**

Department: Economic Development, Matt Carlson

Amy Holland recused herself since she is an employee of the developer.

8:05 P.M.

The owners of Twenty Mile Village Hotel, Mainstreet Pier, L.L.C. have filed an application with the Town to participate in the Town of Parker Tax and Fee Assistance Program (TAP), pursuant to Parker Municipal Code 4.02. The planned development will consist of a four-story and 51,000 square foot independent boutique hotel with ground floor retail for 4 to 6 tenants on 1.7 acres.

The planned hotel represents a significant investment in the Town of Parker and our Downtown area. The hotel involves a total capital investment of approximately \$19 million with an estimated core and shell valuation of approximately \$14 million. The business estimates employment of approximately 50 full-time positions with salaries that range from \$36,000 to \$120,000 when fully operational. The planned restaurant and retail operations will result in approximately 150 additional part-time and full-time jobs.

The applicant has started initial construction activities with project completion in 2019.

Applicant: Mike May, 12936 Arezzo Circle, Parker, CO, gave a brief summary of this project.

Public Comment

- Jalene (sp) asked why the prior development didn't go through. Wanted to know if it would cause problems with parking or traffic.
- Mitch Trevey stated it was good to see this project.
- Terry Dodd asked if this was strictly a TAP request and not a TIP request. He thought it was the right location.

The Public Hearing was closed at 8:19 P.M.

It was explained that due to a number of different reasons, parking, site and a number of issues raised led to the project failing.

Parking and roads, while not addressed as part of this item, will be addressed at a later time by the planner.

Debbie Lewis moved to approve the Tax and Fee Program Assistance Agreement for Mainstreet Pier, LLC.

Renee Williams seconded the motion.

The motion was approved unanimously.

Amy Holland returned to the meeting at 8:25 P.M.

ORDINANCES

A. ORDINANCE NO. 3.147.6 - Second Reading

A Bill for an Ordinance to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffer Standards

**Department: Community Development, Carolyn Parkinson
 Community Development, Bryce Matthews**

The Town of Parker has experienced substantial growth and development over the past few years including single-family housing. Much of this residential development has occurred on challenging in-fill sites, with remaining filings located within larger master planned neighborhoods. The design quality of these projects has become a concern because new residential development is being squeezed onto smaller lots and pushed closer to major roads in response to economic pressures such as increased land and construction costs.

In response, the Town has identified the problem with inadequate residential roadway buffers or adequate space between residential lots and major roads as an issue to be addressed. The Town's Land Development Ordinance (LDO) currently lacks any standards that address the requirement for and design of residential buffers with new housing development. The Community Development Department has spent the past two years analyzing the issue, consulting with residential developers, preparing standards and testing them to ensure technical feasibility.

In summary, the proposed LDO amendment would establish a standard for residential roadway buffers where none currently exists. The amendment will require applicants for new single-family detached and attached residential development to incorporate a landscaped buffer between the back of residential lots and adjacent major roads designed as arterials and collectors. This new standard will respond to the Town's concerns about quality of new residential development, ensure an appropriate buffer between major roads and residential lots, mitigate nuisance impacts such as noise, promote a desirable visual environment along public rights-of-way and preserve community character including quality of life.

Public Comment – None

Josh Martin moved to approve Ordinance No. 3.147.6 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.06.42 - Second Reading
A Bill for an Ordinance to Amend Section 7.03.020 of the Parker Municipal Code
Concerning Restrictions on Use of Motorized Vehicles on Public or Private
Recreational Areas

Department: Town Attorney, Jim Maloney

The purpose of this amendment is to allow the operation of vehicles on public property, if authorized by the Town Administrator or designee, as a part of a community event, and to allow the operation of vehicles on privately owned recreational areas by employees or agents of the owner of such property.

Public Comment – None

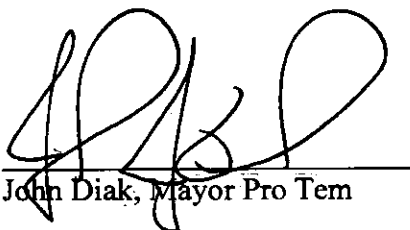
Debbie Lewis moved to approve Ordinance No. 5.06.42 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:36 P.M.


Carol Baumgartner, Town Clerk


John Diak, Mayor Pro Tem