

TOWN OF PARKER COUNCIL AGENDA
November 5, 2018

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.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:30 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. SPECIAL PRESENTATIONS

- **Colorado Parks and Recreation Association (CPRA) Annual Awards**
Deni Jacobs (staff) - Certified Therapeutic Recreation Specialist of the Year
Cathy Berends (staff) - PLAY Section Professional of the Year
Marc Hossack (volunteer coach) - Community Champion - Individual Award
Accreditation through CAPRA

3. PARKER CHAMBER OF COMMERCE UPDATES

4. DOWNTOWN BUSINESS ALLIANCE UPDATES

5. PUBLIC COMMENTS 3 Minute Limit (No action will be taken on these items)

6. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

7. CONSENT AGENDA

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

A. APPROVAL OF MINUTES - October 15, 2018

B. LINCOLN PROFESSIONAL PARK PROPERTY - Annexation and Zoning

Applicant: Kevin Beck, Equity Ventures Commercial Development, L.C.
Location: Southeast Corner of Lincoln Avenue and Dransfeldt Road
Department: Community Development, Stacey Nerger
Second Reading: November 19, 2018
TRAKiT No.: Z18-017

(1) ORDINANCE NO. 2.264 - First Reading

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

(2) ORDINANCE NO. 3.338 - First Reading

A Bill for an Ordinance Zoning Certain Property within the Town of Parker, Colorado, Known as the Lincoln Professional Park Property to Modified Commercial District Pursuant to the Town of Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

C. ORDINANCE NO. 3.326.1 - First Reading

A Bill for an Ordinance to Amend Section 13.10.200 of the Parker Municipal Code Concerning the Town of Parker Architectural and Design Standards For Commercial, Industrial and Multiple-Family Projects

Department: Community Development Department, Carolyn Washee-Freeland
Second Reading: November 19, 2018

D. ORDINANCE NO. 3.01.116 - First Reading

A Bill for an Ordinance to Repeal Section 13.10.160, to Renumber Section 13.10.161 to 13.10.160, and to Amend Section 13.10.160 of the Parker Municipal Code Concerning Residential Design Minimums

Department: Community Development, Stacey Nerger
Community Development, Carolyn Washee-Freeland
Second Reading: November 19, 2018

E. ORDINANCE NO. 3.01.117 - First Reading

A Bill for an Ordinance to Amend Sections 13.02.010 and 13.06.050 of the Parker Municipal Code Concerning Off-Street Parking and Internal Circulation

Department: Community Development, Carolyn Washee-Freeland
Second Reading: November 19, 2018

F. ORDINANCE NO. 1.524 - First Reading

A Bill for an Ordinance to Approve the Memorandum of Understanding for the Formal Creation of the Centennial Airport Community Noise Roundtable

Department: Town Attorney, Jim Maloney
Second Reading: November 19, 2018

- G. *ORDINANCE NO. 1.507.4 - First Reading*
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Rhonda Willey

Second Reading: November 19, 2018

- H. *RESOLUTION NO. 18-068*
A Resolution to Adopt the Town of Parker, Colorado, Three-Mile Area Plan

Department: Community Development, Carolyn Washee-Freeland

- I. *PARKER AUTOMOTIVE PLAZA*

Department: Engineering/Public Works, Alex Mestdagh

- (1) *RESOLUTION NO. 18-073*
A Resolution Approving the Release of the Slope Easement By and Between Parker Automotive Plaza, LLLP, and the Town of Parker Concerning Lot 1, Cherry Park Business Center Filing No. 1 and Lot 1, Block 1, Stonegate East Filing No. 1

- (2) *RESOLUTION NO. 18-074*
A Resolution to Approving the Release of Agreement for Possession and Use By and Between State Farm Mutual Automobile Insurance Company and the Town of Parker Concerning Lot 1, Cherry Park Business Center Filing No. 1

- (3) *RESOLUTION NO. 18-075*
A Resolution Accepting the Conveyance of a Traffic Signal/Pedestrian Easement from Faris Properties LLC to Regulate Traffic at the Intersection of Twenty Mile Road and Lincoln Avenue

- (4) *RESOLUTION NO. 18-076*
A Resolution Accepting The Conveyance Of A Drainage Easement From Faris Properties LLC for a Portion of Lot 1a, Block 1, Parker Auto Plaza Filing No. 2, 1st Amendment

- J. *RESOLUTION NO. 18-077*
A Resolution to Supplement Exhibit A to the Amended and Restated Cooperation Agreement Between the Town of Parker, Colorado, and the Parker Authority for Reinvestment for Administrative Services to Include the Real Property Commonly Known as the Parker Tap House Property

Department: Community Development, Jason Rogers

8. **PUBLIC HEARINGS**

ORDINANCE NO. 1.523 - First Reading

A Bill for an Ordinance to Adopt the 2019 Budget and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown

Second Reading: November 19, 2018

9. RESOLUTIONS

RESOLUTION NO. 18-078

A Resolution to Adopt the Town of Parker Complete Streets Policy

**Department: Community Development, Mary Munekata
Community Development, Carolyn Parkinson**

10. ORDINANCES

A. ORDINANCE NO. 5.81 - Second Reading

A Bill for an Ordinance to Amend Title 3 of the Parker Municipal Code Authorizing the Municipal Court to Maintain a Supervision Office Through the Court Clerk's Office

**Department: Municipal Court, Kevin Sidel
Municipal Court, Sue Ratcliff**

B. ORDINANCE NO. 4.89.5 - Second Reading

A Bill for an Ordinance to Amend Sections 11.01.030, 11.01.060 and 11.01.080 of the Parker Municipal Code Concerning the Parker Administrative Code

Department: Building, Randy Sale

C. ORDINANCE NO. 4.91.6 - Second Reading

A Bill for an Ordinance to Amend Sections 11.02.020, 11.02.050, 11.02.060 and 11.02.080 of the Parker Municipal Code Concerning the Parker Residential Code for One- and Two-Family Dwellings Building Code

Department: Building, Randy Sale

D. ORDINANCE NO. 4.92.5 - Second Reading

A Bill for an Ordinance to Amend Sections 11.03.020, 11.03.050, 11.03.060 and 11.03.080 of the Parker Municipal Code Concerning the Parker Building Code

Department: Building, Randy Sale

E. ORDINANCE NO. 4.93.5 - Second Reading

A Bill for an Ordinance to Amend Sections 11.04.020, 11.04.050, 11.04.060 and 11.04.080 of the Parker Municipal Code Concerning the Parker Fire Protection Code

Department: Building, Randy Sale

- F. ORDINANCE NO. 4.94.4 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.06.020, 11.06.050, 11.06.060 and 11.06.080 of the Parker Municipal Code Concerning the Parker Mechanical Code
Department: Building, Randy Sale
- G. ORDINANCE NO. 4.95.4 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.07.020, 11.07.050, 11.07.060 and 11.07.080 of the Parker Municipal Code Concerning the Parker Plumbing Code
Department: Building, Randy Sale
- H. ORDINANCE NO. 4.96.4- Second Reading**
A Bill for an Ordinance to Amend Sections 11.14.020, 11.14.050, 11.14.060 and 11.14.080 of the Parker Municipal Code Concerning the Parker Energy Code
Department: Building, Randy Sale
- I. ORDINANCE NO. 4.97.4 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.15.020, 11.15.050, 11.15.060 and 11.15.080 of the Parker Municipal Code Concerning the Parker Fuel Gas Code
Department: Building, Randy Sale
- J. ORDINANCE NO. 4.101.5 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.16.010, 11.16.050, 11.16.060 and 11.16.080 of the Parker Municipal Code Concerning the Parker Property Maintenance Code
Department: Building, Randy Sale
- K. ORDINANCE NO. 4.105.2 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.08.020, 11.08.050, 11.08.060 and 11.08.080 of the Parker Municipal Code Concerning the Parker Existing Building Code
Department: Building, Randy Sale
- L. ORDINANCE NO. 4.106.2 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.09.020, 11.09.050, 11.09.060 and 11.09.080 of the Parker Municipal Code Concerning the Parker Swimming Pool and Spa Code
Department: Building, Randy Sale

11. STROH ROAD WIDENING PROJECT

Stroh Road Widening Project

Department: Engineering & Public Works, Chris Hudson

- (1) RESOLUTION NO. 18-079**
A Resolution Accepting the Conveyance of a Temporary Construction Easement from Parker Water and Sanitation District for Stroh Road
- (2) RESOLUTION NO. 18-080**
A Resolution Accepting the Conveyance of Real Property from Parker Water and Sanitation District for Stroh Road
- (3) RESOLUTION NO. 18-081**
A Resolution Accepting the Conveyance of a Traffic Signal Easement from Parker Water and Sanitation District for Stroh Road
- (4) RESOLUTION NO. 18-082**
A Resolution Accepting the Conveyance of Real Property from Parker Water and Sanitation District (Slope Easement) for Stroh Road
- (5) ORDINANCE NO. 1.520 - Second Reading**
A Bill for an Ordinance Conveying a 50-Foot Nonexclusive Easement to Parker Water and Sanitation District for Water and Sewer Lines to be Located in Stroh Road

12. ADJOURNMENT

Parker Town Council
Executive Session Agenda
November 5, 2018

"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. Proposed intergovernmental agreement with Arapahoe County concerning the design and construction of the High Plains Trail

2. Proposed annexation agreement concerning the Norton property.

3. Proposed annexation agreement concerning the Lincoln Professional Park property

"To consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a)."

4. The Kulback Property

"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)."

5. Park 64 Stop Work Order-Parker Central Area, Filing 8, Third Amendment

6. *South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment, et al.*, Douglas County District Court Case No. 17CV30549

7. *Vista South, LLC, et al., v. City of Centennial, et al.*, Douglas County District Court, Case No. 2018CV030354

8. Colorado Revised Statute Section 24-10-109 (Notice of Claim)

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

9. Town Administrator evaluation process

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 15, 2018**

Mayor Mike Waid called the meeting to order at 5:34 p.m. Councilmember John Diak was absent.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were six (6) items. Under C.R.S. § 24-6-402(4)(e) there were three items, the first was Centennial Airport Community Noise Roundtable Memorandum of Understanding, the second was a proposed extension of plats/subdivision agreements for Compark Village South and proposed Third Amendment to Intergovernmental Agreement with Douglas County concerning Belford Avenue, and the third was a proposed extension of plats/subdivision agreements for Trails at Crowfoot Filing Nos. 9-13; under C.R.S. §-6-402(4)(b) there were three (3) items, the first was to receive legal advice on specific legal questions concerning Section 13.04.020(h) of the Parker Municipal Code (plat exemption), the second was to receive legal advice on specific legal questions concerning Benjamin Ramsey et. al. v. Southwest Correctional Medical Group, et al., United States District Court and the third was to receive legal advice on specific legal questions concerning South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment, et al., Douglas County District Court Case No. 17CV30549.

EXECUTIVE SESSION

Josh Martin moved and Joshua Rivero seconded the motion to go into Executive Session at 5:40 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.

Debbie Lewis moved and Renee Williams seconded to come out of Executive Session at 6:20 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:01 p.m.

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

SPECIAL PRESENTATIONS - None

PARKER CHAMBER OF COMMERCE UPDATES - None

PUBLIC COMMENTS – None

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

TOWN ADMINISTRATOR

Fall 2018 Town Administrator's Report - Mayor Waid advised the audience that the Town Administrators Report is available on the Town's website.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - October 1, 2018*
- B. *ORDINANCE NO. 1.520 - First Reading*
A Bill for an Ordinance Conveying a 50-Foot Nonexclusive Easement to Parker Water and Sanitation District for Water and Sewer Lines to be Located in Stroh Road
Department: Engineering/Public Works, Chris Hudson
Second Reading: November 5, 2018
- C. *ORDINANCE NO. 4.89.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.01.030, 11.01.060 and 11.01.080 of the Parker Municipal Code Concerning the Parker Administrative Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- D. *ORDINANCE NO. 4.91.6 - First Reading*
A Bill for an Ordinance to Amend Sections 11.02.020, 11.02.050, 11.02.060 and 11.02.080 of the Parker Municipal Code Concerning the Parker Residential Code for One- and Two-Family Dwellings Building Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- E. *ORDINANCE NO. 4.92.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.03.020, 11.03.050, 11.03.060 and 11.03.080 of the Parker Municipal Code Concerning the Parker Building Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- F. *ORDINANCE NO. 4.93.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.04.020, 11.04.050, 11.04.060 and 11.04.080 of the Parker Municipal Code Concerning the Parker Fire Protection Code
Department: Building, Randy Sale
Second Reading: November 5, 2018

- G. *ORDINANCE NO. 4.94.4 - First Reading*
A Bill for an Ordinance to Amend Sections 11.06.020, 11.06.050, 11.06.060 and 11.06.080 of the Parker Municipal Code Concerning the Parker Mechanical Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- H. *ORDINANCE NO. 4.95.4 - First Reading*
A Bill for an Ordinance to Amend Sections 11.07.020, 11.07.050, 11.07.060 and 11.07.080 of the Parker Municipal Code Concerning the Parker Plumbing Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- I. *ORDINANCE NO. 4.96.4- First Reading*
A Bill for an Ordinance to Amend Sections 11.14.020, 11.14.050, 11.14.060 and 11.14.080 of the Parker Municipal Code Concerning the Parker Energy Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- J. *ORDINANCE NO. 4.97.4 - First Reading*
A Bill for an Ordinance to Amend Sections 11.15.020, 11.15.050, 11.15.060 and 11.15.080 of the Parker Municipal Code Concerning the Parker Fuel Gas Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- K. *ORDINANCE NO. 4.101.5 - First Reading*
A Bill for an Ordinance to Amend Sections 11.16.010, 11.16.050, 11.16.060 and 11.16.080 of the Parker Municipal Code Concerning the Parker Property Maintenance Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- L. *ORDINANCE NO. 4.105.2 - First Reading*
A Bill for an Ordinance to Amend Sections 11.08.020, 11.08.050, 11.08.060 and 11.08.080 of the Parker Municipal Code Concerning the Parker Existing Building Code
Department: Building, Randy Sale
Second Reading: November 5, 2018
- M. *ORDINANCE NO. 4.106.2 - First Reading*
A Bill for an Ordinance to Amend Sections 11.09.020, 11.09.050, 11.09.060 and 11.09.080 of the Parker Municipal Code Concerning the Parker Swimming Pool and Spa Code
Department: Building, Randy Sale
Second Reading: November 5, 2018

- N. *ORDINANCE NO. 5.81 - First Reading*
A Bill for an Ordinance to Amend Title 3 of the Parker Municipal Code Authorizing the Municipal Court to Maintain a Supervision Office Through the Court Clerk's Office
Department: Municipal Court, Kevin Sidel
 Municipal Court, Sue Ratcliff
Second Reading: November 5, 2018
- O. *RESOLUTION NO. 18-056*
A Resolution to Approve the First Amendment to Town Administrator Employment Agreement
Department: Town Council
- P. *RESOLUTION NO. 18-063*
A Resolution Finding Substantial Compliance of the Norton Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on December 3, 2018, for the Purpose of Considering Said Annexation
Department: Community Development, Stacey Nerger
 Community Development, Carolyn Parkinson
- Q. *RESOLUTION NO. 18-069*
A Resolution to Approve the Twelfth Amendment to Town Attorney Employment Agreement
Department: Town Council
- R. *RESOLUTION NO. 18-070*
A Resolution to Approve the Tenth Addendum to Agreement with Judge Kevin Sidel
Department: Town Council
- S. *RESOLUTION NO. 18-071*
A Resolution Accepting the Conveyance of a Drainage Easement from HR935, LLC, for a Part of the Northeast Quarter of Section 9, Township 7 South, Range 66 West of the Sixth Principal Meridian for Conveyance of the South Pond
Department: Engineering/Public Works, Alex Mestdagh
- T. *RESOLUTION NO. 18-072*
A Resolution Accepting the Conveyance of a Drainage Easement from HR935, LLC, for a Part of the Northeast Quarter of Section 9, Township 7 South, Range 66 West of the Sixth Principal Meridian for Conveyance of the North Pond
Department: Engineering/Public Works, Alex Mestdagh

U. *CONTRACTS ABOVE \$100,000*

Land Development Ordinance - Modernization

Amount: \$299,990

Contractor: Clarion Associates, LLC

Department: Community Development, Mary Munekata

V. *PROCLAMATION - Community Planning Month, October 2018*

Department: Town Council

W. *PROCLAMATION - Small Business Saturday 2018 - November 24, 2018*

Department: Town Council

Amy Holland moved and Renee Williams seconded to approve Consent Agenda Items 7A through 7W.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 3.01.115 - Second Reading

A Bill for an Ordinance to Amend Section 13.04.210 of the Parker Municipal Code Concerning Temporary Structures and Uses

Department: Town Attorney, Jim Maloney

Items 8A and 8B were presented together.

The Code does not authorize the Community Development Department to deny the issuance of a temporary use permit for a fireworks stand or suspend a temporary use permit that was issued for a fireworks stand when a Stage 1 or Stage 2 fire ban is in place.

Ordinance No. 3.01.115 would authorize the Planning Director or designee to deny the application for a temporary use permit for a fireworks stand if a Stage 1 or Stage 2 fire ban is in effect. Similarly, the ordinance would authorize the Planning Director or designee to suspend a temporary use permit for a fireworks stand for a Stage 1 or Stage 2 fire ban that goes into effect after the permit is issued. The ordinance would allow for an appeal of the Planning Director's or designee's decision to the Town Council.

Ordinance 5.74.2 will address the sale of fireworks when a Stage 1 or Stage 2 fire ban is in effect. The purpose is to authorize the Planning Director or designee to deny an application for a temporary use permit for a fireworks stand or suspend a temporary use permit that was issued for a fireworks stand when a Stage 1 or Stage 2 fire ban is in effect. If approved, the ordinance would make the purchase or sale of all fireworks in the Town unlawful while a Stage 1 or Stage 2 fire ban is in effect, including fireworks sold by a fire stand.

These items were presented to the Planning Commission and they recommended that Town Council deny both ordinances.

Ordinance No. 5.74.2 is to make it unlawful to offer for sale any fireworks in Town when a Stage 1 or Stage 2 fire ban is in place, including fireworks stands. Additionally, this ordinance would authorize the Town to seize impermissible fireworks offered for sale. This also includes fireworks sold by a fire stand.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 3 .01.115 on second reading.

Josh Martin seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.74.2 - Second Reading

A Bill for an Ordinance to Amend Section 6.06.050 and Section 6.06.100 of the Parker Municipal Code Concerning Unlawful Acts and Penalties Related to Stage 1 and Stage 2 Fire Bans

Department: Town Attorney, Jim Maloney

See text above regarding this ordinance.

Renee Williams moved to approve Ordinance No. 5.74.2 on second reading.

Debbie Lewis seconded the motion.

The motion was approved 5-0. (Rivero voted no.)

The meeting was adjourned at 7:10 p.m.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor



Request for Town Council Action

Date: November 5, 2018

Submitted By: Stacey Nerger, Associate Planner
Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **LINCOLN PROFESSIONAL PARK PROPERTY -
Annexation and Zoning**

Applicant: Kevin Beck, Equity Ventures
Commercial Development, L.C.

Location: Southeast Corner of Lincoln Avenue
and Dransfeldt Road

Department: Community Development, Stacey
Nerger

Second Reading: November 19, 2018

TRAKiT No.: Z18-017

- (1) **ORDINANCE NO. 2.264 - First Reading**
**A Bill for an Ordinance Approving and Accomplishing
the Annexation of Contiguous Unincorporated
Territory Known as the Lincoln Professional Park
Property in Douglas County**
- (2) **ORDINANCE NO. 3.338 - First Reading**
**A Bill for an Ordinance Zoning Certain Property
within the Town of Parker, Colorado, Known as the
Lincoln Professional Park Property to Modified
Commercial District Pursuant to the Town of Parker
Land Development Ordinance and Amending the
Zoning Ordinance and Map to Conform Therewith**

EXECUTIVE SUMMARY

The applicant, Equity Ventures Commercial Development, L.L.C., proposes to annex a

property located at the southeast corner of the intersection of Lincoln Avenue and Dransfeldt Road in unincorporated Douglas County into the Town of Parker. The applicant plans to assemble the subject property with an adjacent property located to the east that is already in Parker.

The applicant proposes to zone the assemblage to Modified C - Commercial for future commercial use. The proposed zoning would permit a range of commercial development including retail, services and restaurants.

On October 1, 2018, the Town Council approved Resolution No. 18-064, determining that the Annexation Petition substantially complies with the requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-107(1)(a), and set a public hearing for November 19, 2018. The public hearing will determine the eligibility of the subject property to be annexed into the Town as provided by State law. Pursuant to C.R.S. § 31-12-115, the Town may institute the procedure for zoning the subject property with the adoption of Resolution No. 18-064.

The Planning Commission will hold a public hearing on the proposed zoning at its November 8, 2018 meeting and will make a recommendation to Town Council.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property is part of the Lincoln Professional Park site that is 8.06 acres in total area and is currently developed with multiple residential buildings and accessory structures. Lincoln Professional Park is an assemblage that consists of the subject 4.5 acre property and the adjacent 3.56 acre property to the east that was annexed into Parker in 2008. The proposed annexation and zoning will consolidate the properties into one development site for future commercial use.

The subject property is eligible for annexation because it is contiguous to the Town and the Parker 2035 Master Plan identifies it as being located within the Town's Urban Growth Area. The Parker 2035 Master Plan designates the subject properties as part of the Central Commercial Character Area and recommends commercial use for the site.

The proposed Modified C - Commercial zoning is consistent with the following goals and strategies of the Parker 2035 Master Plan:

1. It will help ensure adequate opportunities for expansion of the Town's economic base;
2. It will continue the commercial corridor along Lincoln Avenue; and
3. It will support new businesses by providing additional land for commercial development.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. VicinityMap
2. Ordinance No. 2.264
3. Lincoln Professional Park Annexation Map
4. Ordinance No. 3.338
5. Lincoln Professional Park Zoning Map
6. Planning Commission Zoning Staff Report

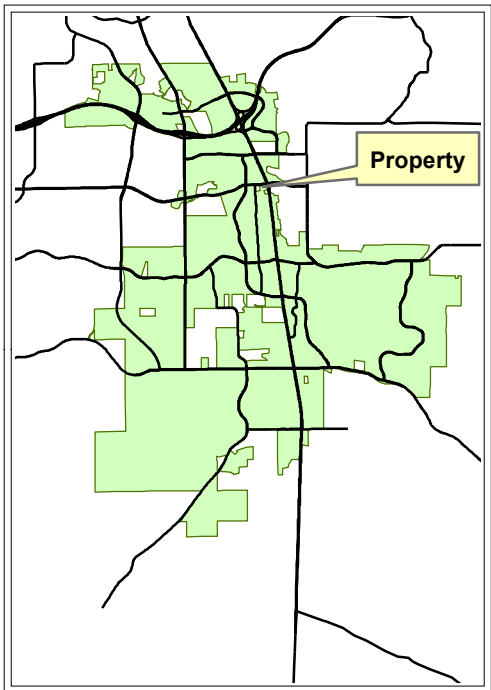
RECOMMENDED MOTION

I move to approve Ordinance No. 2.264 on first reading and to schedule second reading for November 19, 2018, as part of the consent agenda.

I move to approve Ordinance No. 3.338 on first reading and to schedule second reading for November 19, 2018, as part of the consent agenda.

Lincoln Professional Park Annexation

Annexation and Zoning
Case No. ANX18-003 and Z18-017



Legend

-  Site
-  Roads

Narrative:
Proposed annexation of approximately 4.5 acres from Dougals County into the Town of Parker and proposed zoning of 8.07 acres to Modified C-Commercial within the Town of Parker.

Planner: Stacey Nerger
Hearing Schedules:

Planning Commission:
October 25, 2018

Town Council:
November 5, 2018 (1st Reading)
November 19, 2018 (2nd Reading)



ORDINANCE NO. 2.264, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE LINCOLN PROFESSIONAL PARK IN DOUGLAS COUNTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Parker, Colorado, written petition(s) for annexation to and by the Town of Parker, Colorado, of that property described in attached **Exhibit 1** (the “Property”), being contiguous unincorporated territory situated, lying, and being in the County of Douglas, State of Colorado;

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing, as required by law, to determine the eligibility for annexation of the Property; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of the Property, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. The annexation by and to the Town of Parker, State of Colorado, of the Property, situated, lying, and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker, and therefore, the said annexation is hereby approved.

Section 2. More than fifty percent (50%) of the owner(s) of more than fifty percent (50%) of the Property have petitioned for annexation.

Section 3. Rezoning of the Property shall be completed simultaneously with the annexation of the Property, pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker (the “Charter”).

Section 4. Upon the effective date of this Annexation Ordinance, the Property shall become subject to the Municipal Laws of the State of Colorado pertaining to cities and to the Charter, ordinances, resolutions, rules and regulations of the Town of Parker, except general taxation, which shall be effective on and after January 1 of the next succeeding year following the passage of this Annexation Ordinance.

Section 5. The Town Council hereby approves the Annexation Agreement that is attached hereto as **Exhibit 2**, and incorporated by this reference, and authorizes the execution of the Annexation Agreement by the Mayor and Town Clerk.

Section 6. Considering all of the foregoing, and based on the conviction that annexation of the Property to the Town of Parker will serve the best interests of the Town of Parker and the owner(s) of the Property, the Property is hereby annexed to the Town of Parker, Colorado.

Section 7. The Town Clerk shall file for recording three (3) certified copies of the Annexation Ordinance and three (3) certified copies of the Annexation Map for the Property with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 8. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 9. 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 10. This Annexation Ordinance shall become effective ten (10) days after the publication date of this Annexation Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Annexation Ordinance.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

Legal Description
Surveyed Parcel 1 - 11964 N. Dransfeldt Rd.

A parcel of land situated in the NW 1/4 of Section 15, T.6S., R.66W., of the 6th P.M., County of Douglas, State of Colorado, and being more particularly described as follows:

Commencing at the NW Corner of said Section 15;

Thence N89°29'00"E along the North Line of the NW 1/4 of said Section 15, a distance of 840.99 feet;

Thence S00°31'00"E a distance of 100.00 feet to a point on the Southerly R.O.W. Line of Lincoln Avenue and the **Point of Beginning**;

Thence N89°29'00"E along said Southerly R.O.W. Line, a distance of 370.91 feet;

Thence S02°18'55"E a distance of 465.52 feet to the Southwest Corner of a parcel of land described in deed recorded at Reception Number 2007093071);

Thence N84°08'31"E along the Southerly Line of said Parcel, a distance of 340.02 feet to the Northwest Corner of Lot 1B, Parker Professional Park First Amendment (Reception No. 8725509);

Thence along the Westerly Line of said Lot 1B and along a non-tangent curve to the right having a central angle of 00°07'33", a radius of 4841.00 feet, an arc length of 10.64 feet, a chord bearing of S10°46'39"E and a chord distance of 10.64 feet to the Northeast Corner of Lot 1, Block 1, E.T. Technologies Inc. Minor Development Plat (Reception No. 2002093991);

Thence S83°20'55"W along the Northerly Line of said Lot 1, Block 1, E.T. Technologies Inc. Minor Development Plat, a distance of 163.50 feet;

Thence S85°28'16"W along the Northerly Line of said Lot 1, a distance of 573.68 feet to a point on the Easterly R.O.W. Line of Dransfeldt Road;

Thence the Following seven (7) courses along the Easterly R.O.W. Line of Dransfeldt Road:

- 1) Thence N04°31'44"W a distance of 2.80 feet;
- 2) Thence along a curve to the right having a central angle of 02°16'04", a radius of 660.00 feet, an arc length of 26.12 feet, a chord bearing of N02°18'01"W and a chord distance of 26.12 feet;
- 3) Thence N01°12'11"W a distance of 165.71 feet to a point of curve;
- 4) Thence along a curve to the left having a central angle of 03°18'56", a radius of 740.00 feet, an arc length of 43.04 feet, a chord bearing of N02°52'10"W and a chord distance of 43.03 feet;
- 5) Thence N04°32'08"W a distance of 217.83 feet to a point of curve;
- 6) Thence along a curve to the right having a central angle of 93°20'02", a radius of 30.00 feet, an arc length of 48.87 feet, a chord bearing of N42°21'05"E and a chord distance of 43.64 feet;
- 7) Thence N03°34'21"W non-tangent to the last described curve, a distance of 14.86 feet to the **Point of Beginning**

Parcel Contains (196,366 Square Feet) 4.5079 Acres

Date prepared: April 30, 2010

Date of last revision: May 4, 2018

Prepared by: Charles N. Beckstrom, PLS No. 33202

for and on behalf of
Engineering Service Company
14190 East Evans Ave.
Aurora, Colorado 80014
Phone: 303-337-1393
cbeckstrom@engineeringserviceco.com



10/9/2018

EXHIBIT 2

ANNEXATION AGREEMENT LINCOLN PROFESSIONAL PARK PROPERTY

THIS ANNEXATION AGREEMENT (the "Agreement") is voluntarily made and entered into this ____ day of _____, 2018, by and between the Town of Parker, a Colorado home rule municipality (the "Town"), Parker Water and Sanitation District (the "District") (only as to Paragraph 3), and Leila May Peaslee Residuary Trust and Howard R. Peaslee, their successors and assigns (the "Property Owner").

RECITALS:

A. The Property Owner is the owner of certain real property (the "Property") situated in the County of Douglas, State of Colorado, which Property is described in **Exhibit A**, which is attached hereto and incorporated by this reference.

B. The Property Owner desires to have the Property annexed to the Town.

C. The Town wishes to annex the Property into the Town and shall consider the zoning application for the Property upon the condition that this Agreement is approved by the Town and is executed by the Town and the Property Owner.

D. Section 110(2) of the Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, authorizes the Town to impose terms and conditions upon the annexation of the Property, which terms and conditions are set forth in their entirety herein.

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants and promises set forth below, the receipt and sufficiency of which are mutually acknowledged, the Town, the District (only as to Paragraph 3), and the Property Owner hereby agree as follows:

1. Annexation. The annexation of the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, as amended.

2. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by the Property Owner upon the initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Parker Land Development Ordinance and the Parker Municipal Code, as amended.

3. Water and Sewer Services. The parties to this Agreement acknowledge that the Town has no obligation under this Agreement to provide water and sewer service to the Property. The District will provide water and sewer services to the Property if the Property Owner satisfies all requirements of the District, including, but not limited to, the dedication of water resources and/or the payment of fees in lieu thereof, and the construction of water, sewer and wastewater treatment lines and facilities necessary to service the land use proposed for the Property.

4. Zoning and Development.

a. The Property Owner hereby consents to the Town Council of the Town of Parker adopting Ordinance No. 3.338, Series of 2018, zoning the Property "Modified Commercial" which is attached as **Exhibit B** and incorporated by this reference (the "Development Plan"), contemporaneously with the approval of this Agreement. The Property Owner acknowledges and agrees that the zoning of the Property does not include any approval related to the grading of the Property. The Property Owner further acknowledges and agrees that any grading or development of the Property is subject to the requirements contained within the Parker Municipal Code, as amended.

b. Town Fees. The Property Owner hereby agrees to pay the Town the actual cost plus fifteen percent (15%) to defray the administrative and review expenses of the Town, and for engineering, surveying, and legal services rendered in connection with the review of the annexation of the Property, which cost shall be determined by the Town Planning Director. In addition, the Property Owner shall reimburse the Town for the actual cost of making corrections or additions to the official Town Map, with a fee for recording such map, if necessary, and accompanying documents with the County Clerk and Recorder. The Property Owner further agrees to pay all impact fees as established by Town ordinance at the time this Agreement is executed and such additional impact fees as may be in effect at the time of development of the Property (as evidenced by plat approval) so long as said additional impact fees are assessed or adopted Townwide, except as specifically provided by this Agreement. The Town may withhold any plat approval or withhold the issuance of any permits for construction or occupancy for failure to pay Town fees as provided herein. All fees recited in this Agreement shall be subject to amendment by the Town Council by ordinance so long as any amendment is Townwide. Any amendment to the fees shall be incorporated into this Agreement as if originally set forth herein.

5. Open Space. The Property Owner acknowledges and agrees that the Town, as a condition to annexation, requires an open space dedication for any residential development. The Town acknowledges and agrees that if the Property is zoned in the manner described in Paragraph 4 of this Agreement, which does not include any residential uses, then the Property Owner will have no obligation to dedicate Open Space. The Property Owner acknowledges and agrees that the Town may require the dedication of Open Space as a condition to any change in the zoning initiated by the Property Owner, which results in any residential uses on the Property.

6. School Mitigation Plan. The Property Owner acknowledges and agrees that the Town, as a condition to annexation, requires a contribution to the Douglas County School District No. RE-1 (the "School District") for school mitigation (the "School Mitigation Fee") for any residential development. The Town acknowledges and agrees that if the Property is zoned in the manner described in Paragraph 4 of this Agreement, which does not include any residential uses, then the Property Owner will have no obligation to pay a School Mitigation Fee to the School District. The Property Owner acknowledges and agrees that the Town may require the payment of a School Mitigation Fee, as determined by the School District, as a condition to any change in the zoning initiated by the Property Owner, which results in any residential uses on the Property.

7. Deficit Reduction Fee. The Property Owner acknowledges and agrees that the Town, as a condition to annexation, requires a payment of a "Deficit Reduction Fee" to the Town to off-set the impact to the Town's General Fund as the result of the annexation. The Town acknowledges and agrees that if the Property is zoned in the manner described in Paragraph 4 of this Agreement, then the financial impact to the Town will be fiscally neutral, and the Property Owner will not have to pay a Deficit Reduction Fee. The Property Owner further acknowledges and agrees that the Town may impose a deficit reduction fee as a condition to any change in the zoning initiated by the Property Owner, which results in any residential uses on the Property, based upon the method used by the Town for calculating the "Deficit Reduction Fee" at the time such change in zoning is initiated by the Property Owner, as described herein.

8. Preliminary Site Plan. The Property will submit a preliminary site plan for the Property as provided by Chapter 13.16 of the Parker Municipal Code, which preliminary site plan shall be reviewed and approved prior the first final plat for the Property.

9. Roads Improvements to be Designed, Constructed and/or Paid for by the Property Owner. The Property Owner shall design and construct, at its sole expense, the following road improvements, in accordance with Town standards, except as otherwise provided in this Paragraph:

a. Dransfeldt Road. The Property Owner shall design and construct, at its sole expense, all auxiliary lane modifications and additional lanes to Dransfeldt Road as a major collector, which is defined in the Town of Parker Roadway Design and Construction Manual ("Roadway Manual"), and associated intersection improvements, in accordance with the Roadway Manual and the Town approved Traffic Study for the Property, prior to any certificates of occupancy for the Property, temporary or otherwise.

b. Lincoln Avenue. The Property Owner shall design and construct, at its sole expense, all auxiliary lane modifications to Lincoln Avenue as an arterial roadway, which is defined in the Roadway Manual, and associated intersection improvements, in accordance with the Roadway Manual and the Town approved Traffic Study for the Property, prior to any certificates of occupancy for the Property, temporary or otherwise.

c. Lincoln Avenue Sidewalk. The Property Owner shall design and construct an eight-foot wide detached sidewalk on the south side of Lincoln Avenue from Dransfeldt Road to the east property line and shall design and construct a taper to connect this eight-foot-wide sidewalk to the existing five-foot-wide sidewalk on the adjacent property located on the east side of the property line, according the arterial roadway typical section contained in the Roadway Manual, prior to any certificates of occupancy for the Property, temporary or otherwise.

10. Land Dedication. The Property Owner, shall either dedicate on a plat or otherwise convey to the Town, as applicable, by special warranty deed, free and clear of all liens and encumbrances, the following real property:

a. Dransfeldt Road. The real property to construct the improvements to Dransfeldt Road as described in Paragraph 10.a. of this Agreement, at the time of the first final plat for the Property.

b. Lincoln Avenue. The real property to construct the improvements to Lincoln Avenue Road as described in Paragraph 10.b. of this Agreement, at the time of the first final plat for the Property.

c. Future Lincoln Avenue Lane. The real property located between Dransfeldt Road and the Property's right-in/right-out access point on Lincoln Avenue, to construct an additional eastbound acceleration/deceleration on Lincoln Avenue, at the time of the first final plat for the Property.

d. Lincoln Avenue Sidewalk. The real property to construct the improvements to the Lincoln Avenue sidewalk as described in Paragraph 10.c. of this Agreement, at the time of the first final plat for the Property.

e. Public Access Easements. The Property Owner shall dedicate public access easements through the Property connecting adjacent properties (south and east) to the access points that are allowed by the Town on the Property for access to Dransfeldt Road and Lincoln Avenue, at the time of the first final plat for the Property.

11. Permitted Development. The Property Owner shall develop the Property in accordance with this Agreement, Town ordinances and regulations, and applicable state and federal law and regulations. The Town shall allow and permit the development of the Property upon submission of proper application and payment of fees imposed by Town ordinances and regulations.

12. Property Owner. The Property Owner is entering into this Agreement and is undertaking the obligations imposed upon the Property Owner herein in reliance upon the Town's concurrent adoption of the ordinance described in Paragraph 4.a. of this Agreement. Performance of the Property Owner's obligations hereunder is expressly conditioned upon the Town's adoption of the ordinance described in Paragraph 4.a. of this Agreement. If the Town fails to adopt the ordinance described in Paragraph 4.a. of this Agreement, then this Agreement shall not go into effect and the Original Annexation Agreement shall remain in full force and effect.

13. Waiver of Prior Vested Rights. The Property Owner waives any prior vested property rights acquired in Douglas County so long as the Property remains annexed into the Town. The Property Owner acknowledges and agrees that the vesting of property rights in the Town is governed by Section 13.01.110 of the Parker Municipal Code, as amended.

14. Remedies. The Property Owner's remedies against the Town for the Town's breach of this Agreement are limited to breach of contract claims. The Town's remedies under this Agreement include, but are not limited to, the following:

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.

d. Any other remedy available at law.

15. Authority of the Town. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its inhabitants; nor shall this Agreement prohibit the enactment by the Town of any fee that is of uniform or general application.

16. Termination. If Ordinance No. 3.338, Series of 2018, is not approved as provided by Paragraph 4.a. of this Agreement, or this Agreement is not approved by the Town Council, then this Agreement shall be null and void and of no force and effect whatsoever, and any monies paid will be reimbursed to the Property Owner.

17. Binding Effect. This Agreement, when executed, shall inure to the benefit of and be binding upon the successors or assigns in interest or the legal representatives of the parties hereto, including all the purchasers and subsequent owners of any lots or parcels within the Property. This Agreement constitutes the entire agreement of the parties and may be amended only in writing, approved in substantially the same manner as the Agreement itself. This Agreement is binding upon and shall run with the land.

18. Recordation of Agreement. This Agreement shall be recorded with the Clerk and Recorder of Douglas County, Colorado, upon the effective date of Ordinance No. 3. 338, Series of 2018, as described in Paragraph 4.a. of this Agreement.

19. No Third-Party Beneficiaries. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the parties hereto, their successors and assigns, and nothing contained in this Agreement shall give or allow any claim or right of action by any other or third person under this Agreement. It is the express intention of the parties that any person other than the parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

20. 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, and 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.

21. 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.

22. 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 on 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.

To the Town: Director of Engineering/Public Works
Town of Parker
20120 East Mainstreet
Parker, Colorado 80138

To the Property Owner: Leila May Peaslee Residuary Trust, and Howard R. Peaslee
Attn: Tom Kaufman, Executive Director
1528 Wazee
Denver, CO 80202
Phone 303.669.8118
tkaufman@antonoff.com

With Notice to: Leila May Peaslee Residuary Trust, and Howard R. Peaslee
Attn: EVC Parker, LLC
3501 SW Fairlawn Rd., Suite 200
Topeka, KS 66614
Phone 785.272.1398
lsPELLmeier@equityventurescd.com

23. Effective Date. This Agreement shall be effective and binding upon the parties immediately upon the effective date of Ordinance No. 3. 338, Series of 2018, as described in Paragraph 4.a. of this Agreement.

24. Recitals. The recitals to this Agreement are incorporated herein by this reference.

25. 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 Property Owner and the Town acting pursuant to Town Council authorization.

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

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM AND SUFFICIENCY:

James S. Maloney, Town Attorney

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

**PROPERTY OWNER: LEILA MAY
PEASLEE RESIDUARY TRUST**

_____, _____ (name/title)

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2018, by _____, as _____ of the Leila May Peaslee
Residuary Trust.

My commission expires: _____.

SEAL

Notary Public

PROPERTY OWNER: HOWARD R. PEASLEE

_____, _____ (name/title)

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2018, by Howard R. Peaslee.

My commission expires: _____.

SEAL

Notary Public

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

**PARKER WATER AND SANITATION
DISTRICT**
(AS TO PARAGRAPH #3 ONLY)

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

Maleia Good

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

CONSENT AND SUBORDINATION OF LENDER

_____, as the beneficiary of a deed of trust that is secured against the real property described in Exhibit A (the "Property") and recorded on _____, 20____, at Reception No. _____ of the Douglas County Clerk and Recorder's Office (the "Deed of Trust"), hereby consents to this Annexation 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 Property are subject to and subordinate to this Annexation Agreement. In the event of a foreclosure of the Deed of Trust and the sale of the Property that is the subject to the Deed of Trust pursuant to such foreclosure, the rights of the Town of Parker acquired by virtue of this Annexation Agreement shall not be affected thereby.

LENDER:

By: _____

[Please print name and title on line↑]

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by _____, as _____ of _____.

My commission expires: _____.

SEAL

Notary Public

EXHIBIT LIST

- | | |
|-----------|---|
| Exhibit A | Legal Description of the Property |
| Exhibit B | Modified Commercial Zoning for the Property |

EXHIBIT A

Legal Description Surveyed Parcel 1 - 11964 N. Dransfeldt Rd.

A parcel of land situated in the NW 1/4 of Section 15, T.6S., R.66W., of the 6th P.M., County of Douglas, State of Colorado, and being more particularly described as follows:

Commencing at the NW Corner of said Section 15;

Thence N89°29'00"E along the North Line of the NW 1/4 of said Section 15, a distance of 840.99 feet;

Thence S00°31'00"E a distance of 100.00 feet to a point on the Southerly R.O.W. Line of Lincoln Avenue and the **Point of Beginning**;

Thence N89°29'00"E along said Southerly R.O.W. Line, a distance of 370.91 feet;

Thence S02°18'55"E a distance of 465.52 feet to the Southwest Corner of a parcel of land described in deed recorded at Reception Number 2007093071);

Thence N84°08'31"E along the Southerly Line of said Parcel, a distance of 340.02 feet to the Northwest Corner of Lot 1B, Parker Professional Park First Amendment (Reception No. 8725509);

Thence along the Westerly Line of said Lot 1B and along a non-tangent curve to the right having a central angle of 00°07'33", a radius of 4841.00 feet, an arc length of 10.64 feet, a chord bearing of S10°46'39"E and a chord distance of 10.64 feet to the Northeast Corner of Lot 1, Block 1, E.T. Technologies Inc. Minor Development Plat (Reception No. 2002093991);

Thence S83°20'55"W along the Northerly Line of said Lot 1, Block 1, E.T. Technologies Inc. Minor Development Plat, a distance of 163.50 feet;

Thence S85°28'16"W along the Northerly Line of said Lot 1, a distance of 573.68 feet to a point on the Easterly R.O.W. Line of Dransfeldt Road;

Thence the Following seven (7) courses along the Easterly R.O.W. Line of Dransfeldt Road:

- 1) Thence N04°31'44"W a distance of 2.80 feet;
- 2) Thence along a curve to the right having a central angle of 02°16'04", a radius of 660.00 feet, an arc length of 26.12 feet, a chord bearing of N02°18'01"W and a chord distance of 26.12 feet;
- 3) Thence N01°12'11"W a distance of 165.71 feet to a point of curve;
- 4) Thence along a curve to the left having a central angle of 03°19'56", a radius of 740.00 feet, an arc length of 43.04 feet, a chord bearing of N02°52'10"W and a chord distance of 43.03 feet;
- 5) Thence N04°32'08"W a distance of 217.83 feet to a point of curve;
- 6) Thence along a curve to the right having a central angle of 93°20'02", a radius of 30.00 feet, an arc length of 48.87 feet, a chord bearing of N42°21'05"E and a chord distance of 43.64 feet;
- 7) Thence N03°34'21"W non-tangent to the last described curve, a distance of 14.86 feet to the **Point of Beginning**

Parcel Contains (196,366 Square Feet) 4.5079 Acres

Date prepared: April 30, 2018

Date of last revision: May 4, 2018

Prepared by: Charles N. Beckstrom, PLS No. 33202

for and on behalf of
Engineering Service Company
14190 East Evans Ave.
Aurora, Colorado 80014
Phone: 303-337-1393
beckstrom@engineeringserviceco.com



EXHIBIT B
MODIFIED COMMERCIAL ZONING

A. Intent

Places for conducting any commercial, wholesale or service activities, not of an industrial nature.

B. Compliance

All developments within this Modified Commercial zoning district must comply with the requirements specified in Section 13.06 of the Town's Land Development Ordinance, as amended.

C. Definitions

1. Small engine motorized equipment: A small-displacement, single cylinder or twin cylinder four stroke/cycle, low-powered internal combustion engine used to power lawn mowers, generators, concrete mixers, snow blowers, string trimmers, utility vehicles (UTV's), and many other machines that require independent power sources.

D. Uses Permitted by Right

1. Any nonresidential uses by right permitted in B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended. Places of worship, church schools, hospitals, nursing homes, convalescent care facilities, public or private parking lots or caretaker residences and any use within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended, that is not specifically described in this exhibit shall be prohibited in this district.
2. Auto parts stores
3. Bakeries—wholesale and retail
4. Brewery/distillery
5. Convenience stores with gasoline pumps
6. Contractor's offices only, no storage of equipment or trailers
7. Eating and drinking establishments, without Drive-Thru Lanes
8. Packaging and Shipping Store
9. Photocopy reproduction
10. Printing and publishing
11. Radio and television offices and studios
12. Shopping Centers

E. Uses Permitted by Special Review

1. Any use by special review permitted in the B-Business zoning districts as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended, which are not specifically prohibited as listed under Section C of this Exhibit B, are allowed as a use by special review.
2. Auto and truck repairs.

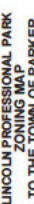
3. Car sales, new and used.
4. Drive-Thru Uses (drive-thru lanes are prohibited to be located between the public right-of-way and the primary structure.)
5. Accessory Uses
6. Indoor small engine motorized equipment sales – Not to exceed 25% of the total building area
6. Indoor small engine motorized equipment repair – Not to exceed 10% of the total building area
8. Motor vehicles and motorized equipment: sales, leasing, rental servicing and repair as an accessory activity.
9. Veterinary clinics and hospitals.
10. Caretaker residences.
11. Outdoor flea markets.
12. Observation kennels and pet day care.
13. Outdoor dog training.
14. Outdoor commercial display shall meet all of the minimum requirements contained in Subparagraphs a. through j. below:
 - a. Outdoor commercial display is defined as any items, goods or seasonal merchandise directly related to the commercial use conducted inside the principal building, which items, goods or merchandise are permanently displayed outside of the principal building for the purposes of sale to the general public at retail.
 - b. This Section shall not be in conflict with or used to circumvent the requirements of [Section 13.04.210](#) of the Parker Municipal Code.
 - c. Outdoor commercial display shall only be considered as part of an approved site plan, to be reviewed in accordance with [Chapter 13.06](#) of the Parker Municipal Code.
 - d. Outdoor commercial display shall occur within fifteen (15) feet of the exterior walls of the principal building and shall not comprise more than three percent (3%) of the building footprint of the principal building, as shown on the approved site plan.
 - e. Outdoor commercial display areas shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property. Colored and/or stamped concrete paving, brick pavers or concrete pavers are acceptable. Painted stripes will not be acceptable. No outdoor commercial display will be permitted outside of the delineated display area.
 - f. Outdoor commercial display activities shall be conducted so as to assure that the sidewalk or entrance into the principal building is not obstructed and that a minimum width of eight (8) feet shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.
 - g. The use of semi-trailers or temporary buildings shall not be permitted.
 - h. All signage shall comply with [Chapter 13.09](#) of the Parker Municipal Code.
 - i. Outdoor commercial display shall not be located within the parking area for the principal building as shown on an approved site plan.

- j. This Section shall not be in conflict with federal, state or local governmental requirements, including, but not limited to, the International Building Code, Department of Health or Fire District standards.
16. Outdoor sales/garden areas (shall be fully enclosed)

F. Minimum area and yard requirements.

1. Lot width, seventy-five (75) feet.
2. Front yard, minimum twenty-five(25) feet, except as follows:
Convenience Stores and other permitted drive-through/auto oriented uses adjacent to Dransfeldt Road and Lincoln Avenue: the front setback, and at least one (1) side yard setback shall be considered a 'build-to' lines and at least thirty percent (30%) of the building footprint area must be within forty feet of the setback line. The intent of this provision is to ensure that buildings which front the aforementioned streets by their placement on site act to screen the parking areas from view and create an activated building edge along these public streets.
3. Side yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
4. Rear yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
5. Maximum building heights, fifty-five (55) feet.

ZONING MAP TO THE TOWN OF PARKER
A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W. OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO



ESC
ENGINEERING
SERVICE

COMPANY

One Six Sevens Drive 184
NO. 810 100 100

P 303 337 363
P 303 337 7421
T 91 1 877 273 0099

11/17/20	6000.000	2018-04-30	2018-09-26	2.00
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100

CURVE DATA	RAJUS	12.4000	3.000000	CONJUNCTION
C1	10° 37'	641.16	6.64	6.64
C2	12° 16.6'	688.16	26.32	26.32
C3	12° 19.9'	4.16	43.64	43.63
C4	12° 26.2'	26.08	46.8	46.84

LINE	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1.1	1000000	1.00	1000000.00	1000000.00
1.2	1000000	1.00	1000000.00	1000000.00
1.3	1000000	1.00	1000000.00	1000000.00

CURVE DATA	RAJUS	12.4000	3.000000	CONJUNCTION
C1	10° 37'	641.16	6.64	6.64
C2	12° 16.6'	688.16	26.32	26.32
C3	12° 19.9'	4.16	43.64	43.63
C4	12° 26.2'	26.08	46.8	46.84

LINCOLN PROFESSIONAL PARK

ANNEXATION MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W. OF THE 6TH P.M.
COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 1 OF 2

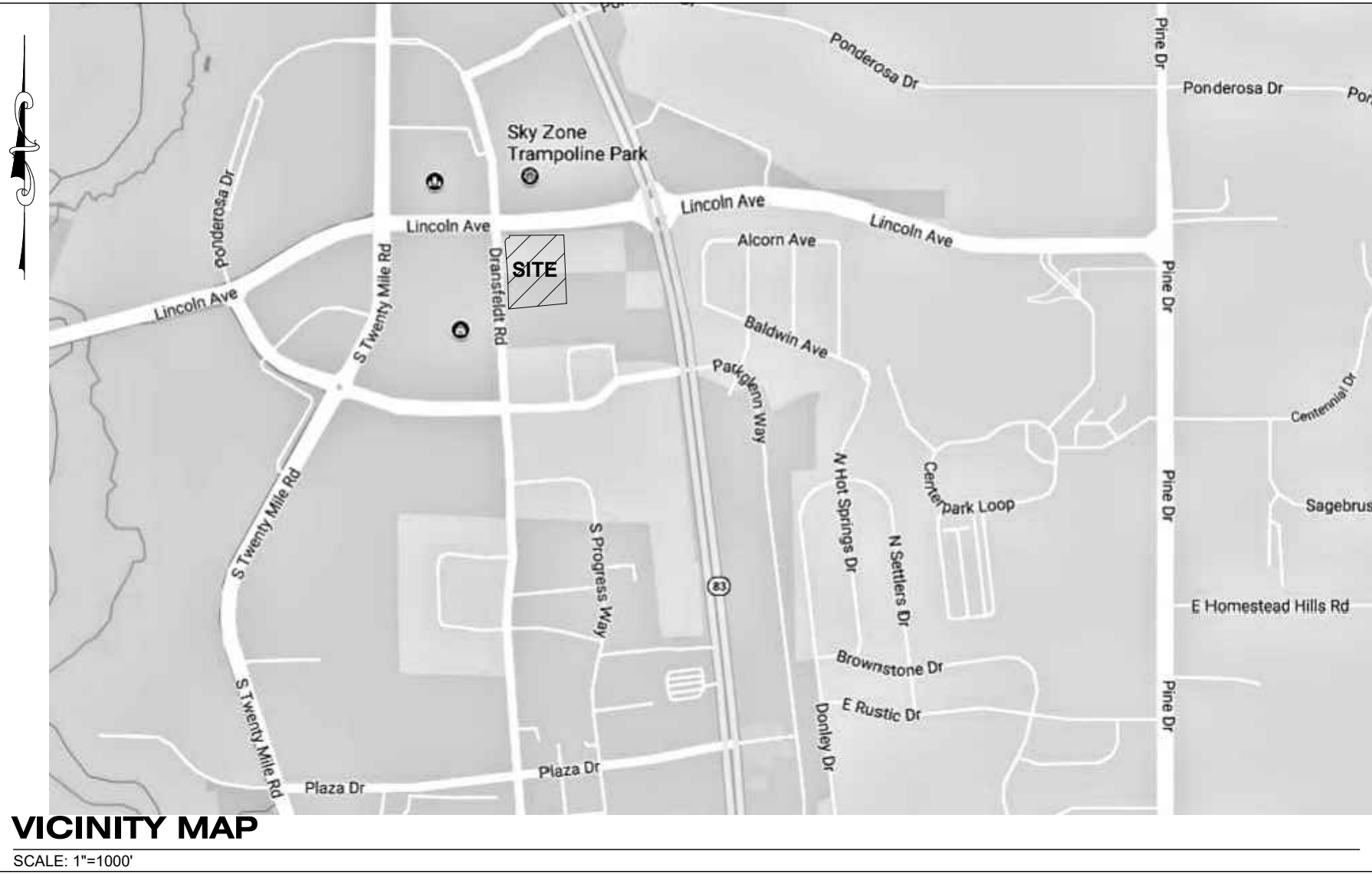
LEGAL DESCRIPTION

PARCEL 1 (11964 N. DRANSFELDT RD.)
A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS,
STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°31'00"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE AND
THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 370.91 FEET;
THENCE S02°18'55"E A DISTANCE OF 485.52 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN
DEED RECORDED AT RECEPTION NUMBER 2007093071;
THENCE N84°08'31"E ALONG THE SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 340.02 FEET TO THE NORTHWEST
CORNER OF LOT 1B, PARKER PROFESSIONAL PARK FIRST AMENDMENT (RECEPTION NO. 8725509);
THENCE ALONG THE WESTERLY LINE OF SAID LOT 1B AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A
CENTRAL ANGLE OF 00°07'33", A RADIUS OF 4841.00 FEET, AN ARC LENGTH OF 10.64 FEET, A CHORD BEARING OF
S10°46'39"E AND A CHORD DISTANCE OF 10.64 FEET TO THE NORTHEAST CORNER OF
LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT (RECEPTION NO. 2002093991);
THENCE S89°20'55"W ALONG THE NORTHERLY LINE OF SAID LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR
DEVELOPMENT PLAT, A DISTANCE OF 163.50 FEET;
THENCE S89°28'16"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 573.68 FEET TO A POINT ON THE
EASTERLY R.O.W. LINE OF DRANSFELDT ROAD;
THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD:

- 1) THENCE N04°31'44"W A DISTANCE OF 2.80 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°16'04", A RADIUS OF 660.00 FEET, AN ARC
LENGTH OF 26.12 FEET, A CHORD BEARING OF N02°18'01"W AND A CHORD DISTANCE OF 26.12 FEET;
- 3) THENCE N01°12'11"W A DISTANCE OF 165.71 FEET TO A POINT OF CURVE;
- 4) THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°19'56", A RADIUS OF 740.00 FEET, AN ARC
LENGTH OF 43.04 FEET, A CHORD BEARING OF N02°52'10"W AND A CHORD DISTANCE OF 43.03 FEET;
- 5) THENCE N04°32'08"W A DISTANCE OF 217.83 FEET TO A POINT OF CURVE;
- 6) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°20'02", A RADIUS OF 30.00 FEET, AN ARC
LENGTH OF 48.87 FEET, A CHORD BEARING OF N42°21'05"E AND A CHORD DISTANCE OF 43.64 FEET;
- 7) THENCE N03°34'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 14.86 FEET TO THE POINT OF
BEGINNING

PARCEL CONTAINS (196,366 SQUARE FEET) 4.5079 ACRES.



PROFESSIONAL LAND SURVEYOR CERTIFICATION

I, CHARLES N. BECKSTROM, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY
CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY
KNOWLEDGE AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF
PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE
PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.

CHARLES N. BECKSTROM DATE
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR No. 33202



TOWN COUNCIL CERTIFICATE

ACCEPTED BY THE PARKER TOWN COUNCIL THIS ____ DAY OF ____, 2018.

MAYOR, TOWN OF PARKER

ATTEST:

TOWN CLERK

CLERK AND RECORDER CERTIFICATION

STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON THIS ____ DAY OF ____, 20__ A.D., AT
____ A.M./P.M., AND WAS RECORDED AT RECEPTION NUMBER ____.

COUNTY CLERK AND RECORDER

SUMMARY TABLE:

TOTAL ANNEXATION AREA	196,366 SQUARE FEET (4.5079 ACRES)
TOTAL ANNEXATION PERIMETER	2,443.50 FEET
ANNEXATION PERIMETER CONTIGUOUS TO PRESENT TOWN OF PARKER	2,443.50 FEET (100.00%)

GENERAL NOTES

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH
PRINCIPAL MERIDIAN BEARING N89°29'00"E BOUNDED BY THE MONUMENTS SHOWN HEREON AND BASED ON THE COLORADO
CENTRAL ZONE STATE PLANE COORDINATE SYSTEM NAD 83.
2. BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE
THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO.
0803500267G WITH A REVISED DATE OF MARCH 16, 2016. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED
TO DETERMINE THIS INFORMATION.
3. DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS
DEFINED AS EXACTLY 1200/3937 METERS.

PROJECT CONTACTS

DEVELOPER
EQUITY VENTURES COMMERCIAL DEVELOPMENT, LLC
3501 SW FAIRLAWN RD, SUITE 200
TOPEKA, KS 66614
CONTACT: KEVIN BECK
PHONE: (765) 272-1398

OWNER
HOWARD R. PEASLEE
LEILA MAY PEASLEE RESIDUARY TRUST
12470 LONESOME PINE TRAIL
ELBERT, CO 80106
CONTACT: HOWARD R. PEASLEE, OWNER; AND STEVEN SAWYER, TRUSTEE

ENGINEERING AND SURVEYING
ENGINEERING SERVICE COMPANY OF COLORADO, INC.
14190 EAST EVANS AVENUE
AURORA, COLORADO 80014
CONTACT: JOEL D. TOMPKINS, P.E.
PHONE: (303) 337-1393

PLAN LIST:
COVER SHEET 1
ANNEXATION PLAT PLAN 2

**LINCOLN PROFESSIONAL PARK
ANNEXATION MAP
TO THE TOWN OF PARKER**

	ESC ENGINEERING SERVICE COMPANY	14190 East Evans Avenue Aurora, Colorado 80014 engineeringserviceco.com P 303.337.1393 F 303.337.1481 T/F 1.877.273.0659		
	Creative Solutions Since 1954 CIVIL ENGINEERS LAND SURVEYORS			
Survey No. 17173-S	Project No. 698.003	Date 2018-04-30	Revised 2018-06-26	Sheet 1 OF 2

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15
T.6S., R.66W. OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

This survey map illustrates the proposed annexation of a large area, primarily bounded by Lincoln Avenue to the north and Dransfeldt Road to the west. The central area is designated as 'AREA TO BE ANNEXED' and consists of 'UNPLATTED PARCEL 1' (196,366 square feet, 4.5079 acres) and 'UNPLATTED PARCEL 2' (192,533 square feet, 4.4200 acres). The map also shows existing annexations, including 'EXISTING ANNEXATION ORDINANCE 2.137 ET TECHNOLOGIES PHASE I ANNEXATION' and 'EXISTING ANNEXATION ORDINANCE 2.138 ET TECHNOLOGIES PHASE II ANNEXATION'. Surrounding parcels include 'LOT 1, BLOCK 1 PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT' (owned by Bogomilsky Family, LLC and Bernard B. & Rosemarie A Mirkin Family Trust ET. AL.), 'LOT 1 PEASLEE SUBDIVISION FILING NO. 2 MINOR DEVELOPMENT' (owned by Keo, LLC), and 'LOT 1B PARKER PROFESSIONAL PARK FIRST AMENDMENT' (owned by John & Pamela Spradlin). The map includes bearings and distances for all boundary lines, as well as markers for 'POINT OF BEGINNING', 'C1', 'C2', 'C3', 'C4', 'L1', 'L2', and 'L3'. A north arrow and a scale bar (1" = 40') are provided in the bottom left corner. A table in the bottom left corner lists the lengths of the boundary lines.

TABLE

LINE	LENGTH
1	2.87'
2	14.88'

TABLE

LINE	LENGTH	CHD BEARING	CHD LENGTH
1	10.64'	S10°46'39"E	10.64'

LEGEND	
	PLAT BOUNDARY LINE
	ADJACENT LOT/PARCEL LINES
	INTERIOR LOT/PARCEL LINES
	RIGHT-OF-WAY
	LAND SURVEYOR NUMBER
	AS MEASURED
	BY DEED
	SECTION CORNER
	FOUND PINS
	ANNEXATION CONTIGUOUS TO PRESENT TOWN OF PARKER

LINE DATA TABLE		
COURSE	BEARING	LENGTH
L1	N04°31'44"W	2.80'
L2	N03°34'21"W	14.86'

CURVE DATA TABLE					
COURSE	DELTA	RADIUS	LENGTH	Chd BEARING	Chd LENGTH
C1	00°07'33"	4841.00'	10.84'	S10°46'39"E	10.64'
C2	02°18'04"	660.00'	26.12'	N02°18'01"W	26.12'
C3	03°19'56"	740.00'	43.04'	N02°18'01"W	43.03'
C4	93°20'02"	30.00'	48.87'	N42°21'05"E	43.64'

LINCOLN PROFESSIONAL PARK ANNEXATION MAP TO THE TOWN OF PARKER



ORDINANCE NO. 3.338, Series of 2018

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE LINCOLN PROFESSIONAL PARK PROPERTY TO MODIFIED COMMERCIAL DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Finding of Fact.

a. Application has been made for zoning certain property described in attached **Exhibit 1**, within the Town of Parker, Colorado, as Modified Commercial District, pursuant to the Town of Parker Land Development Ordinance (the "Property").

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.

d. The requirements contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for zoning the Property to Modified Commercial District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby zoned Modified Commercial District, as described in **Exhibit 2**, which is attached hereto and incorporated by this reference.

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description Dransfeldt & Lincoln Re-Zoning

A parcel of land situated in the NW 1/4 of Section 15, T.6S., R.66W., of the 6th P.M., County of Douglas, State of Colorado, and being more particularly described as follows:

Commencing at the NW Corner of said Section 15;

Thence N89°29'00"E along the North Line of the NW 1/4 of said Section 15, a distance of 840.99 feet;

Thence S00°31'00"E a distance of 100.00 feet to a point on the Southerly R.O.W. Line of Lincoln Avenue and the **Point of Beginning**;

Thence N89°29'00"E along said Southerly R.O.W. Line, a distance of 697.61 feet;

Thence S00°25'42"E along the Westerly Line of Lot 1, Block 1, Peaslee Subdivision Filing No. 1 Minor Development (Rec. No. 99104313), a distance of 89.98 feet;

Thence S11°52'30"E along the Westerly Line of Lot 1, Block 1, Peaslee Subdivision Filing No. 1 Minor Development, a distance of 225.04 feet;

Thence S05°50'07"E along the Westerly Line of Lot 1, Peaslee Subdivision Filing No. 2 Minor Development (Rec. No. 2005085666), a distance of 120.83 feet to a point on the North Line of Lot 1B, Parker Professional Park First Amendment (Rec. No. 8725509);

Thence S84°08'31"W along said North Line of Lot 1B, a distance of 29.05 to the Northwest Corner of said Lot 1B;

Thence along the Westerly Line of said Lot 1B and along a non-tangent curve to the right having a central angle of 00°07'33", a radius of 4841.00 feet, an arc length of 10.64 feet, a chord bearing of S10°46'39"E and a chord distance of 10.64 feet to the Northeast Corner of Lot 1, Block 1, E.T. Technologies Inc. Minor Development Plat (Reception No. 2002093991);

Thence S83°20'55"W along the Northerly Line of said Lot 1, a distance of 163.50 feet;

Thence S85°28'16"W along the Northerly Line of said Lot 1, a distance of 573.68 feet to a point on the Easterly R.O.W. Line of Dransfeldt Road;

Thence the Following seven (7) courses along the Easterly R.O.W. Line of Dransfeldt Road:

- 1) Thence N04°31'44"W a distance of 2.80 feet to a point of curve;
- 2) Thence along a curve to the right having a central angle of 02°16'04", a radius of 660.00 feet, an arc length of 26.12 feet, a chord bearing of N02°18'01"W and a chord distance of 26.12 feet;
- 3) Thence N01°12'11"W a distance of 165.71 feet to a point of curve;
- 4) Thence along a curve to the left having a central angle of 03°19'56", a radius of 740.00 feet, an arc length of 43.04 feet, a chord bearing of N02°52'10"W and a chord distance of 43.03 feet;
- 5) Thence N04°32'08"W a distance of 217.83 feet to a point of curve;
- 6) Thence along a curve to the right having a central angle of 93°20'02", a radius of 30.00 feet, an arc length of 48.87 feet, a chord bearing of N42°21'05"E and a chord distance of 43.64 feet;
- 7) Thence N03°34'21"W non-tangent to the last described curve, a distance of 14.86 feet to the **Point of Beginning**

Parcel Contains (351,407 Square Feet) 8.0672 Acres

Date prepared: April 30, 2018

Date of last revision: May 4, 2018

Prepared by: Charles N. Beckstrom, PLS No. 33202

for and on behalf of

Engineering Service Company

14190 East Evans Ave.

Aurora, Colorado 80014

Phone: 303-337-1393

cbeckstrom@engineeringserviceco.com



EXHIBIT 2

MODIFIED COMMERCIAL ZONING

A. Intent

Places for conducting any commercial, wholesale or service activities, not of an industrial nature.

B. Compliance

All developments within this Modified Commercial zoning district must comply with the requirements specified in Section 13.06 of the Town's Land Development Ordinance, as amended.

C. Definitions

1. Small engine motorized equipment: A small-displacement, single cylinder or twin cylinder four stroke/cycle, low-powered internal combustion engine used to power lawn mowers, generators, concrete mixers, snow blowers, string trimmers, utility vehicles (UTV's), and many other machines that require independent power sources.

D. Uses Permitted by Right

1. Any nonresidential uses by right permitted in B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended. Places of worship, church schools, hospitals, nursing homes, convalescent care facilities, public or private parking lots or caretaker residences and any use within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended, that is not specifically described in this exhibit shall be prohibited in this district.
2. Auto parts stores
3. Bakeries—wholesale and retail
4. Brewery/distillery
5. Convenience stores with gasoline pumps
6. Contractor's offices only, no storage of equipment or trailers
7. Eating and drinking establishments, without Drive-Thru Lanes
8. Packaging and Shipping Store
9. Photocopy reproduction
10. Printing and publishing
11. Radio and television offices and studios
12. Shopping Centers

E. Uses Permitted by Special Review

1. Any use by special review permitted in the B-Business zoning districts as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended, which are not specifically prohibited as listed under Section C of this Exhibit B, are allowed as a use by special review.
2. Auto and truck repairs.

3. Car sales, new and used.
4. Drive-Thru Uses (drive-thru lanes are prohibited to be located between the public right-of-way and the primary structure.)
5. Accessory Uses
6. Indoor small engine motorized equipment sales – Not to exceed 25% of the total building area
6. Indoor small engine motorized equipment repair – Not to exceed 10% of the total building area
8. Motor vehicles and motorized equipment: sales, leasing, rental servicing and repair as an accessory activity.
9. Veterinary clinics and hospitals.
10. Caretaker residences.
11. Outdoor flea markets.
12. Observation kennels and pet day care.
13. Outdoor dog training.
14. Outdoor commercial display shall meet all of the minimum requirements contained in Subparagraphs a. through j. below:
 - a. Outdoor commercial display is defined as any items, goods or seasonal merchandise directly related to the commercial use conducted inside the principal building, which items, goods or merchandise are permanently displayed outside of the principal building for the purposes of sale to the general public at retail.
 - b. This Section shall not be in conflict with or used to circumvent the requirements of [Section 13.04.210](#) of the Parker Municipal Code.
 - c. Outdoor commercial display shall only be considered as part of an approved site plan, to be reviewed in accordance with [Chapter 13.06](#) of the Parker Municipal Code.
 - d. Outdoor commercial display shall occur within fifteen (15) feet of the exterior walls of the principal building and shall not comprise more than three percent (3%) of the building footprint of the principal building, as shown on the approved site plan.
 - e. Outdoor commercial display areas shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property. Colored and/or stamped concrete paving, brick pavers or concrete pavers are acceptable. Painted stripes will not be acceptable. No outdoor commercial display will be permitted outside of the delineated display area.
 - f. Outdoor commercial display activities shall be conducted so as to assure that the sidewalk or entrance into the principal building is not obstructed and that a minimum width of eight (8) feet shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.
 - g. The use of semi-trailers or temporary buildings shall not be permitted.
 - h. All signage shall comply with [Chapter 13.09](#) of the Parker Municipal Code.
 - i. Outdoor commercial display shall not be located within the parking area for the principal building as shown on an approved site plan.

- j. This Section shall not be in conflict with federal, state or local governmental requirements, including, but not limited to, the International Building Code, Department of Health or Fire District standards.
16. Outdoor sales/garden areas (shall be fully enclosed)

F. Minimum area and yard requirements.

1. Lot width, seventy-five (75) feet.
2. Front yard, minimum twenty-five(25) feet, except as follows:
Convenience Stores and other permitted drive-through/auto oriented uses adjacent to Dransfeldt Road and Lincoln Avenue: the front setback, and at least one (1) side yard setback shall be considered a 'build-to' lines and at least thirty percent (30%) of the building footprint area must be within forty feet of the setback line. The intent of this provision is to ensure that buildings which front the aforementioned streets by their placement on site act to screen the parking areas from view and create an activated building edge along these public streets.
3. Side yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
4. Rear yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
5. Maximum building heights, fifty-five (55) feet.

LINCOLN PROFESSIONAL PARK

ZONING MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W., OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 1 OF 2
COVER SHEET

LEGAL DESCRIPTION

OVERALL REZONING BOUNDARY

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS,
STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE TO
THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 697.61 FEET;
THENCE S00°25'42"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR
DEVELOPMENT PLAT (REC. NO. 99104313), A DISTANCE OF 89.98 FEET;
THENCE S11°52'30"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR
DEVELOPMENT PLAT, A DISTANCE OF 225.04 FEET;
THENCE S05°50'07"E ALONG THE WESTERLY LINE OF LOT 1, PEASLEE SUBDIVISION FILING NO. 2 MINOR DEVELOPMENT
PLAT (REC. NO. 2005085666), A DISTANCE OF 120.83 FEET TO A POINT ON THE NORTH LINE OF LOT 1B, PARKER
PROFESSIONAL PARK FIRST AMENDMENT (REC. NO. 8725509);
THENCE S84°08'31"W ALONG THE NORTHERLY LINE OF SAID LOT 1B, A DISTANCE OF 29.05 FEET TO THE NORTHWEST
CORNER OF SAID LOT 1B;
THENCE ALONG THE WESTERLY LINE OF SAID LOT 1B AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A
CENTRAL ANGLE OF 0°0'7"33", A RADIUS OF 4841.00 FEET, AN ARC LENGTH OF 10.64 FEET, A CHORD BEARING
OF S10°46'39"E AND A CHORD DISTANCE OF 10.64 FEET TO THE NORTHEAST CORNER OF
LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT (RECEPTION NO. 2002093991);
THENCE S83°20'55"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 163.50 FEET;
THENCE S85°28'16"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 573.68 FEET TO A POINT ON THE
EASTERLY R.O.W. LINE OF DRANSFELDT ROAD;
THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD:

- 1) THENCE N04°31'44"W A DISTANCE OF 2.80 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°16'04", A RADIUS OF 660.00 FEET, AN
ARC LENGTH OF 26.12 FEET, A CHORD BEARING OF N02°18'01"W AND A CHORD DISTANCE OF 26.12 FEET;
- 3) THENCE N01°12'11"W A DISTANCE OF 165.71 FEET TO A POINT OF CURVE;
- 4) THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°19'56", A RADIUS OF 740.00 FEET, AN
ARC LENGTH OF 43.04 FEET, A CHORD BEARING OF N02°52'10"W AND A CHORD DISTANCE OF 43.03 FEET;
- 5) THENCE N04°32'08"W A DISTANCE OF 217.83 FEET TO A POINT OF CURVE;
- 6) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°20'02", A RADIUS OF 30.00 FEET, AN
ARC LENGTH OF 48.87 FEET, A CHORD BEARING OF N42°21'05"E AND A CHORD DISTANCE OF 43.64 FEET;
- 7) THENCE N03°34'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 14.86 FEET TO THE
POINT OF BEGINNING

PARCEL CONTAINS (351,407 SQUARE FEET) 8.0672 ACRES

PARCEL 1 (11964 N. DRANSFELDT RD.)

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS,
STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE
AND THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 370.91 FEET;
THENCE S02°18'55"E A DISTANCE OF 465.52 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN
DEED RECORDED AT RECEPTION NUMBER 2002093971;
THENCE N84°08'31"E ALONG THE SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 340.02 FEET TO THE NORTHWEST
CORNER OF LOT 1B, PARKER PROFESSIONAL PARK FIRST AMENDMENT (RECEPTION NO. 8725509);
THENCE ALONG THE WESTERLY LINE OF SAID LOT 1B AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A
CENTRAL ANGLE OF 0°0'7"33", A RADIUS OF 4841.00 FEET, AN ARC LENGTH OF 10.64 FEET, A CHORD BEARING
OF S10°46'39"E AND A CHORD DISTANCE OF 10.64 FEET TO THE NORTHEAST CORNER OF
LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT (RECEPTION NO. 2002093991);
THENCE S83°20'55"W ALONG THE NORTHERLY LINE OF SAID LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR
DEVELOPMENT PLAT, A DISTANCE OF 163.50 FEET;
THENCE S85°28'16"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 573.68 FEET TO A POINT ON THE
EASTERLY R.O.W. LINE OF DRANSFELDT ROAD;
THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD:

- 1) THENCE N04°31'44"W A DISTANCE OF 2.80 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°16'04", A RADIUS OF 660.00 FEET, AN
ARC LENGTH OF 26.12 FEET, A CHORD BEARING OF N02°18'01"W AND A CHORD DISTANCE OF 26.12 FEET;
- 3) THENCE N01°12'11"W A DISTANCE OF 165.71 FEET TO A POINT OF CURVE;
- 4) THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°19'56", A RADIUS OF 740.00 FEET, AN
ARC LENGTH OF 43.04 FEET, A CHORD BEARING OF N02°52'10"W AND A CHORD DISTANCE OF 43.03 FEET;
- 5) THENCE N04°32'08"W A DISTANCE OF 217.83 FEET TO A POINT OF CURVE;
- 6) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°20'02", A RADIUS OF 30.00 FEET, AN
ARC LENGTH OF 48.87 FEET, A CHORD BEARING OF N42°21'05"E AND A CHORD DISTANCE OF 43.64 FEET;
- 7) THENCE N03°34'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 14.86 FEET TO THE
POINT OF BEGINNING

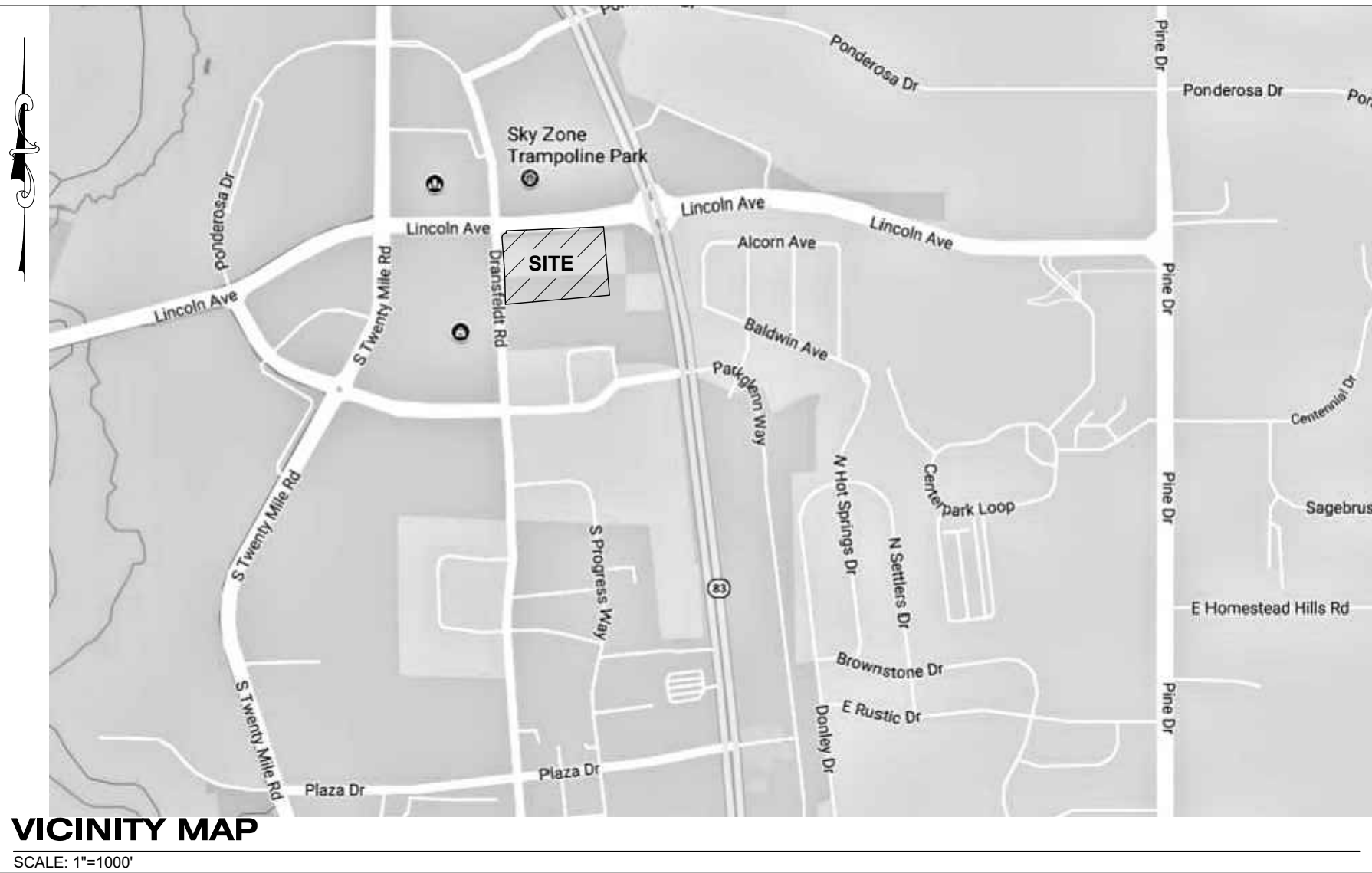
PARCEL CONTAINS (196,366 SQUARE FEET) 4.5079 ACRES

PARCEL 2 (18900 E. LINCOLN AVE.)

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS,
STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 370.91 FEET TO THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 326.70 FEET;
THENCE S00°25'42"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR
DEVELOPMENT (REC. NO. 99104313), A DISTANCE OF 89.98 FEET;
THENCE S11°52'30"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR
DEVELOPMENT, A DISTANCE OF 225.04 FEET;
THENCE S05°50'07"E ALONG THE WESTERLY LINE OF LOT 1, PEASLEE SUBDIVISION FILING NO. 2 MINOR
DEVELOPMENT (REC. NO. 2005085666), A DISTANCE OF 120.83 FEET TO A POINT ON THE NORTH LINE OF LOT 1B,
PARKER PROFESSIONAL PARK FIRST AMENDMENT (RECEPTION NO. 8725509);
THENCE S84°08'31"W ALONG A PORTION OF THE NORTHERLY LINE OF SAID LOT 1B AND THE WESTERLY EXTENSION
THEREOF, A DISTANCE OF 369.07 FEET;
THENCE N02°18'55"W A DISTANCE OF 465.52 FEET TO THE POINT OF BEGINNING;

PARCEL CONTAINS (155,041 SQUARE FEET) 3.5593 ACRES



PLAN LIST:
COVER SHEET 1
ZONING MAP 2

ZONING SUMMARY

EXISTING ZONING
PARCEL 1: AGRICULTURAL ONE
PARCEL 2: C - COMMERCIAL

PROPOSED ZONING
MODIFIED COMMERCIAL

PROJECT CONTACTS

DEVELOPER
EQUITY VENTURES COMMERCIAL DEVELOPMENT, LLC
3501 SW FAIRLAWN RD, SUITE 200
TOPEKA, KS 66614
CONTACT: KEVIN BECK
PHONE: (785) 272-1398

OWNER, PARCEL 1
HOWARD R. PEASLEE
LEILA MAY PEASLEE RESIDUARY TRUST
12470 LONESOME PINE TRAIL
ELBERT, CO 80106
CONTACT: HOWARD R. PEASLEE, OWNER; AND STEVEN SAWYER, TRUSTEE

OWNER, PARCEL 2
LINCOLN PROFESSIONAL PARK LP
P.O. BOX 610
PARKER, CO 80134
CONTACT: BRUCE RICCI, GENERAL PARTNER

ENGINEERING AND SURVEYING
ENGINEERING SERVICE COMPANY OF COLORADO, INC.
14190 EAST EVANS AVENUE
AURORA, COLORADO 80014
CONTACT: CHARLES N. BECKSTROM, PLS.
PHONE: (303) 337-1393

GENERAL NOTES

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST
OF THE 6TH PRINCIPAL MERIDIAN BEARING N89°29'00"E BOUNDED BY THE MONUMENTS SHOWN HEREON AND
BASED ON THE COLORADO CENTRAL ZONE STATE PLANE COORDINATE SYSTEM NAD 83.
2. BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO
BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM)
COMMUNITY PANEL NO. 08035C0067G WITH A REVISED DATE OF MARCH 16, 2016. NO OFFICE CALCULATIONS OR
FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION.
3. DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY
FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
4. ELEVATIONS ARE BASED ON THE UDFCD BENCHMARK BG-1: A 2" BRASS CAP ON TOP OF CONCRETE HEADWALL
AT THE CORNER OF S. ALCORN ST. AND BALDWIN AVE. IN PARKER, CO, 28.1' EAST OF THE NORTH BOUND LANE
OF PARKER ROAD 93.2' WEST OF A FIRE HYDRANT. ELEVATION=5841.07 FEET (NAVD 1988 DATUM)

PROFESSIONAL LAND SURVEYOR CERTIFICATION

I, CHARLES N. BECKSTROM, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO
HEREBY CERTIFY THAT THIS ZONING MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF
MY KNOWLEDGE AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ZONED IN THE TOWN
OF PARKER, COLORADO.

CHARLES N. BECKSTROM DATE
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR No. 33202



OWNER'S CERTIFICATE, PARCEL 1

I, HOWARD R. PEASLEE, HEREBY AFFIRM THAT I AM AN OWNER OR AUTHORIZED AGENT HAVING AN OWNERSHIP
INTEREST IN THE PROPERTY DESCRIBED HEREIN.

HOWARD R. PEASLEE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D., 20____.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

OWNER'S CERTIFICATE, PARCEL 1

WE, LEILA MAY PEASLEE RESIDUARY TRUST, HEREBY AFFIRM THAT WE ARE OWNERS OR AUTHORIZED AGENTS
HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

STEVEN SAWYER, TRUSTEE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D., 20____.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

OWNER'S CERTIFICATE, PARCEL 2

WE, LINCOLN PROFESSIONAL PARK LP HEREBY AFFIRM THAT WE ARE THE OWNER OR AUTHORIZED AGENT OF ALL
INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

SIGNATURE _____ PRINT NAME AND TITLE _____

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D., 20____.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

PLANNING COMMISSION CERTIFICATE

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

COMMUNITY DEVELOPMENT DIRECTOR ON BEHALF
OF THE PLANNING COMMISSION

TOWN COUNCIL CERTIFICATE

THIS ZONING MAP WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THIS _____ DAY OF _____,
2018, FOR THE PROPERTY DESCRIBED HEREON. THE ZONING INFORMATION SHOWN HEREON WAS
CONFIRMED WITH THE ADOPTION OF ORDINANCE NO. _____.

MAYOR, TOWN OF PARKER

ATTEST:

TOWN CLERK

CLERK AND RECORDER CERTIFICATION

STATE OF COLORADO _____)
COUNTY OF DOUGLAS _____) SS

I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____, A.D., AT
_____ A.M./P.M., AND WAS RECORDED AT RECEPTION NUMBER _____.

COUNTY CLERK AND RECORDER

LINCOLN PROFESSIONAL PARK ZONING MAP TO THE TOWN OF PARKER

	ESC ENGINEERING SERVICE COMPANY	14190 East Evans Avenue Aurora, Colorado 80014 engineeringsserviceco.com
	Creative Solutions Since 1954 CIVIL ENGINEERS • LAND SURVEYORS	P 303.337.1393 F 303.337.1481 T/F 1.877.273.0659
	Survey No. 17173-S	Project No. 698.003
	Date 2018-04-30	Revised 2018-09-05

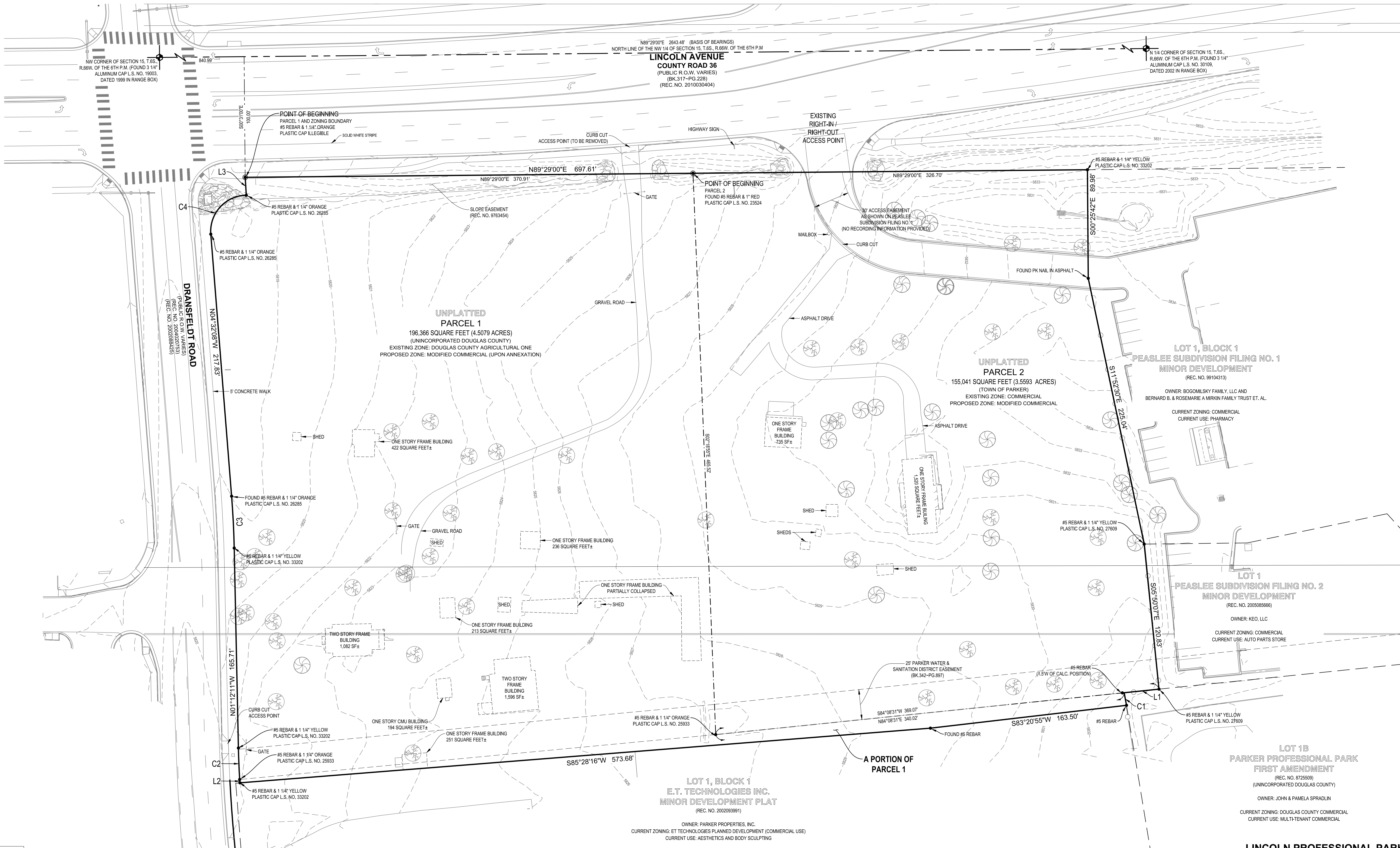
Sheet
1 OF 2

LINCOLN PROFESSIONAL PARK

ZONING MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W. OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 2
ZONING MAP



CASE NUMBER: Z18-017



LINCOLN PROFESSIONAL PARK
ZONING MAP
TO THE TOWN OF PARKER

ESC
ENGINEERING
SERVICE
COMPANY
Creative Solutions Since 1954
CIVIL ENGINEERS & LAND SURVEYORS

14199 East Evans Avenue
Aurora, Colorado 80014
engineeringserviceco.com
P 303.337.1393
F 303.337.1481
T/F 1.877.273.0659

Survey No. 17173-S Project No. 698.003 Date 2018-04-30 Revised 2018-09-05 Sheet 2 OF 2

LINCOLN PROFESSIONAL PARK

ZONING MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W., OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 1 OF 2
COVER SHEET

LEGAL DESCRIPTION

OVERALL REZONING BOUNDARY

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE TO THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 697.61 FEET;
THENCE S00°25'42"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT PLAT (REC. NO. 99104313), A DISTANCE OF 89.98 FEET;
THENCE S11°52'30"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT PLAT, A DISTANCE OF 225.04 FEET;
THENCE S05°50'07"E ALONG THE WESTERLY LINE OF LOT 1, PEASLEE SUBDIVISION FILING NO. 2 MINOR DEVELOPMENT PLAT (REC. NO. 2005085666), A DISTANCE OF 120.83 FEET TO A POINT ON THE NORTH LINE OF LOT 1B, PARKER PROFESSIONAL PARK FIRST AMENDMENT (REC. NO. 8725509);
THENCE S84°08'31"W ALONG THE NORTHERLY LINE OF SAID LOT 1B, A DISTANCE OF 29.05 FEET TO THE NORTHWEST CORNER OF SAID LOT 1B;
THENCE ALONG THE WESTERLY LINE OF SAID LOT 1B AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 0°0'07"33", A RADIUS OF 4841.00 FEET, AN ARC LENGTH OF 10.64 FEET, A CHORD BEARING OF S10°46'39"E AND A CHORD DISTANCE OF 10.64 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT (RECEPTION NO. 2002093991);
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THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD:

- 1) THENCE N04°31'44"W A DISTANCE OF 2.80 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°16'04", A RADIUS OF 660.00 FEET, AN ARC LENGTH OF 26.12 FEET, A CHORD BEARING OF N02°18'01"W AND A CHORD DISTANCE OF 26.12 FEET;
- 3) THENCE N01°12'11"W A DISTANCE OF 165.71 FEET TO A POINT OF CURVE;
- 4) THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°19'56", A RADIUS OF 740.00 FEET, AN ARC LENGTH OF 43.04 FEET, A CHORD BEARING OF N02°52'10"W AND A CHORD DISTANCE OF 43.03 FEET;
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- 7) THENCE N03°34'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 14.86 FEET TO THE POINT OF BEGINNING

PARCEL CONTAINS (351,407 SQUARE FEET) 8.0672 ACRES

PARCEL 1 (11964 N. DRANSFELDT RD.)

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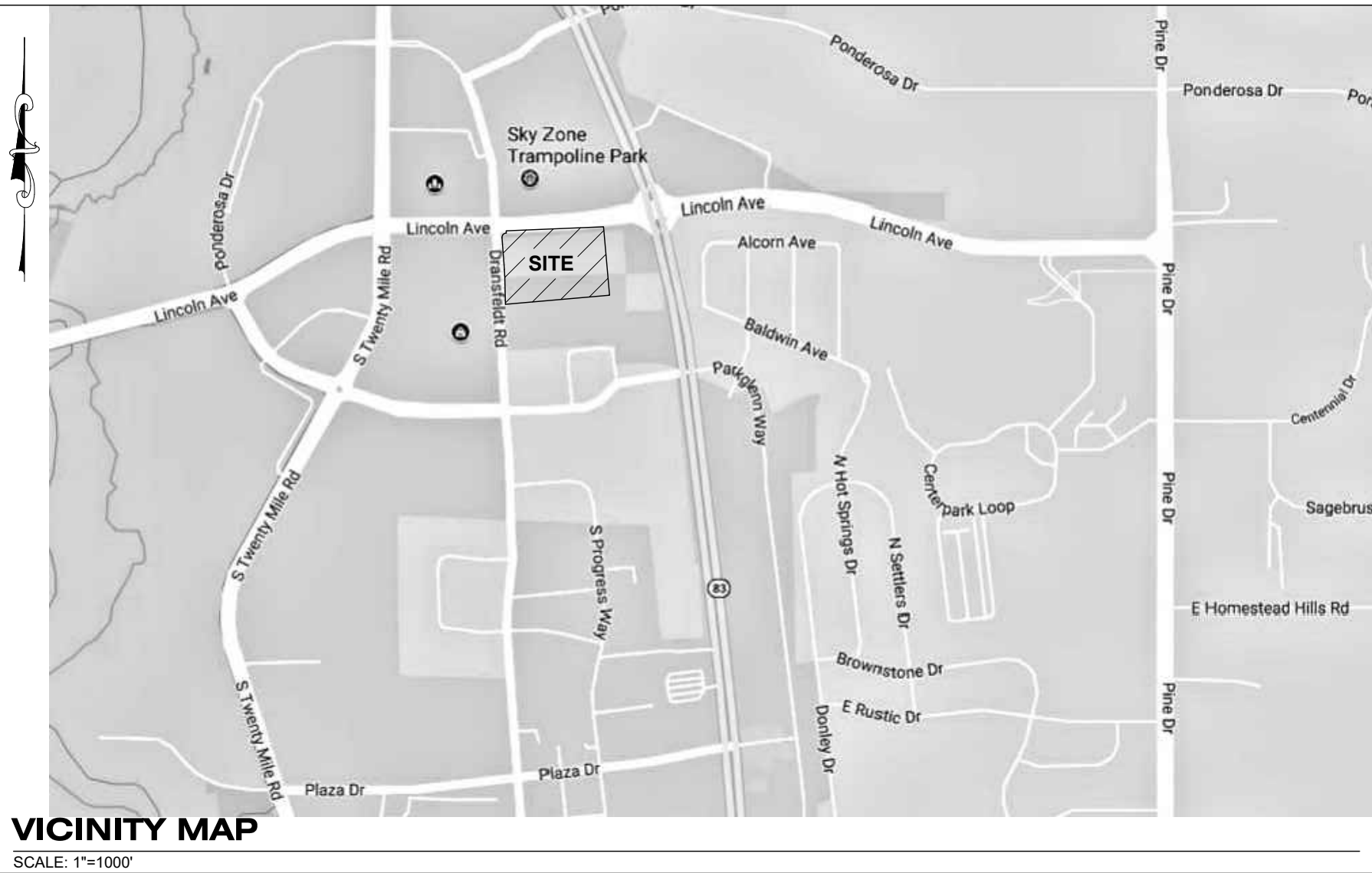
PARCEL CONTAINS (196,366 SQUARE FEET) 4.5079 ACRES

PARCEL 2 (18900 E. LINCOLN AVE.)

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PARCEL CONTAINS (155,041 SQUARE FEET) 3.5593 ACRES



PLAN LIST:
COVER SHEET 1
ZONING MAP 2

ZONING SUMMARY

EXISTING ZONING
PARCEL 1: AGRICULTURAL ONE
PARCEL 2: C - COMMERCIAL

PROPOSED ZONING
MODIFIED COMMERCIAL

PROJECT CONTACTS

DEVELOPER
EQUITY VENTURES COMMERCIAL DEVELOPMENT, LLC
3501 SW FAIRLAWN RD, SUITE 200
TOPEKA, KS 66614
CONTACT: KEVIN BECK
PHONE: (785) 272-1398

OWNER, PARCEL 1
HOWARD R. PEASLEE
LEILA MAY PEASLEE RESIDUARY TRUST
12470 LONESOME PINE TRAIL
ELBERT, CO 80106
CONTACT: HOWARD R. PEASLEE, OWNER; AND STEVEN SAWYER, TRUSTEE

OWNER, PARCEL 2
LINCOLN PROFESSIONAL PARK LP
P.O. BOX 610
PARKER, CO 80134
CONTACT: BRUCE RICCI, GENERAL PARTNER

ENGINEERING AND SURVEYING
ENGINEERING SERVICE COMPANY OF COLORADO, INC.
14190 EAST EVANS AVENUE
AURORA, COLORADO 80014
CONTACT: CHARLES N. BECKSTROM, PLS.
PHONE: (303) 337-1393

GENERAL NOTES

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARING N89°29'00"E BOUNDED BY THE MONUMENTS SHOWN HEREON AND BASED ON THE COLORADO CENTRAL ZONE STATE PLANE COORDINATE SYSTEM NAD 83.
2. BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 08035C0067G WITH A REVISED DATE OF MARCH 16, 2016. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION.
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4. ELEVATIONS ARE BASED ON THE UDFCD BENCHMARK BG-1: A 2" BRASS CAP ON TOP OF CONCRETE HEADWALL AT THE CORNER OF S. ALCORN ST. AND BALDWIN AVE. IN PARKER, CO, 28.1' EAST OF THE NORTH BOUND LANE OF PARKER ROAD 93.2' WEST OF A FIRE HYDRANT. ELEVATION=5841.07 FEET (NAVD 1988 DATUM)

PROFESSIONAL LAND SURVEYOR CERTIFICATION

I, CHARLES N. BECKSTROM, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ZONED IN THE TOWN OF PARKER, COLORADO.

CHARLES N. BECKSTROM DATE
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR No. 33202



OWNER'S CERTIFICATE, PARCEL 1

I, HOWARD R. PEASLEE, HEREBY AFFIRM THAT I AM AN OWNER OR AUTHORIZED AGENT HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

HOWARD R. PEASLEE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D.,

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

OWNER'S CERTIFICATE, PARCEL 1

WE, LEILA MAY PEASLEE RESIDUARY TRUST, HEREBY AFFIRM THAT WE ARE OWNERS OR AUTHORIZED AGENTS HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

STEVEN SAWYER, TRUSTEE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D.,

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

OWNER'S CERTIFICATE, PARCEL 2

WE, LINCOLN PROFESSIONAL PARK LP HEREBY AFFIRM THAT WE ARE THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

SIGNATURE _____ PRINT NAME AND TITLE _____

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D.,

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

PLANNING COMMISSION CERTIFICATE

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

COMMUNITY DEVELOPMENT DIRECTOR ON BEHALF
OF THE PLANNING COMMISSION

TOWN COUNCIL CERTIFICATE

THIS ZONING MAP WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THIS _____ DAY OF _____, 2018, FOR THE PROPERTY DESCRIBED HEREON. THE ZONING INFORMATION SHOWN HEREON WAS CONFIRMED WITH THE ADOPTION OF ORDINANCE NO. _____.

MAYOR, TOWN OF PARKER

ATTEST:

TOWN CLERK

CLERK AND RECORDER CERTIFICATION

STATE OF COLORADO _____)
COUNTY OF DOUGLAS _____) SS

I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M./P.M., AND WAS RECORDED AT RECEPTION NUMBER _____.

COUNTY CLERK AND RECORDER

LINCOLN PROFESSIONAL PARK ZONING MAP TO THE TOWN OF PARKER

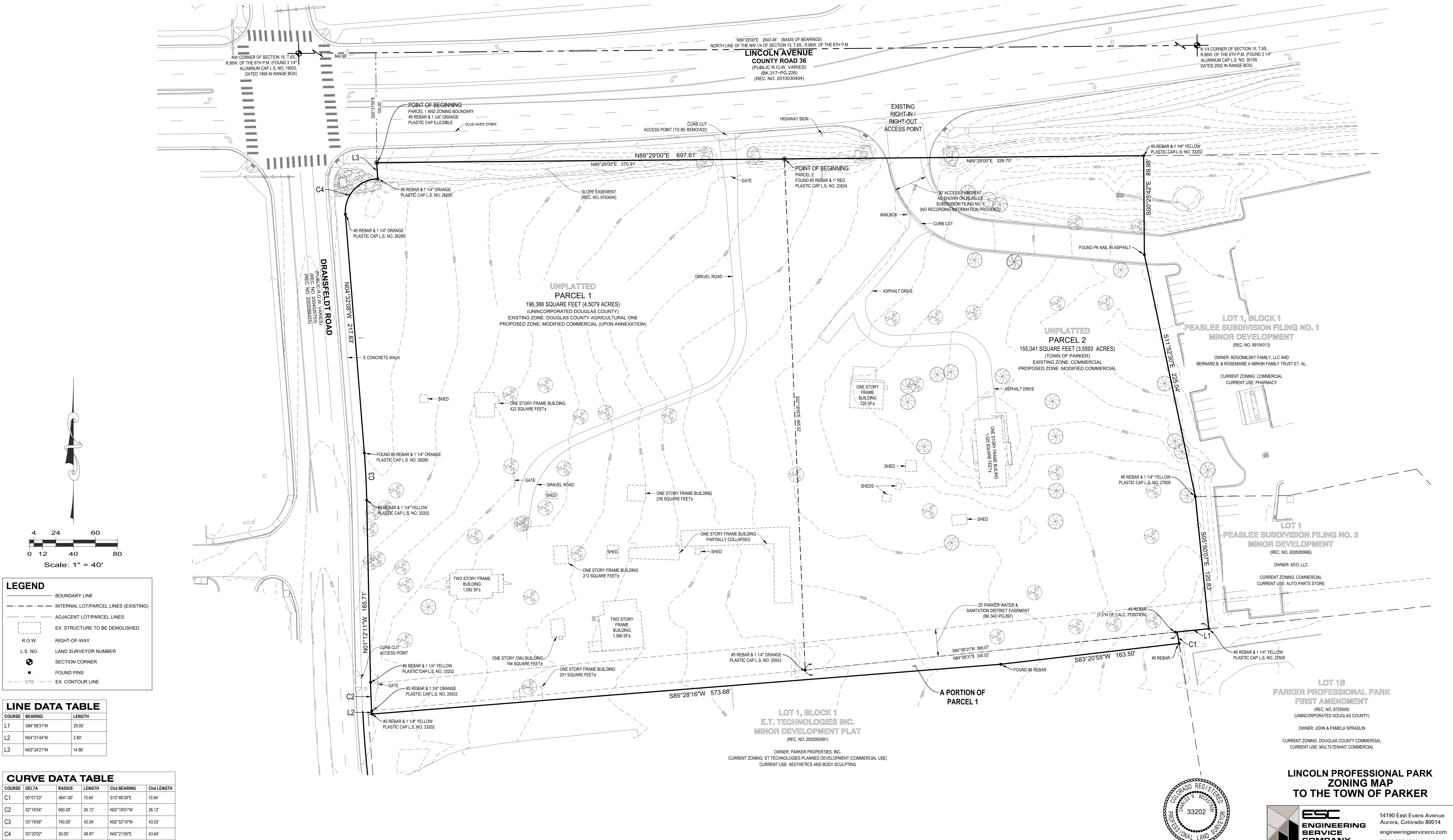
	ESC ENGINEERING SERVICE COMPANY	14190 East Evans Avenue Aurora, Colorado 80014 engineeringsserviceco.com P 303.337.1393 F 303.337.1481 T/F 1.877.273.0659		
	Creative Solutions Since 1954 CIVIL ENGINEERS • LAND SURVEYORS			
Survey No. 17173-S	Project No. 698.003	Date 2018-04-30	Revised 2018-09-05	Sheet 1 OF 2

LINCOLN PROFESSIONAL PARK

ZONING MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W. OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 2
ZONING MAP



CASE NUMBER: Z18-017



Planning Commission Staff Report

Planning Commission Date: 10/25/2018

Town Council Date: 11/19/2018

Hearing Type: Public Hearing
Z18-017 Lincoln Professional Park Property – Zoning

Location: Generally located on the southeast Corner of Lincoln Avenue and Dransfeldt Road

Project Planner: Stacey Nerger, Planner

Applicant(s): Kevin Beck, Equity Ventures Commercial Development, L.C.

Executive Summary: This proposal is to zone 8.07 acres consisting of two lots which is being requested with an annexation into the Town. The properties are proposed to be zoned Modified Commercial which will allow for commercial uses on the property.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve the zoning.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve the zoning request, subject to the following conditions:”

-List proposed conditions

“I move the Planning Commission recommend Town Council deny the zoning as the request does not meet the following approval criteria:”

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

“I move the Planning Commission vote to continue the zoning to a future date.”

I. BACKGROUND/DISCUSSION

The zoning request is to zone the one lot that is being annexed into the Town and an additional lot immediately to the east that is already located within the Town boundaries to the Town's designation of Modified Commercial. The applicant plans to develop the entire 8.07 acres (both lots) as one commercial development. The applicant, in coordination with Town staff, has developed the proposed Modified Commercial zoning request in order to create one zoning for the entire 8.07 acres.

Under Section 15.9 of the Town of Parker Home Rule Charter "[i]n all proceedings for the annexation of territory into the Town, the Council shall require concurrent zoning of the same...."

Vicinity Map



II. PRIOR ACTIONS

Date	Action
September 8, 2008	The eastern property which is already located within the Town Boundaries was annexed as Lincoln Professional Park and zoned Commercial.
November 19, 2018	Town Council will hear the Annexation and Zoning Applications for these properties.

III. CURRENT SITE DATA

Existing Zoning	Agricultural One (Douglas County) and Commercial (Town of Parker)		
Overlay District	N/A		
PD & Plan Area	Modified Commercial (proposed)		
Master Plan Area	Central Commercial		
Site Acreage	8.07 acres		
Subdivision	No currently subdivided		
Existing Use	Residential/Undeveloped property		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Central Commercial	Modified Commercial District	Commercial – Murdoch’s
South	Central Commercial	PD - Planned Development	Commercial/Light Industrial – ET Technology
East	Central Commercial	C - Commercial District	Commercial - Walgreens
West	Central Commercial	PD - Planned Development	Commercial – Lowe’s and Richie’s Carwash

IV. 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: This is the commercial core of the Town. Growth should focus on core retail, services, offices, lodging, restaurants, entertainment, and to a lesser extent, higher density residential 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>

Staff Analysis	The subject properties are located west of Parker Road and south of Lincoln Avenue within a commercial corridor area as 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 property is surrounded by the Town of Parker and is considered an enclave. Land owners of unincorporated enclave properties identify with the Town of Parker and the public views them as a part of the community fabric. In addition, annexation of this enclave will benefit the landowners, the Town and the County by consolidating the service areas of the Town and County. The requested zoning is consistent with the specific Goals/ Strategies of the Master Plan for the following reasons: 1. It will help ensure adequate opportunities for expansion of the Town's economic base; 2. It will continue the commercial corridor along Lincoln Avenue; and 3. It will support new businesses by providing additional land for commercial development. Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
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V. LAND DEVELOPMENT ORDINANCE

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	Primary uses include retail, office, lodging and services	Commercial uses focusing on retail, service, lodging and restaurant.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	None	55 feet	☒ 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 potential for development as recommended by the Parker 2035 Master Plan.
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VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The subject properties have three access points, a full movement from Dransfeldt, a right in/right out from Lincoln and an existing cross-access point through Walgreens. The property owner will be required to provide access through the site to the properties located to the south and east to allow for better connectivity for the entire Parker Road, Lincoln Avenue and Dransfeldt Road corner. At the time of development the applicant will be required to ensure all required roadway improvements are constructed as identified in compliance with an approved traffic study.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant's Response

The Lincoln Professional Park is located in the core commercial area for the Town of Parker, in close proximity to the major intersection of Parker Road and Lincoln Avenue. The previous uses of the subject properties were agricultural and residential; surrounded by commercial and industrial uses. The annexation is needed to bring all the area to be rezoned within the Town of Parker to foster cohesive development and allow for adequate services. The proposed annexation and rezoning to allow commercial uses is needed as it will provide opportunities for the Town of Parker to expand the economic and tax base, support new businesses and allow for the orderly and compatible development of commercial land uses in an area recommended for such uses.

Staff Analysis

A need exists for the annexation and zoning of the subject property, for the following reasons:

1. Provide adequate opportunities for expansion of the Town's economic and tax base;
2. Continue the commercial corridor along Lincoln Avenue;
3. Support new and existing businesses while providing assurances that similar commercial uses will be drawn to the subject property;
4. Protect the investment and property values of exiting uses located on the subject property and surrounding areas in the Town and the Town Urban Growth Area;
- 5 Allow the Town to consolidate services and recognize efficiencies of scale and delivery of services; and

6. Promote orderly growth, continuity of development and certainty of development within the subject property and surrounding areas within the Town and the Town Urban Growth Area.

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's Response

The area within the Lincoln Professional Park annexation and rezoning boundaries is identified in the Parker 2035 Master Plan as an area recommended for Regional Commercial Retail Uses. The subject property is also within the Urban Growth Area. This is the correct site for the proposed commercial development.

Staff Analysis

These properties are considered enclaves, located within unincorporated Douglas County but surrounded by the Town of Parker. The Town has been working for several years to clean up the Town's boundary and annex these enclave areas. The subject property is contiguous with the Town and is described in the Parker 2035 General Land Use Plan as being located within the Town's "Urban Growth Area Boundary." Specifically, the subject properties are located within the Central Commercial area as designated by the Parker 2035 General Land Use Plan, which is planned to provide commercial uses.

The subject property has been identified as property to be annexed, zoned and developed in the Town for commercial uses; therefore, the subject property is appropriate for commercial development.

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's Response

The 11964 Dransfeldt Road property is currently within Douglas County, the proposed zoning will be the initial zoning for this property. The 18900 Lincoln Avenue property is currently zoned Commercial (C). The proposed rezoning establishes a Planned Development that follows the Modified Commercial zone district, adding some additional commercial uses and allowing alternate setback and height standards. The commercial uses added and the alternate minimum area and yard requirements will allow additional flexibility in design and marketability for the successful development of the property. While there have been no significant changes in the area, the zone change is warranted to create a cohesive commercial development between the two properties party to the rezoning.

The proposed zone change follows the recommendations of the Parker 2035 Master Plan for Regional Commercial Retail Uses.

Staff Analysis

The subject property is currently zoned Agricultural One within Unincorporated Douglas County and Commercial within the Town of Parker. The zoning application for the subject property is for new zoning as a part of the annexation of the subject property, in the form of a Modified Commercial. The property proposed for annexation is entirely surrounded by properties annexed into the Town and have been surrounded for more than three years.

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's Response

Circulation and traffic movement will not be impeded by the development, access will be enhanced. A full movement access will be provided from Dransfeldt Road and a right-in, right-out access will be provided off Lincoln. Cross access between the Walgreens property to the east of the subject will be provided.

Staff Analysis

There are two existing roads that serve the subject property, which include Lincoln Avenue and Dransfeldt Road. 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.

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

A portion of the property (18900 Lincoln) is currently located within the Town of Parker, no additional municipal service costs will be incurred. The 11964 Dransfeldt Road parcel to be annexed will also not result in additional municipal service costs as the parcel is enclaved by the Town of Parker. Public improvements and services (e.g., utilities) are in place to serve the property. The traffic impact analysis in this report dictates required roadway improvements associated with the development.

Staff Analysis

The public improvements necessary to support the subject property are currently in place. 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 Growth Boundary, the Town is prepared to meet the additional municipal service costs associated with 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

There are no environmental impacts associated with the proposed annexation, rezoning, and development of the site.

Staff Analysis

The subject property is currently underutilized with two residential buildings and ancillary agricultural buildings, as development occurs on the property over time, the developer will be required to work with the Town's Engineering Department 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's Response

The Town Master Plan recommends this area for Regional Commercial Retail uses. The Lincoln Professional Park Development Plan and Development Guide are consistent with the Parker 2035 Master Plan.

Staff Analysis

As detailed in Section IV of this staff report, the Modified Commercial zoning is consistent with the Parker 2035 Master Plan.

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's Response

Adequate public services exist adjacent to the subject parcel. There will be no undue impacts created by the proposed annexation, rezoning, and subsequent development.

Staff Analysis

The properties are surrounded by existing commercial uses located within the commercial core of Parker. 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. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	No Comment
Aztec Consultants	No Comment
Parker Building	Approved
Fire Life Safety	Approved
Douglas Country Planning	No Comment
Douglas County Public Works	No Comment
Douglas County Assessor's Office	No Comment
Parker Police	No Comment
Parker Comprehensive Planning	The property is located within the Town's Urban Growth Boundary as described within the Parker 2035 Master Plan and is located within the Central Commercial Character Area.
Parker Economic Development	Approved
Parker Authority for Reinvestment	No Comment
Xcel	Public Service Company has existing natural gas distribution facilities throughout the area and has no objection to the proposed annexation and zoning, contingent upon their ability to maintain all existing rights.
IREA	The Association has existing facilities on the property and will maintain these facilities unless otherwise requested by the applicant. The existing overhead lines will need to be undergrounded at the applicant's expense as outlined within the Town of Parker code.
CenturyLink	No Comment
Comcast	No Comment
Parker Water and Sanitation District	Approved
RTD	No Comment

IX. CONCLUSION

This zoning request is being processed concurrently with the annexation application as provided by the Town of Parker Home Rule Charter and Section 13.04.250 of the Parker Municipal Code. The application has been determined to meet the zoning approval criteria of the Parker Land Development Ordinance. Based on the analysis contained in this staff report, staff recommends that Planning Commission recommends Town Council approve the zoning request.

RECOMMENDED CONDITIONS

None

X. ATTACHMENTS

1. Modified Commercial Zoning
2. Zoning Map
3. Referral Comments

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

EXHIBIT B
MODIFIED COMMERCIAL ZONING

A. Intent

Places for conducting any commercial, wholesale or service activities, not of an industrial nature.

B. Compliance

All developments within this Modified Commercial zoning district must comply with the requirements specified in Section 13.06 of the Town's Land Development Ordinance, as amended.

C. Definitions

1. Small engine motorized equipment: A small-displacement, single cylinder or twin cylinder four stroke/cycle, low-powered internal combustion engine used to power lawn mowers, generators, concrete mixers, snow blowers, string trimmers, utility vehicles (UTV's), and many other machines that require independent power sources.

D. Uses Permitted by Right

1. Any nonresidential uses by right permitted in B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended. Places of worship, church schools, hospitals, nursing homes, convalescent care facilities, public or private parking lots or caretaker residences and any use within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended, that is not specifically described in this exhibit shall be prohibited in this district.
2. Auto parts stores
3. Bakeries—wholesale and retail
4. Brewery/distillery
5. Convenience stores with gasoline pumps
6. Contractor's offices only, no storage of equipment or trailers
7. Eating and drinking establishments, without Drive-Thru Lanes
8. Packaging and Shipping Store
9. Photocopy reproduction
10. Printing and publishing
11. Radio and television offices and studios
12. Shopping Centers

E. Uses Permitted by Special Review

1. Any use by special review permitted in the B-Business zoning districts as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended, which are not specifically prohibited as listed under Section C of this Exhibit B, are allowed as a use by special review.
2. Auto and truck repairs.

3. Car sales, new and used.
4. Drive-Thru Uses (drive-thru lanes are prohibited to be located between the public right-of-way and the primary structure.)
5. Accessory Uses
6. Indoor small engine motorized equipment sales – Not to exceed 25% of the total building area
6. Indoor small engine motorized equipment repair – Not to exceed 10% of the total building area
8. Motor vehicles and motorized equipment: sales, leasing, rental servicing and repair as an accessory activity.
9. Veterinary clinics and hospitals.
10. Caretaker residences.
11. Outdoor flea markets.
12. Observation kennels and pet day care.
13. Outdoor dog training.
14. Outdoor commercial display shall meet all of the minimum requirements contained in Subparagraphs a. through j. below:
 - a. Outdoor commercial display is defined as any items, goods or seasonal merchandise directly related to the commercial use conducted inside the principal building, which items, goods or merchandise are permanently displayed outside of the principal building for the purposes of sale to the general public at retail.
 - b. This Section shall not be in conflict with or used to circumvent the requirements of [Section 13.04.210](#) of the Parker Municipal Code.
 - c. Outdoor commercial display shall only be considered as part of an approved site plan, to be reviewed in accordance with [Chapter 13.06](#) of the Parker Municipal Code.
 - d. Outdoor commercial display shall occur within fifteen (15) feet of the exterior walls of the principal building and shall not comprise more than three percent (3%) of the building footprint of the principal building, as shown on the approved site plan.
 - e. Outdoor commercial display areas shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property. Colored and/or stamped concrete paving, brick pavers or concrete pavers are acceptable. Painted stripes will not be acceptable. No outdoor commercial display will be permitted outside of the delineated display area.
 - f. Outdoor commercial display activities shall be conducted so as to assure that the sidewalk or entrance into the principal building is not obstructed and that a minimum width of eight (8) feet shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.
 - g. The use of semi-trailers or temporary buildings shall not be permitted.
 - h. All signage shall comply with [Chapter 13.09](#) of the Parker Municipal Code.
 - i. Outdoor commercial display shall not be located within the parking area for the principal building as shown on an approved site plan.

- j. This Section shall not be in conflict with federal, state or local governmental requirements, including, but not limited to, the International Building Code, Department of Health or Fire District standards.
16. Outdoor sales/garden areas (shall be fully enclosed)

F. Minimum area and yard requirements.

1. Lot width, seventy-five (75) feet.
2. Front yard, minimum twenty-five(25) feet, except as follows:
Convenience Stores and other permitted drive-through/auto oriented uses adjacent to Dransfeldt Road and Lincoln Avenue: the front setback, and at least one (1) side yard setback shall be considered a 'build-to' lines and at least thirty percent (30%) of the building footprint area must be within forty feet of the setback line. The intent of this provision is to ensure that buildings which front the aforementioned streets by their placement on site act to screen the parking areas from view and create an activated building edge along these public streets.
3. Side yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
4. Rear yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
5. Maximum building heights, fifty-five (55) feet.

LINCOLN PROFESSIONAL PARK

ZONING MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W., OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 1 OF 2
COVER SHEET

LEGAL DESCRIPTION

OVERALL REZONING BOUNDARY

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE TO THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 697.61 FEET;
THENCE S00°25'42"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT PLAT (REC. NO. 99104313), A DISTANCE OF 89.98 FEET;
THENCE S11°52'30"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT PLAT, A DISTANCE OF 225.04 FEET;
THENCE S05°50'07"E ALONG THE WESTERLY LINE OF LOT 1, PEASLEE SUBDIVISION FILING NO. 2 MINOR DEVELOPMENT PLAT (REC. NO. 2005085666), A DISTANCE OF 120.83 FEET TO A POINT ON THE NORTH LINE OF LOT 1B, PARKER PROFESSIONAL PARK FIRST AMENDMENT (REC. NO. 8725509);
THENCE S84°08'31"W ALONG THE NORTHERLY LINE OF SAID LOT 1B, A DISTANCE OF 29.05 FEET TO THE NORTHWEST CORNER OF SAID LOT 1B;
THENCE ALONG THE WESTERLY LINE OF SAID LOT 1B AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 0°07'33", A RADIUS OF 4841.00 FEET, AN ARC LENGTH OF 10.64 FEET, A CHORD BEARING OF S10°46'39"E AND A CHORD DISTANCE OF 10.64 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT (RECEPTION NO. 2002093991);
THENCE S83°20'55"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 163.50 FEET;
THENCE S85°28'16"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 573.68 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD;
THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD:

- 1) THENCE N04°31'44"W A DISTANCE OF 2.80 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°16'04", A RADIUS OF 660.00 FEET, AN ARC LENGTH OF 26.12 FEET, A CHORD BEARING OF N02°18'01"W AND A CHORD DISTANCE OF 26.12 FEET;
- 3) THENCE N01°12'11"W A DISTANCE OF 165.71 FEET TO A POINT OF CURVE;
- 4) THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°19'56", A RADIUS OF 740.00 FEET, AN ARC LENGTH OF 43.04 FEET, A CHORD BEARING OF N02°52'10"W AND A CHORD DISTANCE OF 43.03 FEET;
- 5) THENCE N04°32'08"W A DISTANCE OF 217.83 FEET TO A POINT OF CURVE;
- 6) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°20'02", A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 48.87 FEET, A CHORD BEARING OF N42°21'05"E AND A CHORD DISTANCE OF 43.64 FEET;
- 7) THENCE N03°34'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 14.86 FEET TO THE POINT OF BEGINNING

PARCEL CONTAINS (351,407 SQUARE FEET) 8.0672 ACRES

PARCEL 1 (11964 N. DRANSFELDT RD.)

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE AND THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 370.91 FEET;
THENCE S02°18'55"E A DISTANCE OF 465.52 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED RECORDED AT RECEPTION NUMBER 2002093971;
THENCE N84°08'31"E ALONG THE SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 340.02 FEET TO THE NORTHWEST CORNER OF LOT 1B, PARKER PROFESSIONAL PARK FIRST AMENDMENT (RECEPTION NO. 8725509);
THENCE ALONG THE WESTERLY LINE OF SAID LOT 1B AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 0°07'33", A RADIUS OF 4841.00 FEET, AN ARC LENGTH OF 10.64 FEET, A CHORD BEARING OF S10°46'39"E AND A CHORD DISTANCE OF 10.64 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT (RECEPTION NO. 2002093991);
THENCE S83°20'55"W ALONG THE NORTHERLY LINE OF SAID LOT 1, BLOCK 1, E.T. TECHNOLOGIES INC. MINOR DEVELOPMENT PLAT, A DISTANCE OF 163.50 FEET;
THENCE S85°28'16"W ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 573.68 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD;
THENCE THE FOLLOWING SEVEN (7) COURSES ALONG THE EASTERLY R.O.W. LINE OF DRANSFELDT ROAD:

- 1) THENCE N04°31'44"W A DISTANCE OF 2.80 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°16'04", A RADIUS OF 660.00 FEET, AN ARC LENGTH OF 26.12 FEET, A CHORD BEARING OF N02°18'01"W AND A CHORD DISTANCE OF 26.12 FEET;
- 3) THENCE N01°12'11"W A DISTANCE OF 165.71 FEET TO A POINT OF CURVE;
- 4) THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°19'56", A RADIUS OF 740.00 FEET, AN ARC LENGTH OF 43.04 FEET, A CHORD BEARING OF N02°52'10"W AND A CHORD DISTANCE OF 43.03 FEET;
- 5) THENCE N04°32'08"W A DISTANCE OF 217.83 FEET TO A POINT OF CURVE;
- 6) THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°20'02", A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 48.87 FEET, A CHORD BEARING OF N42°21'05"E AND A CHORD DISTANCE OF 43.64 FEET;
- 7) THENCE N03°34'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 14.86 FEET TO THE POINT OF BEGINNING

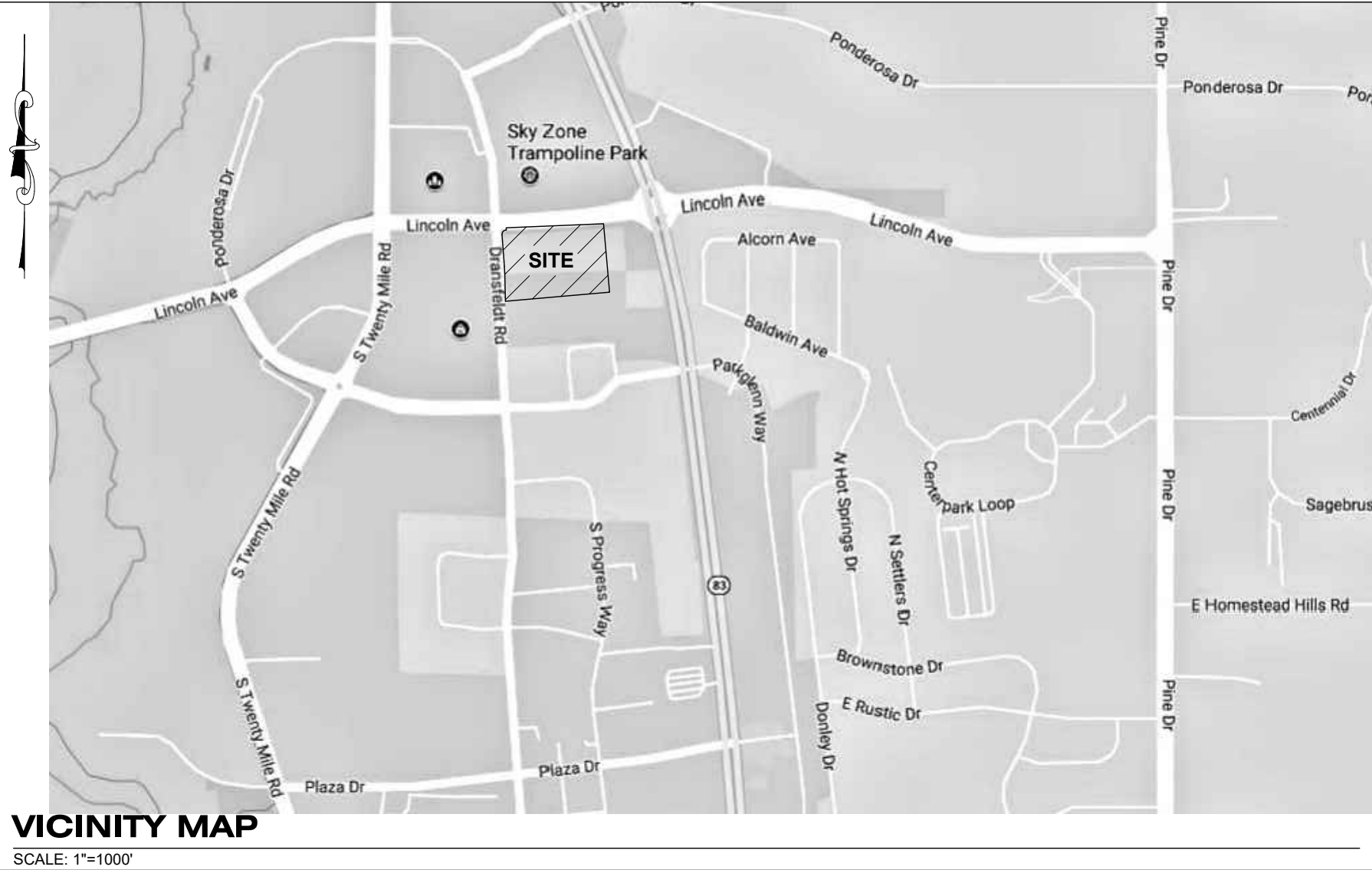
PARCEL CONTAINS (196,366 SQUARE FEET) 4.5079 ACRES

PARCEL 2 (18900 E. LINCOLN AVE.)

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 15, T.6S., R.66W., OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15;
THENCE N89°29'00"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 15, A DISTANCE OF 840.99 FEET;
THENCE S00°3'100"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF LINCOLN AVENUE;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 370.91 FEET TO THE POINT OF BEGINNING;
THENCE N89°29'00"E ALONG SAID SOUTHERLY R.O.W. LINE, A DISTANCE OF 326.70 FEET;
THENCE S00°25'42"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT (REC. NO. 99104313), A DISTANCE OF 89.98 FEET;
THENCE S11°52'30"E ALONG THE WESTERLY LINE OF LOT 1, BLOCK 1, PEASLEE SUBDIVISION FILING NO. 1 MINOR DEVELOPMENT, A DISTANCE OF 225.04 FEET;
THENCE S05°50'07"E ALONG THE WESTERLY LINE OF LOT 1, PEASLEE SUBDIVISION FILING NO. 2 MINOR DEVELOPMENT (REC. NO. 2005085666), A DISTANCE OF 120.83 FEET TO A POINT ON THE NORTH LINE OF LOT 1B, PARKER PROFESSIONAL PARK FIRST AMENDMENT (RECEPTION NO. 8725509);
THENCE S84°08'31"W ALONG A PORTION OF THE NORTHERLY LINE OF SAID LOT 1B AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 369.07 FEET;
THENCE N02°18'55"W A DISTANCE OF 465.52 FEET TO THE POINT OF BEGINNING;

PARCEL CONTAINS (155,041 SQUARE FEET) 3.5593 ACRES



PLAN LIST:
COVER SHEET 1
ZONING MAP 2

ZONING SUMMARY

EXISTING ZONING
PARCEL 1: AGRICULTURAL ONE
PARCEL 2: C - COMMERCIAL

PROPOSED ZONING
MODIFIED COMMERCIAL

PROJECT CONTACTS

DEVELOPER
EQUITY VENTURES COMMERCIAL DEVELOPMENT, LLC
3501 SW FAIRLAWN RD, SUITE 200
TOPEKA, KS 66614
CONTACT: KEVIN BECK
PHONE: (785) 272-1398

OWNER, PARCEL 1
HOWARD R. PEASLEE
LEILA MAY PEASLEE RESIDUARY TRUST
12470 LONESOME PINE TRAIL
ELBERT, CO 80106
CONTACT: HOWARD R. PEASLEE, OWNER; AND STEVEN SAWYER, TRUSTEE

OWNER, PARCEL 2
LINCOLN PROFESSIONAL PARK LP
P.O. BOX 610
PARKER, CO 80134
CONTACT: BRUCE RICCI, GENERAL PARTNER

ENGINEERING AND SURVEYING
ENGINEERING SERVICE COMPANY OF COLORADO, INC.
14190 EAST EVANS AVENUE
AURORA, COLORADO 80014
CONTACT: CHARLES N. BECKSTROM, PLS.
PHONE: (303) 337-1393

GENERAL NOTES

1. BEARINGS ARE BASED ON THE NORTH LINE OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARING N89°29'00"E BOUNDED BY THE MONUMENTS SHOWN HEREON AND BASED ON THE COLORADO CENTRAL ZONE STATE PLANE COORDINATE SYSTEM NAD 83.
2. BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 08035C0067G WITH A REVISED DATE OF MARCH 16, 2016. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION.
3. DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
4. ELEVATIONS ARE BASED ON THE UDFCD BENCHMARK BG-1: A 2" BRASS CAP ON TOP OF CONCRETE HEADWALL AT THE CORNER OF S. ALCORN ST. AND BALDWIN AVE. IN PARKER, CO, 28.1' EAST OF THE NORTH BOUND LANE OF PARKER ROAD 93.2' WEST OF A FIRE HYDRANT. ELEVATION=5841.07 FEET (NAVD 1988 DATUM)

PROFESSIONAL LAND SURVEYOR CERTIFICATION

I, CHARLES N. BECKSTROM, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ZONED IN THE TOWN OF PARKER, COLORADO.

CHARLES N. BECKSTROM DATE
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR No. 33202



OWNER'S CERTIFICATE, PARCEL 1

I, HOWARD R. PEASLEE, HEREBY AFFIRM THAT I AM AN OWNER OR AUTHORIZED AGENT HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

HOWARD R. PEASLEE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D., 20____.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

OWNER'S CERTIFICATE, PARCEL 1

WE, LEILA MAY PEASLEE RESIDUARY TRUST, HEREBY AFFIRM THAT WE ARE OWNERS OR AUTHORIZED AGENTS HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

STEVEN SAWYER, TRUSTEE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D., 20____.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

OWNER'S CERTIFICATE, PARCEL 2

WE, LINCOLN PROFESSIONAL PARK LP HEREBY AFFIRM THAT WE ARE THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

SIGNATURE _____ PRINT NAME AND TITLE _____

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D., 20____.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

PLANNING COMMISSION CERTIFICATE

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

COMMUNITY DEVELOPMENT DIRECTOR ON BEHALF
OF THE PLANNING COMMISSION

TOWN COUNCIL CERTIFICATE

THIS ZONING MAP WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THIS _____ DAY OF _____, 2018, FOR THE PROPERTY DESCRIBED HEREON. THE ZONING INFORMATION SHOWN HEREON WAS CONFIRMED WITH THE ADOPTION OF ORDINANCE NO. _____.

MAYOR, TOWN OF PARKER

ATTEST:

TOWN CLERK

CLERK AND RECORDER CERTIFICATION

STATE OF COLORADO _____)
COUNTY OF DOUGLAS _____) SS

I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M./P.M., AND WAS RECORDED AT RECEPTION NUMBER _____.

COUNTY CLERK AND RECORDER

LINCOLN PROFESSIONAL PARK ZONING MAP TO THE TOWN OF PARKER

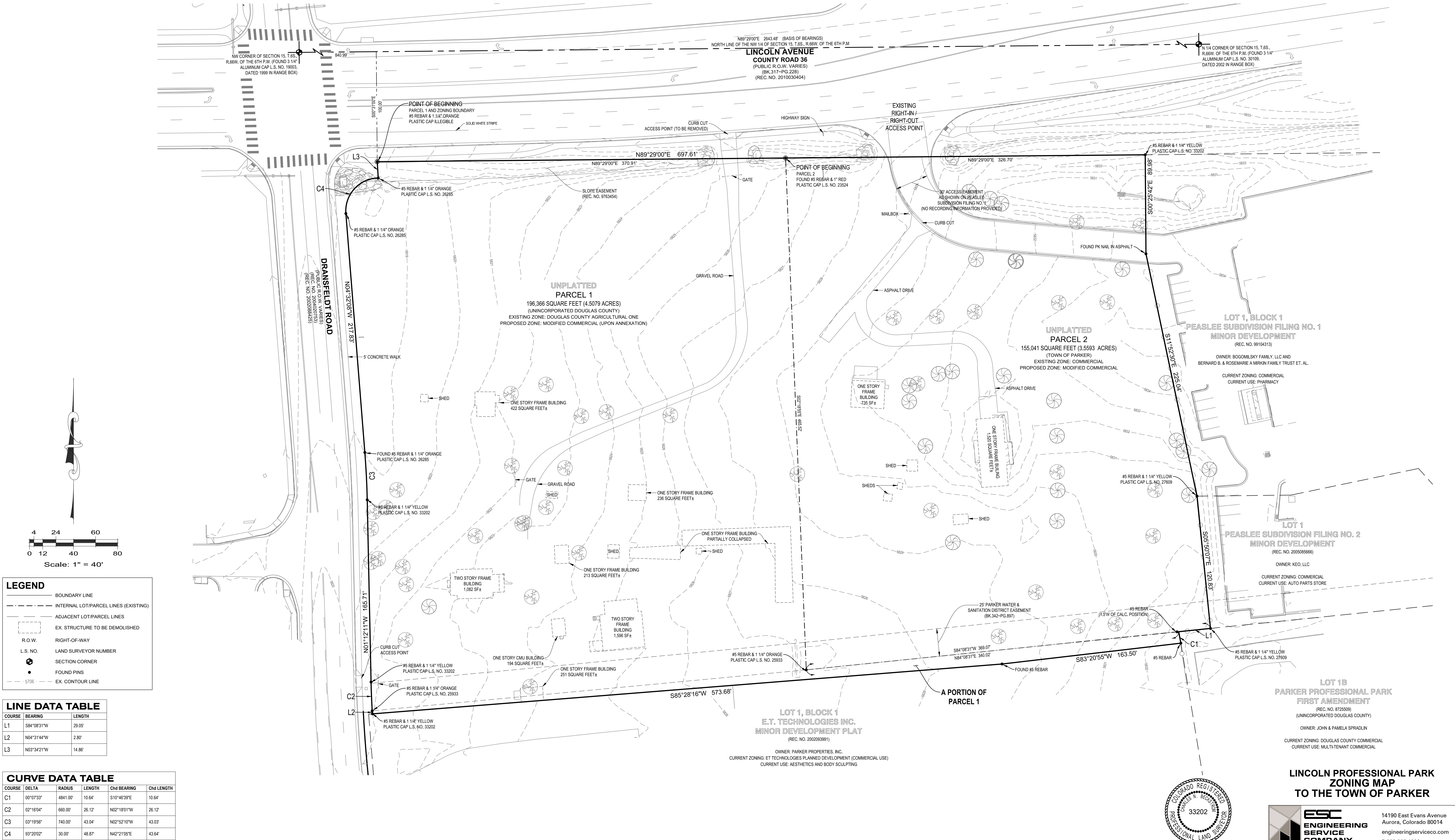
	ESC ENGINEERING SERVICE COMPANY	14190 East Evans Avenue Aurora, Colorado 80014 engineeringsserviceco.com	
	Creative Solutions Since 1954 CIVIL ENGINEERS • LAND SURVEYORS	P 303.337.1393 F 303.337.1481 T/F 1.877.273.0659	
	Survey No. 17173-S	Project No. 698.003	Date 2018-04-30
	Revised 2018-09-05	Sheet 1 OF 2	

LINCOLN PROFESSIONAL PARK

ZONING MAP TO THE TOWN OF PARKER

A PARCEL OF LAND BEING A PART OF THE NW 1/4 OF SECTION 15,
T.6S., R.66W. OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SHEET 2 OF 2
ZONING MAP



CASE NUMBER: Z18-017

REFERRAL AGENCY COMMENTS

AZTEC CONSULTANTS

Z18-017

Review Type

AzTec Consultants, Inc. 10

Reviewer

Dean Cates

Date Sent

8/21/2018

Today

Date Due

9/4/2018

Today

Status

NO COMMENT

Remarks

Date Returned

8/27/2018

Today

Add to Timesheet

+

Add Standard Notes

TOWN OF PARKER BUILDING

Z18-017

Review Type **Building 20**

Reviewer **Randy Sale** ▼

Date Sent **5/17/2018**  Today

Date Due **6/15/2018**  Today

Status **APPROVED** ▼

Remarks

Date Returned **5/21/2018**  Today

Add to Timesheet

 **Add Standard Notes**

CENTURYLINK

Z18-017

Review Type **CenturyLink Communications 20**

Reviewer **Dustin Pulciani** ▼

Date Sent **5/17/2018**  Today

Date Due **6/15/2018**  Today

Status **NO COMMENT** ▼

Remarks

Date Returned **6/18/2018**  Today

Add to Timesheet

 **Add Standard Notes**

COMCAST

No comments submitted

TOWN OF PARKER COMPREHENSIVE PLANNING

REVIEWS

Bryce Matthews

**Comprehensive
Planning 20**

The property is located within the Town's urban growth area as defined in the Parker 2035 Master Plan and is within the Central Commercial Character Area which recommends commercial uses. The proposed Modified Commercial zoning meets the intent of the Parker 2035 Master Plan for this area.

6/18/2018 6:44:07 PM

DOUGLAS COUNTY ASSESSORS

Z18-017

Review Type

Douglas County Assessors Office 20

Reviewer

Brooke Decker

Date Sent

5/17/2018

Today

Date Due

6/15/2018

Today

Status

NO COMMENT

Remarks

Date Returned

6/12/2018

Today

Add to Timesheet

+

Add Standard Notes

DOUGLAS COUNTY ENGINEERING AND PLANNING

No comment

TOWN OF PARKER ECONOMIC DEVELOPMENT

Z18-017

Review Type **Economic Development 20**

Reviewer **Matt Carlson** ▼

Date Sent **5/17/2018**  Today

Date Due **6/15/2018**  Today

Status **APPROVED** ▼

Remarks

Date Returned **5/29/2018**  Today

Add to Timesheet

 **Add Standard Notes**

TOWN OF PARKER FIRE LIFE SAFETY

Z18-017

Review Type **FIRE LIFE SAFETY 20**

Reviewer **Randy Capra** ▼

Date Sent **5/17/2018**  Today

Date Due **6/15/2018**  Today

Status **APPROVED** ▼

Remarks

Date Returned **5/21/2018**  Today

Add to Timesheet

 **Add Standard Notes**

IREA

REVIEWS

Brooks Kaufman

**IREA
20**

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association has existing underground/overhead electric facilities on the subject property. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies.

Per the Town of Parker requirements, the applicant will be required to convert the existing overhead electric facilities on the subject property to underground at their expense.

The Association will address the utility easements at site plan and platting review.

6/6/2018 8:17:31 AM

PARKER AUTHORITY FOR REINVESTMENT

Z18-017

Review Type **Parker Authority for Reinvestment 10**

Reviewer **Weldy Feazell**

Date Sent **8/21/2018** Today

Date Due **9/4/2018** Today

Status **NO COMMENT**

Remarks

Date Returned **8/21/2018** Today

Add to Timesheet

+ Add Standard Notes

PARKER WATER AND SANITATION DISTRICT

Z18-017

Review Type **Parker Water and Sanitation District 20**

Reviewer **Drayton Sanderson** ▼

Date Sent **5/17/2018**  Today

Date Due **6/15/2018**  Today

Status **APPROVED** ▼

Remarks

Date Returned **5/18/2018**  Today

Add to Timesheet

 **Add Standard Notes**

TOWN OF PARKER ENGINEERING

Z18-017

Review Type **PLANNED DEVELOPMENT / ZONING PLAN - PV** [+ Add Standard Notes](#)
10

Reviewer **Alex Mestdagh**

Date Sent **8/21/2018**  Today

Date Due **9/4/2018**  Today

Status **NO COMMENT**

Remarks

Date Returned **9/12/2018**  Today

Add to Timesheet

TOWN OF PARKER POLICE

No comments submitted

PUBLIC SERVICE COMPANY

REVIEWS

Donna George

**Public
Service
Compan
y of
Colorad
o 20**

PSCo/Xcel Energy has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must complete the application process for any new natural gas service via FastApp-Fax-Email-USPS (go to: https://www.xcelenergy.com/start,_stop,_transfer/new_construction_service_activation_for_builders). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

6/13/2018 10:20:19 AM

RTD

No comments submitted



Request for Town Council Action

Date: November 5, 2018

Submitted By: Carolyn Washee-Freeland, Associate Planner

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.326.1 - First Reading**
A Bill for an Ordinance to Amend Section 13.10.200 of the
Parker Municipal Code Concerning the Town of Parker
Architectural and Design Standards For Commercial,
Industrial and Multiple-Family Projects

Department: Community Development Department,
Carolyn Washee-Freeland

Second Reading: November 19, 2018

EXECUTIVE SUMMARY

The Community Development Department proposes to amend the Commercial, Industrial and Multiple-Family (CIMF) Design Standards. The CIMF was originally adopted by Town Council on November 1, 1999, and was last updated on January 17, 2017. Community Development staff discussed the need for this project with Town Council in 2017 and this action represents the first of several major CIMF updates that will be advanced for Town Council consideration over the next few months.

The proposed CIMF amendments include a complete update to the Multi-Family Residential Design Standards, the addition of new definitions, and minor revisions to the Commercial and Industrial Design Standards as an interim placeholder. Community Development staff are currently drafting a complete update to the Commercial and Industrial Design Standards that will be ready for Town Council action in 2019.

On October 25, 2018, the Planning Commission unanimously recommended Town Council approve Ordinance 3.326.1.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker's Commercial, Industrial and Multi-Family Residential (CIMF) Design Standards were formally adopted by Town Council on November 1, 1999. The CIMF Design Standards have been revised with minor amendments since adoption, which are now obsolete. Community Development staff discussed the need for a comprehensive update to the Design Standards in 2017 and Council directed staff to proceed with this project.

The Town subsequently hired Urban Design Associates (UDA) to prepare the comprehensive update to the CIMF Design Standards. The project has been structured using a phased approach with Phase 1 consisting of the Multi-Family Residential Design Standards and Phase 2 consisting of the Commercial, Industrial and Mixed-Use Design Standards.

The new Multi-Family Residential Design Standards were completed in September of 2018 and are proposed to replace the current design standards for multi-family residential development.

Additionally, the proposed amendments include minor revisions to the exiting CIMF Design Standards as indicated below:

Chapter I. Introduction - Terminology has been updated to correct references to the Town's Land Development Ordinance.

Chapter II. How to Use the Design Standards - The Zoning Map has been replaced with the most current Town of Parker 2035 Master Plan Land Use Map that depicts the locations of Centers and Corridors.

Chapter III. Commercial – A design standard has been added to address corner landscaping and Section III.2.A. Massing and Scale has been updated to further clarify standards for all commercial buildings.

Chapter IV. Industrial - Sections IV.2.A. Massing and Scale and the IV.2.B. Architectural Elements and Articulation have been updated with additional design standards that provide further guidance for the design of industrial buildings.

Chapter V. Multi-Family Residential - This chapter was deleted in its entirety and replaced with the updated Multi-Family Residential Design Standards. The new Design Standards were developed to convey preferred building design and architectural character, improve the quality of development and strengthen the development review process.

The above-referenced revisions to the current CIMF Design Standards will be interim in nature until the new Phase 2 Commercial, Industrial and Mixed-Use Design Standards are completed in 2019. Once Phase 2 is complete, all new design standards will be combined into one document that will replace the current Design Standards in their entirety.

Once adopted, the new CIMF Design Standards will promote higher quality development,

improve the development review process and implement the Parker 2035 Master Plan vision for development design throughout Town.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No.3.326.1
2. 2018 Updated Commercial, Industrial, Multifamily Design Standards

RECOMMENDED MOTION

I move to approve Ordinance No. 3.326.1 on first reading and to schedule second reading for November 19, 2018, as part of the consent agenda.

ORDINANCE NO. 3.326.1, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.10.200 OF THE PARKER MUNICIPAL CODE CONCERNING THE TOWN OF PARKER ARCHITECTURAL AND DESIGN STANDARDS FOR COMMERCIAL, INDUSTRIAL AND MULTIPLE-FAMILY PROJECTS

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

Section 3. Subsection 13.10.200(a) of the Parker Municipal Code is amended to read as follows:

13.10.200 Town of Parker Architectural and Design Standards for Commercial, Industrial and Multiple-Family Projects.

(a) Adoption of Design Standards by reference. The Town of Parker Architectural and Design Standards for Commercial, Industrial and Multiple-Family Projects, dated October 8, 1999, and last amended on ~~January 17, 2017~~ **November 19, 2018** ("Design Standards"), and prepared by the Town, are hereby adopted by reference as if set forth herein. Copies of the Design Standards are on file with the Planning Department, may be inspected by any person and are available for sale between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

* * *

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

TOWN OF PARKER

COMMERCIAL, INDUSTRIAL, & MULTIFAMILY
RESIDENTIAL DESIGN STANDARDS



NOVEMBER 1, 1999

Updated September 22, 2003

Updated June 16, 2008

Updated April 17, 2015

Updated January 17, 2017

Updated November 19, 2018

TOWN OF PARKER

COMMERCIAL, INDUSTRIAL & MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

November 1, 1999

Updated September 22, 2003

Updated June 16, 2008

Updated April 17, 2015

Updated January 17, 2017

Updated November 19, 2018

ACKNOWLEDGEMENTS

Town of Parker

Aden Hogan: Town Administrator

Mark Leidal: Planning Director

Mike Connor: Assistant Planning Director

Design Standards Advisory Committee

Ivan Baker

Charles Buckman

Gary Ellermann

Mark Faulkner

John Healy

Bob Lind

Scott Massey

Jerry McCabe

Beth S. Pent

Joe Quinn

Stevan Strain

Lance Wright

Kris Belter

Linda Eller

Pam English

Marty Lea Garcia

Alan Kania

Jim Marshall

Mike May

J. Douglas Nash

Dennis Niewohner

John Sass, Jr

Jack Taylor

Parker Town Council

Gary Lasater, Mayor

Lance Wright

Debbie Lewis

Dave Aldridge, Mayor Pro-Tem

Robert Tinnes

Dave Haider

Michael May

Parker Planning Commission

J. Douglas Nash

John Sass, Jr.

Bob Morris

Bob Lind

Dale Brinker

Lance Evans

Erik Slade

Chris Carter

Linda Eller

Kevin Camp

Ron Ames

Darrin Jensen

Consultant

RNL Design

1515 Arapahoe Street Suite 700

Denver, Colorado 80202

303-295-1717

Kent Freed, John Decker, Jean Robbins

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INTRODUCTION

I. INTRODUCTION

With the explosion of development in Parker and concern with Parker's changing image and identity, the Town has developed design standards to provide the Planning Department, Planning Commission, Town Council and developers with an objective basis on which to evaluate and/or create new or redevelopment. The Town of Parker citizens have become increasingly sensitive to the potential for a proliferation of disparate or mediocre commercial and industrial development throughout the Town. The Town Council, Planning Commission and Planning Staff agree that the current Land Development Ordinance ~~Code (LDC)~~(LDO) does not provide the necessary tools to evaluate and coordinate developments. The ~~LDC-LDO~~ contains generic regulations regarding permitted uses, parking standards, setbacks, height limits, landscaping, etc. The regulations are based solely on zoning classification, with no provisions for special districts or prominent locations within Town. The ~~LDC~~ LDO is therefore limited in scope because it focuses only on individual properties without regard to how they relate to one another or work together to enhance the community's image and identity.

The Town of Parker Commercial, Industrial and Multifamily Residential Design Standards address this issue by providing information for site planning and architecture that allow for flexibility in individual building design while promoting a cohesive image of quality. These design standards incorporate the idea that the Town of Parker strives to be a diverse community with a refreshing mix of architectural styles, materials, and forms. And, fostering and maintaining a community with a rich blending of designs that complement each other and build economic value is more important to Parker citizens than promoting one particular design style.

The standards are based upon commonly accepted principles of urban design and reflect the goals for the Town of Parker as set forth in the Town of Parker Master Plan. The standards address the following: (1) site design standards such as adjacent sensitivity, site development, building location and orientation, access, parking, landscaping and screening, and (2) architectural standards, such as mass and scale, architectural elements, colors, and roofing.

Purpose of the Design Standards

The intent of the design standards is to provide clear and concise direction to developers and property owners in order to promote quality and preserve value. The standards will be used as a tool in evaluating development submittals for all commercial, light industrial or multifamily projects. Specifically, the following standards will be used in the site review process for new development as well as significant architectural renovation or restoration of existing developments. Projects include renovations to existing buildings, adaptive reuse and/or change of existing use, construction of new building, and landscape improvements.

Property owners, developers and architects shall use these standards when preparing site plans and architectural plans for new development and for improvements to existing development. All standards contained in this document shall be reviewed and special care taken to address all situations where standards are applicable to a specific project. In addition, the standards shall be referenced when master planning a long-range, phased development project. Property owners and developers should check with the Planning Department to determine which projects are subject to a formal review process.

Relationship of the Design Standards to Other Planning Documents

These Design Standards are in addition to the standards and requirements identified in the Land Development ~~Code Ordinance~~ except for those properties located within the Greater Downtown District Historic Center and Pikes Peak Center as described in Section 13.04.110. New developments, alterations to existing structures and changes of use shall require that the properties be in compliance with the Land Development ~~Code Ordinance~~ and the Commercial, Industrial and Multifamily Design Standards. Modification of an existing building or change of use in an existing building shall be reviewed in accordance with section 13.04.230 Nonconforming Situations as stated in the Land Development ~~Code Ordinance~~ or as may be amended from time to time. While these standards are intended to be consistent with the Land Development ~~Code Ordinance~~ there may be occurrences where there is a conflict between the two documents. In the event that a conflict is discovered, the stricter of the two standards shall apply.

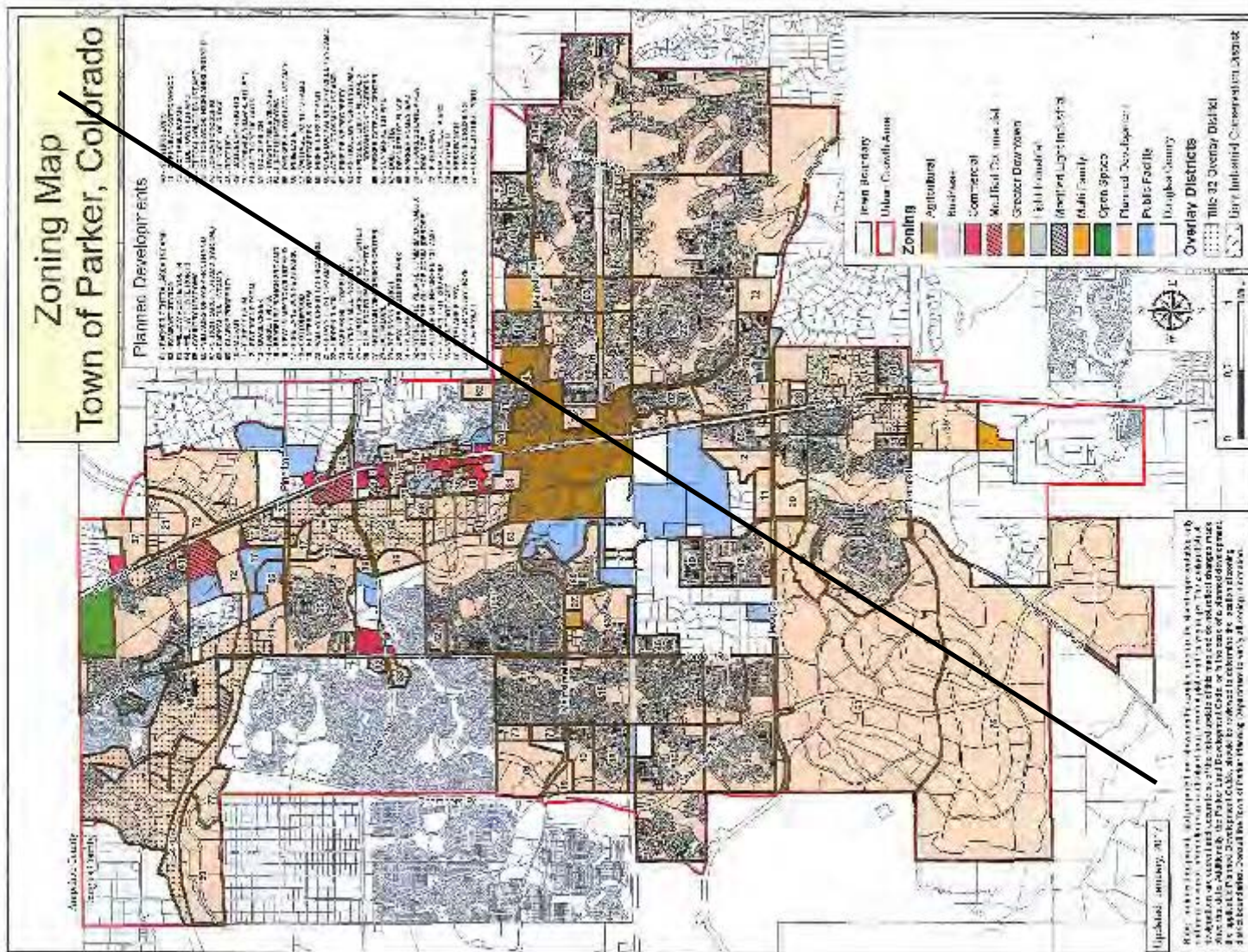
II. How to Use the Design Standards

Design Standards are organized by geographic planning areas. These include General Areas, Neighborhood Centers, Community Centers, Regional Centers and Corridors, as shown in Figure 1.1. General Areas are all areas within the Town of Parker that are not specifically single family residential areas. General Areas standards are minimum standards of design quality intended to ensure coordinated development throughout the Town. Neighborhood, Community, and Regional Centers and Corridors are areas that serve unique functions within the Town of Parker and are deserving of site specific design standards. Centers and Corridors are prominent locations which contribute to the Town of Parker's unique sense of place. They are Town's main entryway streets and primary intersections, the visual quality of which has a significant effect on one's perception of the image and identity of the Town. The distinguishing features of these highly visible areas are significant factors in defining the character of the community as a whole.

General Area design standards are described in Sections III - V. All property within the Town of Parker shall be subject to the General Area Standards.

Center and Corridor design standards are described in Sections VI - VIII. In addition to meeting all General Area Standards, a development proposal for property located within one of the Neighborhood, Community or Regional Centers and/or Parker Road Corridor listed below, is also subject to the standards for the Center or Corridor in which it is located. In some cases these are new standards and in other cases they are intensifications of existing standards and will apply instead.

See Figure 1.2 for step-by-step instructions for using this document.



~~Figure 1.1: Map of Centers and Corridors~~

Source: Parker 2035 General Land Use Plan, June 2012

Updated November 2018

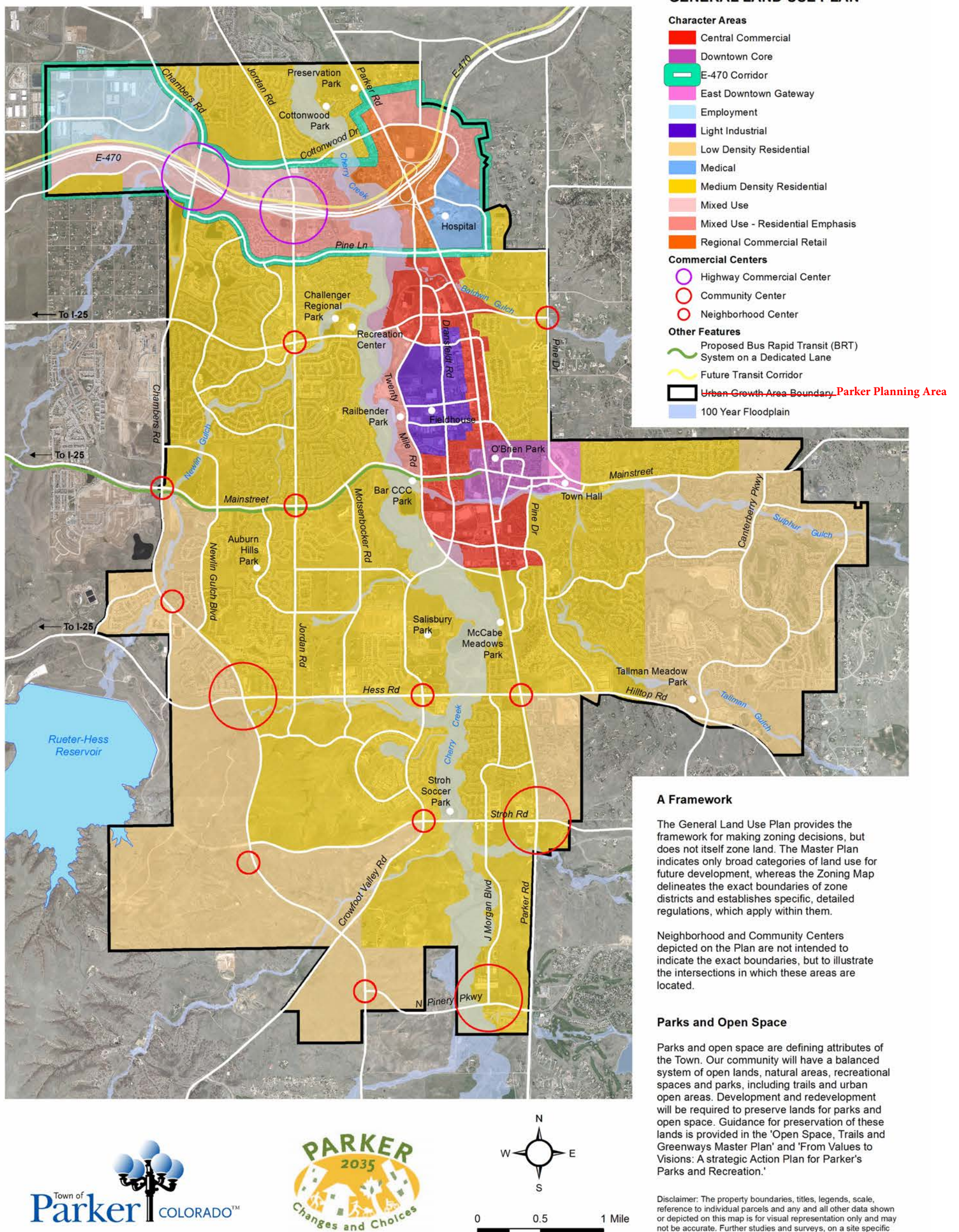


Figure 1.1: Map of Centers and Corridors

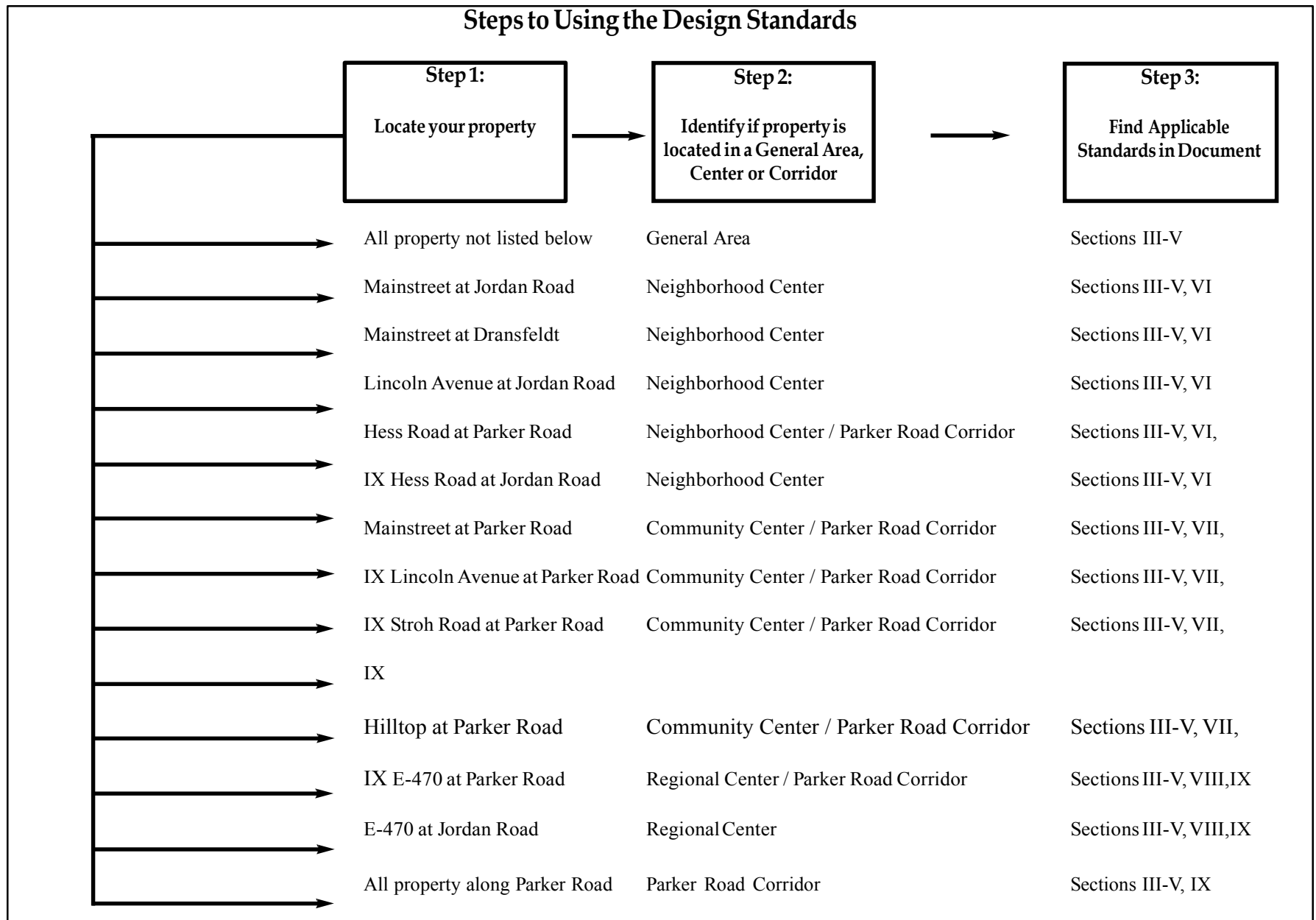


Figure 1.2: Steps to using the design standards

III. COMMERCIAL



III. COMMERCIAL

GOALS AND OBJECTIVES

The primary goals for this area are to:

- Foster designs that reflect the Town of Parker's unique image and physical character.
- Prevent the development of generic architecture.
- Encourage development that presents an image of high quality and value.
- Set minimum quality standards for site development, organization, relationship to adjacent properties and building architecture.
- Develop sites in a manner that is sensitive to the existing and adjacent topography, maintaining panoramic views to the west.

III.1. Site Design Standards

III.1.A. Adjacent Sensitivity

Intent: Protect significant natural features and resources in order to minimize the impacts of development on the environment and create open space amenities, when possible. Examples of such areas include the Cherry Creek Corridor, Black Forest, and hillsides.

- 1) Buildings on sites adjacent to stream corridors and wetland areas shall be set back a minimum of 20 feet from the edge of the 100 year floodplain as shown on the most current FEMA map or from the edge of wetlands as shown on the most current Corps of Engineers map.
- 2) The design of site improvements shall minimize cut-and-fill in order to preserve the general character of the existing terrain and to minimize drastic differences between adjacent developed and undeveloped sites.
- 3) Views from open space and/or recreational areas shall be protected by attractive screen walls or landscaping. Development shall be buffered and screened from adjacent open space and/or recreational areas in the same manner as from an adjacent sensitive use, i.e. single family residential. See Section III.1.H. for detailed screening standards.
- 4) Development sites adjacent to open space and/or recreational areas shall limit the height of retaining walls to 4'-0". Terraced walls landscaped with live plantings between walls shall be permitted.
- 5) Development sites that include visually significant ridgelines shall limit the extent of building on top of the ridgeline, or rooflines that protrude above the ridgeline to 20 percent of the total length of the ridgeline within the property boundaries. Visually significant ridgelines are the top 25% of a natural topographic ridge that rises at least 50' above the adjacent land over a distance of 150' or less.

III.1.B. Site Development

Intent: Establish a set of site design principles that will provide a cohesive framework for development. Encourage a diversity of development forms and scales by providing for a variation in site plan designs.

- 1) Developments are encouraged to utilize creative, place-making, street sensitive site organization.

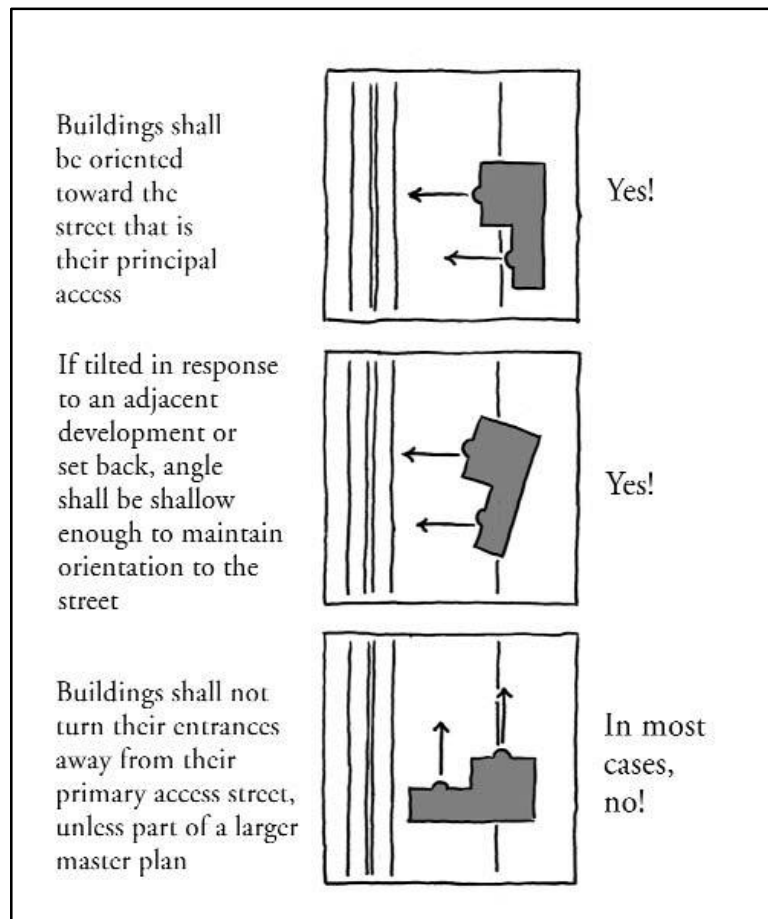


Figure 3.1: Entry facade orientation

- 2) Site planning shall respect the relationship of the site to existing and proposed buildings and streets.
- 3) Development shall respect existing land slopes and respond to significant natural features such as rock outcroppings, mature stands of healthy trees, etc.
- 4) Site planning and design shall, to the extent possible, preserve existing views and vistas.

III.1.C. Building Location and Orientation

Intent: Orient primary structures to the primary street and complement existing, adjacent development to create a coordinated and visually attractive streetscape.

- 1) As depicted in Figure 3.1, entry facades shall orient towards the primary street or the active pedestrian zone within the site to create an inviting image and consistent front and street edge definition.
- 2) Developments shall be encouraged to locate buildings near the primary street(s) with most of the parking on the side or rear of buildings.
- 3) Garage bays shall orient away from primary streets.
- 4) Where development occurs at intersections, corners shall be identified with significant landscaping and buildings shall be oriented to relate to the street corner, as shown in Figure 3.2.
- 5) For multi-tenant buildings, at least 50 percent of the building group's walls which front most pedestrian activity, shall be oriented towards the primary street, as shown in Figure 3.3.
- 6) Buildings shall be grouped in ways which create positive space or "rooms" to accommodate parking and site circulation as well as to complete spaces established by adjacent developments, as shown in Figure 3.4.
- 7) Entrances shall be visible and accessible from pedestrian sidewalks.

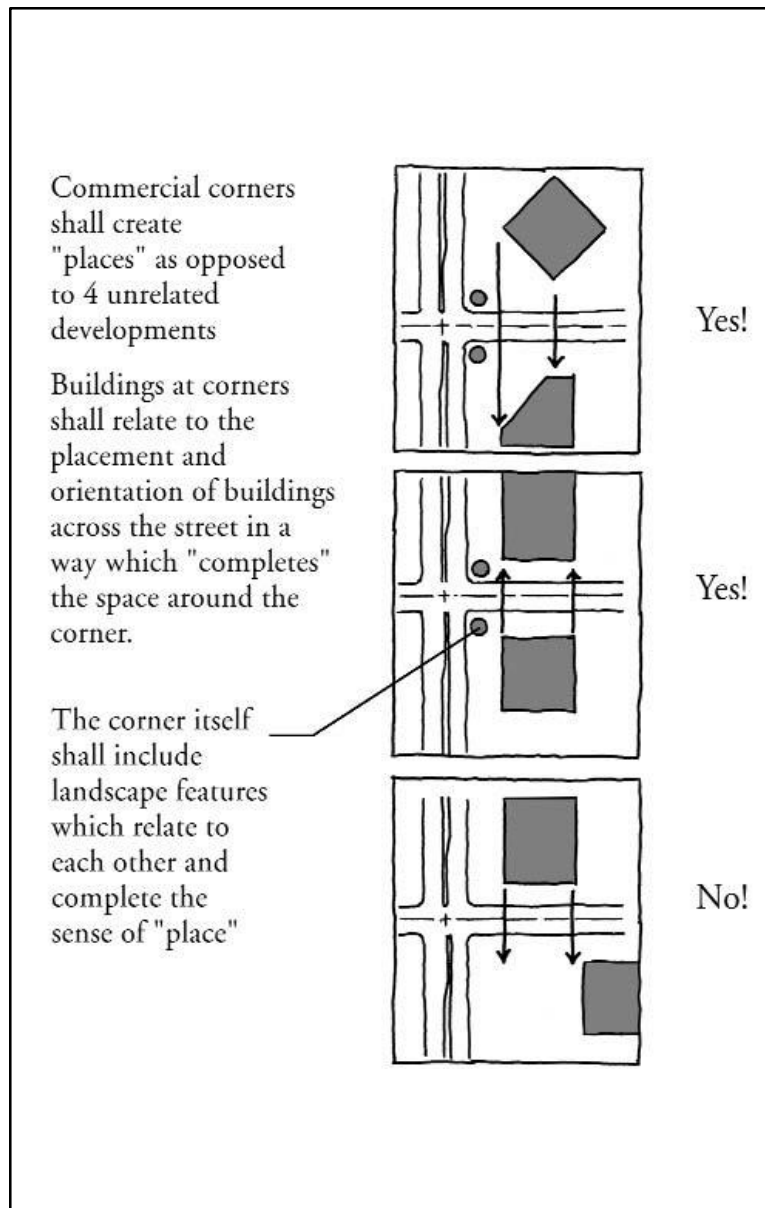


Figure 3.2: Corner orientation

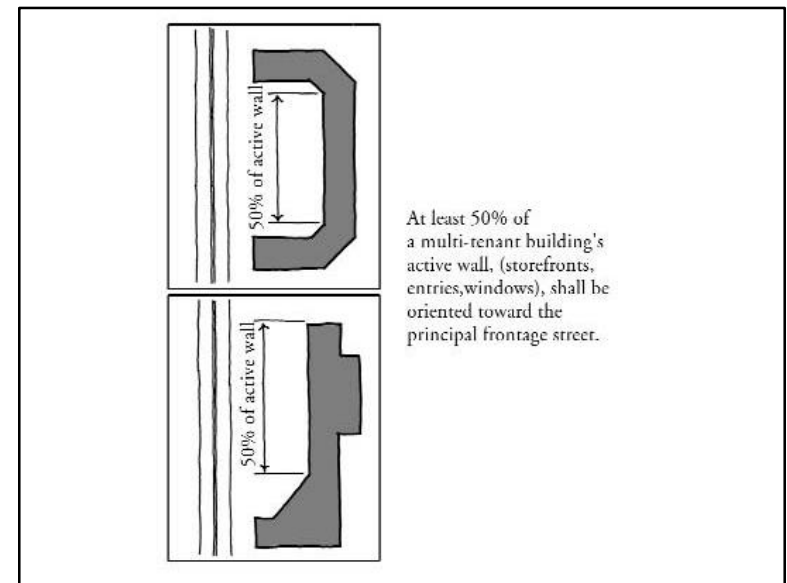


Figure 3.3: Multi-tenant building orientation

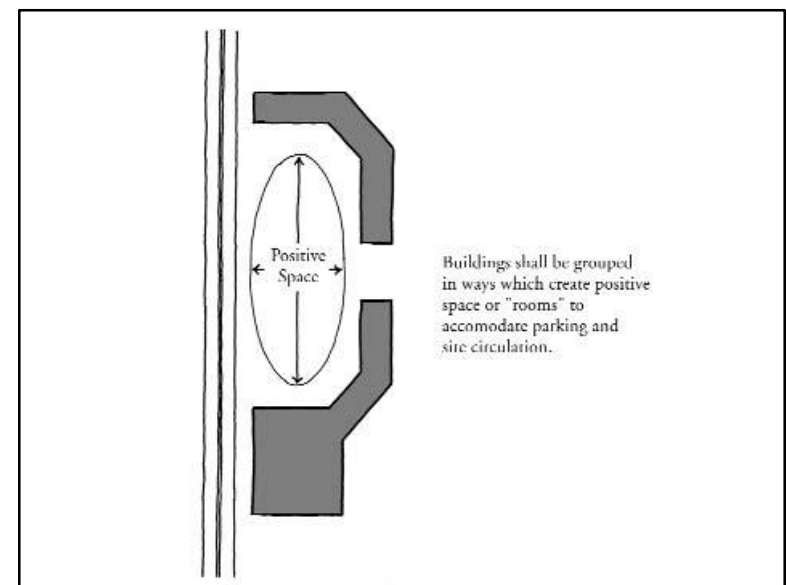


Figure 3.4: Orientation to create positive space

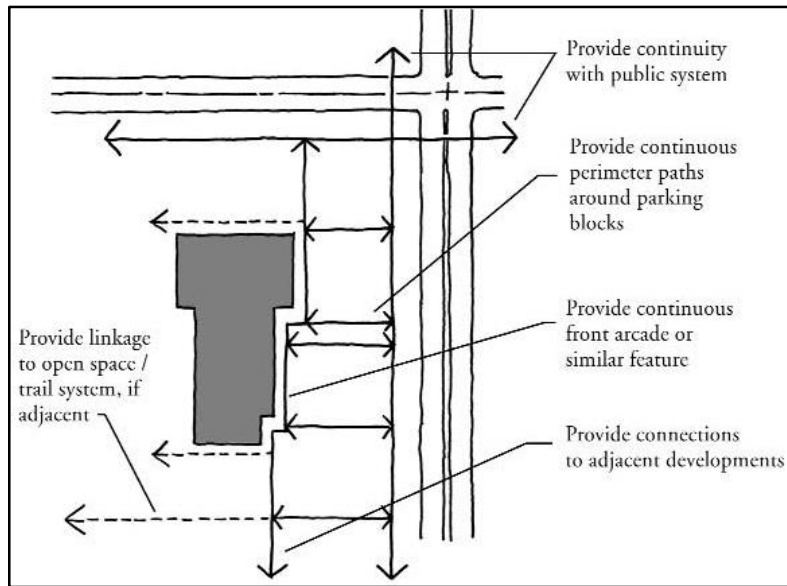


Figure 3.5: Pedestrian access

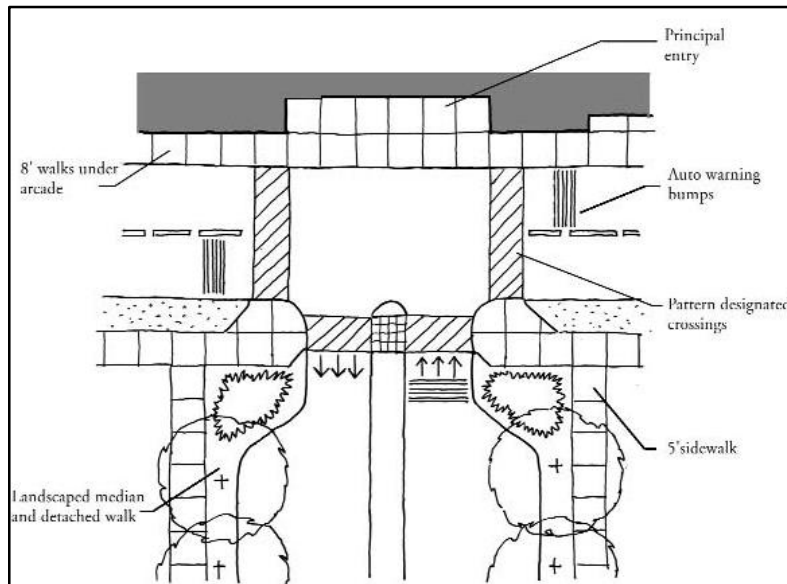


Figure 3.6: Pedestrian features

III.1.D. Pedestrian Access

Intent: Create a safe, continuous pedestrian network that minimizes conflict with automobile movement while promoting a convenient option for pedestrian movement within and between developments. See Figures 3.5.

- 1) Continuous site perimeter pedestrian walkways within a development site, no less than 5 feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, open space, building and store entry points, and adjacent pedestrian systems.
- 2) All parking lots shall have pedestrian crosswalks that are distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored, colored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. See Figure 3.6.
- 3) For parking lots containing 120 parking spaces or more, continuous parking lot pedestrian walkways shall be located in landscaped medians that include trees and grasses or shrubs and groundcover, or other such materials for no less than 50 percent of its length. Landscaped walkways shall count toward interior parking lot landscape requirements in Section III.1.G.
- 4) Sidewalks no less than 8 feet in width shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas.
- 5) Internal pedestrian walkways provided in conformance with the above standard shall provide weather protection features such as awnings, arcades, or pergolas within 30 feet of all customer entrances.
- 6) Pedestrian connections to adjacent developments shall be provided. If adjacent properties are undeveloped, site plans shall indicate areas for future pedestrian connections to adjoining parcels.

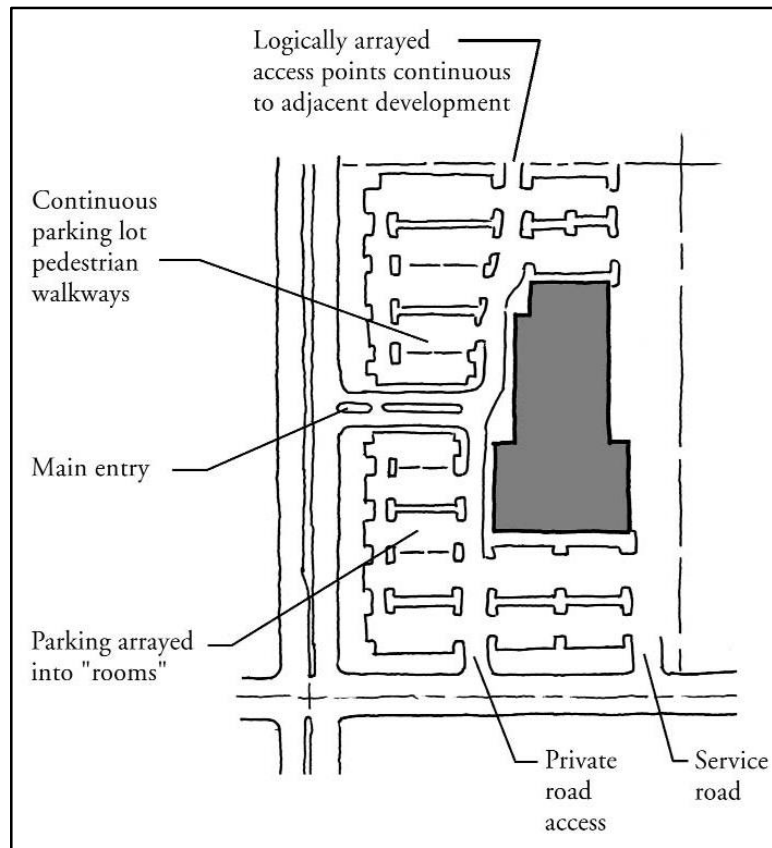


Figure 3.7: Vehicular access

III.1.E. Vehicular Access

Intent: Create an automobile circulation system that provides for safe and efficient movement within and between properties and minimizes impacts of commercial traffic on residential properties. See Figure 3.7.

- 1) Connections between private access driveways or roads shall be provided by siting a logical array of access points.
- 2) Main drive aisles must be continuous and connect to the main entrance of the site.
- 3) Vehicular access between adjacent properties shall be provided whenever possible, but vehicular speeds shall be limited through speed calming measures such as stop signs, access that is out of alignment, or speed bumps.
- 4) Commercial drives or roads shall not align with residential access drives. Exceptions can be made for mixed use developments that integrate residential and commercial uses.
- 5) When the opportunity exists, common or shared public entries shall be provided.
- 6) To the extent possible, shared service and delivery access shall be provided between adjacent parcels and/or buildings.

Note: Figures 3.8, 3.9, 3.10, and 3.11 have been deleted

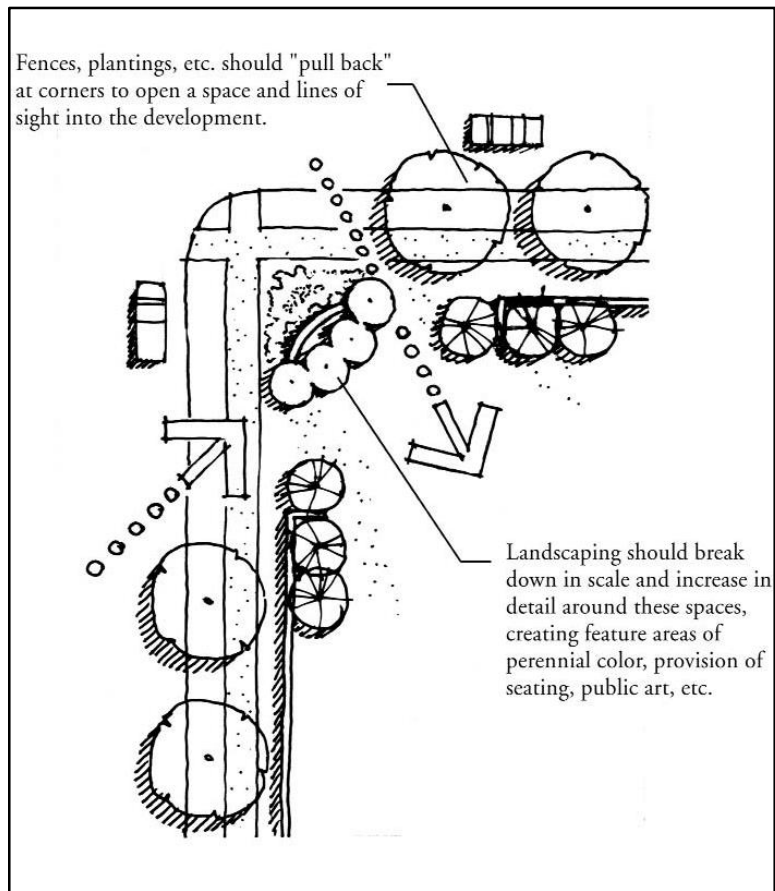


Figure 3.12: Corner landscaping

III.1.F. Screening

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

- 1) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be screened and integrated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
- 2) Architectural elements, materials, colors, and design of screening walls, coverings, and/or fences shall conform to those used as predominant materials, colors and elements on the building or landscaping.
- 3) All rooftop mechanical equipment and vents greater than eight inches in diameter shall be screened. Screening may be done either with an extended parapet wall or a free-standing screen wall of a material and color matching the building. Screens shall be at least as high as the equipment they hide.
- 4) Corner areas where two streets intersect and meet shall incorporate enhanced landscaping design as shown in figure 3.12. Corner landscaping must conform with the Town's Roadway Design and Construction Criteria Manual.

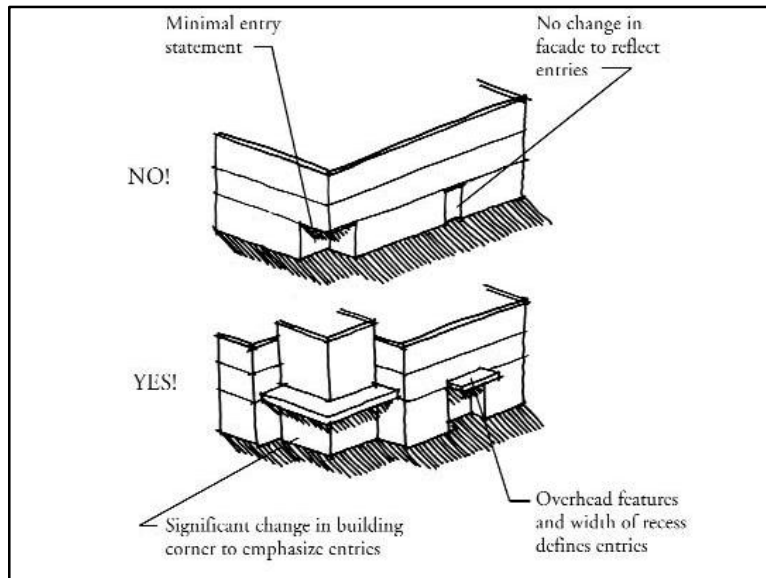


Figure 3.13: Building mass at entries

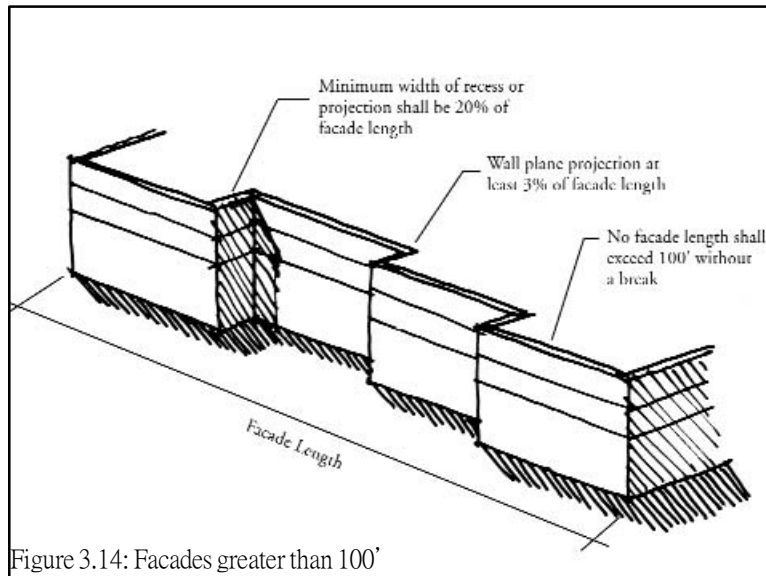


Figure 3.14: Facades greater than 100'

III.2 Architectural Standards

III.2.A. Mass and Scale

Intent: Building mass, form, length and proportions shall be designed to provide variety of visual interest, maintaining a human scale that is appropriate to surroundings.

All Commercial Buildings, Single-Tenant, Multi-Tenant, Mixed Use, and Big Box Retail Buildings

- 1) The following standards shall apply to all ~~single-story~~ commercial buildings: ~~containing 65,000 square feet or more of gross floor area.~~
- 2) A breakdown of building mass is required at all significant entryways and walls that front pedestrian activities to mark entryways and to provide a human scale. See Figure 3.13.

Building facades shall meet one of the following standards:

- (a) facades greater than 100 feet in length shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of facade shall exceed 100 horizontal feet, as shown in Figure 3.14; or
- (b) each building façade shall have a repeating pattern that includes no less than three instances of either (1) color change, (2) texture changes, (3) material module change, or (4) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib. At least one of those elements shall repeat horizontally at an interval of not more than 30 feet, as shown in Figure 3.15.; or
- (c) Standards III.2.A.2(a) and III.2.A.3(b) may be waived if the applicant can demonstrate an alternative building design which significantly articulates a wall plane.

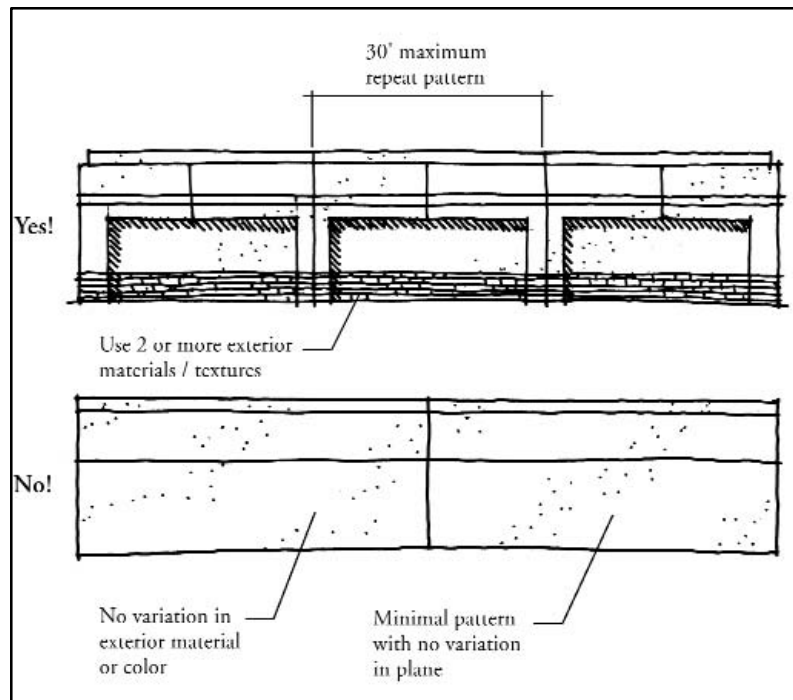


Figure 3.15: Building facade pattern

~~Multi-Story Buildings~~

~~The following standard shall apply to all buildings greater than two stories:~~

- 3) ~~1)~~ The composition of the building shall present a clear base, middle, and top or a clearly defined alternative building composition, as shown in Figure 3.16.
- 4) ~~2)~~ The building mass shall break down and be clearly articulated to differentiate the first floor portion of the building from the remaining mass.
- 5) ~~3)~~ Horizontal rhythms, such as openings and articulations shall logically align between levels.

III.2.B. Architectural Elements and Articulation

Intent: Create an image of high quality development. Encourage a variety of architectural elements that avoid featureless design and uninterrupted repetition of building materials and colors. Facades shall be integrated and articulated to reduce the massive scale and the uniform, impersonal appearances of large commercial buildings and provide visual interest that will be consistent with the community's identity, character, and scale.

- 1) As shown in Figure 3.17, ground floor facades facing a primary access street shall have clearly defined, highly visible customer entrances that feature no less than three of the following: canopies or porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, distinctive roof forms, arches, outdoor patios, display windows, integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- 2) Architectural details such as tile work, metal work, brick applied in two or more colors, textures, corbels, or other projections and moldings which are integrated into the building structure and design, shall be used as façade graphics to further articulate walls, as shown in Figure 3.18.

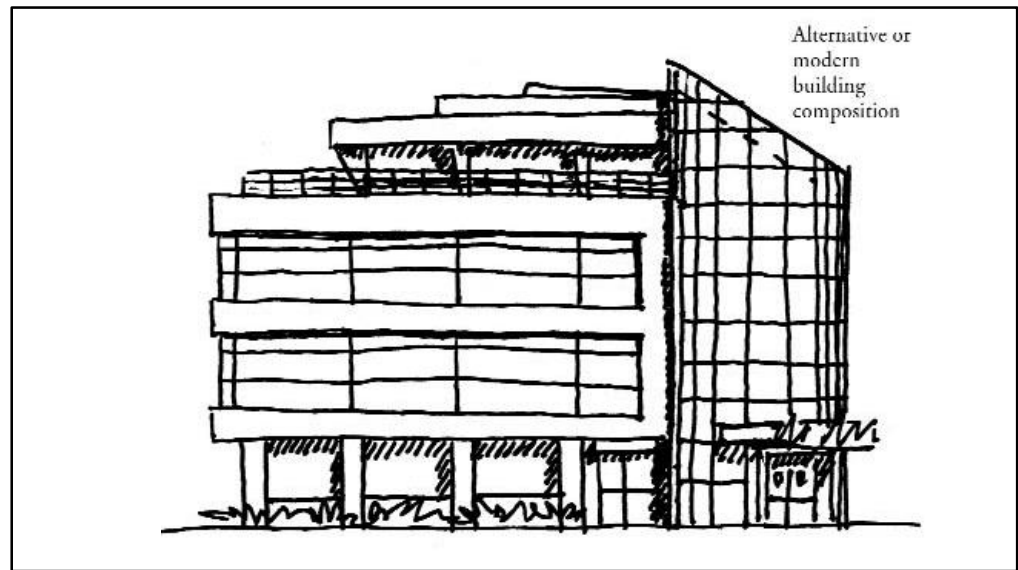


Figure 3.16: Building composition

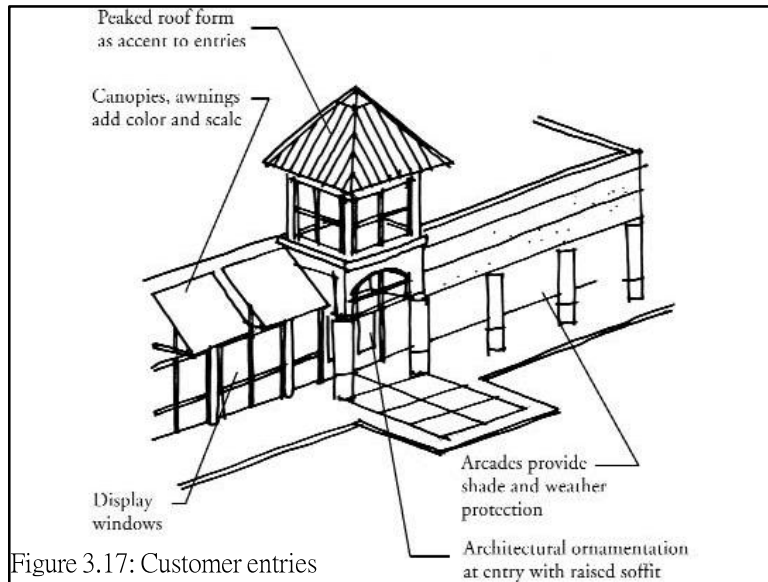


Figure 3.17: Customer entries

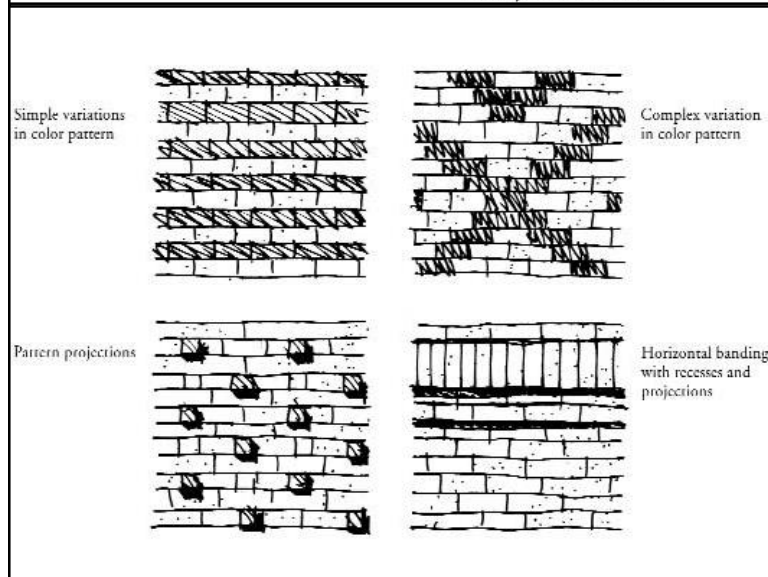


Figure 3.18: Wall articulation

- 3) Side facades which are visible from adjoining properties and/or public streets shall comply with one of the two requirements of the above facade standards.
- 4) Rear building facades shall contain a simplified expression of the same materials and patterns used on other sides of the building. Blank, featureless walls are prohibited.
- 5) For hotels and motels, all stairwells and upper floor circulation components of the building shall be completely enclosed within the building envelope to create a secure space.

III.2.C. Building Materials

Intent: Building materials shall present an image of high quality and permanence.

- 1) Predominant exterior building materials shall be high quality, durable material such as, but not limited to: brick, wood lap siding, sandstone or other native stone, integrally colored, textured, or glazed concrete masonry units, pre-finished metal panel systems, high quality prestressed concrete systems, and water managed Exterior Installation Finish Systems (EIFS).
- 2) Exterior building materials shall not include the following: split shakes, rough sawn or board and batten wood, smooth-faced gray concrete block, painted concrete block, tilt-up concrete panels, field painted or pre-finished standard corrugated metal siding, standard single or double tee concrete systems, or barrier type EIFS.
- 3) Standards III.2.C.1 and III.2.C.2 can be waived if a project demonstrates the application of a material which satisfies the above intent statement.
- 4) All sides of the building shall include materials consistent with those on the front.
- 5) For hotels and motels, façade area at least equal to the total façade area of the first floor walls, shall be surfaced in brick or natural stone. The remainder of the exterior may be surfaced in stucco, water managed EIFS, integrally dyed decorative concrete or ceramic masonry units. Metal or vinyl siding is prohibited.
- 6) Applicants are required to submit a sample material board.

III.2.D. Colors

Intent: Exterior colors shall be aesthetically pleasing and compatible with colors of nearby structures.

- 1) Color schemes shall tie building elements together and shall be used to enhance the architectural form of the building.
- 2) Color choices for all buildings shall be made from those allowed within the range delineated according to the Munsell color notation system from the Munsell Book of Color on display in the Planning Office.
- 3) The Munsell system of color notation is broken into three categories: hue, chroma and value. Chroma is the only characteristic with one set limit, which is as follows: Body color is limited to a maximum chroma of 4. Trim color is limited to a maximum chroma of 6. Accent color is limited to a maximum chroma of 8. (If yellow or red is used, body color is limited to a maximum chroma of 8, trim color is limited to a maximum chroma of 8 and accent color is limited to a maximum chroma of 10).
- 4) Intense, bright, black, or fluorescent colors shall not be used as the predominate color on any wall or roof of any primary or accessory structure.
- 5) All exterior elements of a building that are metal, such as flues, flashings, etc., shall be painted a flat color or one that is a compatible color with the building and not be left nor allowed to become bare metal. Exceptions to this standard may occur, such as for copper roofs, etc., which do not require painting.
- 6) Applicants are required to submit a color palette board.

III.2.E. 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.

- 1) Buildings shall have distinctive roof profiles and colors and provide a variation in roof lines and forms between developments.
- 2) Buildings with flat roofs shall be designed to create visual interest by using variations in parapet height, articulation of cornice lines, decorative scuppers or other features.
- 3) Roof forms shall be designed to correspond and denote building elements and functions such as entrances and arcades.
- 4) Visible roof surfaces shall be made of durable materials such as clay or concrete tile, tern metal, copper, slate, or other prefinished architectural metals.
- 5) Asphalt shingles, if used, shall be architectural grade.

IV. INDUSTRIAL



IV. INDUSTRIAL

Goals and Objectives

The primary goals for this district are to:

- Maximize the economic benefits of industrial development while minimizing the negative impacts on adjacent uses, roadways, and natural areas.
- Provide site and building amenities that create a pleasant working environment for employees.
- Encourage the use of high quality materials that reflect the Town of Parker's unique physical character and sense of place.

IV.1. Site Design Standards

IV.1.A. Adjacent Sensitivity

Intent: Protect significant natural features and resources in order to minimize the impacts of development on the environment and create open space amenities, when possible.

- 1) Buildings on sites adjacent to stream corridors and wetland areas shall be set back a minimum of 20 feet from the edge of the 100 year floodplain as shown on the most current FEMA map or from the edge of wetlands as shown on the most current Corps of Engineers map.
- 2) The design of site improvements shall minimize cut-and-fill in order to preserve the general character of the existing terrain and to minimize drastic differences between adjacent developed and undeveloped sites.

- 3) Views from open space and/or recreational areas shall be protected by attractive screen walls or landscaping. Development shall be buffered and screened from adjacent open space and/or recreational areas in the same manner as from an adjacent sensitive use, i.e. single family residential. See Section IV.1.H. for detailed screening standards.
- 4) Development sites adjacent to open space and/or recreational areas shall limit the height of retaining walls to 4'-0". Terraced walls landscaped with live plantings between walls shall be permitted.
- 5) Development sites that include visually significant ridgelines shall limit the extent of building on top of the ridgeline, or rooflines that protrude above the ridgeline to 20 percent of the total length of the ridgeline within the property boundaries. Visually significant ridgelines are the top 25% of a natural topographic ridge that rises at least 50' above the adjacent land over a distance of 150' or less.

IV.1.B. Site Development

Intent: Establish a set of site design principles that will provide a cohesive framework for development. Encourage industrial development that respects and protects the value of adjacent property and uses.

- 1) Site plans must demonstrate sensitivity to the protection of both existing and future adjacent developments.
- 2) To the extent possible, multiple buildings on an industrial site should be internally focused to conceal operations.
- 3) To the extent possible, buildings shall be consolidated within a site.

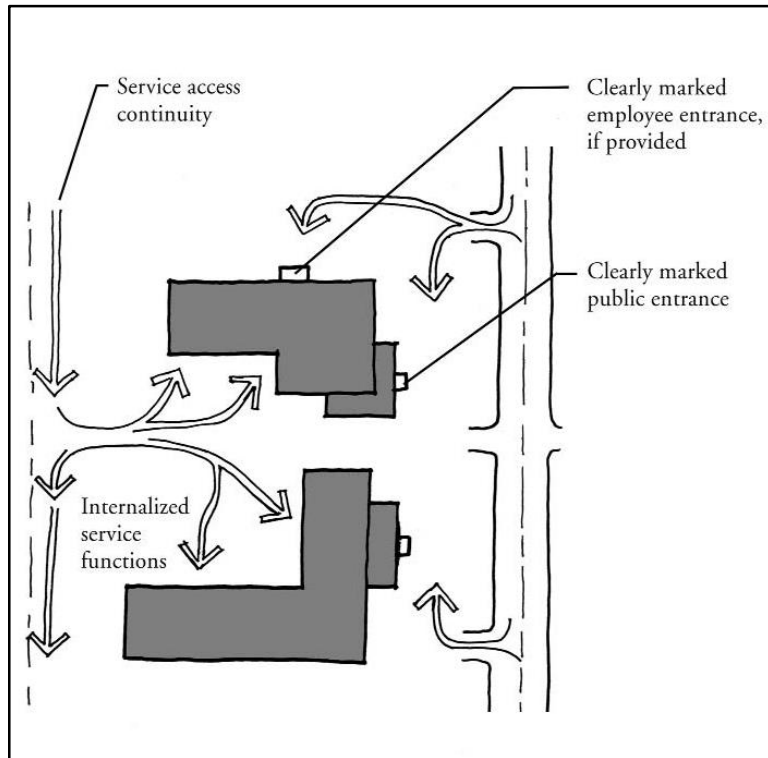


Figure 4.1: Building location and orientation

IV.1.C. Building Location and Orientation

Intent: Orient and consolidate structures to complement existing, adjacent development and to create a coordinated and visually attractive industrial park setting. See Figure 4.1.

- 1) Development shall respect existing land slopes and respond to significant natural features such as rock outcroppings, mature stands of healthy trees, etc.
- 2) Customer entrance facades shall orient towards the primary street.
- 3) For buildings with multiple entrances, customer entrances shall be designated and differentiated from service or employee entrances.
- 4) For businesses with low customer interface, buildings should be positioned on a site to maximize setbacks from primary streets.
- 5) Accessory structures or uses shall not front a primary street and shall be oriented away from public rights-of-way, open space, and residential areas.

IV.1.D. Pedestrian Access

Intent: Create a safe, continuous pedestrian network that minimizes conflict with vehicle movement, (particularly trucks), while promoting a convenient option for movement to and from developments.

- 1) Continuous internal pedestrian walkways within a development site, no less than 5 feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer/office entrance.
- 2) All internal pedestrian crosswalks shall be distinguished from driving surfaces through the use of crosswalk striping or other low maintenance surface materials.

IV.1.E. Vehicular Access

Intent: Create a vehicular circulation system that provides for safe and efficient transportation of goods and minimizes impacts of industrial traffic on other land uses.

- 1) To the extent possible, separate car and truck access drives shall be provided.
- 2) Industrial drives or roads shall not align with access points into residential neighborhoods or residential access drives.

IV.1.F. Screening

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

- 1) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service or accessory functions shall be screened and integrated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent public rights-of-way, open space or residential areas.
- 2) Architectural elements, materials, colors, and design of screening walls, coverings, and/or fences shall conform to those used as predominant materials, colors and elements on the building or landscaping.
- 3) All rooftop mechanical equipment shall be screened. An extended parapet wall or 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.

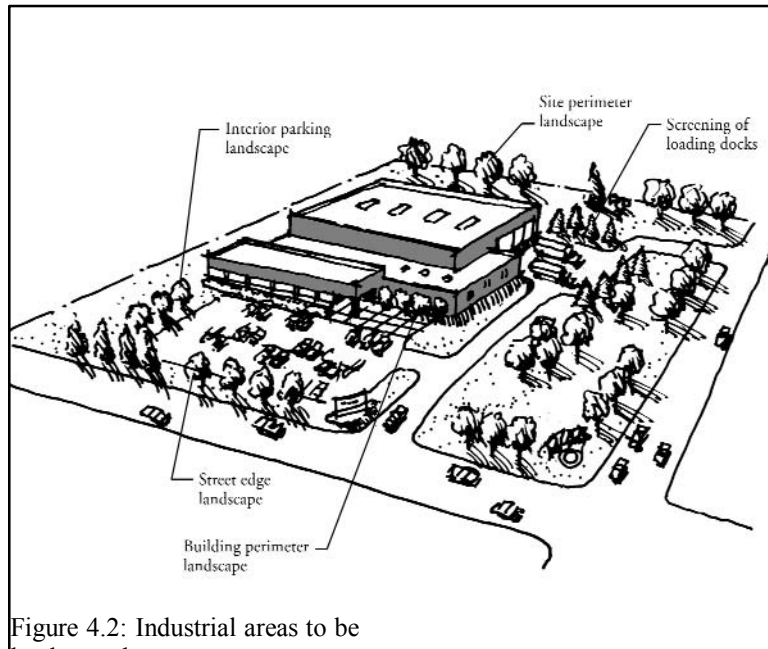


Figure 4.2: Industrial areas to be landscaped

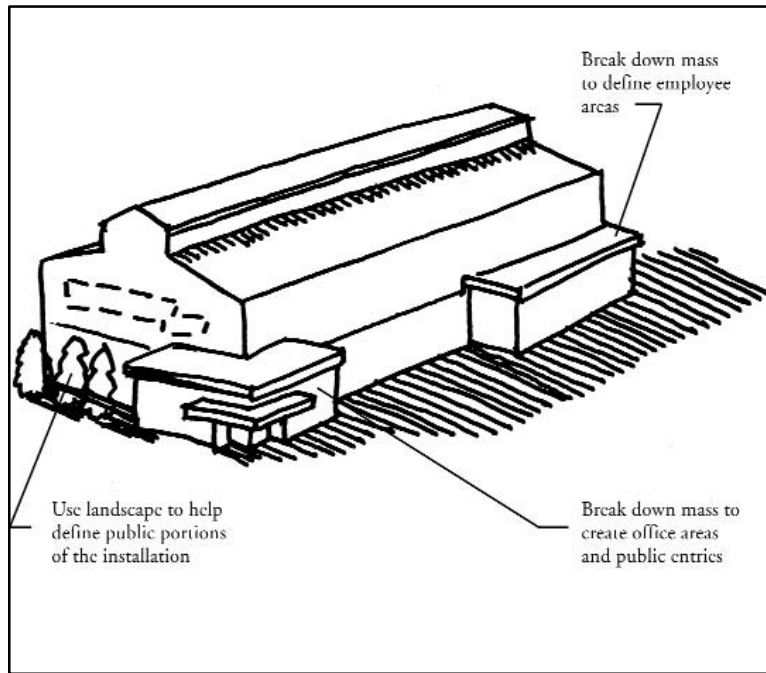


Figure 4.3: Massing of industrial buildings

IV.2. Architectural Standards

IV.2.A Mass and Scale

Intent: Building mass and height shall be designed to maintain a scale appropriate to surroundings.

The mass of the office portion of the building shall be broken down to a human scale with a strongly marked public entry and employee break or lunch areas, when provided. See Figures 4.3 and 4.4.

- 1) Building mass shall have a clear top, middle, and base or a clearly defined alternative building composition as shown in figure 3.16.
- 2) Breaks in building mass shall be used to provide visual relief for long building facades. Any building facade accessible or visible to the public shall have a repeating pattern that includes no less than three of the following: (a) color change; (b) texture changes; (c) material module change; or (d) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib. At least one of those elements shall repeat horizontally at an interval of not more than 30 feet.

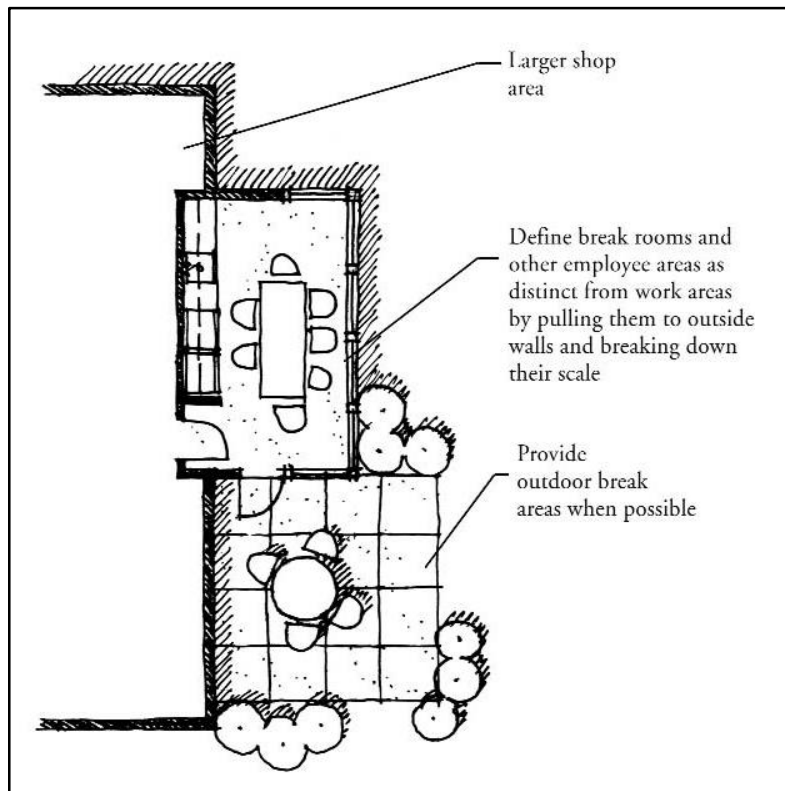


Figure 4.4: Industrial employee areas

IV.2.B. Architectural Elements and Articulation

Intent: Create an image of high quality development. Encourage a variety of architectural elements **and detailing** that avoid featureless design. Articulate front facades to reduce the impersonal appearance of large industrial sites and provide visual interest.

- 1) Each principal building on a site shall have clearly defined, highly visible customer entrances featuring one of the following: canopies or porticos, overhangs, recesses/projections, raised corniced parapets over the door, peaked roof forms, arches, or other unique architectural details.
- 2) Buildings shall be designed with consistent materials and details on all sides **accessible or visible from public right-of-ways to the public.**
- 3) If provided, employee break areas shall include a high degree of transparency, articulation and architectural detail.
- 4) **Architectural detailing is required for building sides that are accessible or visible to the public. Architectural detailing to further articulate the building facades may include: additional windows such as clearstory windows, tile work, metal work and brick.**
Corbels, moldings and other projections which are integrated into the building structure and design shall be used to further articulate the building facade.
- 5) **Portions of the buildings not accessible or visible to the public shall use texture, color and material changes consistent with the primary facade, but may use simpler forms without the same detailing requirements as the publicly visible or accessible portions of the building.**

IV.2.C. Building Materials

Intent: Building materials shall present an image of high quality and permanence.

- 1) At least **30** percent of the front/office portion of the building shall be of transparent materials to differentiate the office from the remainder of the site and to create an inviting customer area.
- 2) Predominant exterior building materials shall be a mixture of high quality, durable material such as, but not limited to: brick, wood, sandstone other native stone, integrally colored, textured, or glazed concrete masonry units, pre-finished metal panel systems, high quality prestressed concrete systems, and water managed Exterior Installation Finish Systems (EIFS). Tilt-up concrete construction may be utilized, provided architectural detailing such as detailed patterns and reveals in the finished surfaces, form liners to create interesting textures and patterns, texture coat paints, and architectural detailing are implemented.
- 3) Predominant exterior building materials that require substantial maintenance or are of low durability, shall not be permitted, including split shakes, rough sawn or board and batten wood, painted concrete block, field painted standard corrugated metal siding, or barrier type EIFS.

- 4) Smooth faced gray concrete block, pre-engineered metal buildings standard single or double tee concrete systems, and tilt up concrete without the architectural detailing noted in Section IV.2.C.2 shall be permitted only on facades not visible from public rights-of- way, open space or residential areas.
- 5) Alternatives to standards IV.2.C.2 and IV.2.C.3 may be considered if a project demonstrates the application of a material which satisfies the above intent statement.
- 6) Building materials and details used on the façade of the primary structure may be transitioned to a lesser degree of detail on service sides of the building.
- 7) To the extent possible, interior daylighting in the form of skylights or other architectural features shall be used to minimize energy use.
- 8) Applicants are required to submit a sample material board.

IV.2.D. Colors

Intent: Exterior colors shall be aesthetically pleasing and compatible with colors of nearby structures.

- 1) Intense, bright, black, or fluorescent colors shall not be used as the predominate color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors, but shall not constitute more than 10 percent of the area of each elevation of a building. All sign areas shall be excluded from this calculation.
- 2) Applicants are required to submit a color pallet board.

IV.2.E. 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 prefinished architectural metals or architectural grade asphalt shingles. Membrane systems are prohibited on any visible portion of the roof.

V. ~~MULTIFAMILY RESIDENTIAL~~

*(Chapter V. Multi-Family Residential has been deleted in its entirety and replaced with the updated **Multiple-Family Design Standards**, dated November 19, 2018, herein.)*

The Town of Parker initiated an update of the Commercial, Industrial and Multi-Family design standards in 2017 following a two-phased approach: **Phase 1 – Multi-Family Design Standards** and **Phase 2 – Commercial, Industrial, and Mixed Use Design Standards**. The Phase 1 - Multi-Family Design Standards was completed in November 2018, in advance of the Phase 2 – Commercial, Industrial, and Mixed Use Design Standards. Phase 2 – Commercial, Industrial, and Mixed Use Design Standards will be added when complete.



~~V. MULTIFAMILY RESIDENTIAL~~

~~Goals and Objectives~~

~~The primary goals for this area are to:~~

- ~~• Plan for a variety of housing types which establish and maintain a quality community appearance.~~
- ~~• Provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding development.~~
- ~~• Ensure that high standards of siting and the optimum use of available land are applied throughout developments.~~
- ~~• Organize residential buildings around central amenities such as courtyards, plazas, open space and other recreational features.~~
- ~~• Ensure multifamily residential uses complement adjacent uses.~~

~~V.I. Site Design Standards~~

~~V.IA. Adjacent Sensitivity~~

~~Intent: Protect significant natural features and resources in order to minimize the impacts of development on the environment and create open space amenities, when possible.~~

- ~~1) In order to transition structure heights between single family neighborhoods and multi-family neighborhoods, new multi-family buildings within 50 feet of a property line (transition area) that is adjacent to existing single family residential uses shall not exceed 30 feet in height and 2 ½ stories. New multi-family buildings not located within the 50 foot transition area are subject to the allowable height permitted within the applicable zone district.~~
- ~~2) Buildings on sites adjacent to stream corridors and wetland areas shall be set back a minimum of 20 feet from the edge of the 100 year floodplain as shown on the most current FEMA map or from the edge of wetlands as shown on the most current Corps of Engineers map.~~
- ~~3) The design of site improvements shall minimize cut and fill in order to preserve the general character of the existing terrain and to minimize drastic differences between adjacent developed and undeveloped sites.~~

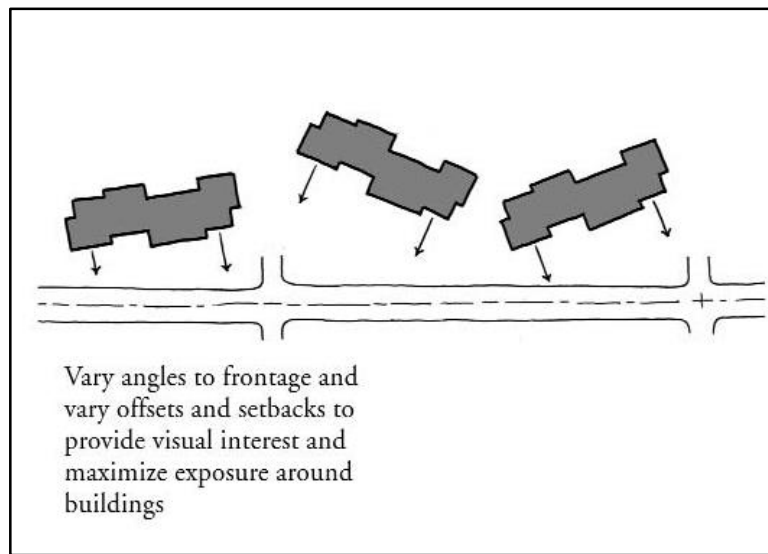


Figure 5.1: Multifamily buildings sited at varying angles

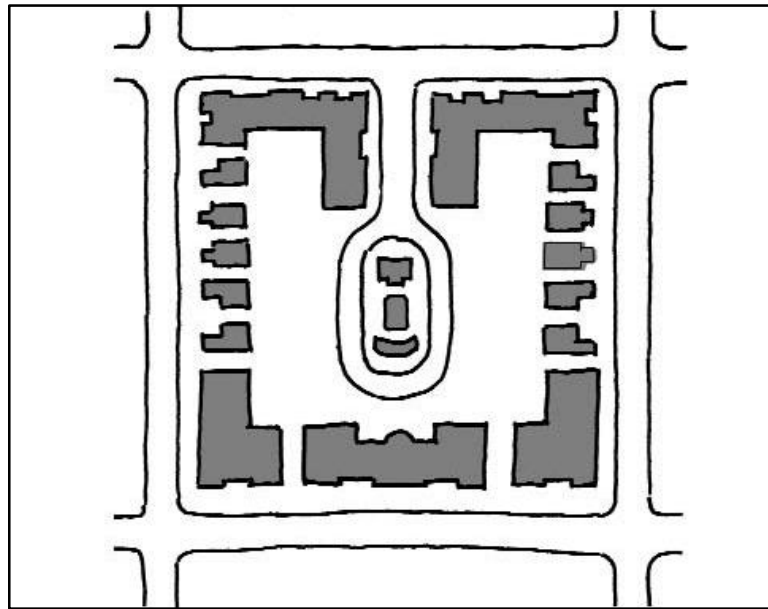


Figure 5.2: Alternative or "new urbanist" site development

- 4) Development sites adjacent to open space and/or recreational areas shall limit the height of retaining walls to 4' 0". Terraced walls landscaped with live plantings between walls shall be permitted.
- 5) Development sites that include visually significant ridgelines shall limit the extent of building on top of the ridgeline, or rooflines that protrude above the ridgeline to 20 percent of the total length of the ridgeline within the property boundaries. Visually significant ridgelines are the top 25% of a natural topographic ridge that rises at least 50 feet above the adjacent land over a distance of 150 feet or less.
- 6) Where the development seeks to deviate from the standards above, the development shall comply with the use by special review process outlined in Title 13 of the Municipal Code.

V.1.B. Site Planning

Intent: Orientation of buildings in multifamily developments shall reduce and minimize their apparent visual mass from adjacent single family neighborhoods and minimize exposure to adjacent commercial or industrial areas.

- 1) Development shall provide walkable block lengths that range from 400 feet to 660 feet.
- 2) Development shall connect streets, pathways and trails to the larger public street network and Town open space system.
- 3) Structures, open space and parking areas shall be grouped or clustered to avoid the monotony of continuous rows of building walls and to allow visual access into the development.
- 4) In order to provide visual interest within projects, buildings shall be sited at slightly varying angles, and not lined up on minimum setbacks and/or parallel to one another or to roadways or parcel boundaries. Nor shall they be sited end-to-end, creating visual "alleys" within a project. See Figure 5.1.
- 5) Standards V.I.B.1 through V.I.B.4 can be waived if a project demonstrates the key principles of a new urbanist development, including a compact, pedestrian-oriented neighborhood, with clearly defined and centrally located useable public spaces, a grid or modified grid street pattern, and building entrances fronting streets. See Figure 5.2.
- 6) Buildings shall be oriented in a more perpendicular than parallel fashion to adjacent single family homes and commercial or industrial areas.
- 7) Where parallel orientation is necessary, building setbacks shall be increased.

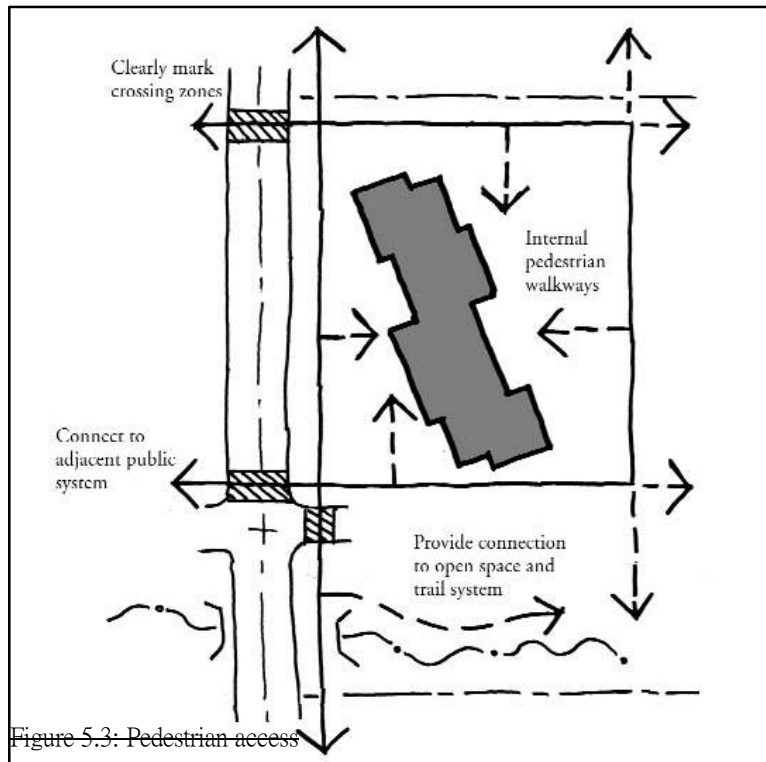


Figure 5.3: Pedestrian access

V1C—Pedestrian Access

Intent: A safe, continuous pedestrian network shall be integrated into the development to minimize conflict with automobile movement while promoting inviting and convenient access within and between developments.

- 1) Internal pedestrian walkways shall be provided and connect individual developments with adjacent residential neighborhoods, community-wide open space, and trail systems. See Figure 5.3.
- 2) Sidewalks shall be provided along all public streets.

V1D—Vehicular Access and Parking Layout

Intent: Create an automobile circulation system that provides for safe and efficient movement within and between multifamily properties. See Figure 5.4.

- 1) Surface parking lots shall be located internal to the site and to the side and/or to the rear of buildings with appropriate landscaping and screening in the perimeter setback. The Planning Director may approve parking adjacent to the public right of way (between the building and the public right of way) where a minimum of the following are met:
 - a. The site shape, topography or existing easements create a hardship upon the ability to locate parking to the side or rear
 - b. The site design includes enhanced landscaping and screening between the parking lot and the public street
 - c. The site design includes improved pedestrian access across the parking lot connecting the street with the buildings

- 2) ~~Parking shall not be located adjacent to open space unless it is public parking intended to provide access for residents and non-residents to the facility. The Planning Director may approve parking adjacent to open space and parks where there is an identified public benefit or it improves site plan design including but not limited to:~~
 - a. ~~The site shape, topography or existing easements foreclose upon the ability to locate parking to the side or rear~~
 - b. ~~The site design includes enhanced landscaping and screening between the parking lot and the public street~~
 - c. ~~The site design includes improved pedestrian access across the parking lot connecting the street with the buildings~~
- 3) ~~All multi-family development shall provide internal automobile connections to adjoining local or collector streets.~~
- 4) ~~Multi-family development sites between 5 and 15 acres shall include a minimum of one public street or private drive, with detached sidewalks and tree lawns, that is continuous through the site and connects to a public street on both ends (referred to as a through-access drive).~~
- 5) ~~Multi-family development sites greater than 15 acres shall include a minimum of two through-access drives.~~
- 6) ~~Through-access drives shall be consistent with, and aligned with, local streets in adjacent existing development areas.~~
- 7) ~~Landscaped parking courts, loop streets, and innovative street designs shall be encouraged to ensure privacy, safety, and visual diversity~~

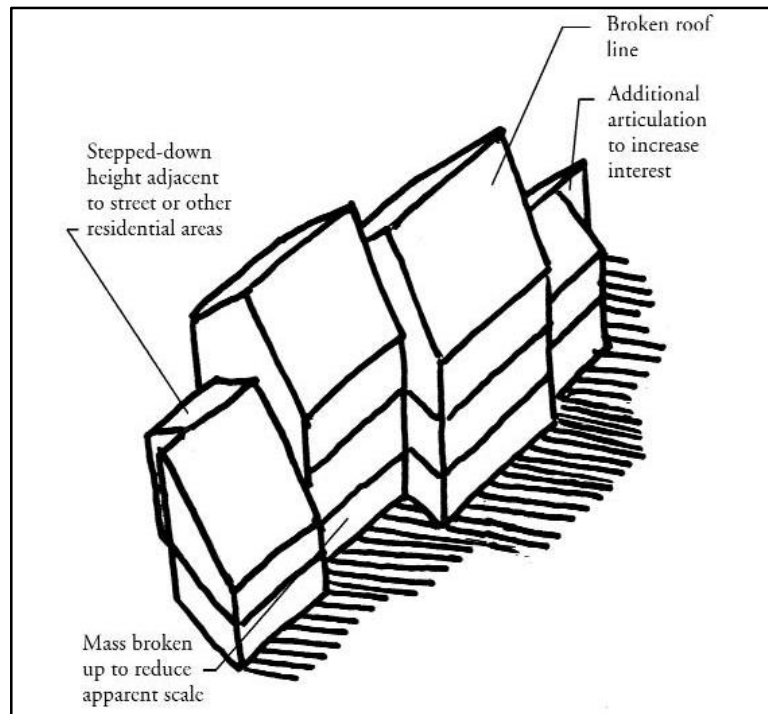


Figure 5.7: Scale of multifamily buildings

~~V2~~ Architectural Standards

~~V2A~~ Mass and Scale

~~Intent: Multifamily buildings shall maintain a scale appropriate to surroundings. See Figure 5.7.~~

- ~~1) If a building is three stories or more, it shall incorporate a base, middle and cap to further articulate mass and scale. Building materials from V.2.B.2.a through i shall be applied to distinctly distinguish the base, middle and cap.~~
- ~~2) Building mass shall be suitable relative to both lot size and setbacks, and may require "stepped back" designs that place greater height and mass away from the street. Height may also be stepped down adjacent to single family homes to provide a visual transition.~~
- ~~3) The mass of buildings shall be broken up to reduce the apparent scale, provide visual interest and depth, and achieve a more articulated form.~~
- ~~4) Building designs should incorporate visually heavier and more massive elements at their base, and lighter elements above these components. A second story, for example, shall not appear heavier or demonstrate greater mass than that portion of the building supporting it.~~

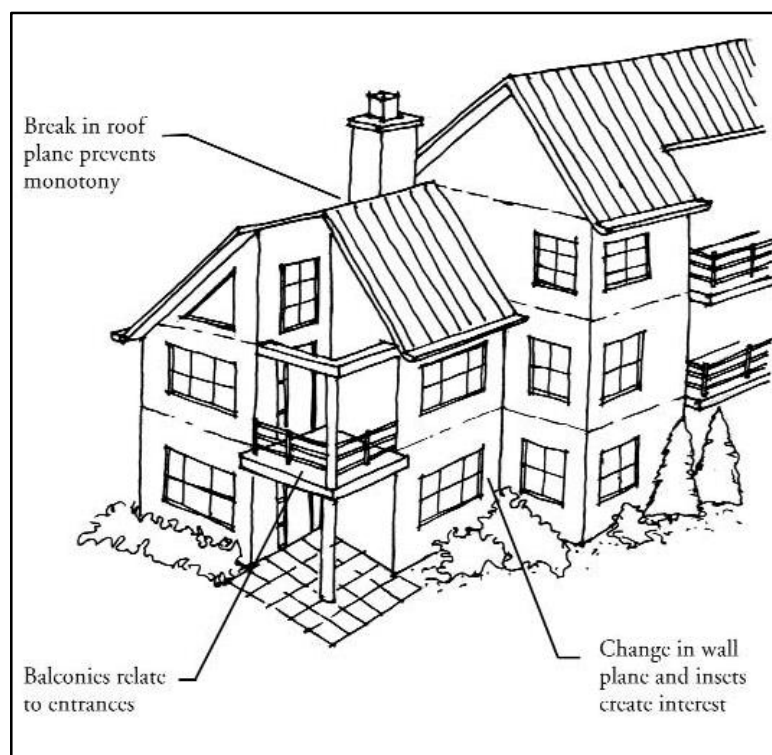


Figure 5.8: Building articulation

V2B.—Architectural Elements and Articulation

Intent: Create an image of high quality multifamily residential developments with a sense of neighborhood.

- 1) Multifamily development shall incorporate building variations to create distinct buildings and/or enhance architectural designs. Based on the number of buildings in the development, sites shall be in accordance with the table below. Distinct building design shall be defined as incorporating the mandatory treatments and a minimum of 5 different treatments from V.2.B.2.a through i, for each building. Similar buildings of the same design in different configurations do not meet the definition.

Building Design Variations	
Number of Buildings in Development	Minimum number of Building Variations
1	1
2-4	2
5-8	3
9 or more	1 per every 3 buildings

- 2) Building façades shall incorporate the following to distinctly articulate elevations:
 - a. Balconies
 - b. Bay or box windows with a minimum 12-inch projection from the façade plane
 - c. Porches or covered entries or ground level arcades
 - d. Dormers
 - e. Variation in materials (mandatory)(see V.2.C. for more information)
 - f. Variation in colors (mandatory)(see V.2.D. for more information)
 - g. Variation in roof forms (mandatory)(see V.2.E. for more information)
 - h. Variation in window size and shapes (mandatory)
 - i. Window and door trim and moldings
 - j. Architectural lighting
 - k. Three dimensional cornice treatments or Eaves with exposed rafter or a minimum six inch projection from the façade plane (mandatory)
 - l. Reveals

- ~~m. Architectural banding~~
- ~~n. Vertical architectural treatment (a minimum of 6 inches in width)~~
- ~~o. Art work or bas relief~~
- ~~p. Other facade treatments as agreed to by the Community Development Director.~~

- ~~3) Where the development seeks an innovative or iconic design that deviates from the standards above, the development shall comply with the use by special review process outlined in Title 13 of the Municipal Code.~~
- ~~4) Encourage façade articulation and articulation elements through changes in building volume, recesses, building breaks, changes in wall planes horizontally and vertically to avoid long, monotonous walls. For structures 3 floors or less façades greater than 25 feet in length, measured horizontally, shall incorporate projections or recesses a depth of x feet for at least 20 percent of the façade length. For structures 4 floors or greater, facades greater than 50 feet in length, measured horizontally, shall incorporate projections or recesses a depth of x feet for at least 20 percent of the façade length.~~

~~V2C. Building Materials~~

~~Intent: Building materials shall present an image of high quality and permanence.~~

- ~~1) All multifamily developments shall be constructed with exterior building materials and finishes that are of high quality, permanence and durability such as, but not limited to: natural wood, masonite and shingle siding, other types of wood siding, stucco, brick, stone and water managed EIFS.~~
- ~~2) Masonry~~
 - ~~a. Three stories and less:~~
 - ~~i. A minimum of 75% of the first floor siding must be masonry on the first floor~~
 - ~~ii. Upper floors shall have a minimum of 50% the siding be masonry~~
 - ~~b. Four stories and more:~~
 - ~~i. A minimum of 50% of the siding must be masonry on the first floor~~

- ~~ii. Upper floors shall include masonry elements, columns or features that extend the full height of the building.~~
- ~~3) Stucco or water managed EIFS:~~
 - ~~a. Shall not be visible on elevations that front a public street.~~
 - ~~b. Shall not exceed 25 percent of the exterior buildings materials on buildings three stories or less.~~
 - ~~c. Shall not be located on the ground floor facades.~~
 - ~~d. If the development is three stories or less, stucco or water managed EIFS shall not be located on the first two floor facades.~~
 - ~~e. If the development is three stories or more, stucco or water managed EIFS may be applied to second floor or above in combination with a masonry material.~~
- ~~4) Exterior building materials shall not include the following: rough sawn or board and batten wood, smooth faced or gray concrete block, painted concrete block, tilt up concrete panels, field painted or pre-finished standard corrugated metal siding, or standard single or double tee concrete systems.~~
- ~~5) Predominant roof materials shall be high quality, durable materials such as, but not limited to: wood shake shingles and clay or concrete tiles. Other materials, such as composition wood and asphalt shingles and standing seam metal roofs, will be considered on a case by case basis.~~
- ~~6) Applicants are required to submit a sample material board.~~
- ~~7) Where the development seeks to deviate from the standards outlined in V.2.C.1 through V2.C.3, the development shall comply with the entitlement process outlined in Title 13 of the Municipal Code.~~

~~V2D.~~ *Colors*

~~Intent: Exterior colors shall be aesthetically pleasing and compatible with colors of nearby structures.~~

- ~~1) — The applicant shall apply a minimum of 3 colors to each building elevation.~~
- ~~2) — Intense, bright, black, or fluorescent colors shall not be used as the predominate color on any wall or roof of any primary or accessory structure.~~
- ~~3) — Colors shall be used to create a visually interesting and creative façade that serves as a focal feature for the building. Colors found in the natural terrestrial environment (beige, brown, tan, etc.) are encouraged to be used as an accent color to highlight main architectural features or the predominant color scheme on the building.~~
- ~~4) — Applicants are required to submit a sample color palette board.~~

~~V2E.~~ *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.~~

- ~~1) — A gable or hip configuration should be used with complimentary sheds, dormers, and other minor elements. Other roof forms will be considered on a case-by-case basis.~~
- ~~2) — Roof forms shall be designed to correspond and denote building elements and functions such as entrances and arcades.~~

~~V2F.~~ *Accessory Structures*

~~Intent: Accessory structures shall be integrated and compatible with the primary buildings they serve.~~

~~Accessory structures, including but not limited to grouped mailboxes, storage, and maintenance facilities, recreational facilities, picnic shelters, and gazebos shall be architecturally compatible with the buildings they serve.~~

V. **MULTIPLE-FAMILY DESIGN STANDARDS** (November 19, 2018)

Purpose of the Development Design Standards

Introduction

As Parker continues to grow, the Town has taken a proactive approach, engaging citizens and promoting development that is consistent with the shared vision for the Town. Following the explosion of development in Parker in the 1980s and 1990s, the Town developed Commercial, Industrial, and Multifamily Residential Design Standards, which were adopted in 1999. These standards provided important tools beyond what was possible in the Land Development Ordinance (LDO) to evaluate and coordinate development, ensuring it was consistent with the vision for Parker. However, with the changing patterns of development and evolving best practices, Town Council, Planning Commission, and Planning Staff agreed that the Standards were no longer current and embarked on the process of updating the standards, resulting in these Development Design Standards.

The Development Design Standards, which will be referred to as ‘the Design Standards’ throughout this document, provide the Planning Department, Planning Commission, Town Council, and developers with an objective basis on which to evaluate new development and redevelopment of multiple-family, commercial, and industrial uses.

The Standards are based upon commonly accepted principles of urban design and reflect the goals for the Town of Parker as set forth in the Town of Parker 2035 Master Plan, including the development of high-standards, prioritizing open space, and enhancing small town character.

Objectives

The intent of the design standards is to provide clear and concise direction to developers and property owners in order to promote quality and preserve value. Objectives for the Design Standards include:

- Serve as a tool to evaluate development submittals for all multiple-family, commercial, industrial, and vertical mixed-use projects.
- Govern the development of new buildings, significant architectural renovation and restoration, change of existing use or adaptive reuse, and landscape improvements.
- Standardize and create predictability in the Town’s expectations for development of these uses and categories.

Property owners, developers, and architects shall use these standards when preparing site plans and architectural plans for development and for improvements to existing development. All standards contained in this document shall be reviewed and special care taken to address all situations where standards are applicable to a specific project. In addition, the standards shall be referenced when master planning a long-range, phased development project.

Process

Public participation is an essential component in successful planning, community building, and decision-making. The Design Standards were developed through an open public involvement process. The intent of the engagement process was to engage a large number of citizens and professionals and to incorporate their input and response into the development of the standards. There were three phases of public involvement, each with opportunities for broad-based involvement:

- Phase One, which focused on understanding the desired character for development in the Town;
- Phase Two, which focused on testing ideas for the multiple-family and commercial, industrial, and mixed-use components of the standards;
- Phase Three, which focused on developing the standards.

Residents, visitors, employees, developers, landowners, and professionals working in the Town participated in a series of meetings, open houses, workshops, surveys, and hearings. The outcomes supported the themes in the Parker 2035 Master Plan, showing that citizens are sensitive to the potential for a proliferation of disparate or mediocre development and desire high-quality, cohesive development.



Figure 1.1 Phase One public meeting on understanding the desired character for development in Parker



Figure 1.2 Phase Two stakeholder meeting on testing ideas for the Design Standards



Figure 1.3 Phase Two public meeting on testing ideas for the Design Standards



Figure 1.5 Phase Two stakeholder modeling workshop on testing ideas for the Design Standards



Figure 1.6 Phase Two stakeholder modeling workshop on testing ideas for the Design Standards



Figure 1.4 Phase Two public meeting on testing ideas for the Design Standards

Relationship of the Design Standards to Policy and Other Regulatory Documents

Hierarchy of Documents that Govern Multiple-family, Commercial, Industrial, and Mixed-use Development

What is the purpose of each type of document?

POLICY Policy sets the direction for land uses, open space, and transportation improvements in the Town.	REGULATIONS Regulations set how much development is permitted and where certain uses can locate.	STANDARDS Standards regulate how development is laid out and what it looks like.
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How are Policy, Regulations, and Standards organized in Parker?

	DOCUMENTS
POLICY Town-adopted policy direction related to uses, location, density, and character of future development	- Parker 2035 Master Plan - Mainstreet Master Plan - Parker Road Corridor Plan - Open Space, Trails, & Greenways Master Plan
REGULATIONS LAND DEVELOPMENT ORDINANCE Base Zoning regulates: - Uses - Density - Heights - Setbacks PDS – PLANNED DEVELOPMENT ZONING Regulates: - Uses - Density - Heights - Setbacks and sometimes: - How development is laid out - What development looks like	- Land Development Ordinance (LDO) - Planned Development Zoning (PD)
STANDARDS IS THE SITE LOCATED IN THE GREATER DOWNTOWN DISTRICT? NO → YES Use the Development Design Standards - How development is laid out - What development looks like Use the Greater Downtown District Standards & Guidelines - How development is laid out - What development looks like Properties in the Greater Downtown District must also comply with the Development Design Standards, where they do not conflict with one another.	- Development Design Standards - Greater Downtown District Standards and Guidelines for Development

Addressing Conflicts between Regulatory Documents and the Design Standards

- **The Land Development Ordinance and/or Planned Development Guide and Plan:** provides the ruling regulation on permitted uses, density entitlements, heights, setbacks and any other element included in these documents.
- **Design Standards and Planned Development Guide and Plan:** In the case that the Design Standards conflict with a regulation in a Planned Development Guide and Plan, the Planned Development Guide and Plan and/or zoning standards shall apply.

If a condition is regulated by a standard in the Design Standards but not regulated in a **Planned Development Guide and Plan**, the Development Design Standard shall apply.

In the case of where the Design Standards conflicts with a height, setback or other zoning standards, the zoning standards shall apply.

- **Design Standards and the Greater Downtown District Standards & Guidelines:** If there is a conflict, the Downtown District Standard shall apply.
- **Building Code and Fire, Life, and Safety Requirements:** In the case that the Design Standards conflict with the Building Code or a Fire, Life, and Safety Requirement, the Building Code or Fire, Life, and Safety Requirement shall apply.
- **Design Standards:** The Design Standards shall apply to all multiple-family, commercial, industrial, and mixed-use development in the Town, except where a conflict exists as stated above. In that case, only the standard in conflict shall default to the higher hierarchy regulation and the remainder of the standards not in conflict shall apply.

Paired Houses included as part of a multiple-family site plan (rental): shall follow the Site Plan and Minor Development Plat process. These developments shall comply with the Paired House building type regulations in the Multiple-Family Design Standards.

Paired Houses included as part of a single-family development (for sale): shall follow the Sketch and Preliminary Plan. These developments shall comply with **(13.10.16 Residential design minimums)** in the LDO.

How to Use the Design Standards

Roadmap to Understanding the Design Standards

The Design Standards have two levels of conditions, standards and guidelines. The following language is used consistently throughout to communicate requirements (standards) versus recommendations (guidelines).

Meeting the Intent of a Standard

	STANDARDS	GUIDELINES
IMPLICATION	Regulatory	Recommended
	Development is required to comply with standards.	Development is encouraged to follow guidelines.
LANGUAGE	"Development shall..." "Development must..."	"Development should..."

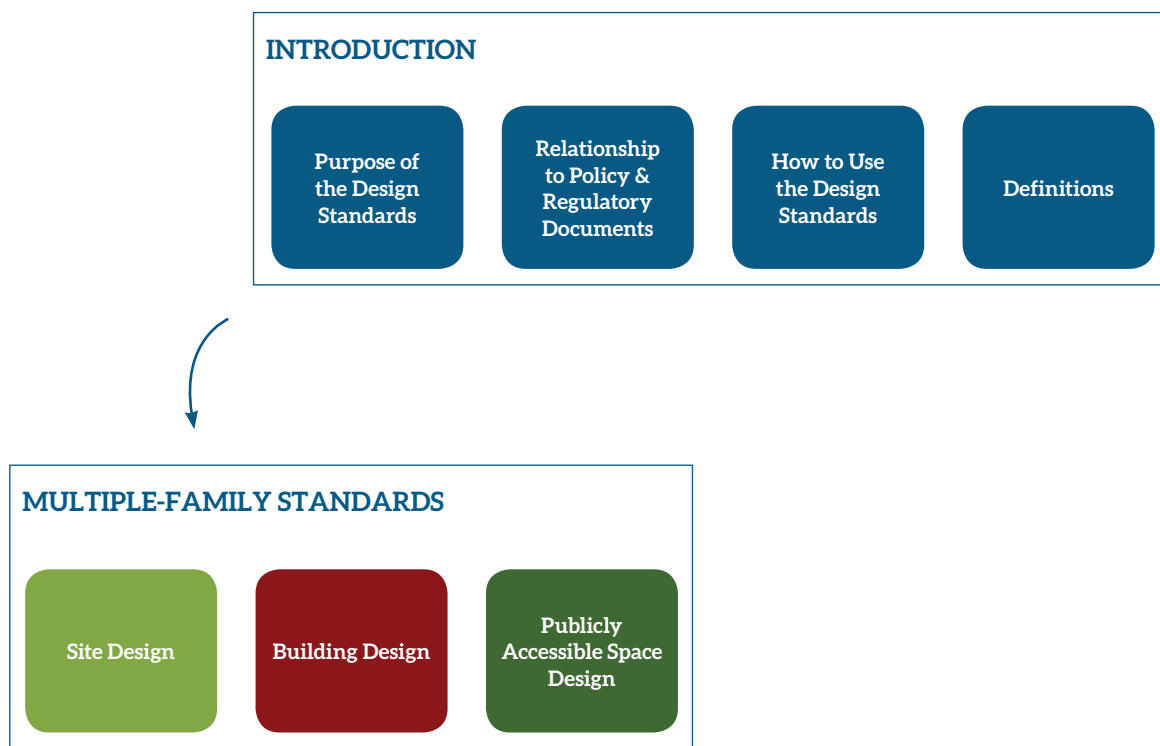
WHAT DO THE STANDARDS & GUIDELINES REGULATE?

- How elements required by the LDO or PD must be laid out on the site
- How buildings are designed and what they look like
- How to accomplish LDO requirements related to design
- What palettes should be applied to buildings and landscape

- **Intent:** states the objective for each standard. Applicants are expected to meet each intent through a combination of complying with Standards and using Guidelines to accomplish the stated objectives.
- **Standards:** are clear, objective requirements. Development must meet all criteria listed under Standards.
- **Guidelines:** provide additional direction and application. Development is expected to address the Guidelines to meet the intent.
- It is the responsibility of the developer to justify any deviation from these standards and guidelines and to exhibit why the specific standard or guideline would not result in a better/higher quality neighborhood.
- In certain cases, the Planning Director may make a determination that a given solution sufficiently meets the intent of a standard, even if all of the objective requirements of the Standards are not met.

Reference the Appropriate Parts of the Standards

The diagram below illustrates the organization of the Design Standards document. The Introduction Section is general and relates to all types of multiple-family. The Multiple-Family Chapter is specific to multiple-family development.



Definitions

Accessory Building/Structure

A structure for a use that is auxiliary to the primary use.

Amenity Building

A public or semi-public building built and maintained for public or membership use.

Articulate (or Articulation)

To emphasize a building or building element.

Attached House

A building where units are not stacked vertically but share walls with adjacent units.

Awning

A protected covering over a window, door, or opening.

Balcony

An unenclosed space that protrudes from the face of a building.

Bay

The spaces on a building's facade between vertical structural elements (walls, pilasters, columns, etc.); bays organize window, door, and building element placement.



Figure 1.7 Illustration of definition of Bay

Bay Width

The percentage or length (feet) of a building's facade that is vertically articulated as a structural bay.

Bay Window

A window that protrudes from the face of a building.

Bay of Parking

A double-loaded row of parking, with a drive aisle in the center and head-in parking on either side; may be perpendicular or angled.

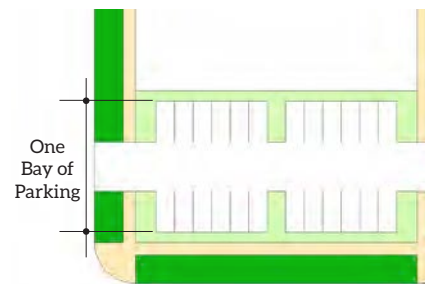


Figure 1.8 Illustration of definition of Bay of Parking

Block (Development Block)

The area defined by streets (public or internal) or open spaces (public or internal) intended for the development of parks or buildings. Development blocks are a term used in urban design and form-based coding that applies to the organization of legally dedicated lots surrounded by thoroughfares, that have been subdivided by Plat.

Block Depth

The short dimension of a block, measured from easement or right-of-way line to easement or right-of-way line, at the shortest point.

Block Length

The long dimension of a block, measured from easement or right-of-way line to easement or right-of-way line, at the longest point.

Block Area

The Block Depth multiplied by the Block Length.

Block Type

Classification of blocks based on the use, building type, organization, location, and access.

Block Type

(Attached/Single-Aspect)

A block sized to accommodate buildings that are one-unit deep, with frontage around the block perimeter, parking in the center, and open spaces.

Block Type (Composite)

A block that has different building types located on it which require different half-block depths.

Block Type

(Double-Aspect/Corridor)

A block sized to accommodate buildings that are two units deep, with frontage around the block perimeter, parking in the center, and open spaces.

Structured Parking Block

A block sized to accommodate development around a structured parking garage, with frontage around the block perimeter, the garage in the center, and open spaces for residents.

Building Design Variation

A building design that is distinctly different from others, as a result of the massing and form, composition of openings, building elements, and palette of materials and colors.

Building Element

A component of a building that gets added or subtracted from the main mass of the building, such as a porch, wing, balcony, or awning.

Building Facade (Facade)

An elevation of a building.

Building Front

The side of the building facing the most prominent public or internal street or open space; the facade on which the primary building entrance is located.

Building Orientation

The relationship of a building's location to the edge of the block.

Building Type

Classification of a building based on form and interior circulation layout.

Complete Streets

Streets designed to enable safe access for all users, including pedestrians, cyclists, motorists, and transit riders.

Composition**(Facade Composition)**

The arrangement of doors, windows, and building elements on a building.

Cornice

A protrusion from the top of a ceiling or pediment, or at the bottom of a roof.

Corridor Building

A building defined by a central entry and circulation system, with a central corridor accessing units on either side.

Dormer

A window that projects vertically from a sloping roof.

Eave

The part of a roof that meets or overhangs the walls of a building.

Eave Line

The shape of eaves across a building.

Entry

A door allowing access to the primary circulation of a building.

Fenestration

The arrangement of windows and doors on the elevations of a building.

Flat Roof

A roof without a visible pitch, including mono-pitch or parapet roofs.

Frontage

The part of a building that is adjacent to a street, path, or open space.

Gable

The part of a wall that encloses the end of a pitched roof.

Ground Floor

The first floor that sits above the average grade of a site.

Ground Floor Transparency

Percentage of a building's ground floor facade that must be glazed.

Liner Building

A narrow building, one unit deep, that is attached to a garage or non-residential use.

Massing

The overall shape and size of a building.

Masonry Base

A masonry architectural feature that projects from the plane of the primary mass of the building at the ground level to deflect water away from the foundation; may be articulated as a few feet at the base of a building or as the entire ground floor.

Mullion

A vertical or horizontal bar between the panes of glass in a window.

Multiple-Family Buildings/Housing

A building where multiple separate housing units are located within the same building.

Muntin

A small bar or rigid support between adjacent panes of glass.

Stacked Townhouse

A townhouse on top of a ground floor unit.

Street (Internal)

A street created on a multiple-family site which defines blocks and provides access for all modes.

Street (Public)

A public right-of-way.



Figure 1.9 Illustration of definition of Masonry Base

Side Relationship

The relationship of a building to a street or open space where the side of the building faces on the street or open space.

Open Space/Greenway (Internal)

An open space or green space within a development that is intended for shared use by the residents or users of the development.

Open Space/Greenway (Public)

Any open space that is publicly owned and accessible to the public.

Paired Units (Duplex)

Two units that share a wall and have separate entries; often designed to look like a single house.

Parking Lot Drive

The drive aisle within a parking lot.

Pattern

Design solution using reusable forms repeatedly in a larger building mass.

Pedestrian Scale

The relationship of a built environment to human proportions and comfort.

Planting Strip

A planting zone bounded by the sidewalk, curb, intersections, and pedestrian crossings.

Podium Parking

Concrete parking footprint that is the same or larger than the footprint of the building. Podium parking may be entirely below ground, or it may be the first level.

Porch

A covered platform at the entrance.

Porte Cochere

A covered pick-up and drop-off portal accessible to vehicles.

Private Realm

The areas of a multiple-family development that are intended only for the use of the residents of a given block or building.

Proportion

The ratio of the horizontal and vertical dimensions of a given shape or element.

Public Realm

All areas open or accessible to the public, including the space in front of and between buildings; may be privately owned.

Roof

The part of the building envelope that covers the top of a building.

Roof Form

The shape and proportion of a roof.

Stoop (Porch)

A small exterior entrance outside of a door; may be covered but without vertical columns or structural supports for the awning or roof.

String Course

A raised horizontal band or course that often ties together window sills and defines the base, middle, or top of a building.

Structural Bay (See Bay)**Terrace**

An open platform that extends from a building.

Texas Wrap Building

A large building, linked by corridors and circulation cores, with units and building form wrapped around an above-grade parking structure.

Transparency

The glazing of a window or door independent of sill, sash, surround, decals, or any other non-transparent feature of the window or door.

Tuck-Under Parking

Parking tucked under the rear of a townhouse or multiple-family building. In tuck-under parking, the structure of the garage does not extend the full footprint of the building.

Vertical Structure Elements

Walls, pilasters, columns and other vertical members that support the structure of a building.

Vista Terminus

A framed view ending at an iconic feature or building.

Wing

A section of a building that extends out from the primary mass of the building.

Walk-up Building (Single-Aspect)

Multiple-family buildings that are one-unit deep where stair cores serve 2 or 3 units/floor, with a clear front and back (public rooms like the living room face the front and private/service rooms like bedrooms or kitchens face the back).

Walk-up Building (Double-Aspect)

Multiple-family buildings where stair cores serve four units/floor, and units face the front and back of the building; a front elevation must be selected.

Wrapped Garages

Wrapped garages consist of a stand-alone garage, with narrow liner buildings attached. The liner/wrapper buildings may be stand-alone, with a gap between the building and garage to allow for natural ventilation of the garage. In some instances, the buildings may be attached or tied back to the garage structure.



Urban Design Intent and Principles

The intent of the Multiple-Family Development Design Standards is to ensure that future development of multiple-family housing contributes to the hometown character of Parker. The Design Standards provide specific requirements related to the urban design of sites, buildings, exterior open spaces, and publicly accessible spaces.

Multiple-family housing design principles relate to embracing the dignity of all residents of Parker to live in a well-designed community with high-quality amenities, regardless of the type of housing type they live in or their ownership status. Elevating the level of design for multiple-family housing will enhance the livability and quality of life for all Parker residents.

Creating Neighborhoods Versus Developments

The principles below guide multiple-family residential housing in Parker. They serve the purpose of creating high-quality neighborhoods, rather than identifiable developments.

- **Hometown Feel:** Multiple-family developments should create a sense of place contributing to the hometown feel.
- **Variety:** New multiple-family housing should be designed in a manner that promotes a variety of housing types to support families at any stage in life.
- **High Quality:** Multiple-family housing should be composed of high-quality design, materials, color and palettes, and landscape design.
- **Context:** Multiple-family housing should be designed to enhance and relate to the context of the surrounding natural and built environment.
- **Livability:** Multiple-family housing should be designed to enhance the livability of the residents and contribute to the larger community.
- **Human Scale:** Multiple-family housing should be designed at a human scale, creating safe, walkable, pedestrian, and bicycle friendly environments that are visually interesting and support sidewalk and street activity.
- **Public Spaces:** Multiple-family developments should have safe, accessible, passive, and active outdoor functional public spaces that promote a sense of community and convey an inviting interactive experience.
- **Clearly-Defined Blocks:** Multiple-family neighborhoods should be organized into identifiable blocks, with buildings oriented towards streets and open spaces. Creating blocks with clearly-defined publicly accessible and private realms ensures ‘eyes on the streets’ and builds natural surveillance into neighborhoods.



Figure 2.1 Example of Attached Townhouse development



Figure 2.2 Example of Multiple-Family building



Figure 2.3 Perspective of typical residential neighborhood



SITE DESIGN

1. Buildings fronting streets and parks
2. Sidewalks/pedestrian-oriented design
3. Internal complete streets with on-street parking

BUILDING DESIGN

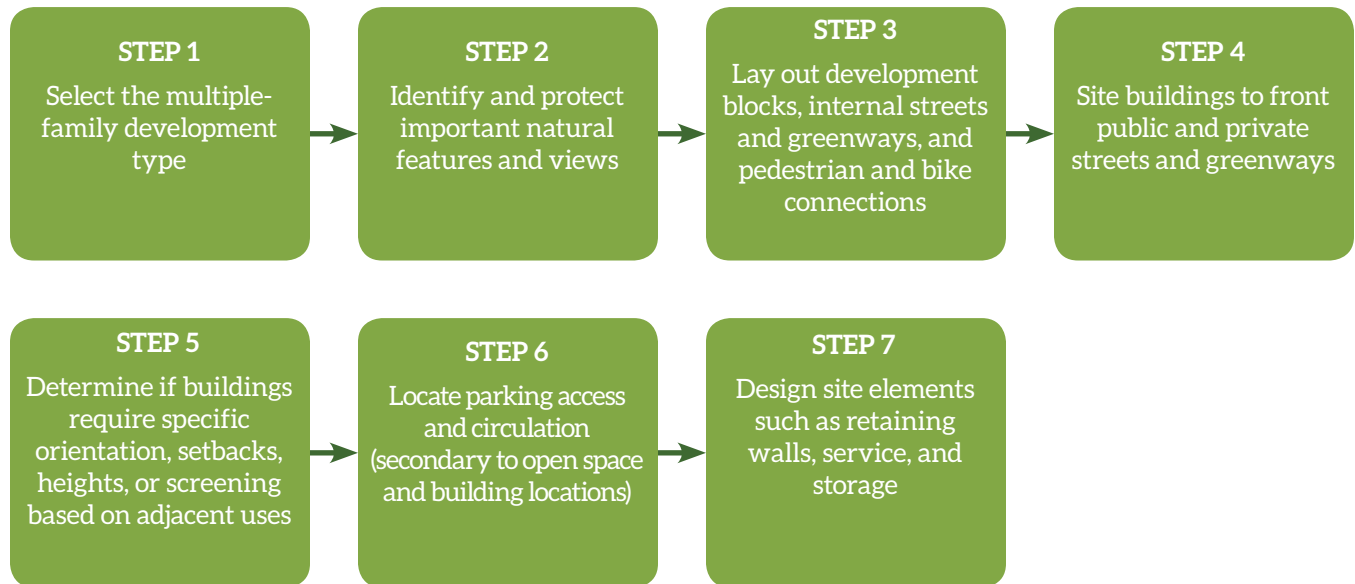
4. Bay with gable roof
5. Box bay windows
6. Awnings, terraces, and front stoops
7. Dormers
8. Varied roof forms and eave lines

PUBLIC SPACE DESIGN

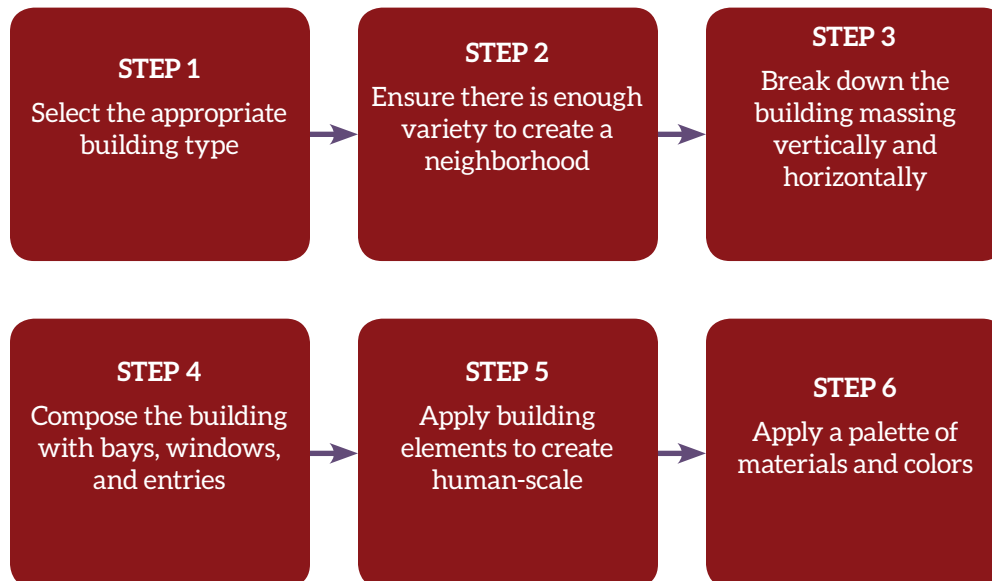
9. Neighborhood amenity landscape features to encourage interaction
10. Defined public and private space
11. Lighting and street furniture

Key Steps to Design a Multiple-Family Development

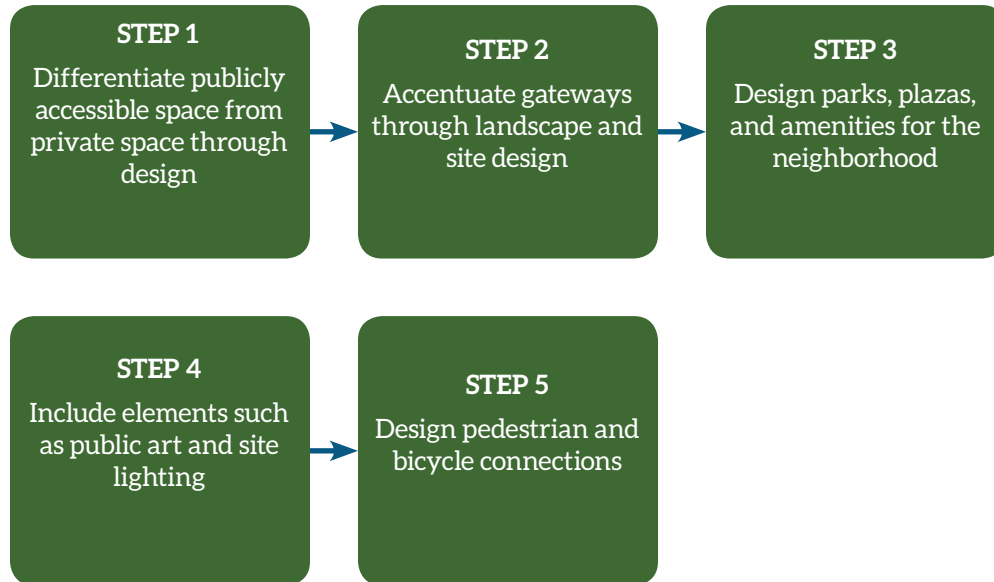
How the Site Comes Together



How Buildings Come Together



How Publicly Accessible Spaces Come Together



Planning Context for Multiple-Family Development

Introduction

The planning context for multiple-family development standards integrates the vision of the Town's Master Plan and other major planning documents.

Considering context is critical when developing multiple-family neighborhoods that contribute to the hometown character of Parker. Responding to physical context and following the Town's planning context will more likely result in development that fits into the character of the Town and relates to adjacent uses. Context should always guide the form, orientation, and character of new development.

A. Physical Context

The physical context that surrounds a development site, including uses, scale, massing, building character, and site design of surrounding development should influence the design of multiple-family housing. For example, the architectural style of nearby buildings should influence the design of new multiple-family housing. Section 2.4.6. in the Development Design Standards addresses Sensitivity of Adjacent Uses and provides standards to design multiple-family in a responsive manner.

B. Planning Context

Regulatory and policy documents adopted by the Town add a level of planning context that must be taken into consideration in the design of multiple-family housing. Three documents in particular, the Parker 2035 Master Plan, the Greater Downtown District Standards, and the Mainstreet Master Plan, provide direction related to development within specific areas of the Town.

ELEMENTS OF CONTEXT

- Massing and scale of surrounding buildings
- Sensitivity to adjacent uses
- Viewsheds and sight lines
- Character Areas and Centers (Parker 2035 Master Plan)
- Greater Downtown Districts (Parker Mainstreet Master Plan, Greater Downtown District Standards)



Figure 2.4 Example of development fronting Public Open Space



Figure 2.5 Example of development fronting Public Street

Parker 2035 Master Plan Context

The Parker 2035 Master Plan sets the policy for the Town to guide decision-making. It also sets a framework for planning in specific contexts. In particular, *Chapter 6: Land Use* designates Commercial Centers and Character Areas, describes the character of the town, and sets appropriate future land uses for these areas of the Town.

A. Neighborhood Center and Community Center Treatments

Neighborhood and Community Centers are generally located at key intersections of major roads. In these specific areas multiple-family serves as a transition between more intensive commercial uses and single-family residential neighborhoods. In this context, multiple-family is adjacent to low to medium density single-family homes. In addition to meeting the standards described in this chapter, multiple-family development in a Neighborhood Center must pay attention to the following:

1. The scale and massing of buildings shall respect the scale and massing of adjacent buildings. Multiple-family units shall step down (step-back) in height when adjacent to single-family detached neighborhoods according to the Standards in *2.4.6.A Multiple-Family Development Adjacent to Single-Family Detached Homes* (See Figure 2.7 below).
2. Multiple-family housing shall be connected to surrounding uses and include pedestrian, bike, and street connections to adjoining neighborhoods, commercial uses, and the trail system to encourage walking and biking.

B. E-470 Corridor and Central Commercial Character Area Treatments

The E-470 Corridor and Central Commercial Character Areas are located along highways. While these character areas contain commercial uses that are more auto-oriented, multiple-family development can be integrated into these surrounding land uses. Multiple-family neighborhoods in these areas should be designed to create visually interesting, consistent, and high quality development linking commercial land uses with residential development and creating a walkable neighborhood near local amenities and services.

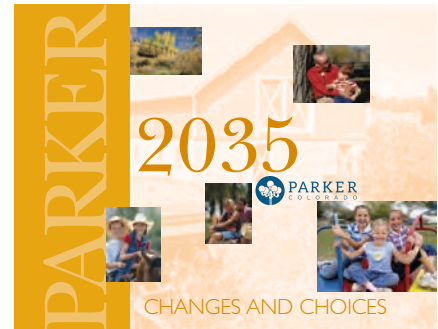


Figure 2.6 Parker 2035 Master Plan

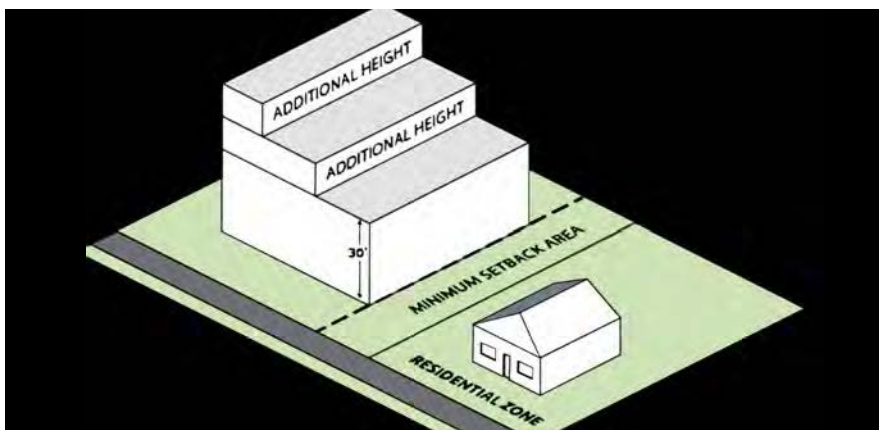


Figure 2.7 Required setback and step-backs from single-family detached neighborhoods

1. **E-470 Corridor** — In addition to meeting the standards described in this section, multiple-family housing within the E-470 Corridor Character Area:
 - a. May be larger in scale and massing along this corridor because of the surrounding land uses, vehicular speed, and building scale of E-470.
 - b. Must provide street, sidewalk, and trail connections to link multiple-family neighborhoods to adjacent public rights-of-way, the regional trail network, and future development in the corridor.
2. **Central Commercial Character Area and the Parker Road Corridor** — Because of the level of retail and employment located within the Central Commercial area, multiple-family developments allow for a greater opportunity to live, work and play in Parker. The Parker Road Corridor encompasses all properties fronting Parker Road from the northern boundary of Town to south of Stroh Road. Between Pine Lane and Twenty Mile Lane, the Corridor also encompasses everything between the properties on the west side of Twenty Mile Road and the properties on the east side of Parker Road. In addition to meeting the standards described in this section, multiple-family housing located along Parker Road corridor:
 - a. Must provide street, sidewalk, and trail connections to link multiple-family neighborhoods to adjacent public rights-of-way, the regional trail network and future development in the Character Area.

Mainstreet Master Plan Context

The Mainstreet Master Plan encourages mixed-use development and does not recommend first floor residential land uses fronting on Mainstreet between Parker Road to the easterly intersection with Pine Drive. Where zoning permits first floor residential development that faces Mainstreet in other areas, multiple-family building design should include these additional design elements:

1. First floor residential facing Mainstreet shall be constructed to allow for conversion to commercial uses.
2. First floor window fenestration shall be 60% glass or higher for buildings facing Mainstreet.
3. First floor heights shall be 15 feet or greater (floor-to-floor).



Figure 2.8 Parker Mainstreet Master Plan

Site Design Standards

Quality site design requires a process of considering existing property assets and context and the future environment of streets, open spaces, and buildings. This section outlines the critical steps to follow when designing a site and applying the corresponding standards and guidelines. The steps generally move from large-scale, highly visible, and important decisions that affect the character of the neighborhood to smaller-scale, functional decisions. The graphic below (*Figure 2.9*) and the following steps and Chapter sections outline the site design process.

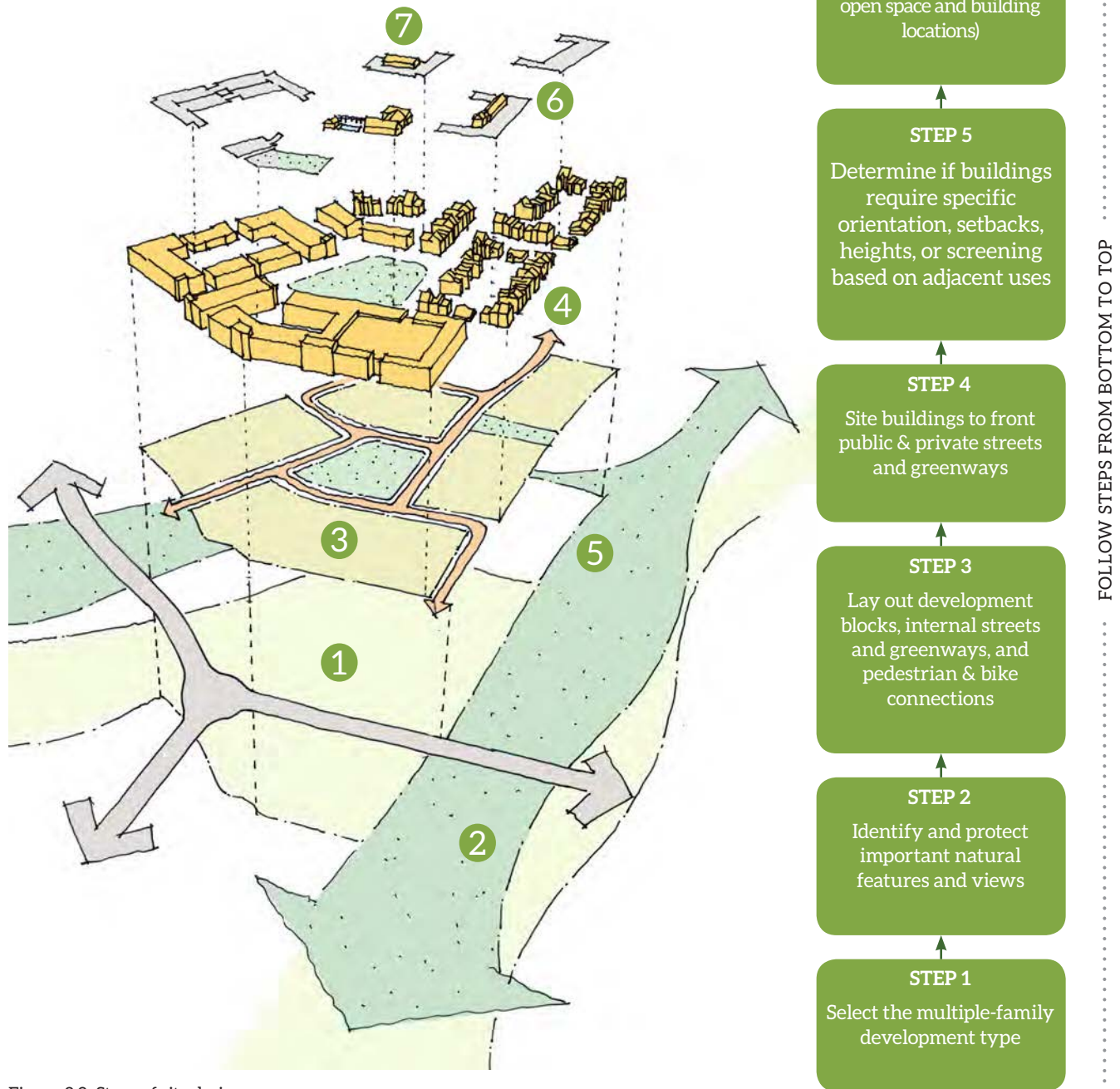


Figure 2.9 Steps of site design process

Multiple-Family Development Typology

Intent:
Provide guidance and clarify which standards throughout the Site Design section apply to specific Development Typologies.

Figure 2.10 illustrates a multiple-family site bounded by an existing public roadway.

Standards:

- A. Using Table 2.2, identify the intended Development Typology and follow corresponding standards for Block Types.

Table 2.2 Development Typologies

If Developing:	Use Block Type:
Multiple-Family Paired Units	Attached/Single-Aspect Block
Multiple-Family Attached Housing	Attached/Single-Aspect Block
Multiple-Family Walk-Up Buildings (Single-Aspect)	Attached/Single-Aspect Block
Multiple-Family Walk-Up Buildings (Double-Aspect)	Double-Aspect Block
Multiple-Family Corridor Buildings	Double-Aspect Block
Multiple-Family Liner Buildings and Garages	Structured Parking Block
Texas Wrap Buildings and Garages	Structured Parking Block
Parking Garages	Structured Parking Block



Natural Features and Views

Intent:

Ensure the highest value natural features on the site are protected, including but not limited to: tree groves, areas of steep topography, drainageways, and views to the mountains.

Figure 2.11 illustrates how in the second site design step, natural features and views form the organizing framework for the multiple-family development site.

Standards:

- A. Areas of steep slopes (15% or greater, per the LDO) and drainageways on the site shall be protected in publicly accessible open spaces.

Guidelines:

- A. Assess other natural features and design larger open spaces and greenways to take advantage of tree groves, vegetation, views, and other elements.
- B. Locate publicly accessible open spaces with pathways and pedestrian access around these natural elements. Orient the fronts of buildings towards open spaces.

STEP 2

Identify and protect important natural features and views

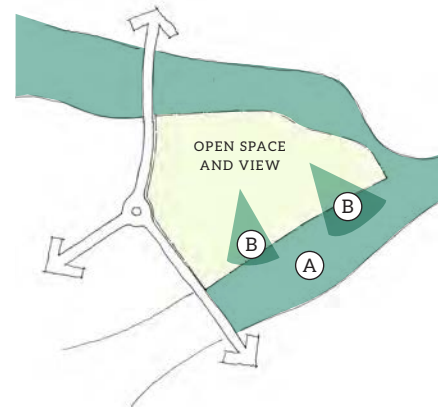


Figure 2.11 Site Features Diagram

- (A) PUBLIC OPEN SPACE OR NATURAL FEATURE
- (B) VIEW TO VALUABLE NATURAL FEATURES



Figure 2.12 Natural features create the essential character of Parker.

PRINCIPLES FOR NATURAL FEATURES AND VIEWS

- Natural features and views create the essential character of Parker.
- Protecting these features by creating publicly accessible space around them allows everyone to appreciate them.
- Preserving natural features adds value to multiple-family neighborhoods and adjacent uses.

Pedestrian and Bicycle Connections

Intent:

A safe, integrated pedestrian and bicycle network shall be designed into each multiple-family development to prioritize multi-modal transportation options, to encourage walking and cycling, and to minimize conflict with automobile movement, while promoting inviting and convenient access within and between developments.

Standards:

A. Pedestrian Access in the Public Realm

1. Publicly accessible sidewalks or walkways shall be provided along all Public and Internal Streets.
2. Publicly accessible sidewalks, walkways, or trails shall be provided within all Public and Internal Open Spaces.

B. Pedestrian Access in the Private Realm

1. Sidewalks or walkways shall be provided within blocks for the use of residents to access rear building entries, parking, trash, service, and amenities.

C. Connections to Adjacent Uses

1. Sidewalks or walkways shall be provided to connect to adjacent residential neighborhoods, community open spaces, trail systems, and to commercial uses, where appropriate.

Development Blocks

Public street rights-of-way and public open space always define the edges of blocks and must be fronted by buildings, unless otherwise stated in the Standards. Internal streets and open spaces should be strategically used to break larger sites up to meet the maximum allowable block sizes in *2.4.4.B Block Type* (See Figure 2.13).

A. Block Definition

Intent:

To ensure walkable, pedestrian-friendly, defensible, and dignified neighborhoods with a sense of place, multiple-family development sites must be divided into development blocks.

Standards:

1. Multiple-family development sites shall be divided into blocks.
2. Blocks shall be defined by publicly accessible edges. Each block must be bounded on all sides by one of the following:
 - a. **Public streets** always define the edge of blocks. Buildings shall face public streets, except in some cases of state highways and arterials, where it may be more appropriate for buildings to side to those public streets. For frontage requirements on public streets, reference *2.4.5.C Frontage Requirements* where vehicular access is

STEP 3

Lay out development blocks, internal streets and greenways, and pedestrian & bike connections

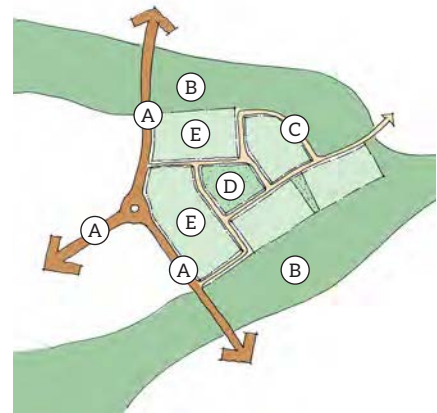


Figure 2.13 Block Frontage Diagram

- (A) PUBLIC STREET
- (B) PUBLIC OPEN SPACE OR NATURAL FEATURE
- (C) INTERNAL STREET
- (D) INTERNAL OPEN SPACE
- (E) BLOCKS

PRINCIPLES FOR DEVELOPMENT BLOCKS

- Blocks form the basic building element of neighborhoods.
- Well-defined blocks differentiate the publicly accessible realm from the private realm.
- Blocks are organized to have public elements fronting outward (front doors, front elevations) and service or private elements in the center/rear (rear elevations, parking, garages, storage, etc.).

located on a public street, access spacing must meet requirements in the *Roadway Design and Construction Criteria Manual*.

- b. **Public greenways or open spaces** always define the edges of blocks. Buildings shall front public greenways and open spaces. For frontage requirements reference 2.4.6.C *Multiple-Family Adjacent to Parks, Open Space, and Stream Corridors*.
- c. **Internal streets** shall be located to define the edges of blocks. Buildings shall front internal streets. Along internal streets, fronts of buildings must face fronts of buildings across the street. For frontage requirements, reference 2.4.5.C.5 *Internal Street (Private Street)*. Internal streets for multiple-family must meet the following criteria:
 - i. Internal streets shall have sidewalks or walkways along both sides of the street.
 - ii. Internal streets shall have street trees or other plantings to create a pedestrian-friendly walking environment.
 - iii. If internal streets include on-street parking, it shall be parallel parking. Internal streets for a multiple-family development shall not include head-in perpendicular or diagonal or angled parking.
 - iv. Internal streets should connect to other streets. If an internal street does not connect, it shall provide a court to allow vehicles to turn around and to provide a visual terminus.
- d. **Internal greenways or open space** shall be located to define the edge of blocks. Along internal open spaces, fronts of buildings must face fronts of buildings across the space. For frontage requirements on internal greenways or open space, reference 2.4.5.C.6 *Open Space*.

Guidelines:

1. Every block should be defined by streets, either public rights-of-way or internal streets, on at least two sides.



Figure 2.14 Example of building frontage along an Internal Street. The buildings are arranged in a block with clearly defined publicly accessible and private realms.

B. Block Type

Intent:

Multiple-family blocks shall be designed and sized for the appropriate building types in order to ensure that developments are walkable and pedestrian friendly. Appropriately-sized blocks should adequately accommodate building frontage around the block perimeter, parking in the center of the block, and open spaces for residents.

1. Attached/Single-Aspect Block

Standards:

- a. For the graphic standards corresponding to *Table 2.3*, please reference *Figure 2.16*.

Table 2.3 Attached/Single-Aspect Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	220'	240'
B Half-block Depth (ft.)	110'	120'
C Block Length (ft.)	250'	700'
D Block Area (acres)	1.2	3.9
E Distance between buildings	10'	15'

- b. Parking lots, garages, and service shall be located in the interior of the block, an adequate distance away from the rear of buildings.
- c. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.15 Single-Aspect Walk-Up Building sited on a Single-Aspect Block



Figure 2.16 Attached/Single-Aspect Block

2. Double-Aspect/Corridor Block

Double-Aspect Blocks accommodate buildings with units facing both the street and the parking court in the center of the block.

Standards:

- a. For the graphic standards corresponding to *Table 2.4*, please reference *Figure 2.18*.

Table 2.4 Double-Aspect/Corridor Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	260'	340'
B Half-block Depth (ft.)	130'	170'
C Block Length (ft.)	320'	640'
D Block Area (acres)	1.9	5.0
E Distance between buildings	12'	20'

- b. Parking lots, garages, and service shall be located in the interior of the block, an adequate distance away from the rear of buildings.
- c. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.17 Corridor Building sited on a Double-Aspect Block

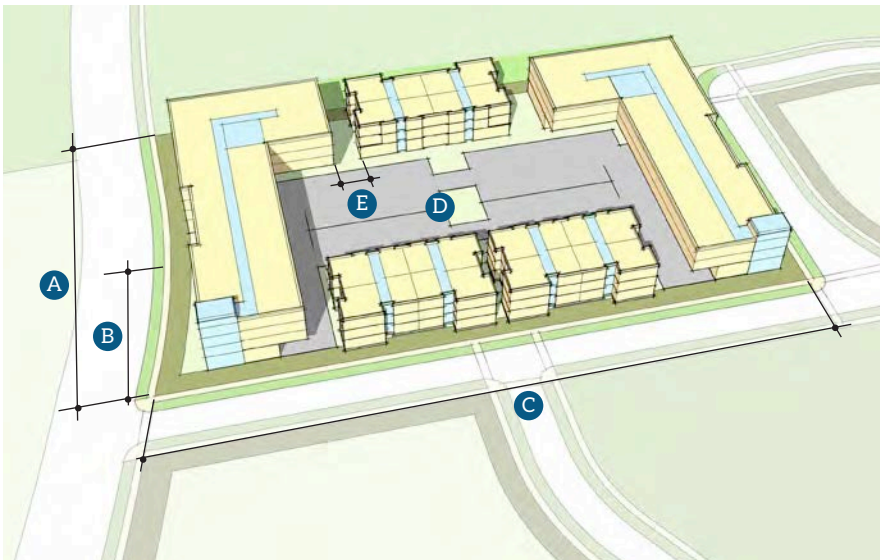


Figure 2.18 Double-Aspect Block

3. Structured Parking Block

Structured Parking Blocks are designed to accommodate development that is integrated with garages. This includes stand-alone garages and wrapped garages.

Standards:

- a. For the graphic standards corresponding to *Table 2.5*, please reference *Figure 2.20*.

Table 2.5 Structured Parking Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	280'	380'
B Half-block Depth (ft.)	140'	190'
C Block Length (ft.)	320'	640'
D Block Area (acres)	2.1	5.6
E Distance between buildings	12'	30'

- b. Locate free standing garages, surface parking, or integrated garages in the center of blocks, wrapped by either stand-alone buildings or liner buildings attached to the garage.
- c. Minimize the number of units that overlook the parking structure.
- d. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.19 Liner Building sited on a Structured Parking Block

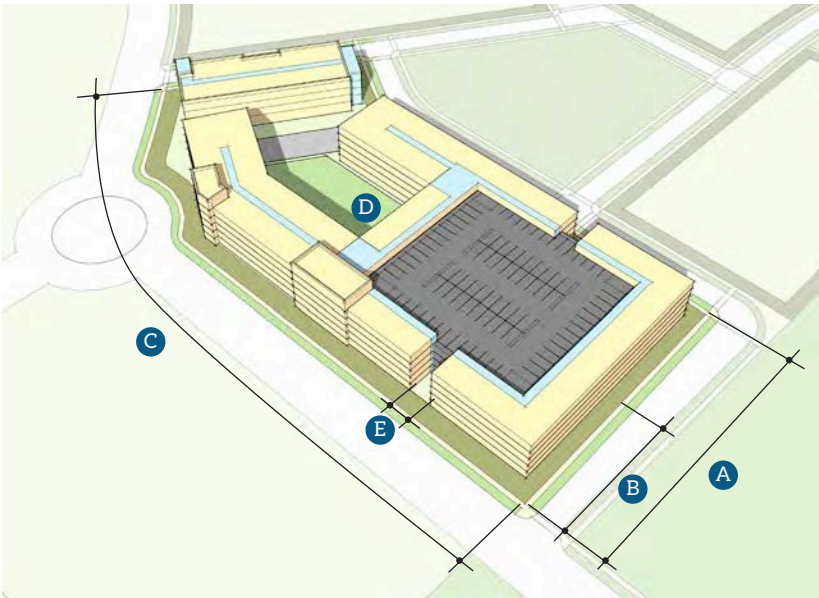


Figure 2.20 Structured Parking Block

4. Composite Blocks

In cases where two different building types with different depths are located on the same block, two half-block depths should be combined to create a Composite Block.

Standards:

- a. For the graphic standards corresponding to *Table 2.6*, please reference *Figure 2.22*.

Table 2.6 Composite Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	240'	290'
B Half-block Depth (ft.)	Varies	Varies
C Block Length (ft.)	320'	640'
D Block Area (acres)	1.8	4.2
E Distance between buildings	12'	30'

- b. Composite Blocks shall be no deeper than the maximum half-block depths of the two block types that it is composed from.
- c. The length of the combined block type shall comply with either the maximum block length or the maximum block area, whichever is lesser.
- d. Parking lots and/or garages shall be located in the center of the block.
- e. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.22 Composite Block



Figure 2.21 Attached Houses and Corridor Buildings sited on a Composite Block

Building Orientation

Intent:

Clearly define publicly accessible space from private amenity and service space; create comfortable, walkable streets and shared open spaces, create embedded security by ensuring eyes on the street.

A. Fronts and Backs

Standards:

1. Townhouses, duplexes, and single-aspect walk-ups shall be oriented with the fronts of the buildings along the perimeter of blocks (See *Figure 2.24*).
2. Double-aspect and corridor buildings (where units face both front and back) shall select one side of the building and designate it as the front. Building fronts shall orient to the perimeter of blocks.
3. Fronts of buildings shall have a greater attention to building composition and building elements to dignify the public realm.

B. Building Orientation at Corners

Standards:

1. Building corners that face or front onto public roadways or open space shall provide a higher level of architectural treatment, window fenestration, and massing to provide increased user activity and visual interest at the corner (see *Figure 2.23*).

Guidelines:

There are a variety of ways in which buildings can address corners:

1. Building Forms Corner (see *Figure 2.23*):

Buildings that wrap the corner at street intersections are encouraged to incorporate building cut-outs and plane offsets. The open space created at the back of curb supports increased user activity and landscape interest and the opportunity for residential entry plazas and gathering space.

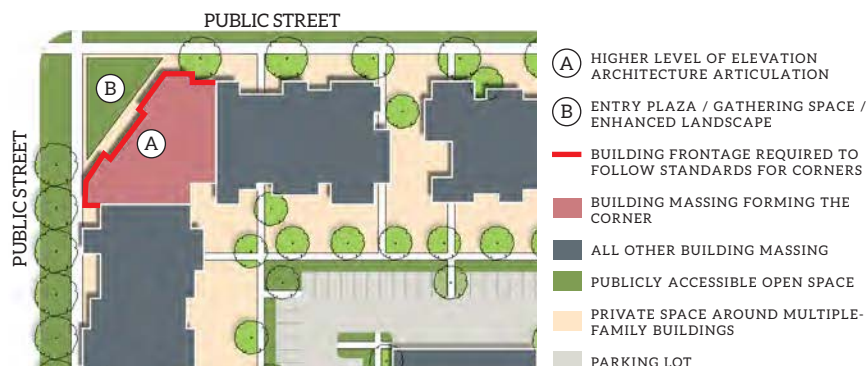


Figure 2.23 Building Forms Corner

STEP 4

Site buildings to front public & private streets and greenways

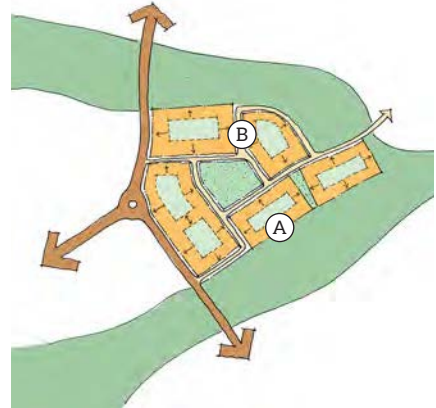


Figure 2.24 Building Orientation and Frontage Diagram

- (A) BLOCKS WITH FRONTAGE TOWARDS STREET AND OPEN SPACES
- (B) INTERNAL STREETS WITH BUILDING FRONTAGE

2. **Articulated Corner Architecture** (see *Figure 2.25*):

Buildings that meet at corner sites help hold and give prominence to two street frontages. This prime exposure warrants the incorporation of finer architectural detail, windows, special features, materials, and building articulation.

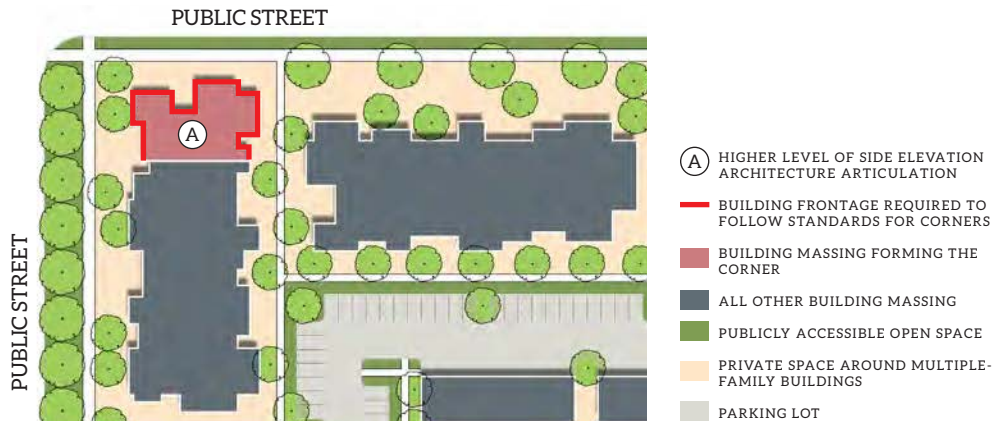


Figure 2.25 Articulated Corner Architecture

3. **Park and Articulated Corner Architecture** (see *Figure 2.26*):

Plazas and courtyards that hold corner edges create strong visual interest through planting intensification, active and passive park space, public art, and pedestrian activity.

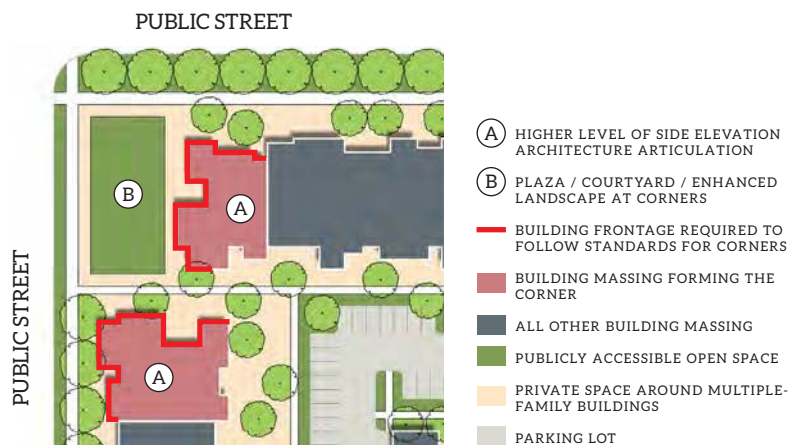


Figure 2.26 Park and Articulated Corner

C. Frontage Requirements

1. State Highway

Parker Road (Highway 83) and E-470 Standards:

- Preferred orientation: multiple-family buildings shall be primarily oriented with the side facade facing the highway.
- Permitted orientation (with additional standards): when a multiple-family building faces the highway, it shall be set back a minimum of 30 feet from the right-of-way to create a significant open space buffer between the units and the highway. This requirement shall be in addition to any buffers required by the LDO and/or *Roadway Design and Construction Criteria Manual*.
- Multiple-family buildings may not back to the highway.
- For developments sited higher than street-level, retaining walls shall be used within the landscape buffer if grades exceed 25% (reference *Figure 2.28* and *Figure 2.29*).



Figure 2.27 Permitted orientation, with a multiple-family building facing a highway, with an additional 30-foot buffer.

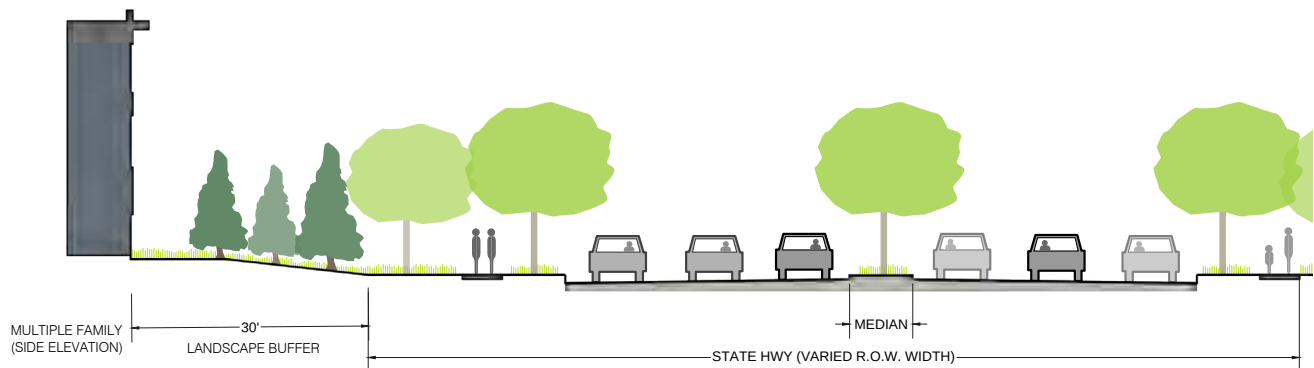


Figure 2.28 State Highway Frontage (condition without grade)

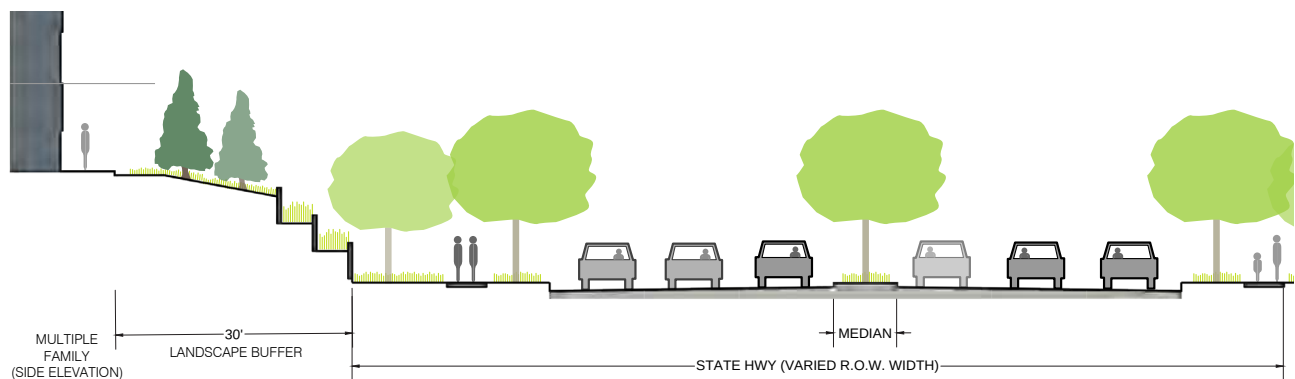


Figure 2.29 State Highway Frontage (condition with grade)

2. Principal Arterial Roadways and Major Collectors (4–6 lanes)

Standards:

- Multiple-family buildings shall front arterials and shall have a minimum 25-foot landscape buffer from the right-of-way (ROW) (see *Figure 2.30*).
- Landscape elements such as plantings and low walls shall be used to separate the units from the street.
- Street trees shall be included in frontage.

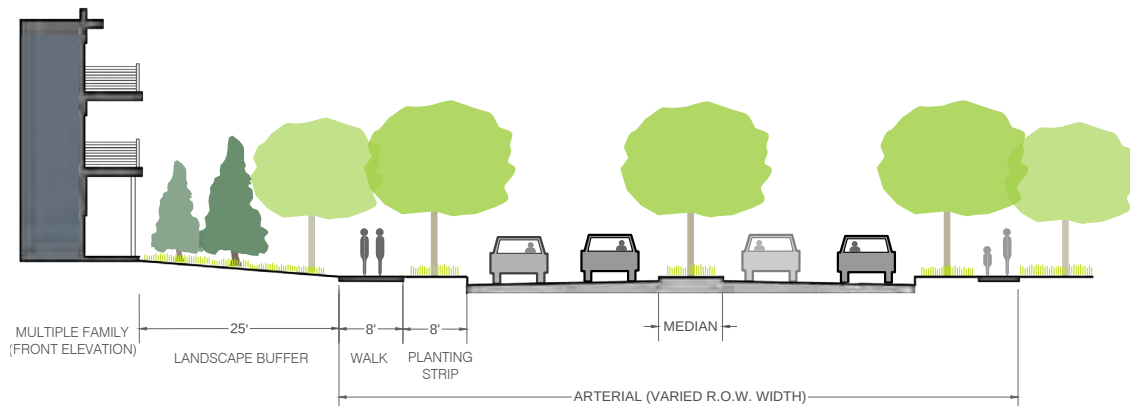


Figure 2.30 Example of arterial frontage

3. Residential Collector Roadways (2 lanes) Standards:

- Multiple-family buildings shall front collectors and shall have a minimum of 15 feet of landscape buffer from the right-of-way (see *Figure 2.31*).
- A minimum 15-foot landscape buffer shall be provided.
- Landscape elements such as plantings and low walls shall be used to separate the units from the street.

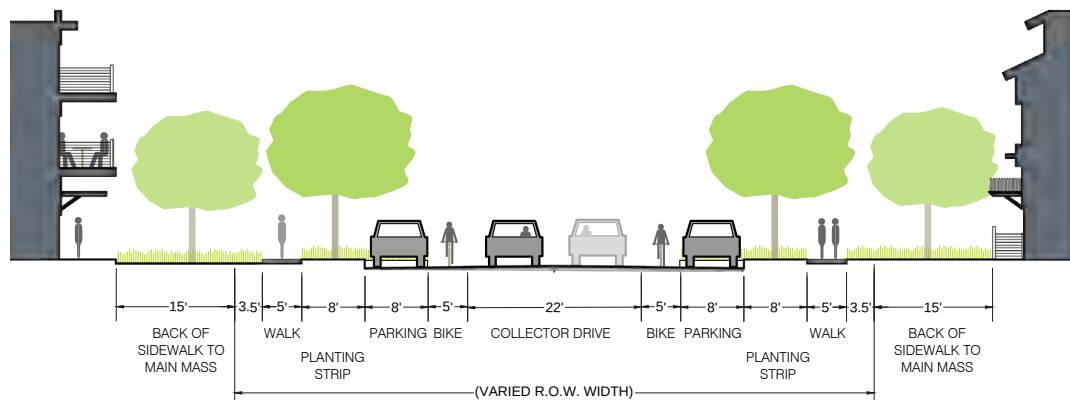
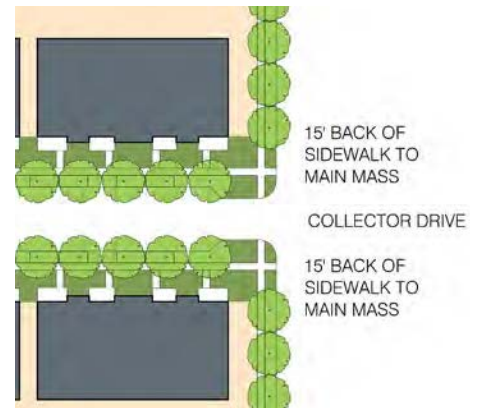


Figure 2.31 Example of collector frontage

4. Old Town Street

Standards:

- Multiple-family buildings shall front Old Town Streets.
- Building elements, such as balconies and awnings, shall engage the streetscape and pedestrians (reference Section 2.5.5 *Building Elements*).
- For more information about the requirements for the design of Old Town Streets, reference the Greater Downtown District Standards and Guidelines.

5. Internal Street (Private Street)

Standards:

- Multiple-family buildings shall front internal streets (see *Figure 2.32*).
- Buildings that meet at corner sites shall have primary frontage towards the public street and secondary frontage towards the private street (see *Figure 2.32*).
- Multiple-family buildings shall front internal streets and shall have a minimum of 20 feet landscape buffer from the right-of-way between the private and public realm.
- Multiple-family buildings shall have building elements that engage the public realm (reference Section 2.5.5 *Building Elements*).
- There shall be a 15-foot minimum landscape buffer to transition between the private and public realm.
- There shall be street trees and low planting along the sidewalk, creating a comfortable experience for pedestrians.

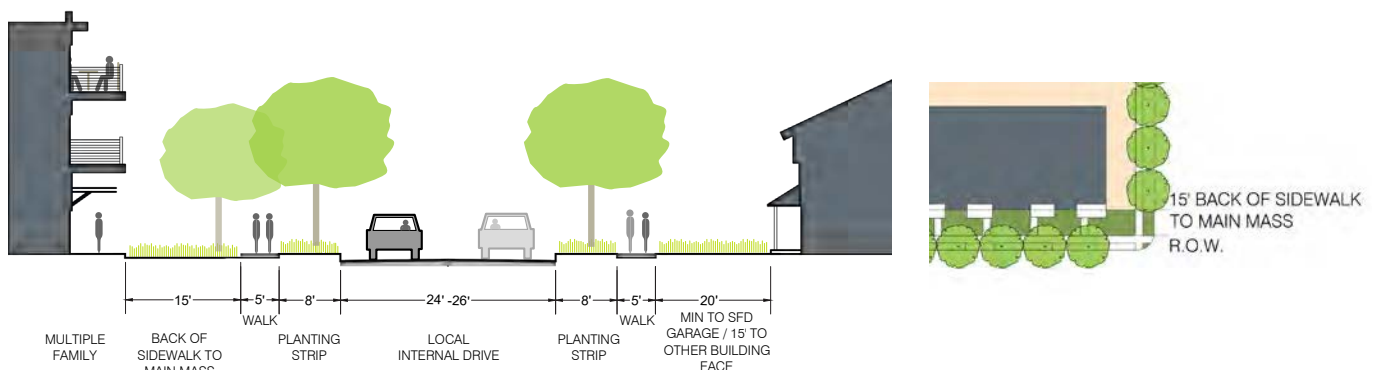


Figure 2.32 Example of internal frontage

6. Internal Open Space

These standards regulate frontages along internal open spaces within a development. For information about how to front open spaces on an adjacent parcel, please reference *2.4.6.C Multiple-Family Adjacent to Parks, Open Space, and Stream Corridors*, and *2.4.6.D Frontage Requirements for Adjacent Uses*.

Standards:

- Multiple-family buildings shall front open space, given that the open space is designed for pedestrian, bicycle, or recreational use (see *Figure 2.33*).
- Any multi-use paths required in the open space shall connect to adjacent trail points.
- The building setbacks shall respect the natural conditions of the open space, such as stream corridors and wetlands.

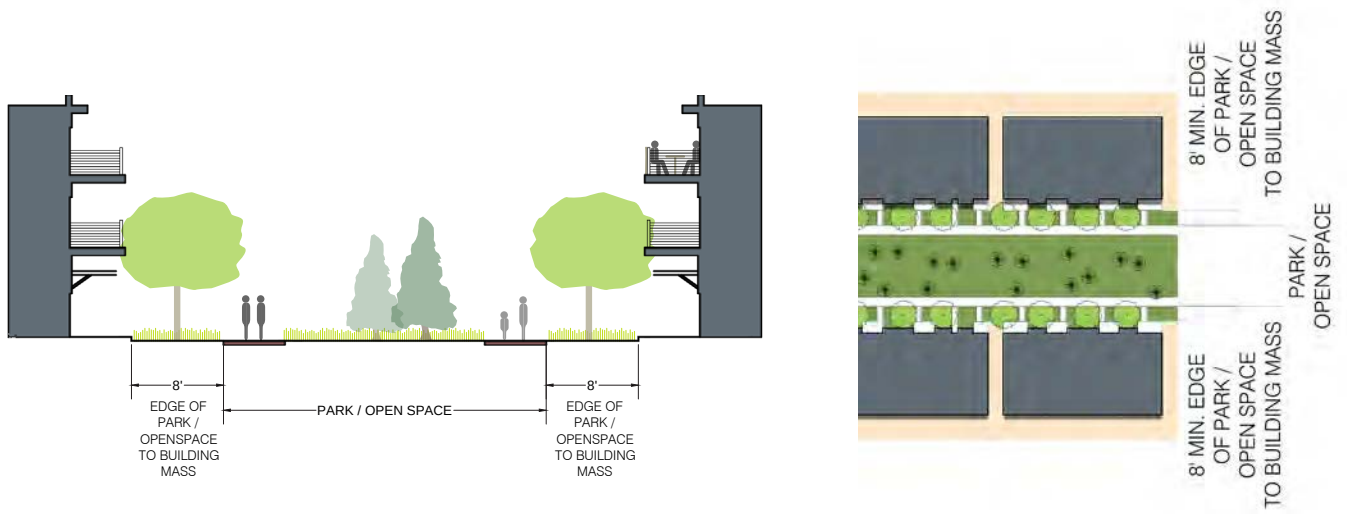


Figure 2.33 Example of internal open space frontage

Sensitivity to Adjacent Uses

A. Multiple-Family Development Adjacent to Single-Family Detached

Homes

The Town of Parker consists of mostly single-family detached housing units. As the Town becomes developed, infill and greenfield locations must be sensitive to adjacent single-family residential neighborhoods and other existing uses.

Intent:

Ensure that infill and greenfield development are appropriately buffered from existing uses.

Standards:

- 1. Multiple-family buildings 3 stories or taller shall be set back a minimum of 40 feet from the adjacent property lines to provide adequate buffering from single-family dwellings (see Table 2.7). Multiple-family buildings 2 1/2 stories or less may be located up to 25 feet away from the property lines shared with adjacent single-family detached neighborhoods (see Figure 2.34).
- 2. Multiple-family buildings shall be oriented perpendicular rather than parallel to existing single-family detached houses (see Figure 2.35).



Figure 2.34 Multiple-family with perpendicular orientation adjacent to single-family dwelling

STEP 5

Determine if buildings require specific orientation, setbacks, heights, or screening based on adjacent uses

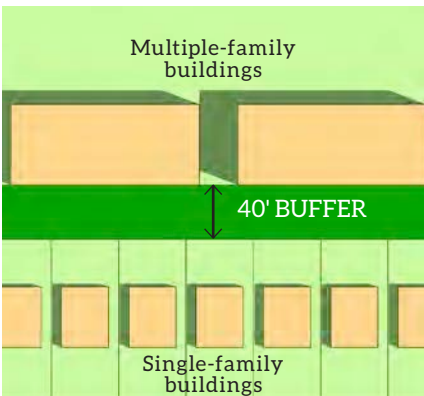


Figure 2.35 Required spacing between multiple-family development and single-family dwellings (front facing and side facing)

Table 2.7 Multiple-Family Adjacency

Use Adjacent to Multiple-Family	Required Buffer
Single-Family Dwelling	40 Feet Front Facing 25 Feet Side Facing
Another Multiple-Family Development	25 Feet*
Commercial/Industrial/Mixed-Use	50 Feet
Parks/Public Open Space	25 Feet

* This distance may be reduced based on the inclusion of design elements, the orientation of existing buildings, and other context factors.

B. Multiple-Family Adjacent to Commercial

Standards

1. Multiple-family buildings adjacent to the rear of commercial buildings shall have a 25-foot landscape buffer from the rear property line of the commercial building (see *Figure 2.36*).

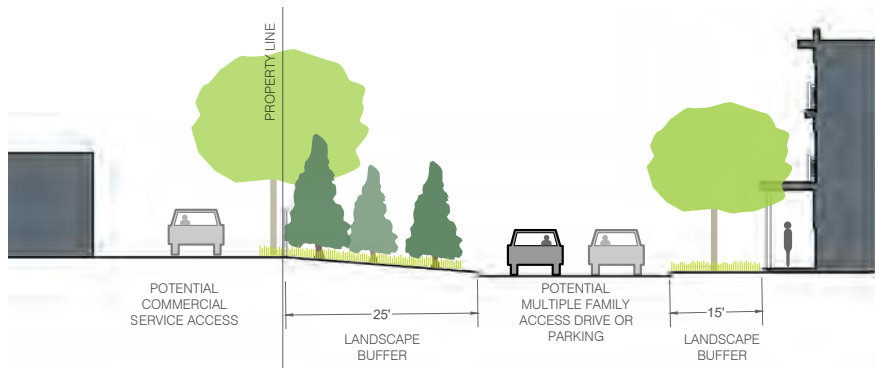


Figure 2.36 Multiple-family adjacent to commercial use

C. Multiple-Family Adjacent to Parks, Open Space, and Stream Corridors

Standards:

1. Multiple-family buildings shall front open space and landscaped areas, given that the space is designed for pedestrian, bicycle, or recreational use (see *Figure 2.37* and *Figure 2.38*).
2. A landscape buffer of a minimum of 20 feet shall be provided where multiple-family parcels abut a public open space.
3. Any multi-use paths required in the open space and landscaped areas shall connect to adjacent trails.
4. The building placement and orientation shall follow the topography of the natural conditions of the open space and landscaped area.

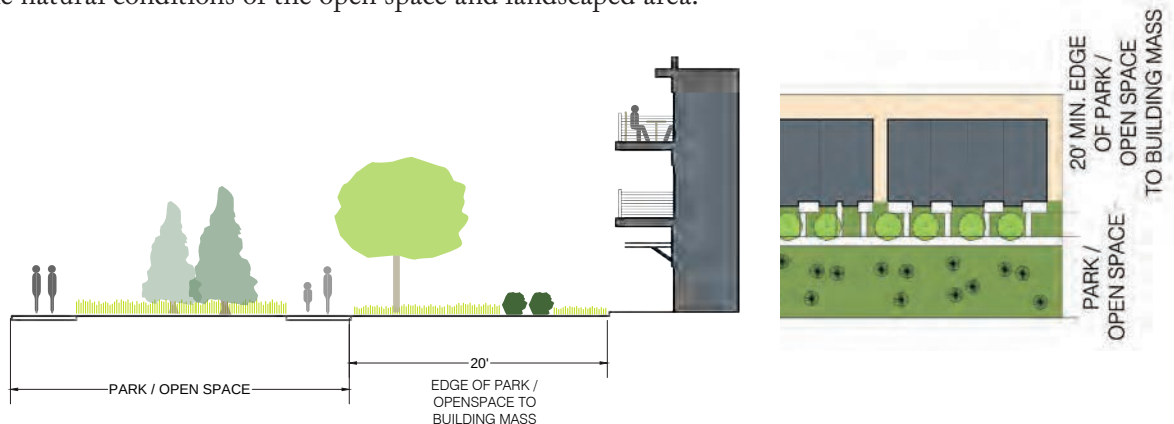


Figure 2.37 Multiple-family adjacent to parks and open space

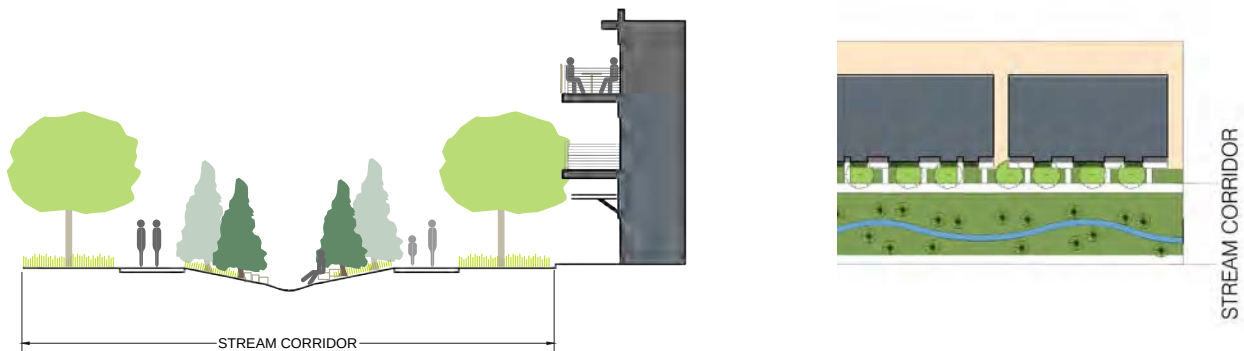


Figure 2.38 Multiple-family adjacent to public stream/creek

D. Frontage Requirements for Adjacent Uses

Standards:

1. Multiple-family buildings shall mirror the condition of existing adjacent developments:
 - a. Fronts of buildings shall face fronts of buildings.
 - b. Rears of buildings shall face rears of buildings.
2. If existing buildings have rears facing public rights-of-way, new multiple-family buildings shall front the public right-of-way, despite the front-to-back relationship.
3. In the case that multiple-family buildings are sited adjacent to public open space, the buildings shall front the open space.
 - a. In certain instances where it is not possible or advisable to front the open space, the applicant shall provide adequate justification and demonstrate how public access will be provided.



Figure 2.39 Multiple-family building fronting open space and landscaped areas.

Access, Circulation, and Parking

Multi-modal access into multiple-family developments and the internal circulation within the site plan must address the treatment of large parking lot areas. Both public and internal streets shall embody the principles of “Complete Streets” as further described in this section.

A. Internal Access

Intent:

Design internal access to be safe and clearly defined, but to remain secondary to internal streets. Accommodate pedestrian and bicycle movement.

Standards:

1. Internal access to multiple-family parcels shall provide visually clear entry points using signage or gateway features into the site from adjacent Public Streets, as illustrated in *Figure 2.40* and *Figure 2.41*.
2. Internal access drives shall balance vehicular, bicycle and pedestrian needs and improve multi-modal connections to RTD bus stops.
3. Internal access drives should provide attractive pedestrian realm and streetscape environments and provide wider landscape entry treatments or be framed by buildings.



Figure 2.40 Internal Access Siting

STEP 6

Locate parking access & circulation (secondary to open space and building locations)

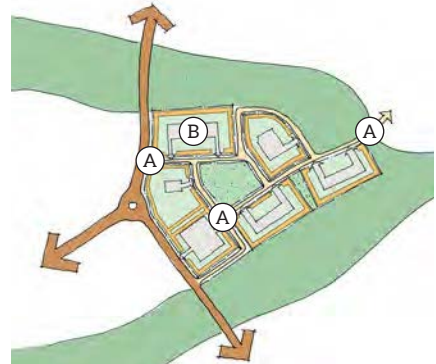


Figure 2.41 Access, Circulation, and Parking Diagram

- (A) INTERNAL STREETS CONNECT TO PUBLIC STREETS AND PROVIDE ACCESS TO PARKING
- (B) PARKING LOTS LOCATED INTERNALLY BEHIND BUILDINGS



Figure 2.42 Internal Street as “Complete Street”

1. Planting Strip Buffer: 8' min. width
2. Planting Aisle Strip: 8' min. width
3. Parking Bays (Reference 1.4 Definitions “Bay of Parking”): 3 double-loaded bays max. Must be separated by drive aisle.
4. Parking Aisle Length: 10 spaces max. Must be separated by planting aisle strip
5. Drive Aisle: 24-26' min. width
6. Parallel Parking: 8' min. width
7. Internal Drive Tree Spacing: 30'-35' on-center (O.C.)
8. Internal Pedestrian Connections: 5' min. detached sidewalk
9. Maximum width 180 feet of internal parking lot
10. Maximum length 270 feet of internal parking lot

B. Internal Private Street Design Standards for Circulation

Intent:

Internal streets are private streets located within a multiple-family parcel that are intended to create the look and feel of a narrow public street by providing a detached sidewalk, street trees, a landscape edge, and parallel parking in some instances.

Standards:

1. Internal Private Street Standards shall include all of the following:
 - a. Drive aisles shall comply with the Land Development Ordinance.
 - b. Parallel parking where allowed or desired along internal streets shall be 8 feet wide.
 - c. A tree lawn of a minimum 8 feet wide shall be located immediately behind the back of curb.
 - d. Approved street trees within the tree lawn spaced at 30 to 35 feet on center.
 - e. A minimum 5-foot wide detached sidewalk shall be located behind the tree lawn.
 - f. Where private drives are adjacent to internal parking lots an additional 8-foot wide landscape buffer strip shall be provided to screen the parking lot areas. See *Figure 2.46*.



Figure 2.43 Parallel parking along internal streets

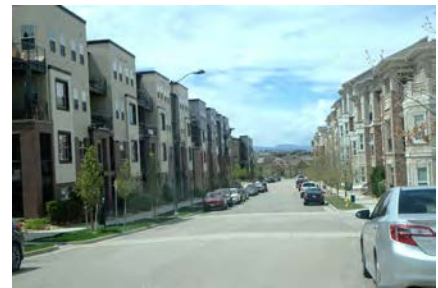


Figure 2.44 Internal street showing 24- to 26-foot drive aisle with tree lawn and sidewalk



Figure 2.45 Landscape buffer screening a parking lot adjacent to a private drive.

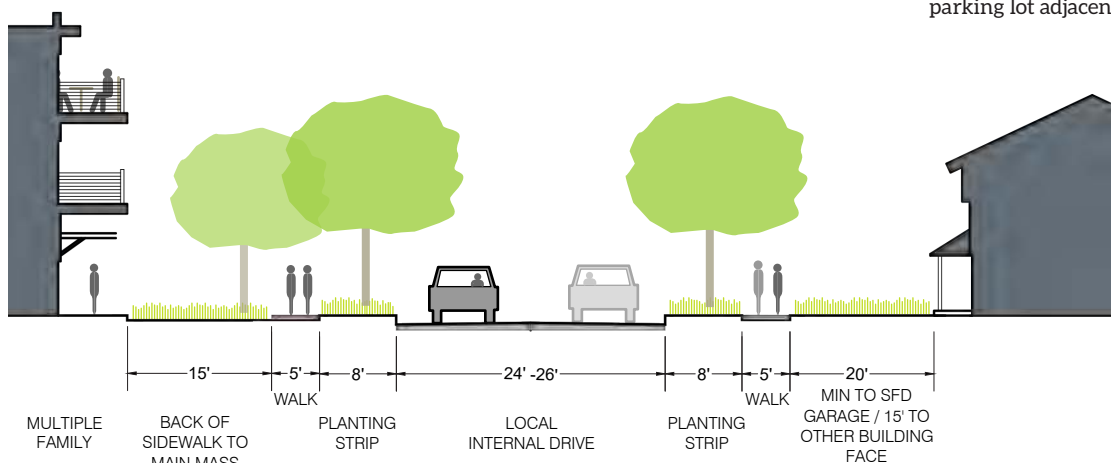


Figure 2.46 Internal street frontage section

C. Parking Lot Design

Intent:

Locate parking lots internal to development blocks, behind building massing to minimize the visibility of parking. Use parking lot landscaping to visually break up larger parking areas and to reduce urban heat island impacts.

Standards:

1. Surface parking areas shall be limited to a maximum width of 3 bays of parking, or 180 feet by 270 feet without being broken up by an Internal Street. See *Figure 2.40 Internal Access Siting*.
2. Planting and screening between parking lot drive aisles and parking bays shall follow the dimensional standards illustrated in *Figure 2.47*.
3. Parking aisle lengths shall not exceed 10 cars in length without being broken by an 8-foot wide minimum planting island.
4. If dictated by grading, existing road conditions, or improved site layout, the Planning Director may approve parking lots visible to the public street face not to exceed 60 feet total along a given street or block frontage. When this condition exists, the parking lot shall be screened with a 3-foot tall landscape hedge or masonry site wall matching the character of the adjacent project architecture.
5. Private parking lots abutting public open space and trails shall not be allowed unless they are 25 feet from the property edge and screened by a minimum 3-foot tall landscape hedge or masonry wall matching the character of the adjacent architecture. An exception may be permitted by the Planning Director if the proposed private parking lot provides public parking spaces. In this case, the public parking spaces may be allowed within the 25-foot buffer zone.

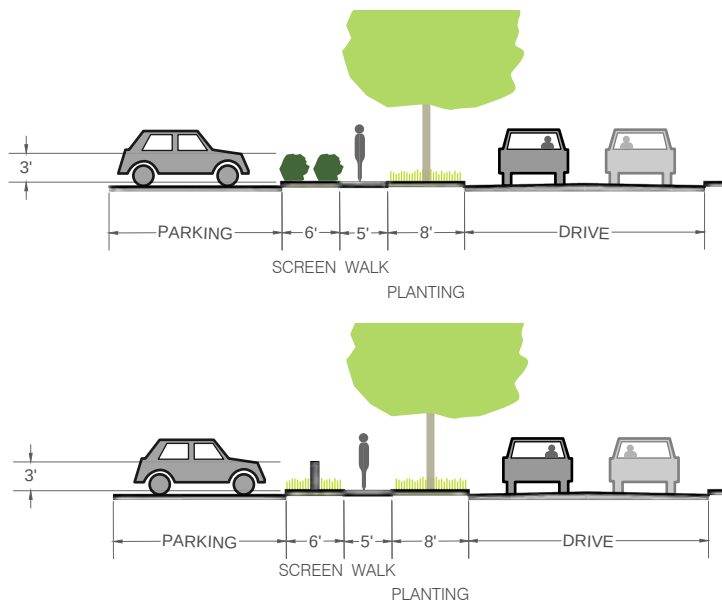


Figure 2.47 Parking lot screening design options



Figure 2.48 Parking aisle broken by 8-foot wide planting island



Figure 2.49 Example of screened parking lot adjacent to right-of-way frontage



Figure 2.50 Parking lot abutting public open space

Grading and Retaining Walls

A. Grading

Many areas within the Town of Parker consist of a rolling topography. The Town has current grading, drainage, stream protection, erosion control and ridgeline ordinances and regulations in place through the LDO (refer to LDO to address criteria and regulations).

Intent:

Protect the character of the existing terrain, drainage ways, ridgelines and minimize cut-and-fill earthwork.

Standards:

1. Demonstrate that the grading approach minimizes disturbance of the site and grading to the greatest extent possible.
2. Use building form, such as multiple building levels and walkouts, to minimize site grading and to take advantage of existing grades, rather than creating flat pads.

B. Retaining Walls

Intent:

Employ retaining walls to retain topography in tight spaces and/or to maximize buildings and recreational areas while being sensitive to a site's natural topography.

Standards:

1. Retaining walls shall be limited to 4 feet in height and made of stone or split face masonry material that matches or is complimentary to the architecture of the buildings.
2. Where multiple retaining walls are required they shall be terraced with a minimum width of 5 feet of live landscaping and a maximum of 6 inches of sloped vertical elevation change on the terrace area between the walls. Refer to LDO Section 13.10.100 for specific requirements. (See *Figure 2.54*).



Figure 2.54 Retaining wall

STEP 7

Design site elements such as retaining walls, service, and storage



Figure 2.51 Retaining wall



Figure 2.52 Multiple retaining walls with planted terraces

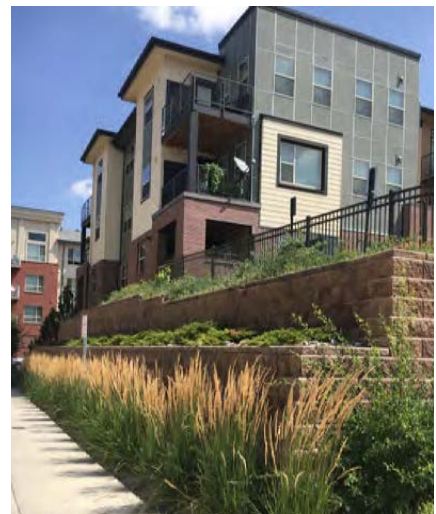


Figure 2.53 Terraced walls

Service and Storage

A. Screening

Intent:

Multiple-family development layout shall minimize the visual and physical presence of service, utility, and storage elements of the community, while providing sufficient and functional service area uses and access.

Standards:

1. Utilize architectural and landscape screening elements to mitigate undesirable utility and service use locations. Landscape screening shall be utilized in conjunction with screen walls to provide varied screening techniques and avoid a hard monotonous treatment.
2. Locate service and utility areas a minimum of 50 feet away from main entry points into buildings and adjacent to streets.
3. Architectural walls and screens shall be consistent with the design and materials of the building to which they are connected, adjacent, or accessory to.
4. Where landscaping is utilized for screening it shall be layered in two rows of plants to screen the undesirable view from the streetscape and adjacent properties.
5. Landscape screening shall incorporate evergreen plant material or deciduous plant material with dense branching habit to provide effective screening during the winter.
6. Plant installation size and spacing shall be sufficient to provide 75% screening of the intended object within 5 years of installation.
7. The periphery of all surface parking lots shall be screened with a hedge of at least 3 feet high, a decorative low 3-foot architectural wall, or a 3-foot high decorative metal screen fence, or combination thereof (See *Figure 2.58* through *Figure 2.60*).

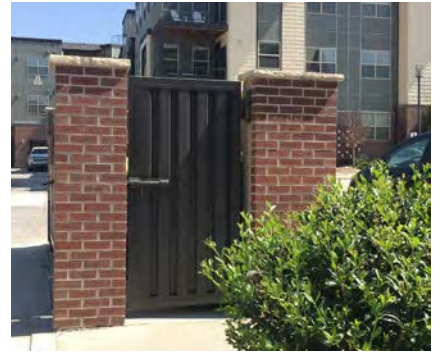


Figure 2.55 Screened outdoor storage



Figure 2.56 Screened outdoor storage



Figure 2.57 Evergreen landscape screening



Figure 2.58 Parking lot landscape screening



Figure 2.59 Parking lot fence screening

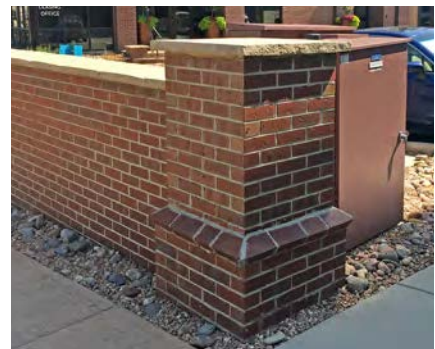


Figure 2.60 Architectural screening elements using consistent materials as the building

Utilities

Intent:

Locate service and utility areas away from areas that are visible from the public realm to prevent detracting from the pedestrian-friendly environment of the neighborhood.

Standards:

A. Location of Utilities

1. Locate service and utility areas away from main entries into buildings, public and internal streets, sidewalks, and corners. Planning for location of utilities should be a collaborative process with the utility, the Town, and the developer.
2. Locate utilities in the center of blocks, in the rear or on the side of buildings.
3. All utilities, both free-standing and attached to buildings should be screened by elements like planting or fencing that provides year-round screening. For screening standards, reference *2.4.9.A Screening*.
4. A mixture of shrub, groundcover, turf, and native grass should be used in undulating forms to breakup the long straight line appearance of utility easements where trees are not allowed to be planted.



Figure 2.61 Utilities appropriately located in the rear of buildings away from main entries

How the Site Design Comes Together: Case Study

Defining blocks, orienting buildings to create frontage, locating parking and access in the center of blocks, treating adjacent uses sensitively, grading minimally, and locating storage and service out of sight creates livable, high-quality multiple-family neighborhoods that enhance the character and quality of life in Parker.

The case study shown in *Figure 2.62* through *Figure 2.67* demonstrate how the site design comes together in a multi-block development that achieves the standards. In this case study, the developer plans to build Double-Aspect Walk-Up Buildings.

STEP 1

Multiple-family development type for example Double-Aspect Walk-up Buildings

STEP 2

Identify and protect important natural features and views

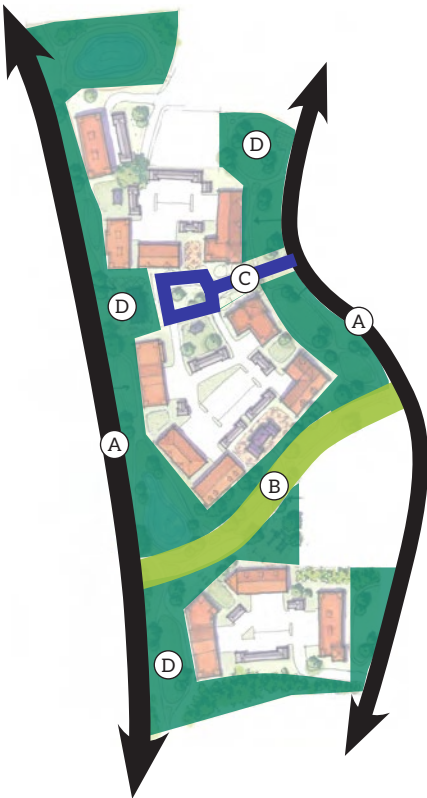


Figure 2.62 Block edges

- (A) PUBLIC STREET
- (B) PUBLIC GREENWAY
- (C) INTERNAL STREET
- (D) PRIVATE OPEN SPACE

STEP 3

Lay out development blocks, internal streets and greenways, and pedestrian & bike connections

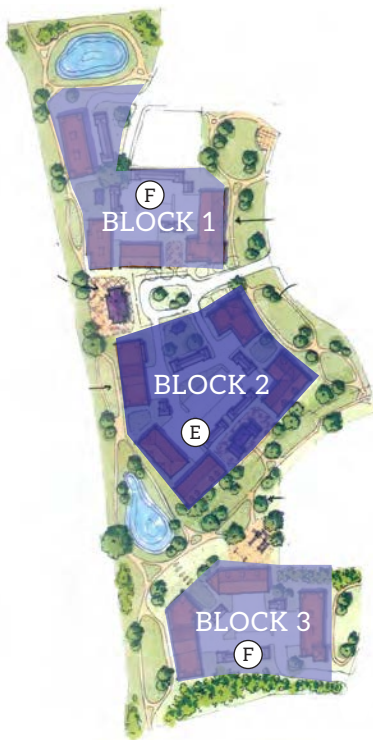


Figure 2.63 Defined blocks

- (E) PARTIAL BLOCKS
- (F) FULL-WRAP BLOCKS

STEP 4

Site buildings to front public & private streets and greenways



Figure 2.64 Building frontage at perimeter

- (G) BUILDING FRONTAGE

STEP 5

Determine if buildings require specific orientation, setbacks, heights, or screening based on adjacent uses



The multiple-family site is bounded by a public street.

The multiple-family site is separated from the adjacent single-family detached houses by a public street. The single-family detached houses have rear yards that face the public street, with a privacy fence. *Frontage Requirements for Adjacent Uses* states that when adjacent uses are separated by a public street, the new multiple-family buildings shall face the public street, despite the front-to-back relationship.

A public open space greenway runs through the site.

New multiple-family buildings front the public open space.

Figure 2.65 Buildings designed in consideration of adjacent uses

STEP 6

Locate parking access and circulation (secondary to open space and building locations)



Clear entry and access point into the neighborhood.

Internal street follows Internal Street Design Standards, with on-street parking where appropriate, sidewalks, shade street trees, and other required features.

Parking lots located in the rear of the buildings, in the center of blocks.

Parking lot size limited to no more than three bays in width.

Ensure pedestrian and bicycle connectivity between blocks.

Figure 2.66 Site access and parking design

STEP 7

Design site elements such as retaining walls, service, and storage



Trash receptacles, loading docks, and service areas located in the rear of buildings, accessed from internal parking courts

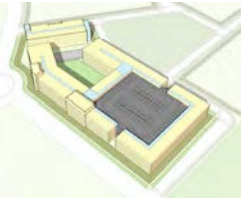
Periphery of parking lot screened where not enclosed by buildings

Outdoor storage screened according to standards

Figure 2.67 Appropriately locate service and utility elements

Table 2.8 below summarizes the four block types and provides an at-a-glance reference for the related standards.

Table 2.8 Summary Block Types Matrix

								
Block Type	Single-Aspect		Double-Aspect		Structured Parking		Composite Block	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
Block Depth (ft.)	220'	240'	260'	340'	280'	380'	240'	290'
Half-block Depth (ft.)	110'	120'	130'	170'	140'	190'	Varies	Varies
Block Length (ft.)	250'	700'	320'	640'	320'	640'	320'	640'
Block Area (acres)	1.2 ac.	3.9 ac.	1.9 ac.	5.0 ac.	2.1 ac.	5.6 ac.	1.8 ac.	4.2 ac.
Distance between buildings	10'	15'	12'	20'	12'	30'	12'	30'

Site Design Standards Checklist

Use the Site Design Standards Checklist below to ensure that each Standard is being met.

Table 2.9 Site Design Standards Checklist

Multiple-Family Development Typology		Access, Circulation, and Parking	
Development Type(s) Planned	☐	Parking located in the interior of blocks	☐
Natural Features and Views		Access drives accommodate bicycle, pedestrian, and transit users	☐
Steep slopes 15% or greater and drainageways protected in publicly accessible open spaces	☐	Access points to each block are clearly articulated	☐
Pedestrian and Bicycle Connections		Internal streets meet dimensional standards, with trees, planting strips, and sidewalks on both sides	☐
Sidewalks provided along all Public and Internal Streets	☐	Internal streets connect to other streets or drives, or courts are provided with visual termini	☐
Sidewalks provided within all Public and Internal Open Spaces	☐	Surface parking lots do not exceed the maximum dimensional standards	☐
Sidewalks provided within blocks to access rear entries, parking, services and amenities	☐	Grading and Retaining Walls	
Sidewalks provided to connect to adjacent development and neighborhoods	☐	Disturbance, grading, and earthwork has been minimized on the site	☐
Development Blocks		Retaining walls do not exceed 4 feet and wall materials are natural or complementary to building materials	☐
Block is bounded by publicly accessible streets and open spaces edges	☐	If multiple walls are necessary, requirements for landscaping have been met	☐
Block Type(s)	☐	Service and Storage	
Block dimensions (depth, length, area)	☐	Service, storage, and utilities have been located to minimize views and impact on building entries and publicly accessible spaces	☐
Distance from the publicly accessible sidewalk	☐	Appropriate screening mechanisms meet requirements	☐
Parking located in the center of the block	☐	Utilities	
Building Orientation		Utilities have been located in the rear or on the side of buildings	☐
Buildings front face perimeter of blocks	☐	Service and utility areas have been located away from main entries into buildings, public and internal streets, sidewalks, and corners.	☐
Buildings front public roadways and open spaces at corners and intersections	☐		
Buildings meet frontage requirements for the Street Typologies they front onto	☐		
Sensitivity to Adjacent Uses			
Uses on adjacent properties	☐		
Required buffers, setbacks, and building orientations met	☐		
Buildings mirror the frontage condition of existing adjacent development (fronts face fronts; backs face backs, unless otherwise indicated in the Standards)	☐		

Building Design Standards

Parker residents value high-quality building design that fits into and enhances the character of the community. Based on input from the community and key stakeholders, the Standards include requirements for six components of building design:

- Building type
- Variety
- Massing
- Composition
- Building elements
- Material and color palettes

Each of these components is critical to comprehensive, high-quality building design. The Standards require 360-degree architecture, with high-quality materials and design on all sides of a building that are visible from the public realm.

Intent:

Design buildings that are high-quality, well-scaled, appropriate for their contexts, relative to human scale, sustainable, and durable over time. High-quality building design defines the public realm, ensures design variety, and provides visual interest to neighborhoods.

The Building Design standards are organized into the six steps shown in *Figure 2.68* and described throughout this section.



Figure 2.69 Example of a high-quality townhouse development

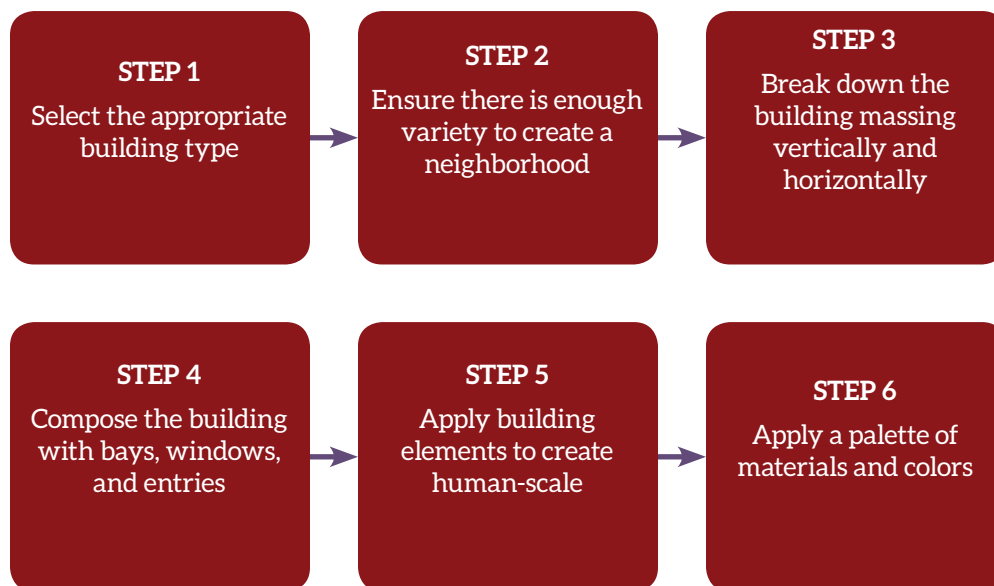


Figure 2.68 Typical Multiple-Family Building Design Process

Building Types

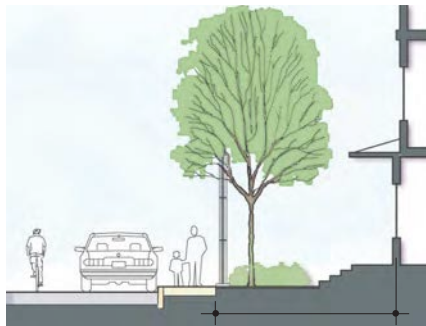
Building types describe dimensional and circulation differences between the way that multiple-family buildings function. Each building type described below has specific standards for the way that frontage and block siting should occur. As building scale increases, strategies for massing and composition and building diversity become more critical in the building design process.

Intent:

Site and orient buildings to create pedestrian-friendly walkable streets. Dimension buildings to ensure adequate natural light and livable spaces. Design buildings with human-scale building elements in the front to transition between the interior and exterior. Locate service-oriented functions such as parking, in the rear with adequate separation from buildings.

STEP 1

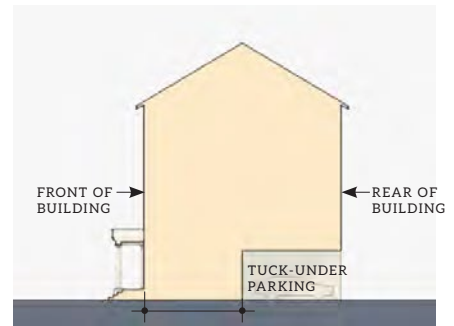
Select the appropriate building type



Distance between front of building and path or sidewalk



Distance between front of building and path or sidewalk



Min. distance between tuck-under parking and front of building

Figure 2.70 Diagrams showing distance between front of the building to path or sidewalk

Figure 2.71 Minimum distance between tuck-under parking and front of building

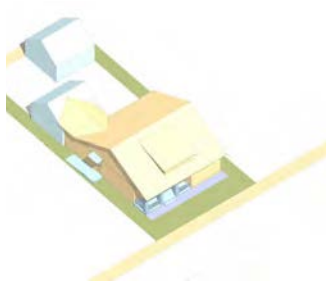


Figure 2.72 Paired Unit



Figure 2.73 Attached House



Figure 2.74 Walk-Up Multiple-Family Building (Single-Aspect)

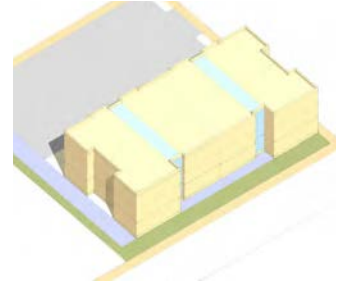


Figure 2.75 Walk-Up Multiple-Family Building (Double-Aspect)

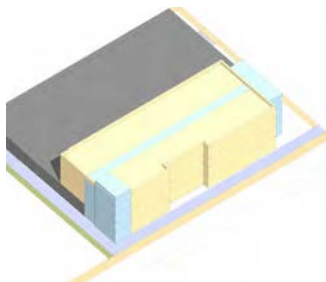


Figure 2.76 Corridor Multiple-Family Building

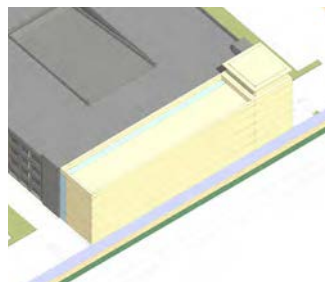


Figure 2.77 Liner Multiple-Family Building

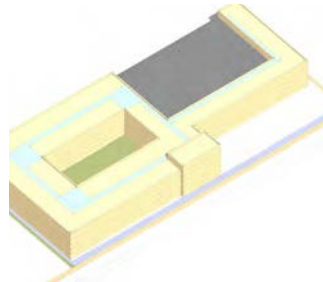


Figure 2.78 Texas Wrap Building



Figure 2.79 Accessory Building/Structure

A. Paired **Unit** (Duplex, Patio Home)

The Paired **Unit** is a small building that contains two side-by-side, ground-oriented residential units. Each has its entry on a street or open space. Paired **Units** may serve active adult markets, with master bedroom suites on the ground floor.

Standards:

1. Paired **Units** may be developed as part of an ownership development. In this case, the design must follow *13.10.160 Residential Design Minimums (applicable after February 20, 2000)*.
2. If Paired **Units** are developed as part of a multiple-family development, the design shall comply with the standards below:

Table 2.10 Paired **Unit** Requirements

Building Requirements		
A	Building Length (feet)	18 to 32 (per unit)
B	Building Depth (feet)	30 to 60
Frontage Requirements (From Internal Streets and Open Spaces)		
C	Entrance access	Front or Side
D	Required distance between front of building and path or sidewalk (feet)	10 to 15
E	Required distance between rear of building and path/sidewalk or detached parking (feet)	15 minimum
F	Required distance between tuck-under garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G	Required distance between garage door and drive aisle/alley (feet)	Less than 5 feet or greater than 18 feet
H	Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
Circulation (Individual, Core, or Corridor)		Individual
Types of streets appropriate on		Local Collector, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Attached Patio Home, Duplexes, Paired Home



Figure 2.80 Example of Paired **Units**

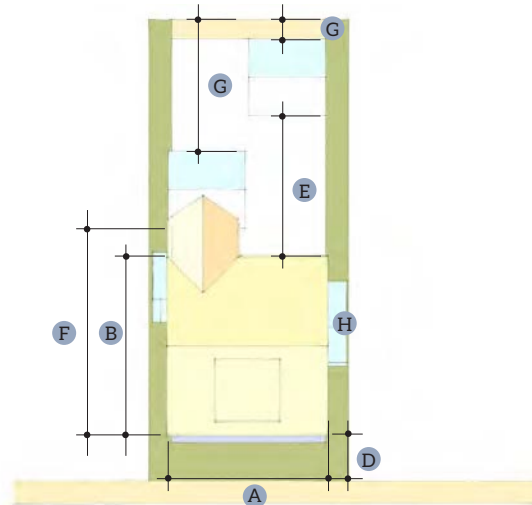


Figure 2.81 Example of Paired **Units**

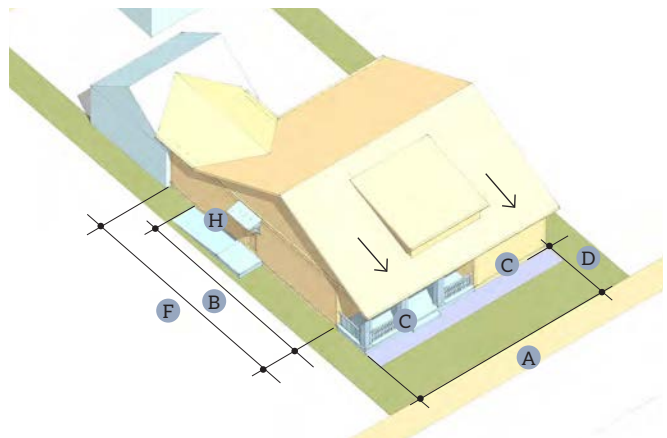


Figure 2.82 Example of Paired **Units**

B. Attached House

Attached Houses include townhouses, row houses, and brownstones. Typical attached houses are ground oriented (not stacked), and each unit has an entry on a street or open space. Attached house buildings include three to seven units. Tuck-under townhouses have parking under the rear of the main body massing. Stacked townhouses include a townhouse on top of a ground floor unit.

Standards:

Table 2.11 Attached House Requirements

Building Requirements		
A	Building Length (feet)	16 to 28 (per unit)
B	Building Depth (feet)	30 to 44
Frontage Requirements (From Internal Streets and Open Spaces)		
C	Entrance access	Front-Only
D	Required distance between front of building and path or sidewalk (feet)	10 to 15
E	Required distance between rear of building and path/sidewalk or detached parking (feet)	15 minimum
F	Required distance between tuck-under garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G	Required distance between garage door and drive aisle/alley (feet)	Less than 5 feet or greater than 18 feet
H	Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
Circulation (Individual, Core, or Corridor)		Individual
Types of streets appropriate on		Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Townhouse or Townhome
- Rowhouse or Rowhome
- Greystone
- Brownstone

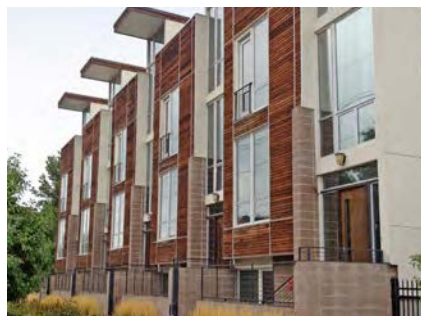


Figure 2.83 Example of Attached House

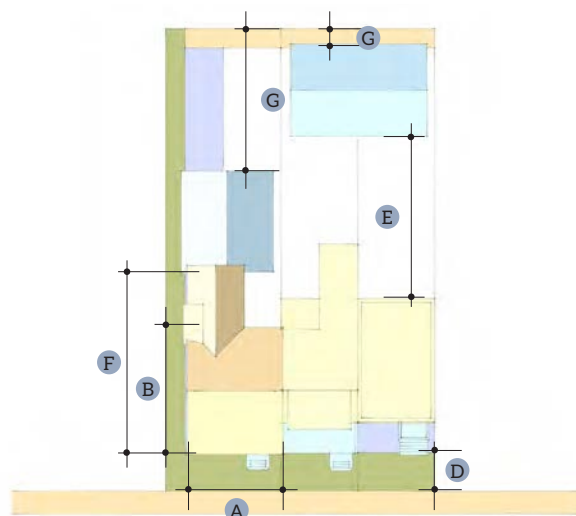


Figure 2.84 Example of Attached House lot

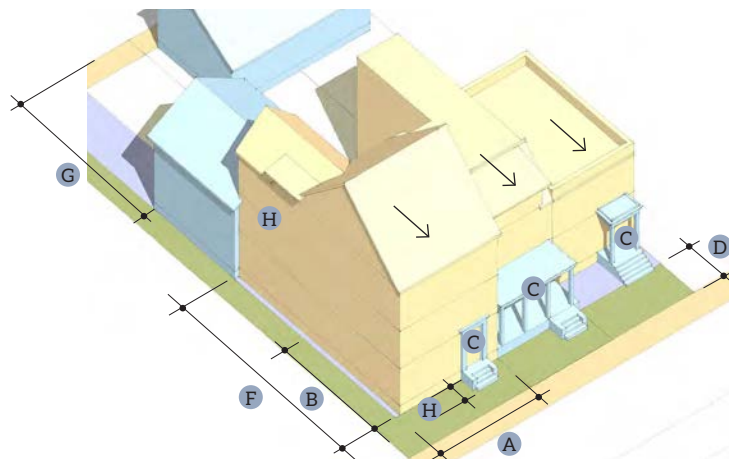


Figure 2.85 Example of Attached House main body

C. Walk-Up Multiple-family Building (Single-Aspect)

Walk-Up Multiple-Family Buildings contain residential units that share common circulation cores (each typically serving 2 units per floor). Single-aspect walk-up buildings are one-unit deep, with defined fronts and backs. The cores extend through the building and have entries in both the front and rear.

Standards:

Table 2.12 Walk-Up Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	50 to 150
B Building Depth (feet)	30 to 54
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 15
E Required distance between rear of building and path/sidewalk or detached parking (feet)	15 minimum
F Required distance between tuck-under garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk(feet)	8 maximum
H Circulation (Individual , Core, or Corridor)	Core
Types of streets appropriate on	Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Garden Apartment



Figure 2.86 Example of Walk-Up Multiple-Family building

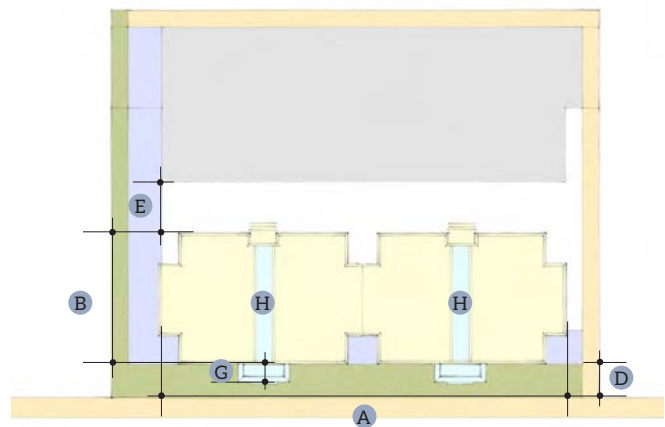


Figure 2.87 Example of Single-Aspect Walk-Up Multiple-Family Building



Figure 2.88 Example of Single-Aspect Walk-Up Multiple-Family Building

D. Walk-Up Multiple-Family Building (Double-Aspect)

Double-aspect Walk-Up Multiple-Family Buildings contain residential units that share common circulation cores (each typically serving 4 units per floor). Single-aspect walk-up buildings are two-units deep. Units face the front and rear of the building, so a front side must be selected for block layout. The cores extend through the building and have entries in both the front and rear.

Standards:

Table 2.13 Walk-Up Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	48 to 250
B Building Depth (feet)	55 to 60
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 20
E Required distance between rear of building and path/sidewalk or detached parking (feet)	20 minimum
F Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H Circulation (Individual, Core, or Corridor)	Core
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Garden Apartment



Figure 2.89 Example of Walk-Up Multiple-Family Building

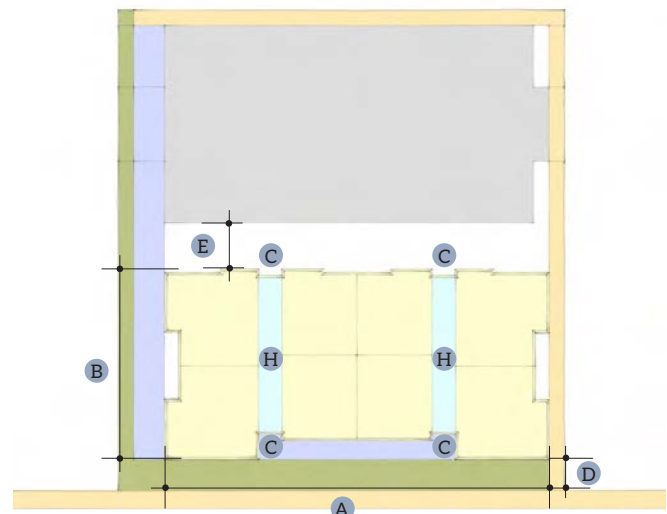


Figure 2.90 Example of Double-Aspect Walk-Up Multiple-Family Building



Figure 2.91 Example of Double-Aspect Walk-Up Multiple-Family Building

E. Corridor Multiple-Family Building

Corridor Multiple-Family Buildings are served by a central corridor, typically with vertical circulation at either end. Corridor Buildings have units that face the front and rear of the building, so a front side must be selected for block layout. Corridor Buildings may have units on the ground floor, or they may have non-residential uses or an integrated parking structure on the ground floor.

Standards:

Table 2.14 Corridor Multiple-Family Building Requirements

Building Requirements		
A	Building Length (feet)	80 to 250
B	Building Depth (feet)	60 to 80
Frontage Requirements (From Internal Streets and Open Spaces)		
C	Entrance access	Front and Rear
D	Required distance between front of building and path or sidewalk (feet)	10 to 20
E	Required distance between rear of building and path/sidewalk or detached parking (feet)	20 minimum for Double-Corridor Building
F	Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G	Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H	Circulation (Individual, Core, or Corridor)	Corridor
Types of streets appropriate on		Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Double-loaded Corridor Apartment
- Double-loaded Corridor Tuck Under Apartment
- Double-loaded Corridor Podium Building

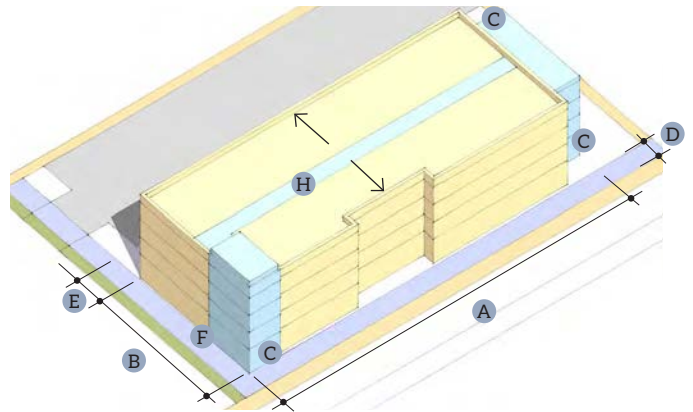


Figure 2.92 Example of Corridor Multiple-Family Building

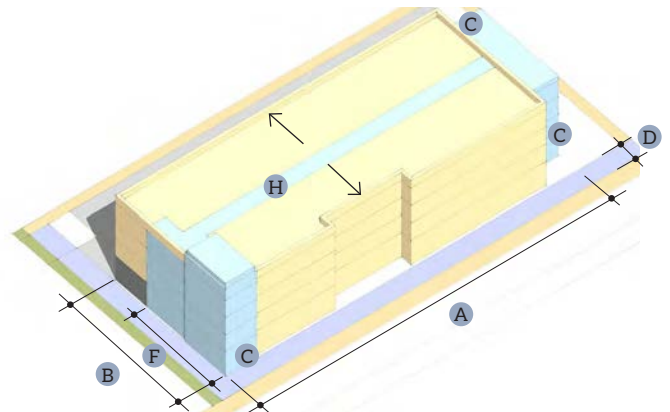


Figure 2.93 Example of Corridor Tuck Under Multiple-Family Building

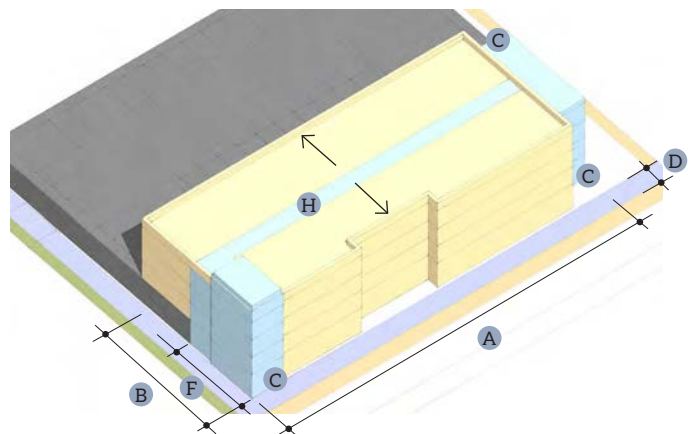


Figure 2.94 Example of Corridor Podium Multiple-Family Building

F. Liner Multiple-Family Building

Liner Buildings create active use frontage along structured parking garages. Liner Buildings are one-unit deep, with a clear front. Ground floor units may have separate entrances, while upper floor units are accessed by a common lobby, vertical circulation, and a corridor located between the building and the garage.

Standards:

Table 2.15 Liner Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	80 to 250
B Building Depth (feet)	33 to 45
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front Only
D Required distance between front of building and path or sidewalk (feet)	10 to 20
E Required distance between rear of building and path/sidewalk or detached parking (feet)	N/A
F Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	33 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H Circulation (Individual, Core, or Corridor)	Individual or Corridor
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space



Figure 2.95 Example of Liner Multiple-Family Building

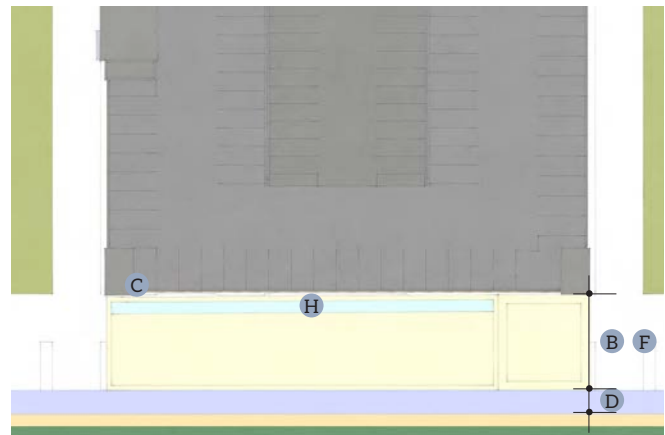


Figure 2.96 Example of Liner Corridor Multiple-Family Building

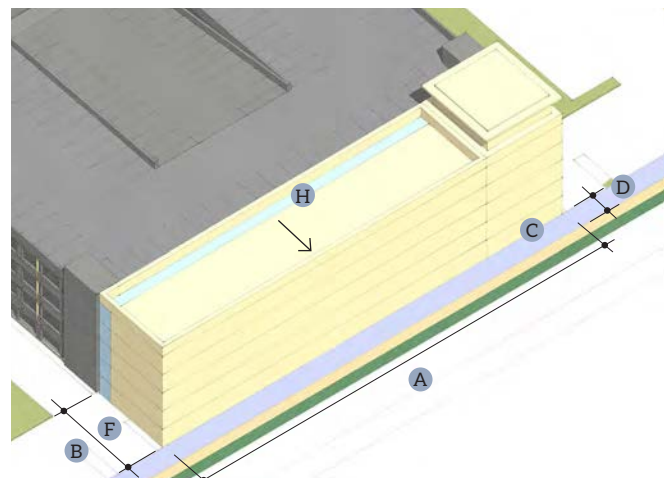


Figure 2.97 Example of Liner Corridor Multiple-Family Building

G. Texas Wrap Building

The Texas Wrap Building combines Corridor and Liner Multiple-Family Buildings, wrapped around a single garage. This building type efficiently serves a large number of units through connected corridors.

Standards:

Table 2.16 Texas Wrap Building Requirements

Building Requirements		
A	Building Length (feet)	80 to 150
B	Building Depth (feet)	33 to 65
Frontage Requirements (From Internal Streets and Open Spaces)		
C	Entrance access	Front and Rear
D	Required distance between front of building and path or sidewalk (feet)	10 to 20
E	Required distance between rear of building and path/sidewalk or detached parking (feet)	N/A
F	Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G	Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H	Circulation (Individual, Core, or Corridor)	Corridor
Types of streets appropriate on		Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Texas Doughnut Building
- Liner Wrapped Building
- Wrap Style Building
- Wrapped Podium



Figure 2.98 Example of a Texas Wrap Corridor Multiple-Family Building

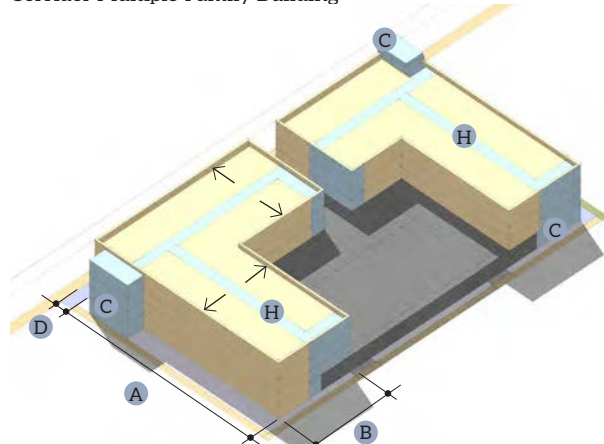


Figure 2.99 Example of a Wrapped Podium Building

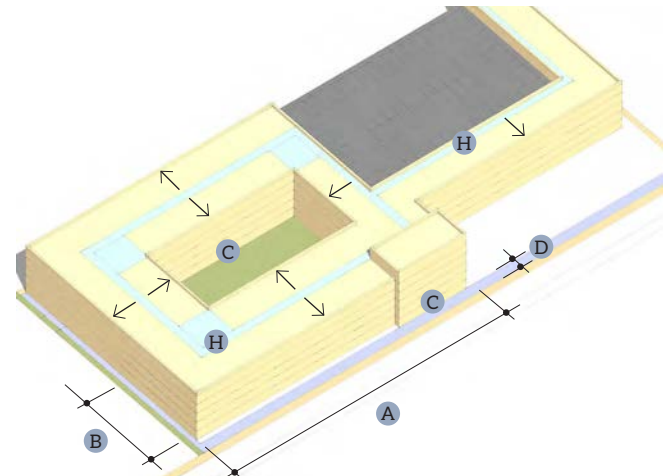


Figure 2.100 Example of a Texas Wrap Building

H. Parking Garages*

Structured parking, when visible, should be an attractive architectural element in the community. The standards below apply to multiple-family, commercial, industrial, and mixed-use developments.

Intent:

Minimize the visual impact of parking on the pedestrian experience and the street environment; create visually interesting facades; create facades compatible in character with adjoining buildings and spaces; and reduce visual impact of headlights and light emanating from parking structures.

Standards:

1. Parking garages seen from the street, open space or adjacent property shall be designed to complement the design character of buildings integrated with the garage, or of adjacent architecture.
2. Parking garage facades fronting streets, open spaces, or adjacent properties shall include architectural elements that relate to human scale, such as bay expression, fenestration, changes in plane of walls, changes in materials or color, architectural details, signage, or art.
3. Sloped ramps shall not be permitted on facades fronting a right-of-way, plaza, or open space.
4. Parking garages shall be wrapped on all sides visible by the public. Planning Director may waive the following criteria:
 - Lot size
 - Lot shape, topography or other constraints
5. Entire sides of substantial lengths of the garage designed to be open with no fenestration are prohibited.
6. Long lengths of openings that do not replicate a window or storefront pattern are prohibited.
7. Vehicles shall not be visible from streets, sidewalks, or public rights-of-way.
8. Parking structures shall screen all head-in parking with a continuous wall no less than 42 inches high in front of vehicles, constructed of materials of equivalent quality to the facades of adjacent buildings.
9. Garage structures three levels or taller shall incorporate retail or other uses at the ground level or accommodate taller ceiling heights to allow for conversion in the future.
10. There shall be architectural articulation on all sides of the parking structure visible from public rights-of-ways, with architectural materials other than precast concrete or block; articulation shall extend at least 6 inches from the structure.

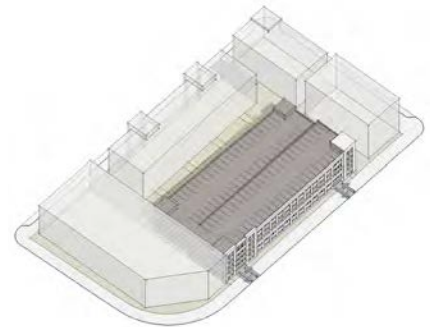


Figure 2.101 Example of stand-alone parking structure, wrapped by building

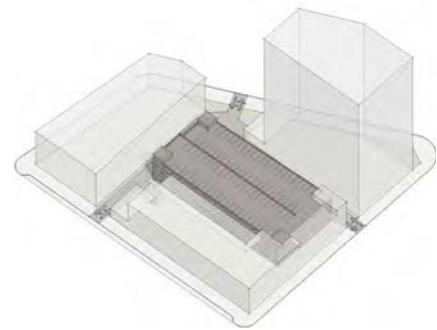


Figure 2.102 Example of parking structure integrated with liner buildings

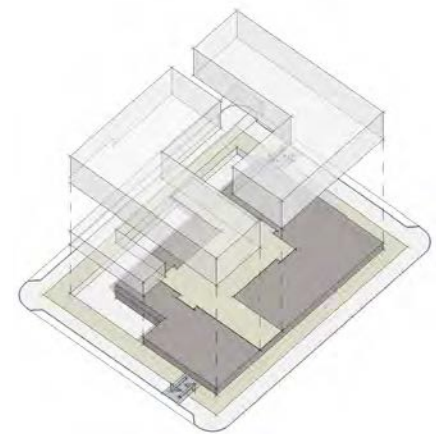


Figure 2.103 Example of a podium/basement parking structure with buildings above

* Credit: Parking Garage Standards developed by Kimley-Horn. For parking structures in the Downtown area, please refer back to the Greater Downtown District Design Standards.

I. Accessory Buildings/Structures

Accessory Structures accommodate uses other than primary use within a multiple-family development, providing either amenities or utility for the residents. For the purposes of this document, there are two types — functional and amenity.

1. Functional Building

Functional Buildings include garages and carports, mail structures, as well as storage for mechanical systems or belongings.

Table 2.17 Functional Building Requirements

Building Requirements	
A Building Length (feet)	12 to 120 (maximum 5 double garages in a row)
B Building Depth (feet)	20 to 45
Frontage Requirements (From Internal Streets and Open Spaces)	
C Required distance between rear of building and drive aisle (feet)	5 minimum, 18 maximum
Types of streets appropriate on	Collector, Local, Internal Street, Parking Lot Drive Aisle

Standards:

- Minimize the visibility of Functional Buildings through appropriate siting in the center of blocks.
- If Functional Buildings are visible from streets or open spaces and are not obscured by other multiple-family buildings, they shall be screened by adequate landscaping, walls, or fencing, according to the standards in *2.4.9.A Screening*.
- Provide adequate access to Functional Buildings, while not highlighting or elevating their importance.
- Functional Buildings may be permitted along a single side of a block, only under the condition that they do not face public streets or important, highly-visible internal streets or open spaces. Garage doors or service entrances may not face perimeters of blocks.

ALTERNATE NAMES

- Carport
- Garage
- Bike Barn
- Storage Shed
- Pool Equipment Building
- Mail Structure



Figure 2.104 Example of a mail structure



Figure 2.105 Example of garages

2. Amenity Building

Amenity Buildings house active uses, including accessory living, recreation, or gathering space for residents. Stand-alone carriage houses, club houses, pool houses, and fitness centers are examples of amenity buildings.

Standards:

Table 2.18 Amenity Building Requirements

Building Requirements	
A Main Building Width (feet)	N/A
B Main Building Depth (feet)	N/A
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front, Side, and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 15
E Required distance between rear of building and path/sidewalk or detached parking (feet)	10 minimum
F Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
Circulation (Individual, Core, or Corridor)	Individual
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

- Locate Amenity Buildings to be accessible to the whole development by internal streets and/or publicly accessible open space.
- Design Amenity Buildings that have high-quality building elements to connect to the public realm and create an approachable, human scale.
- Elevate the level of design, finish, and materials to match the civic nature of the building's use.

Guidelines:

- Amenity Buildings should take design cues from the residential buildings which they are accessory.
- Facades of Amenity Buildings facing public streets or that are highly visible in the development shall have a higher percentage of transparency and articulation than other facades.

ALTERNATE USES

- Club House
- Carriage House
- Pool Building



Figure 2.106 Example of club house Amenity Building

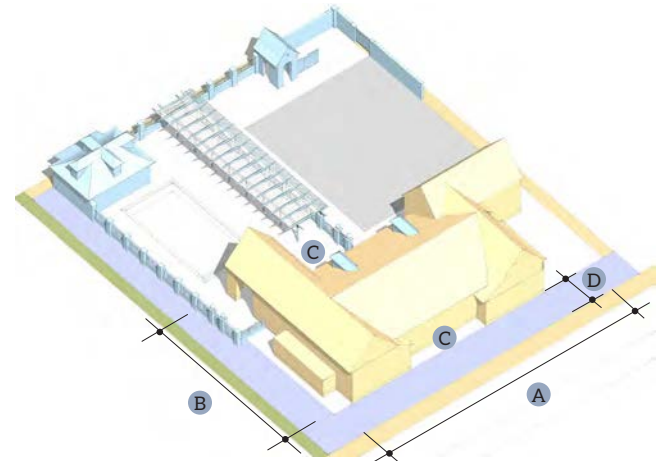


Figure 2.107 Example of Club House Amenity Building

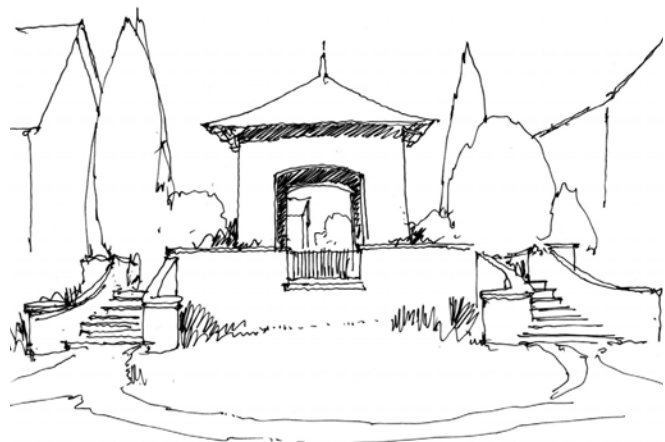


Figure 2.108 Example of an Amenity Building as a focal point

Building Design Variety

Residential neighborhoods require architectural variety to make them enjoyable, interesting environments. Even in neighborhoods where the same building type or plan is repeated, building elements, palettes, and styles should provide variation along the street.

Intent:

Achieve variety of design to ensure the development is visually interesting and to reinforce the creation of neighborhoods rather than repetitive and identifiable complexes.

Standards:

A. Elevation Design Variation Requirement

- 1. Developments with more than two buildings must comply with the required minimum number of Elevation Design Variations required in Table 2.19.
- 2. For developments with more than two buildings, buildings sited next to one another in the same orientation must have different Elevation Design Variations.
- 3. Elevation Design Variations shall be determined by differences in the patterns of breaking down the horizontal and vertical massing, the building composition, application of building elements, and the material and color palettes.

STEP 2

Ensure there is enough variety to create a neighborhood

Table 2.19 Elevation Design Variation Requirement

Number of residential multiple-family buildings in the development	Min. Different Elevation Design Variations Required
1-2	1
2-6	2
7-9	3
10 or more	1 per every 4 buildings, up to 6 total

BUILDING DESIGN VARIETY PRINCIPLE

- Variety in residential design creates inviting, interesting neighborhoods.



Figure 2.109 The example shows two Attached Building Types, with different Elevation Design Variations, defined by different composition and massing patterns (A-B-A and C-D-E).

Building Form and Massing

Breaking down building massing is essential to creating buildings that are well-proportioned and fit into a neighborhood context. This may be accomplished through plane changes, materials, and articulation.

Intent:

To create aesthetically pleasing building forms and to articulate buildings in a way that allows people to relate to the scale of the building, regardless of the length of elevation or height of the building.

A. Breaking Down Massing Horizontally

Standards:

- 1. Building proportions shall have a distinguishable top, middle, and base.
- 2. Openings shall be larger at the base or on the second floor and decrease in height towards the top of the building.
- 3. Materials shall appear heavy at the base of the building to anchor the building to the ground. Reference 2.5.6.A.1 Masonry Base Requirements.

Table 2.20 Horizontal Massing Break Requirements

	Techniques for Defining Horizontal Massing	Techniques for Enhancing Horizontal Massing
	• Visibly apparent material change • String course (horizontal banding) • Step-back or change in plane	• Scale of openings • Transparency percentage and visual weight • Building elements (storefronts, bay windows, roof lines)
Front, side, or any elevation visible from public streets or open spaces	Apply at least one technique between the top and middle of the building Apply at least one technique between the middle and base of the building	Apply at least two techniques
Rear Elevation	Apply at least one technique	N/A



Figure 2.112 Building 2.5 stories or shorter broken down horizontally



Figure 2.113 Building 3 stories or taller broken down horizontally

STEP 3

Break down the building massing vertically and horizontally



Figure 2.110 Horizontal massing defined by material changes



Figure 2.111 Multiple-family building with clearly defined top, middle and base

B. Breaking Down Massing Vertically

Multiple-family buildings have longer masses as a result of multiple units being contained in one building. Buildings 48 feet or longer are required to follow the standards below.

Standards:

Table 2.21 Vertical Massing Break Requirements

	Techniques for Defining Vertical Massing	Techniques for Enhancing Vertical Massing
	- Change in plane in the facade of the building (set forward or back) - Significant break in eave line or roof form	- Change in material with plane change - Pattern of openings and opening types - Minor change in eave line or roof form - Building elements (porches, bay windows, roof lines, etc.)
Front, side, or any elevation visible from public streets or open spaces	Apply both techniques, at the intervals described in <i>Table 2.22</i>	Apply at least one technique
Rear Elevation	Apply at least one technique	N/A

MASSING PRINCIPLES

- Well-proportioned components relate to human-scale and make pedestrians feel comfortable around the building.
- Larger buildings must be broken down through a series of changing planes and roof forms to create vertical masses and rhythm along a street or open space.

Table 2.22 Vertical Massing Break Requirements by Building Type

Building Type	Maximum Horizontal Distance at which a Vertical Break is Required
A Paired Unit	No requirement
A Attached House	Width of 3 units or 70 feet, whichever is lesser
A Walk-Up Building (both Single- and Double-Aspect)	Width of 2 units or 50 feet, whichever is lesser
A Corridor Building	Width of 4 units or 90 feet, whichever is lesser
A Liner Building	Width of 4 units or 90 feet, whichever is lesser

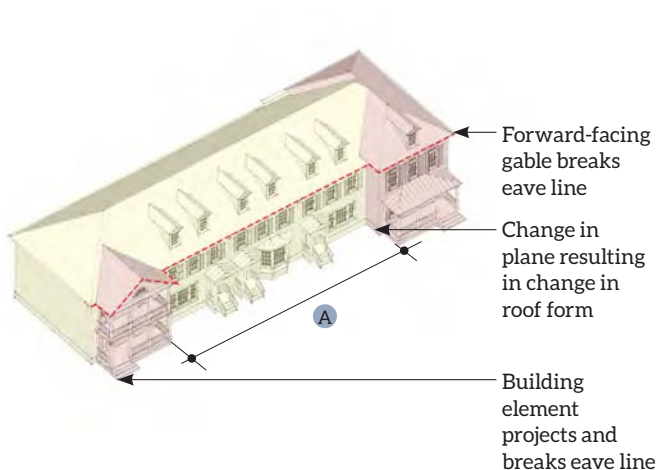


Figure 2.114 Attached House with mass broken up vertically

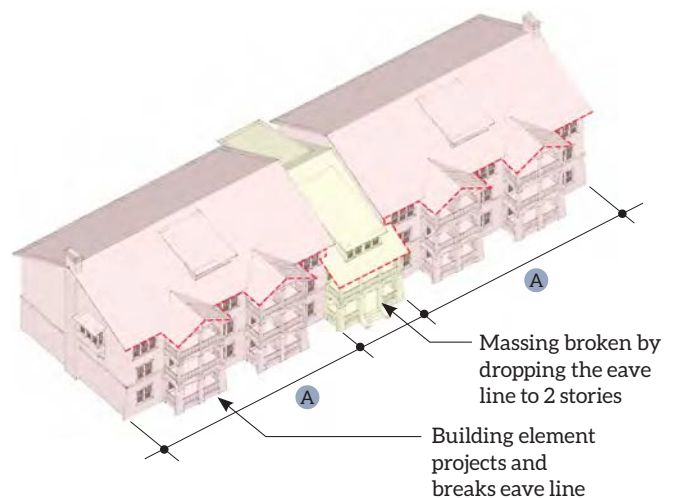


Figure 2.115 Multiple-Family Corridor Building with mass broken up vertically

Building Composition

Buildings are composed using vertical bays and a pattern of openings.

Intent:

To organize a building's basic elements (wall and openings) to create a recognizable rhythm, increase interest and walkability, and creates inherent security with eyes on publicly accessible streets and spaces.

A. Bays

Standards:

1. Bays must be expressed on front and side elevations by doing two of the following:
 - a. Ensuring that centerlines of openings are stacked vertically and visibly express load-bearing members in between openings;
 - b. Breaking the horizontal or vertical massing up with a recess, projection, or a change of plane to break the roof form or add forward-facing gables; or
 - c. Designing building elements (porches, balconies, dormers, or others) in clear vertical alignment.
2. Bay width shall not be larger than 24 feet or the width of one unit, whichever is lesser.



Figure 2.116 Walk-up Multiple-Family Building with regularly spaced bays

B. Openings/Fenestration

Fenestration is the pattern of openings and windows on a facade.

Guidelines:

1. Ground floor transparency should be a minimum of 25%, measured as a percentage of glazing in the base of a building.
2. Upper floor transparency should be a minimum of 15% glazing, measured as a percentage of glazing on the middle of a building. For certain styles, it may be appropriate to have up to 30% glazing on upper floors.
3. Special windows and fenestration patterns should be used to accentuate focal elements on the facade (towers, dormers, entries).
4. If using mullions and muntins on a traditional style building, divided lights (panes) should be square or vertical in proportion, and should be consistent with window patterns of the traditional style.

STEP 4

Compose the building with bays, windows, and entries

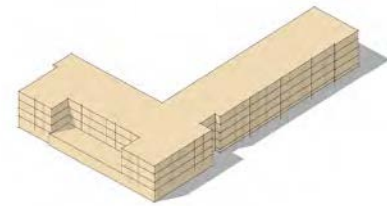


Figure 2.117 After the basic massing has been articulated, map the bays onto the facades to set the rhythm of openings

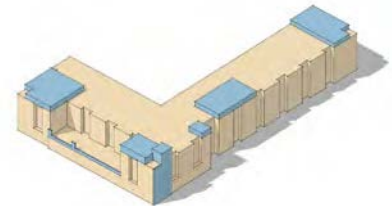


Figure 2.118 Add special elements to the top of the building to accentuate important bays in the composition

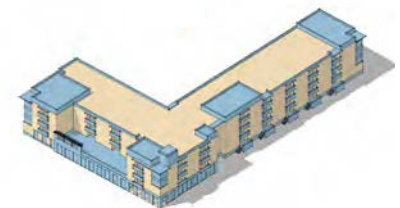


Figure 2.119 Add building elements that further define the bays, such as balconies

C. Entries

Articulating building entries is an important part of the Building Composition step. Entries elevate certain parts of the building in hierarchy and should be more important in the elevation design than typical bays to indicate where to enter the building.

Standards:

- 1. A street-facing or open space-facing entry is required for the primary entrance of every building.
- 2. The main entrance of every building shall be articulated architecturally, with the addition of Building Elements (see Page 2 – 58) *Inventory of Building Elements*.
- 3. For Walk-up Multiple-Family Buildings (Single and Double-Aspect), Corridor Buildings, Liner and Texas Wrap Buildings, entry shall be required every 70 feet at a maximum.

Guidelines:

- 1. Entries should receive a higher quality of material and/or Building Element than other portions of the building.
- 2. Entries should be clearly articulated and should look welcoming to people of all ages and abilities. Buildings shall comply with all Fair Housing Act regulations. Ramping should be minimized along public and highly visible internal streets.
- 3. Entries should have enhanced pedestrian space and accommodations, including furniture such as trash cans, bicycle racks, planting or planters, pedestrian-scale lighting, and other features.
- 4. Entries shall reflect the style of the building. The Design Standards encourages a variety of styles, both traditional and contemporary, as appropriate for the context.



Figure 2.120 Townhouse entries articulated with awnings, stoops, fencing, planting, and color palette

Table 2.23 Building Element Required at Entries

Building Type	Required at each Entry
Paired Unit	Either a Porch or a Stoop and Awning
Attached House	Either a Porch or a Stoop and Awning
Walk-Up Multiple-Family Building (Single-Aspect)	Either a Porch or a Stoop and Awning
Walk-Up Multiple-Family Building (Double-Aspect)	Either a Porch or a Stoop and Awning
Corridor Multiple-Family Building	Awning
Liner Multiple-Family Building	Porch or Stoop/Awning (if individual entries into ground-based units, or an Awning (if entry into corridor circulation)
Texas Wrap Building	Porch or Stoop/Awning (if individual entries into ground-based units, or an Awning (if entry into corridor circulation)
Amenity Building	Porch or Awning



Figure 2.121 Examples of entry doors for multiple-family development

D. Approaches for Composition

Intent:

Ensure interest and variety in the way buildings are composed and to provide alternatives of how to provide that variety in a way that fits into the surrounding context.

Guidelines:

1. Composing a Building as a Single Design

- Context:** Consider context to ensure that a building fits into the scale, massing, and architectural style of its surroundings.
- Materials:** Use a consistent material and color palette across the building, but pay particular attention to diversity and application to ensure the building does not have a monotonous design.
- Massing:** This design approach can emphasize the horizontal nature of a building, so pay particular attention to how the mass is broken down vertically; create pronounced vertical breaks in the building and the roof forms.
- Variation:** If two of the same Building Type are sited next to or across from one another, Elevation Design Variations should be pronounced, with massing and bay differences. Elevation Design Variations in this instance may not rely on color palette changes alone.



Figure 2.122 Composing a building as a single design

2. Composing a building as Multiple Buildings

- When to Apply:** Use this approach when siting a horizontal building into the surrounding context of smaller, more vertical buildings, such as a historic center or a single-family detached neighborhood with houses that are more narrow than they are tall.
- Massing:** Use different material and color palettes to emphasize the appearance that smaller buildings were built next to one another, rather than a single building.



Figure 2.123 Composing a building as multiple buildings



Figure 2.124 Multiple-family building designed as a single building, using a consistent material and color palette



Figure 2.125 Single multiple-family building designed as multiple smaller buildings attached together, with different palettes and details

Building Elements

Intent:

To break multiple-family buildings down to pedestrian scale and provide visual interest, create rhythm along the building, and reinforce the composition of the building.

Standards:

STEP 5

Apply building elements to create human-scale

Table 2.24 Building Element Requirements

Building Type	Roof and Eave Requirements	Additional Requirements
Paired Unit	Permitted roof and eaves types include: - Pitched roof (gable, hip, or shed) with simple overhang or cornice - Flat roof with cornice or parapet	Dormers, Balconies, Bay Windows, Terraces (select 1)
Attached House		
Walk-Up Multiple-Family Building (Single-Aspect)	Soffit Design - See requirement below	
Walk-Up Multiple-Family Building (Double-Aspect)	Permitted roof and eaves types include: - Pitched roof (gable, hip, or shed) with simple overhang or cornice - Flat roof with cornice or parapet	Dormers, Balconies, Bay Windows, Terraces (select 1)
Corridor Multiple-Family Building		Balconies required; Dormers, Bay Windows (optional)
Liner Multiple-Family Building	Soffit Design- See requirement below	Balconies required; Dormers, Bay Windows (optional)
Texas Wrap Building		Balconies required; Dormer, Bay Windows (optional)
Amenity Building	Pitched roof (gable, hip, or shed) acceptable, simple overhang or cornice required Soffit Design - See requirement below	Dormers, Bay Windows (optional)

Standards:

Requirements for Soffit Design - No roof overhang or soffit, as measured from the finished side of the siding or premium material of the structure to the inside of the fascia board, shall be less than eight (8) inches, unless: the structure embodies architectural styles of an historical nature; for example, a Santa Fe style which has a flat roof without any overhang; or a Tudor style which has a roof pitch of a ten (10) vertical inch rise over a twelve (12) horizontal inch run (10/12) or greater.

For guidance on how to apply Building Elements at entries, please reference Table 2.23 Building Elements Required at Entries.



Figure 2.126 High-quality and well-designed wrapping Porch and Balcony

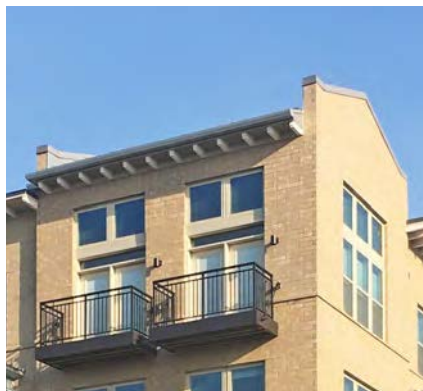


Figure 2.127 High-quality and well-designed overhang and eave

A. Inventory of Building Elements

The following catalogue of photos illustrates the Building Elements that are appropriate for multiple-family residential buildings.



Figure 2.128 Simple Eave Overhang



Figure 2.129 Pitched Roof



Figure 2.130 Cornice

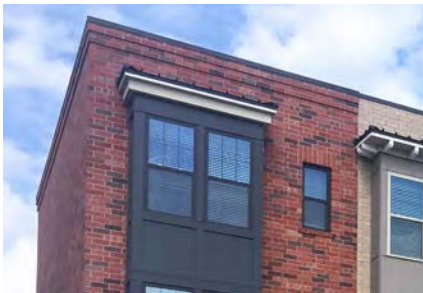


Figure 2.131 Parapets

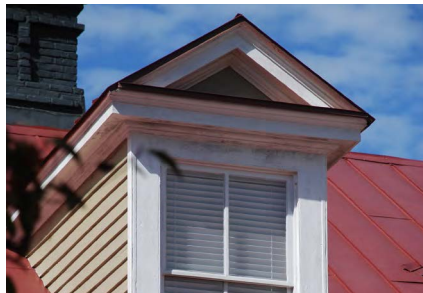


Figure 2.132 Dormers



Figure 2.133 Balconies



Figure 2.134 Porte Cochere



Figure 2.135 Stoop



Figure 2.136 Terraces



Figure 2.137 Awning



Figure 2.138 Bay Windows



Figure 2.139 Porch

Exterior Building Palettes

The visual appeal of building materials has a tremendous impact on the perception of any building. The following standards and guidelines should be used to make decisions about the material and color palettes.

A. Permitted Materials

Intent:

Present an image of high-quality and permanence to ensure that multiple-family development in Parker is sustainable, durable in the climate, and complements the surrounding context.

Standards:

1. Masonry Base Requirements
 - a. Buildings 2 ½ stories or less in height shall have a minimum 36-inch masonry (natural stone or brick with mortar) base.
 - b. Buildings three stories or more shall have a masonry (natural stone or brick with mortar) base the height of the ground or first floor.
2. Upper floors are encouraged to be built in masonry as a primary material. Select bays or corner features may be appropriate to be constructed in masonry (natural stone or brick with mortar) for the entire height of the building, depending on the building design.
3. High-quality materials from the list on Page 2 – 60 are encouraged for building elements on upper floors.
4. High-quality fiber-cement siding, panel systems, and cladding materials, as long as they are not imitating masonry.
5. Use durable, natural materials that will stand the test of time or modern composites that provide comparable or greater durability than natural materials and have a similar aesthetic.
6. Use environmentally sensitive materials, green-building products, as defined by the standards of the U.S. Green Building Council (USGBC) and similar rating systems, whenever possible.
7. CMU may be used with Planning Director approval.
8. Vinyl Window Requirements:
 - a. Vinyl windows shall be selected in premium colors where appropriate with building design (i.e. sandstone, bronze, etc.).
 - b. Window color selection should be consistent with building design and follow the Color Standards in 2.5.6.D.
9. Materials should change along horizontal lines that indicate a floor or sill level or along vertical or horizontal plane changes.
10. Building Trim Requirements:
 - a. Trim around windows shall be minimum of three and one-half (3½) inches wide, and trim around doors shall be a minimum of two (2) inches wide.
 - b. Trim details such as special moldings, colors and related details shall be used in the same manner on all sides of the structure as they appear on any side of the structure. However, shutters and any detail exclusively associated with the use of shutters and muntins may be used on the front without being carried to the other sides.

STEP 6

Apply a palette of materials and colors



Figure 2.140 Stone Building Material

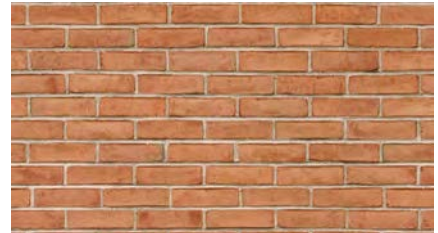


Figure 2.141 Brick Building Material

B. Restricted Materials

Standards:

1. Exterior Building Materials shall not include the following: split shakes, manufactured stone, products that emulate brick or masonry, smooth-faced gray concrete block, painted concrete block, tilt-up concrete panels, field painted or pre-finished standard corrugated metal siding, vinyl siding, one-way, mirror, and spandrel glazing, standard single (T) or double (TT) concrete systems, or barrier type Exterior Insulation and Finish Systems (EIFS).
 - a. Field-painted or pre-finished standard corrugated metal siding is prohibited as primary building material but may be used on building elements.
 - b. Rough sawn wood may be permitted as a weather-treated product, as long as it's only used as an accent material and is restricted to be used as a trellis or beam materials. This material will be considered on a case-by-case basis, subject to approval by the Planning Director.
2. Stucco or Water Managed EIFS Requirements:
 - a. Buildings 2 ½ stories or less in height shall not use water managed EIFS as a cladding material.
 - b. Buildings three stories or greater in height:
 - i. Shall not use EIFS as a cladding material on the first two floor facades.
3. One-way, mirror glass and spandrel glazing are prohibited.
4. White vinyl windows are prohibited.

Guidelines:

5. Buildings three stories or greater in height:
 - a. May have a maximum of 40% of cladding material for the third floor and above to be EIFS, when composed with well-designed building elements made of high-quality materials.

C. Submittal Requirements and Alternative Compliance

1. Building Facade Material Incentive
 - a. If an applicant includes exceptionally designed building elements constructed of high quality materials (from the list to the right) on the first two stories of the building, they may qualify for a 25% reduction on the masonry requirement or Stucco/EIFS requirement.



Figure 2.142 Multiple-Family Building designed with a variety of materials

HIGH QUALITY MATERIALS (BUILDING ELEMENTS)

- Heavy timber (exposed rafters, brackets, balconies, porches, etc.)
- Load-bearing masonry (brick or stone)
- Natural stone in full-size blocks (not veneer)
- Copper or galvanized metal (gutters, downspouts, metal roofing on awnings)



Figure 2.143 High-quality material (wood) used for exposed rafters of an awning



Figure 2.144 High-quality wood timber eave detail, with exposed rafters

D. Color

Intent:

Exterior colors palettes shall be cohesive and aesthetically pleasing, within a single building or neighborhood design and within the greater context of surrounding structures and landscapes.

Standards:

1. Each building elevation or segment of a building elevation shall have a minimum of three (3) exterior colors — one base color, one trim color, and one accent color.
2. Intense, bright, black, or fluorescent colors shall not be used as the base or roof color of any primary or accessory structure.
3. White shall not be used as the base color of any primary structure.

Guidelines:

4. Base Colors
 - a. If the cladding is masonry, the base color should be the natural color of the material. Masonry should reflect regional colors and should be complementary to the design of the building and to the Colorado landscape.
 - b. If cladding material has an integral or applied color, the base color should be cohesive with the trim and accent colors.
 - c. For portions of a building, non-neutral colors may be selected for the base, including earthy greens, yellows, blue-greys, or reds.
5. Trim Colors
 - a. Trim colors may be neutral in subtle contrast to the base color (white, off-white, dark grey, black).
 - b. Trim colors may also be non-neutral or more saturated to provide greater contrast to the base color.
6. Accent Colors
 - a. Accent colors should be the darkest and most saturated colors on a building and provide the highest degree of contrast to the base.
 - b. Accent colors may introduce bright or diverse colors to create diversity and interest.

Table 2.25 Palette Applications

Applications	
Base Colors	Apply to walls and large surface areas, including: • Siding • Brick, unfinished or painted • Panels • Other primary cladding materials
Trim Colors	Apply to trim elements, including: • String courses (horizontal bands) • Corner trim boards • Window headers and trim • Gutters and downspouts • Entablatures and cornice details
Accent Colors	Apply in small amounts to add color to elements such as: • Window sashes, muntins, and mullions • Doors • Projections, awnings, galleries, and other building elements



Figure 2.145 Multiple palettes applied to one Attached House Building

Building Design Standards Checklist

Use the Building Design Standards Checklist below to fill in the criteria and to ensure that each Standard is being met.

Table 2.26 Building Design Standards Checklist

Building Types	Building Elements
Select the appropriate Building Type(s) for the development site and surrounding context _____ ☐	Building Elements provided for roof/eave _____ ☐
Building Design Variety	Additional Building Elements provided _____ ☐
Number of buildings in the development _____ ☐	Exterior Building Palettes
Number of Elevation Design Variations _____ ☐	Building materials comply with standards _____ ☐
Building Form and Massing	Building design satisfies the masonry base requirements _____ ☐
Design front, side, and other facades that are visible to the public with at least one horizontal technique to define the top from the middle of the building, and at least one horizontal technique to define the middle from the base of a building _____ ☐	Upper floor materials meet the standards _____ ☐
Design front, side, and other facades that are visible to the public with at least two techniques to enhance horizontal massing _____ ☐	Verify restricted materials are not used _____ ☐
Apply at least one of the techniques for defining horizontal massing for rear elevations _____ ☐	Three exterior colors for base, trim, and accent _____ ☐
Design front, side, and other facades that are visible to the public with both techniques for defining vertical massing _____ ☐	No intense, bright, black, or fluorescent colors are used as the base or roof color _____ ☐
Apply at least one technique for enhancing vertical massing for front, side, and other facades that are visible to the public _____ ☐	White is not used as the base color for any primary structures _____ ☐
Apply at least one technique for defining vertical massing for rear elevations _____ ☐	
Building Composition	
Express building bays on front and side elevations _____ ☐	
Bay width (less than 24 feet or the width of one-unit) _____ ☐	
Street-facing or open-space facing entries exist as the primary entry of each building _____ ☐	
Building elements provided at entries _____ ☐	
Building entries are less than 70 feet apart for required building types _____ ☐	
Building is composed as a single design or as a multiple buildings next to one another _____ ☐	

Design Standards for Publicly Accessible Space

The Landscape Design Standards address all exterior public realm softscape and hardscape elements, both within publicly accessible areas and privately controlled exterior areas within a multiple-family community. These exterior elements such as pocket parks, open spaces, trail connections, site furnishings, plantings, streetscape and plaza areas must also conform to the Town's LDO, and the *Town of Parker's Construction Specifications and Design Considerations for Parks, Trails, Streetscapes* document, beyond what is contained in these Design Standards.

STEP 1

Differentiate publicly accessible space from private space through design

Public/Private Spaces and Separation

Intent:

- Appropriately-located publicly accessible space throughout a multiple-family neighborhood is intended to encourage social interaction, outdoor enjoyment, and community identity.
- Appropriately-located exterior publicly accessible spaces and amenities in a multiple-family development provides for active and passive programming that are also harmonious with and not duplicative of the Town's publicly accessible parks and open space improvements.

A. Landscape Buffers and Placement

Standards:

1. Provide a minimum 8-foot landscape buffer between public walkways and building edges except at building entry and exit points.
2. Locate active uses within a project so that they are adequately buffered from residential units by landscaping.
3. Internal pathways shall logically connect building entry points to other buildings, amenities, and parking areas.

Guidelines:

4. Passive exterior community use areas shaped by building courtyard spaces or contained between buildings, should consider landscape buffers to address visual and noise considerations.
5. Utilize landscaping to logically shape spaces that create and facilitate circulation paths in logical and intuitive patterns.

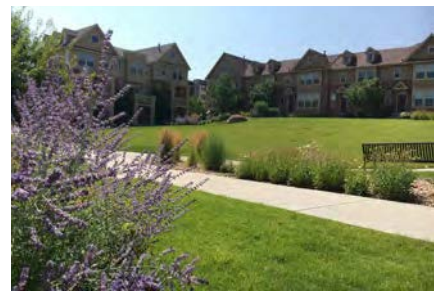


Figure 2.146 Open Space provides outdoor enjoyment



Figure 2.147 Open Space that encourages social interaction



Figure 2.148 Private gathering spaces clearly accessible to the public

Landscaping

The landscape for multiple-family development projects shall be designed to soften the larger scale of these buildings and sites. Specific requirements for the quantity, size and placement of plant material is defined in the Town's LDO. The LDO *Section 13.06.070* identifies five Landscape Types:

- Street Landscaping
- Parking Lot Perimeter Landscaping,
- Parking Lot Interior Landscaping
- Site Perimeter Landscaping
- Additional Areas to be Landscaped

Intent:

To integrate thoughtful landscape solutions that are harmonious with the proposed architectural design and the Town's native landscape character. The following Landscape and Irrigation principles address how design elements can be applied to each of these Landscape Types on a project.

A. Landscape Plant Material Selection

Standards:

1. Use low water use requirements in the landscape materials selected.
2. Utilize low-water use irrigation systems, technologies and applications throughout the project to manage and conserve water use.
3. Utilize lawn areas only where active recreation and usage will occur.
4. Utilize plant material that is specific to the micro-climatic conditions of the specific site.
5. Avoid overuse of any one tree species greater than 20% for plant selection diversification.

Guidelines:

1. Select natural plant materials that transition between natural open spaces and the internal project landscape material.



Figure 2.153 Landscaping between building and walk

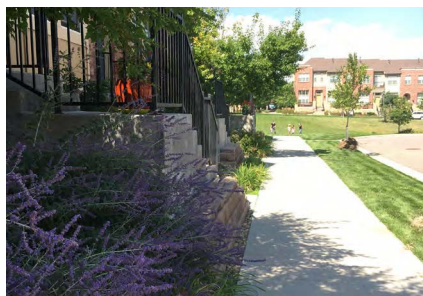


Figure 2.152 Site perimeter landscaping



Figure 2.149 Parking lot interior landscaping



Figure 2.150 Parking lot perimeter landscaping



Figure 2.151 Gateway element

STEP 2

Accentuate gateways through landscape and site design

2. Use landscaping to help guide people to building entry points through a higher concentration and focus of landscape material.
3. Provide shade and year-round visual interest in the landscape areas through the use of deciduous and evergreen plant material.
4. Utilize landscape material to screen detention ponds from the public view.
5. Tree and shrub plant materials should be used to soften the visual impacts and urban heat island effects of large parking lot areas.
6. Roadway and pedestrian entrances to multiple-family developments should have a higher concentration of plant material and design attention to visually identify these entrance points.
7. Roadway and pedestrian entrances into multiple-family developments shall be visually distinguished by a low lying architectural wall, monumentation or project signage that are also complemented by concentrated tree, shrub perennial and annual plantings which contain 50% more plant material than the typical streetscape requirement.

STEP 3

Design parks, plazas, and amenities for the neighborhood

Plazas, Parks, Play Lots, and Private Recreation Amenities

Intent:

Exterior amenity spaces provide for relaxation, recreation socialization and community interaction. A variety of different amenity types should be located throughout a multiple-family development.

A. Amenity Elements

Standards:

1. Multiple-family developments shall include additional public space and recreation amenities such as tot lots, pocket parks, tennis or sports court, pools, amenity roof decks, community gardens or internal recreation facilities. Any multiple-family project under 50 units shall provide at least two (2) of the above features. A project with 50 to 150 units must provide three (3) of the above features and over 150 units four (4) of the above amenity features.
2. External spaces shall consist of paved plazas, parks, playgrounds, and other commonly shared amenities that provide year-round use, enjoyment and provide overall open space connectivity within a multiple family development.
3. Parks internal to the multiple-family project shall be connected to adjacent Town trails and open spaces by a publicly accessible walkway if the development is immediately adjacent.
4. Each development block shall provide some form of outdoor space that is connected to the public realm either directly or by a publicly accessible walkway.



Figure 2.154 Site plan diagram

- | | |
|--------------------------------|-----------------------|
| 1. Publicly Accessible Walkway | 4. Paved Plaza |
| 2. Publicly Accessible Plaza | 5. Park |
| 3. Gateway Signage | 6. Playground/Tot Lot |
| | 7. Shared Amenity |
| | 8. Public Art |



Figure 2.155 Private recreation amenities: pool

5. The design of exterior plazas and streetscapes in a multiple family development shall utilize an overall design concept with consistent materials and forms to visually connect the exterior environment.
6. Plazas shall provide a balance of 65% hardscape and 35% softscape elements that help provide shade, soften and buffer appropriate areas of the plazas.
7. Landscape planting materials shall generally be layered against a building or edge treatment from high to low in height so that the full character of the plants can be appreciated and utilized to shape exterior spaces.

Guidelines:

1. Public spaces should be welcoming and accessible, and allow for passive visual public oversight.
2. Exterior spaces should be responsive to the sun and shade patterns, and view orientations across the site.
3. Public spaces should provide a variety of user experiences at various times of day.
4. Plazas should be shaped by and reinforce the ground floor uses and entrance points of the adjacent buildings.
5. Tot lots and active recreation uses should not be located immediately adjacent to residential units to minimize noise impacts.



Figure 2.156 Example of a softscape playground



Figure 2.157 Example of a hardscape playground



Figure 2.161 Plaza that is enhanced by site furnishings and trellis structure.



Figure 2.158 Example of a trail



Figure 2.160 Amenity that provides a variety of user experiences at various times of day.



Figure 2.159 Example of plaza

Public Art

Intent:

To incorporate public art into the design of the site improvements and infrastructure of a multiple family development to enrich the public realm experience and create a unique identity for the development.

A. Public Art Criteria

Standards:

1. Public art locations shall be placed along key site lines from roadways or at building entries or publicly accessible plaza areas where pedestrians can enjoy the art.
2. Multiple-family project over 75 units shall provide at least one piece of public art that will be integrated into a public area within the site. Appropriate areas for public art locations are: gateway features, public sitting areas, and pedestrian-oriented areas.
3. The selection of a public art feature shall be reviewed by the Town during the site plan review process.

Guidelines:

1. The materials used for public art installations shall consider the range of climatic conditions such as freeze thaw temperature cycles, bright sun and the exposed, windy conditions that exist in Parker.

Site Lighting

Intent:

Site lighting elements and fixtures should be thoughtfully located to create well-lit pedestrian walkways, building entries, park areas and all other public realm environments while minimizing light pollution.

A. Site Lighting Criteria

Standards:

1. All exterior lighting fixtures shall meet Town of Parker lighting standards.
2. Pedestrian level light fixtures used as free-standing fixtures and attached to buildings shall be of a compatible architectural style and light source type.

STEP 4

Include elements such as public art and site lighting

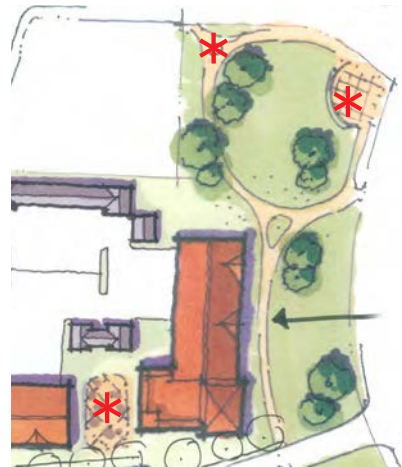


Figure 2.162 Potential public art locations



Figure 2.163 Example of public art

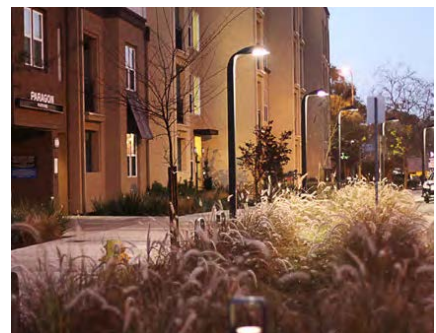


Figure 2.164 Site lighting

Guidelines:

1. Exterior building and site lighting fixtures should be concentrated at building entry points to identify the entrance points.
2. The use of new lighting 'smart pole' technologies and motion sensors should be explored on projects.
3. Light pollution should be minimized through appropriate fixture selection.
4. Architectural building features such as corner treatments, articulated eaves or covered walkways should consider enhanced lighting treatments.

Pedestrian/Bike Connectivity Standards**Intent:**

To create an all-inclusive approach to site connectivity that minimizes pedestrian, bicycle and vehicular conflict, and creates a safe environment for pedestrians and bicyclists within the site, and exterior access to the site.

A. Pedestrian and Bicycle Elements**Standards:**

1. Pedestrian and bike connectivity options shall be given equal importance to vehicular options.
2. Pedestrian sidewalks shall be a minimum of 5 feet in width except when attached to a parking lot then they shall be a minimum of 7 feet in width.
3. Multi-purpose trail widths shall meet town standards.
4. Bike parking shall be located near building entry points and shall have easy trail access.
5. Bike and pedestrian routes shall connect to neighboring destinations and link to the Town's multi-purpose trail network. High connectivity standards provide attractive pedestrian realm streetscape environments for all.



Figure 2.168 Pedestrian and bicycle routes integrated into the landscape design



Figure 2.165 Site lighting

STEP 5

Design pedestrian and bicycle connections



Figure 2.166 Multi-modal pedestrian and bicycle routes



Figure 2.167 Bike racks

Streetscape Elements

Intent:

Utilize streetscape elements in a thoughtful and coordinated design manner along the edges of roadways to enhance the pedestrian experience.

A. Streetscape Element Criteria

Standards:

1. Tree grates shall be a minimum of 5 feet by 8 feet.
2. The planting strip between the back of roadway curb and the sidewalk shall be planted with shrubs and groundcover or low water use turf and designed to create visual interest.
3. Street tree patterns shall be selected with form, color, salt tolerance, and seasonality in mind.
4. Street furnishing elements shall consist of high-quality and durable materials that will work with the extreme freeze thaw, heat, wind, and snowy conditions of Colorado and be consistent with the character of multiple-family development.
5. Refer to the *Town of Parker Construction Specifications and Design Considerations for Parks, Trails and Streetscapes Manual* for additional requirements.

Guidelines:

1. Special paving, within the multiple-family development, should be used to help promote safe interaction of vehicles, bicycles, and pedestrians by utilizing contrasting materials at special amenity areas.
2. Special paving should also be used at pedestrian nodes and seating areas to make these areas more human scaled.



Figure 2.169 Tree lawn with low water use shrubs & ground covers.



Figure 2.170 Streetscape furnishings: bike rack



Figure 2.172 Streetscape furnishings: benches and receptacles



Figure 2.171 Streetscape Furnishings: dog waste stations and bike racks

Publicly Accessible Space Design Standards Checklist

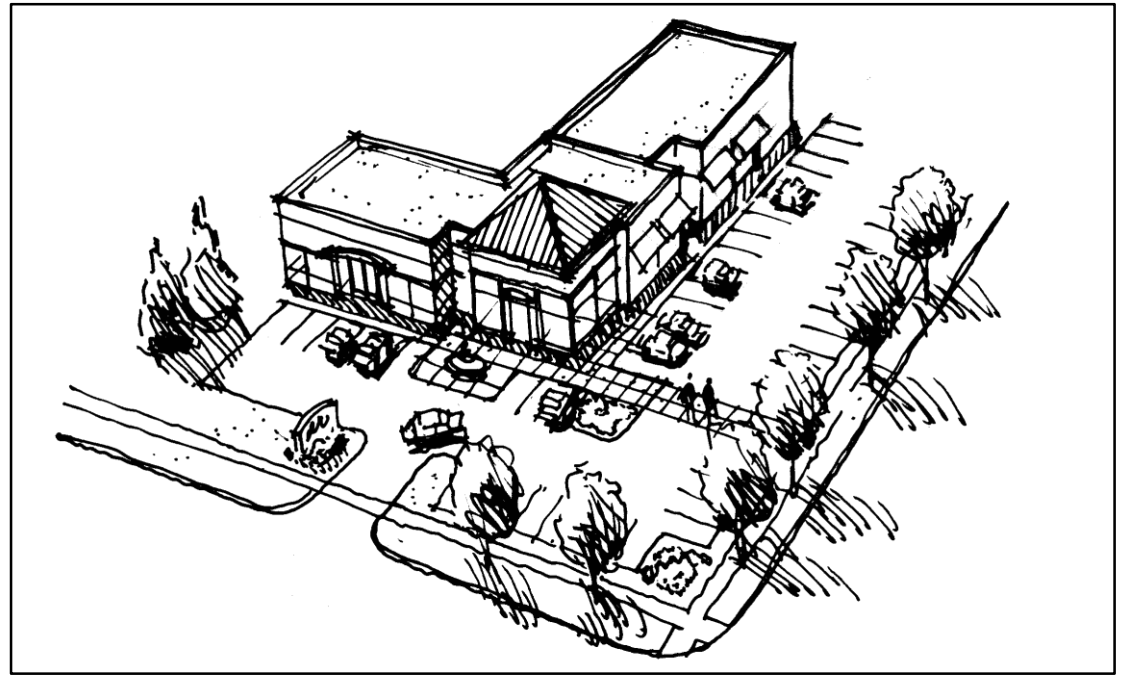
Use the Publicly Accessible Design Standards Checklist below to fill in the criteria and to ensure that each Standard is being met.

Table 2.27 Publicly Accessible Space Design Standards Checklist

Public/Private Spaces and Separation	
Design open spaces to encourage social interaction, outdoor enjoyment, and community identity	☐
Connect public and private open spaces to Town's trail system	☐
Provide minimum 8-foot landscape buffer between buildings and public access	☐
Connect internal pathways with building entries and parking areas	☐
Landscaping	
Design landscaping with the lowest possible water usage throughout the project	☐
Lawn located only in active use areas	☐
Plant materials are appropriate for the site	☐
No one tree species makes up over 20% of the plant selection	☐
Plazas, Parks, Play Lots, and Private Recreation Amenities	
Development includes adequate public space and recreation amenities (two for fewer than 50 units, three for 50 to 150 units, and four for more than 150 units)	☐
Internal parks are connected to adjacent Town trails and open spaces by publicly accessible walkways	☐
Each development block provides some form of outdoor space	☐
Plazas have a balance of 65% hardscape and 35% softscape	☐
Public Art	
Developments with more than 75 units provide at least one piece of public art	☐
Public art if sited at key, visible locations where pedestrians can enjoy the art	☐
Site Lighting	
Lighting meets the Town of Parker standards	☐
Light fixtures are pedestrian-scaled	☐

Pedestrian/Bike Connectivity Standards	
Minimum of 5-foot wide pedestrian sidewalks	☐
Minimum of 7-foot wide pedestrian sidewalks when attached to a parking lot	☐
Bike parking is provided at building entries	☐
Multi-purpose trails are a minimum 8 feet wide and regional trails are a minimum 10 feet wide	☐
Streetscape Elements	
Tree grates are a minimum of 5 feet by 8 feet	☐
Planting strip has shrubs, groundcover, or low water use turf and creates visual interest	☐
Street tree selection meets standards	☐
Street furniture is high quality and made of durable materials	☐

VI. NEIGHBORHOOD CENTERS



VI. NEIGHBORHOOD CENTERS

A Neighborhood Center is described in the Parker 2035 Master Plan as follows:

Neighborhood Centers should be planned to serve the basic needs of the surrounding residents. Typical uses within Neighborhood Centers include convenient retail and personal/business services, generally anchored by a grocery store.

Other compatible uses such as small offices, recreational uses and restaurants are also permitted.

Generally, the total Gross Leasable Area (GLA) for the commercial/office components within an entire Neighborhood Center should range from 50,000 to 250,000 square feet combined.

Higher density residential is appropriate in these Centers as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development and when the design encourages residents to walk or bicycle to obtain goods and services. Massing and scale of higher density residential development shall respect the scale and massing of adjoining land uses and shall reflect an integrated neighborhood feel. Typical garden style apartment designs are not appropriate.

Neighborhood Centers are located at key intersections throughout Town and are conveniently located to serve pedestrians and bicyclists, as shown in Figure 6.1.

Neighborhood Centers are located at the following intersections:

- Mainstreet at Jordan Road
- Mainstreet and Chambers Road
- Lincoln Avenue at Jordan Road
- Lincoln Avenue and Pine Drive
- Hess Road at Parker Road
- Hess Road and Motsenbocker
- Pine Drive and Lincoln Avenue
- Heirloom Parkway and Chambers Road
- Stroh Road and Motsenbocker Road
- Stroh Road and Chambers Road
- North Pinery Parkway and Bayou Gulch Boulevard

Goals and Objectives

The primary goals for these areas are to:

- Encourage the concentration of appropriately pedestrian-scaled developments that conveniently serve shopping and service needs for adjacent neighborhoods.
- Promote safe and efficient pedestrian access for surrounding neighbors to and between sites.

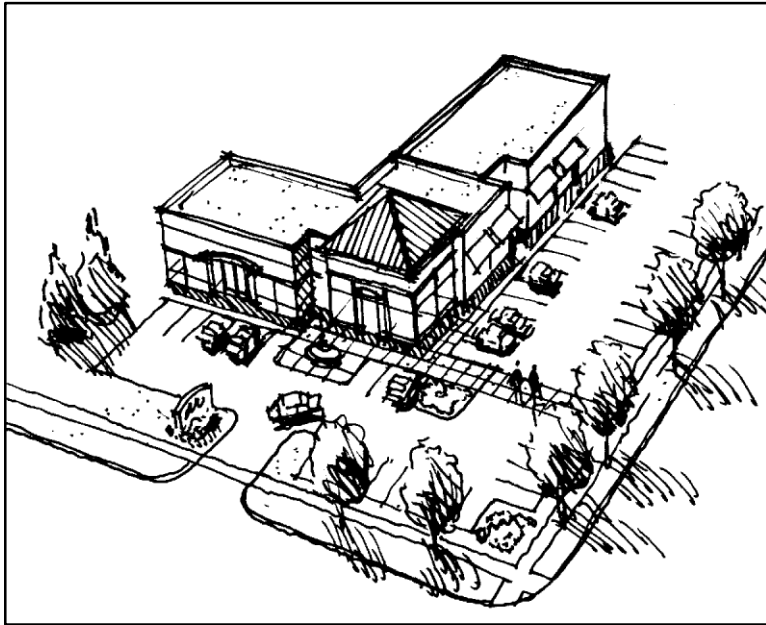
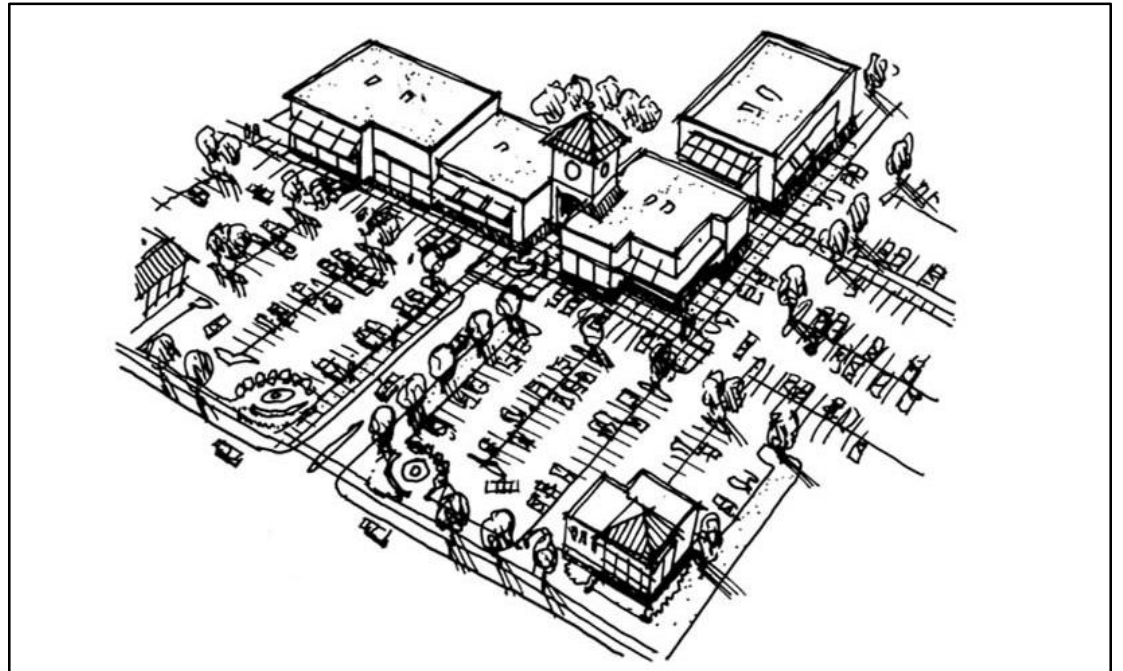


Figure 6.1: Neighborhood Center

General Provisions

- 1) Convenient pedestrian and bicycle access shall be provided to all Neighborhood Centers.
- 2) A maximum of 25 percent of parking shall be located between the primary structure and the primary access road to create a pedestrian- oriented environment.
- 3) Developments shall be encouraged to provide a patio or seating area, or a pedestrian plaza with benches and flowerbeds. All developments are required to provide trash receptacles and bicycle racks.
- 4) Significant entry features shall be provided, including but not limited to, landscaping, public art, notable architectural features and distinctive signage.
- 5) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored, colored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- 6) Each point at which the system of sidewalks crosses a parking lot or street shall be clearly marked through a change in paving materials, height, texture, or distinctive colors.
- 7) Each site shall provide at least two of the following: a water feature, clock tower, public art, natural feature or other deliberately shaped focal point.

VII. Community Centers



VII. COMMUNITY CENTERS

A Community Center is described in the Parker 2035 Master Plan as follows:

Community Centers are areas that are larger than Neighborhood Centers and have a larger market area, serving multiple neighborhoods. Typical uses within Community Centers include retail and personal/business services. Other compatible uses such as small offices, recreational and restaurants are also permitted. Generally, the total Gross Leasable Area (GLA) for the commercial/office components within an entire Community Center should range from 250,000 to 500,000 square feet combined.

The intensity of uses is generally higher than those found in a Neighborhood Center. Community Centers are located at major crossroads within Town and are visual focal points which provide ties between various distinct districts within Town, as shown in Figure 7.1. Community Centers are located at the following intersections:

- Hess Road and Chambers Road
- North Pinery Parkway and J. Morgan Boulevard
- Stroh Road at Parker Road

Goals and Objectives

The primary goals for these areas are to:

- Emphasize important focal points between neighborhoods.
- Encourage the concentration of appropriately scaled developments that serve multiple neighborhoods while avoiding strip development patterns.
- Encourage the development of businesses that provide a variety of products and services that will benefit the local community and neighborhoods.
- Promote safe and efficient pedestrian and bicycle access for surrounding neighbors to and between sites.

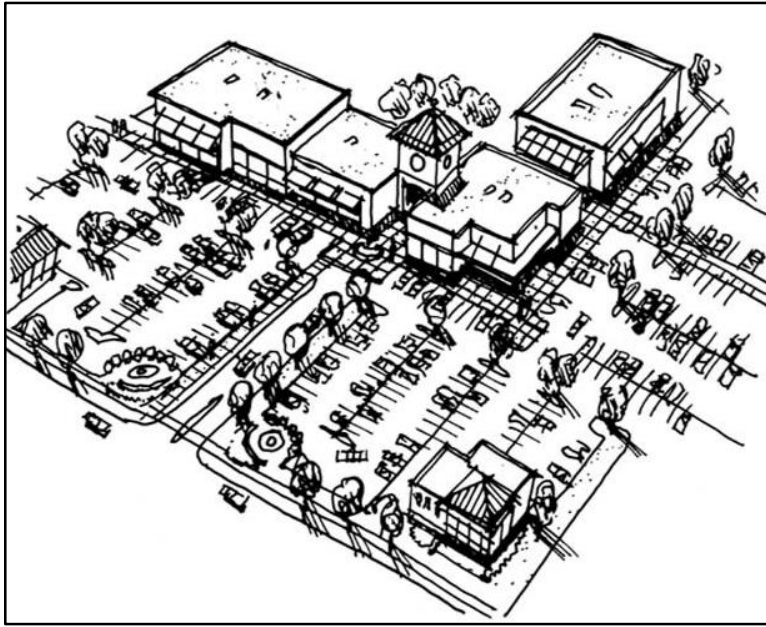
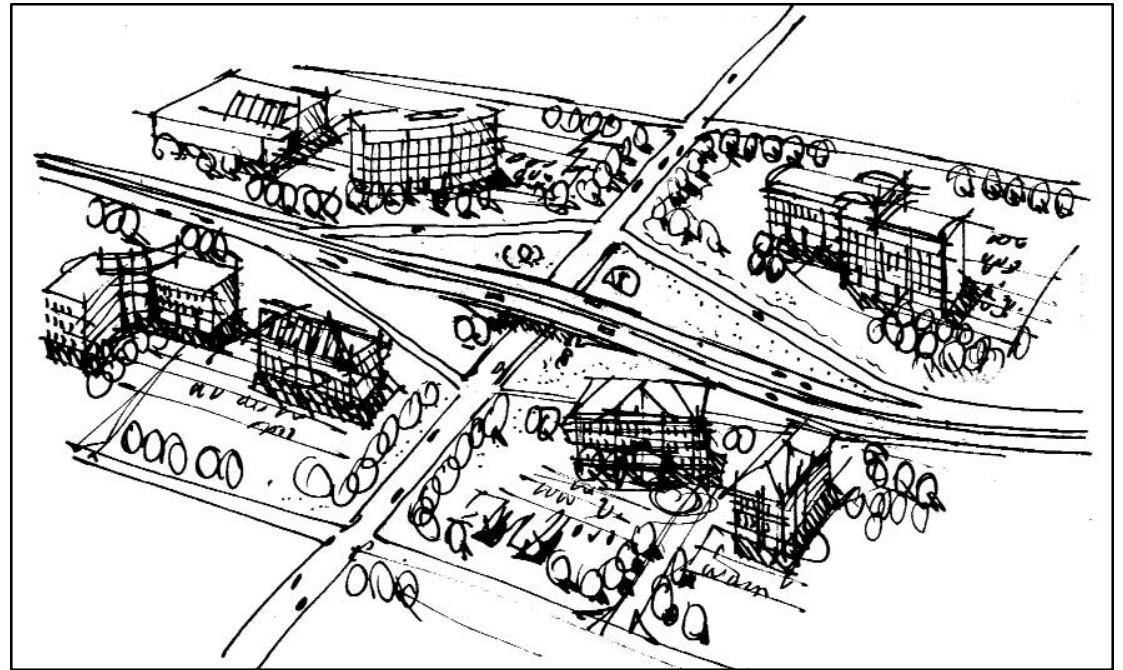


Figure 7.1: Community Center

General Provisions

- 1) Building heights shall relate to preserving views of the mountains to the west.
- 2) Significant entry features shall be provided, including but not limited to, landscaping, public art, notable architectural features and distinctive signage.
- 3) Distinctive landscaped areas and gateway features shall be provided at project entries and at intersections of public streets adjacent to the project. Landscaping in these areas shall consist of plant specimens having a high degree of visual interest during all seasons. A mixture of shrubs, ornamental trees, flowers, and/or ground cover around sign bases, and at curb returns near site entrances shall be planted.
- 4) Each site shall provide at least two of the following: a water feature, clock tower, public art, natural feature or other deliberately shaped focal point.

VIII. Highway Commercial Centers



VIII. Highway Commercial Centers

Highway Commercial Center is described in the Parker 2035 Master Plan as follows:

Located at major intersections along E-470 these Centers overlay other Character Areas and the land uses may also focus on the demands of the traveling public and the needs of residents returning to or leaving Parker. Appropriate uses in these areas include those of the underlying Character Areas, but also contemplate uses such as convenience retail with gas stations and hotels.

Highway Commercial Centers are located at key entryways into the Town and are visual focal points which provide ties between the Town and the surrounding region, as shown in Figure 8.1. Regional Centers are located at the following intersections:

- E-470 Chambers Road
- E-470 at Jordan Road

Goals and Objectives

The primary goals for these areas are to:

- Encourage development of businesses, including highway oriented businesses that provide a variety of products and services that will benefit the local community, travelers and surrounding region.
- Preserve views to and from Highway Commercial Centers and major thoroughfares.
- Promote safe and efficient vehicular access within and between sites.

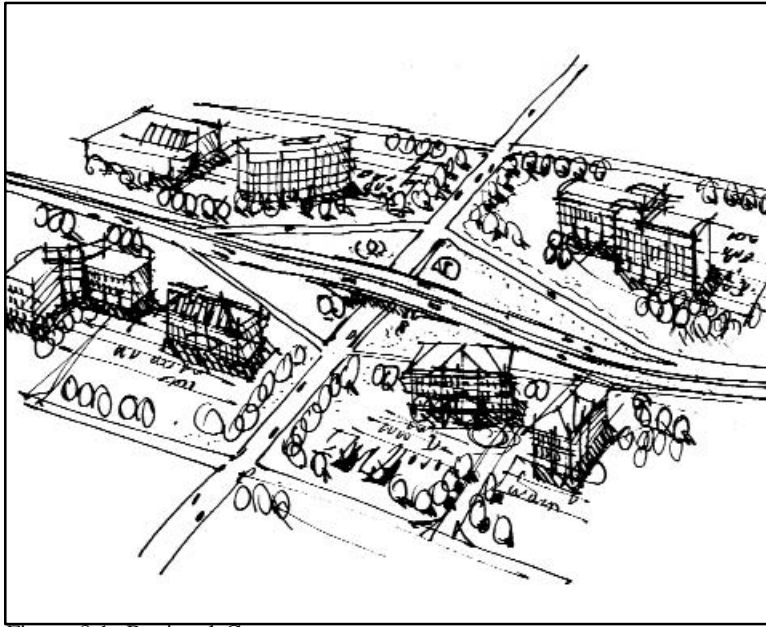
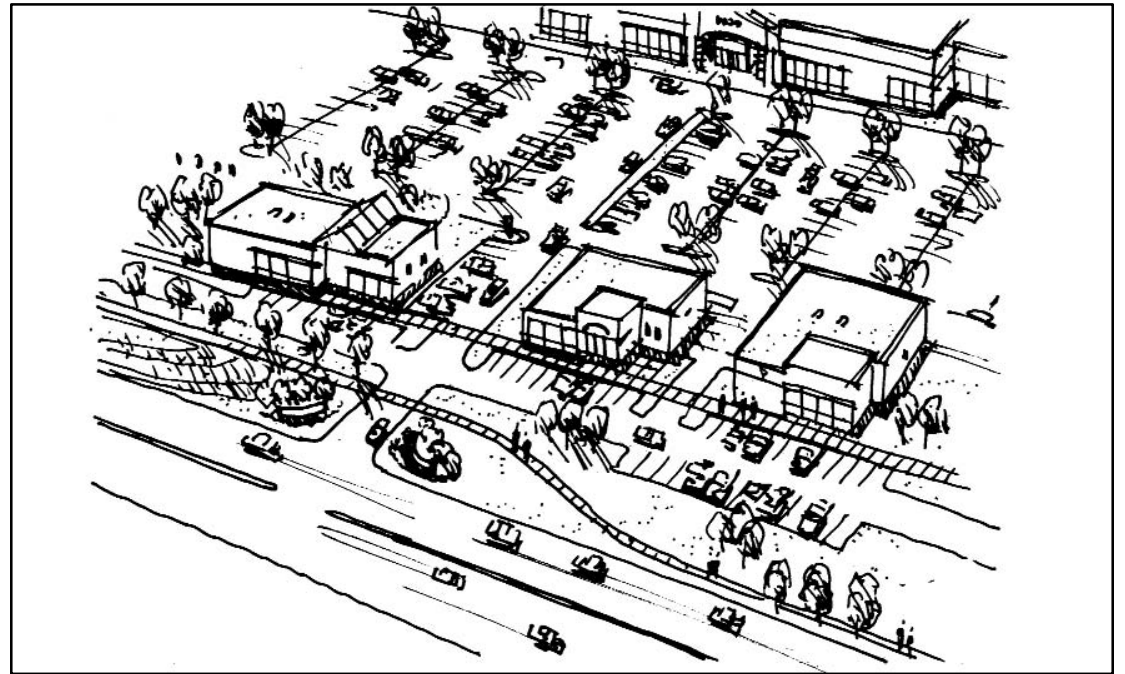


Figure 8.1: Regional Center

General Provisions

- 1) Buildings taller than four stories located within 100 feet of the E-470 multi-use easement and visible from E-470 shall have their tallest portion oriented so that the long axis is perpendicular to E-470.
- 2) A higher intensity of landscaping shall be provided than is required for other Centers.
- 3) Pedestrian and bicycle access to adjacent public right-of-way shall be provided to connect pedestrians and cyclists to the regional trail corridor within the E-470 multi-use easement.
- 4) Significant entry features shall be included. Examples include but are not limited to, distinctive landscaping and signage, fountains, decorative walls, public art, etc.
- 5) Set-aside areas for public use or public amenities shall be provided to create a central focal point where appropriate.
- 6) Each site shall provide at least two of the following: a water feature, clock tower, public art, natural feature or other deliberately shaped focal point.

IX. PARKER ROAD CORRIDOR PLAN



IX. PARKER ROAD CORRIDOR

The Parker Road Corridor is a stretch of commercial uses that serves the Town of Parker and surrounding unincorporated residential areas. The planning and design of developments along Parker Road dictates much of the character along this major thoroughfare. In an effort to reduce corporate designs that are indifferent to local identity and interests, these standards shall encourage development that contributes to the Town of Parker's unique sense of place by reflecting its physical character and adding to the visual interest of this streetscape as shown in Figure 9.1.

Parker Road is a State Highway that connects Downtown Denver to Colorado Springs. This primary corridor is the major organizing spine of the Town. An essential step in improving Parker's image is integrating quality development into the Town's primary roadway. The area between E-470 and Mainstreet may have significant redevelopment potential, while the stretch between Mainstreet and Stroh Road is currently less developed and has significant potential for new development.

Goals and Objectives

The primary goals for this area are to:

- Encourage development that contributes to a cohesive and visually interesting streetscape.
 - Encourage development that contributes to continuity along Parker Road and presents an image of high quality and value.
 - Promote efficient vehicular, pedestrian and bicycle access that links all street edges, parking systems and developments to each other.
- Encourage a lower density and building height than is allowed in both Regional Centers and Community Centers.

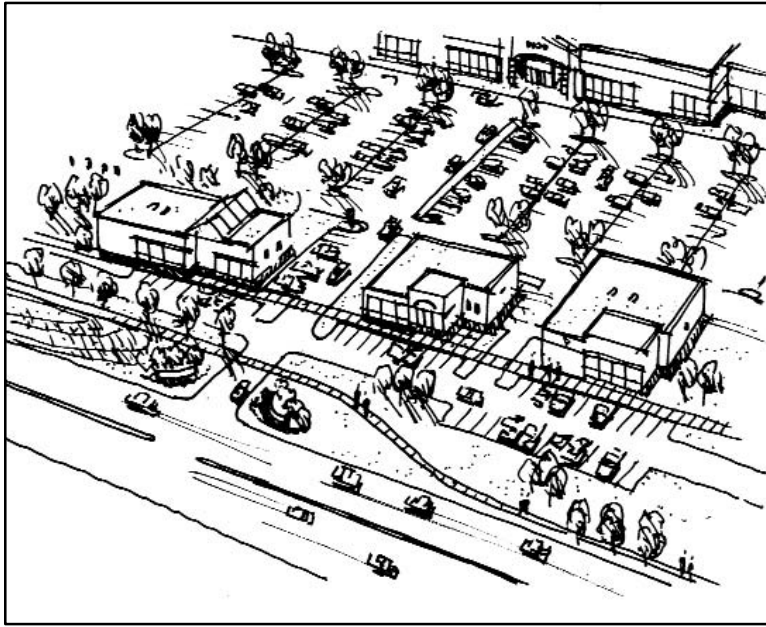


Figure 9.1: Parker Road Corridor

General Provisions

- 1) Development shall utilize an overall site organization that functionally relates to the street and development on adjacent property.
- 2) Vehicular and pedestrian access between adjacent properties shall be provided as practical.
- 3) Site plan submittals shall show proposed access connections to adjacent developed properties and future provision for access to undeveloped properties.
- 4) Landscaping which creates a unified streetscape along Parker Road shall be provided.
- 5) Detached sidewalks shall be provided and shall meet Parker Road at all intersections.

APPENDIX A: BACKGROUND AND CONTEXT ANALYSIS

A. Parker in the Region:

In recent years, the Town of Parker has experienced rapid growth fueled by the expanding Denver economy and the nationwide trend of urban flight. Expanding residential development has stirred retail and commercial development, placing heavy demands on roadways and altering traditional land use patterns. Residents are concerned that contemporary suburban, auto-oriented, "big box" retail development has the potential to engulf Parker Road and its surrounding environs, negatively influencing a visitor's impression of the Town.

A major challenge facing the Town of Parker today is maintaining the small town feel which makes Parker a unique community within the Denver region, while at the same time ensuring that growth in Parker provides a positive contribution to this rapidly growing region. This balance promotes development which recognizes such special community features as the Cherry Creek corridor, the Black Forest, rolling land forms and the pastoral history of this community. It also recognizes the development potential of Parker as a community located at the cusp of the rural Douglas and Elbert Counties and the urban Denver-metro area. Design standards balance these goals by encouraging development that contributes to the Town of Parker as a unique place by both reflecting its physical character and its role in the Denver region.

B. Natural features:

The Town of Parker's natural features, as depicted in Figure 1, are major defining elements of this community. A key natural amenity is Cherry Creek corridor and its tributaries, which run through Town and provide a system of bicycle and pedestrian trails, parks and water resources for active and passive recreational enjoyment.

The Black Forest and related terrain along the eastern edge of Parker Road forms another major component of Parker's natural character. While much of the Black Forest is outside the Town limits, a stand of trees on elevated ground nears Parker Road to the south side of Hilltop and creates a highly visible natural feature.

While not physically within the Town, the panoramic view of the Front Range west of town is another valuable natural asset. Limiting intrusion into these mountain views is a key consideration for designing projects that are sensitive to view preservation.

C. Transportation:

The Town of Parker's transportation network forms a hierarchy of roads of which Parker Road is the most significant. Because Parker Road serves as the major spine through town and interchanges with E-470, this corridor is expected to serve much of the projected traffic through Town. Jordan Road has and will continue to gain importance in the future as traffic volumes to and from E-470 increase along this corridor. Providing a link between the Town and I-25, Lincoln Road is currently the second most significant component of Parker's transportation network.

The third tier of transportation connections includes Main Street and Hilltop Road. While these corridors also provide access points into Town, they serve more local rather than regional traffic. Dransfeldt and 20-Mile Road, and the remaining internal collector streets vary in their level of significance. What is clear from the diagram in Figure 2 is that road extensions and the formation of higher levels of connections in non-residential areas is crucial to the safe and efficient movement of vehicles and pedestrians through the commercial and industrial areas of Town.

D. Land Use:

Land use patterns within the Town of Parker illustrate a clear trend toward service and retail commercial uses along Parker Road and light industrial uses adjacent to Dransfeldt and 20-Mile Roads. Much of the surrounding land to the east and west is characterized by residential development. Figure 3 is an illustrative overview of major land use categories within the Town of Parker. Land uses are conceptually identified as residential, commercial, or light industrial. The diagram reveals a clear pattern of commercial concentration along Parker Road from roughly Hilltop Road north, with the most intense development occurring between Main Street and Lincoln Road.

E. Potentials for Development:

In order to address potential conflicts or opportunities for development in the Town of Parker, an assessment of the quantity and location of undeveloped commercial land remains is necessary. Figure 4 identifies those areas which are not developed or "fully utilized," as compared to surrounding land uses.

Three categories of potential sites are identified: (1) vacant sites within the Town of Parker, (2) sites which are expected to redevelop or transition within the Town of Parker, and (3) sites which are either vacant or in transition located outside or adjacent to the Town limits. Some, or all, of the sites in this last group may be annexed into the Town at some point in the future.

APPENDIX B: SIGNIFICANCE OF CENTERS AND CORRIDORS

The following is a description of the significance of designated neighborhood, community, and regional centers and Parker Road corridor, as well as existing and potential land uses. This information was prepared as a baseline analysis used to develop standards applicable to each classification.

NEIGHBORHOOD CENTERS

A. Mainstreet at Jordan Road / Mainstreet at Dransfeldt: These primary intersections along Mainstreet, west of Parker Road, have the potential to extend the general commercial and high density residential core of the traditional Downtown uses that exist on the east side of Parker Road. The opportunity for pedestrian-oriented development mirroring the scale, density and character of Downtown is one that should not be missed. Parker residents often have expressed their preference for Downtown's pedestrian character over the auto-oriented development of Parker Road.

B. Lincoln Avenue at Jordan Road: This area is a potential center as the northwestern point of entry into Parker. It is currently being commercially developed and surrounded by single family detached residential developments. Because both Jordan and Lincoln interchange with regional expressways, (E- 470 and I-25 respectively), this intersection's significance as a center and entryway is enhanced.

C. Hess Road at Parker Road: Surrounded by a number of residential developments, the intersection of Hess at Parker has the potential to provide pedestrian-scale services and uses to a number of neighborhoods.

D. Hess Road at Jordan Road: With the planned extension of Hess to Jordan, this intersection is a potential neighborhood center. This center will ultimately serve several neighborhoods throughout southwest Parker.

COMMUNITY CENTERS

A. Mainstreet at Parker Road: The Mainstreet area east of Parker Road is seen by Parker residents as the heart of the Town. Recently, design standards have been adopted to protect the distinct traditional character areas within the Downtown. This center is a point of entry into the Mainstreet district and a heavily developed commercial node. At the time of the creation of this document, this intersection does little to announce the importance of this area for motorists on Parker Road. Improved signage, landscaping, monumentation, crosswalks, etc. could be added to give this intersection the emphasis it deserves. And, while this area is most likely at full buildout, the potential exists for redevelopment at some time in the future.

B. Lincoln Avenue at Parker Road: This area is a potential center as the northeastern point of entry into Parker. Because both Parker and Lincoln interchange with regional expressways, (E-470 and I-25 respectively), its significance as a center and entryway is enhanced.

C. Stroh Road at Parker Road: This center is the southern point of entry into Parker and is currently partially developed with one corner inside the Parker town boundary.

D. Hilltop Road at Parker Road: Located just south of the Downtown area, Hilltop Road is currently being extended to the west side of Parker Road to make way for a substantial new retail development, Parker Pavilions, which is anchored by a super-size Walmart. Design of this development occurred prior to the completion and adoption of these design standards.

REGIONAL CENTERS

A. E-470 at Parker Road: This center will serve as a regional node of commercial development and may contain the largest concentration of commercial uses in Parker. Ultimately, the potential exists for large-scale development on all sides of E-470.

B. E-470 at Jordan Road: This center will also provide a regional point of entry into Parker. This area shares all of E-470's potential for regional scaled development, with possibilities including highway oriented commercial or light industrial development adjacent to the interchange.

PARKER ROAD CORRIDOR

Parker Road is a State Highway that connects Downtown Denver to Colorado Springs. This primary corridor is the major organizing spine of the Town. An essential step in improving Parker's image is integrating quality development into the Town's primary roadway. The area between E-470 and Mainstreet may have significant redevelopment potential, while the stretch between Mainstreet and Stroh Road is currently less developed and has significant potential for new development.



Request for Town Council Action

Date: November 5, 2018

Submitted By: Stacey Nerger, Associate Planner
Carolyn Washee-Freeland, Associate Planner
Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.01.116 - First Reading**
A Bill for an Ordinance to Repeal Section 13.10.160, to
Renumber Section 13.10.161 to 13.10.160, and to Amend
Section 13.10.160 of the Parker Municipal Code Concerning
Residential Design Minimums

Department: Community Development, Stacey
Nerger
Community Development, Carolyn
Washee-Freeland

Second Reading: November 19, 2018

EXECUTIVE SUMMARY

The Community Development Department proposes to repeal Sections 13.10.160 and amend 13.10.161 of the Municipal Code regarding the Residential Design Minimum Standards, also known as the anti-monotony regulations. The purpose of this Code section is to promote high quality design, architectural variety and a desirable visual character in new residential development. The proposed amendments will make the process for reviewing single-family home models and creating a matrix to demonstrate Code compliance easier to use and understand.

The proposed amendments will also add paired home (duplex) model requirements to promote architectural variety and prevent identical paired home (duplex) models from being repeated too often within a development.

On October 25, 2018, the Planning Commission unanimously recommended Town Council approve Ordinance 3.01.116.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In 1998, the Town adopted Section 13.10.160 Residential Design Minimums and in 2000 the Town adopted Section 13.10.161 Residential Design Minimums (applicable after February 20, 2000) to regulate the design and location of single-family homes along a street. These standards were adopted to require new residential development with single-family homes to provide a varied street scene and to eliminate the use of identical or substantially similar buildings in close proximity. They promote architectural variety and ensure that identical or similar buildings are not repeated more frequently than every sixth house along the same side of a street within a residential subdivision.

Sections 13.10.160 and 13.10.161 outline the standards each building must meet in order to be constructed within a residential subdivision. Residential home builders are required to submit building elevations to the Town for review against the standards. Each elevation is evaluated based upon several design criteria. These include architectural variety, building form and massing and use of design elements to create distinct architecture and differentiation between structures.

The proposed amendment to this section of the Land Development Ordinance includes three elements. The first is the proposal to eliminate Section 13.10.160, as this Section applies to the construction of new homes within subdivisions approved prior to February 20, 2000.

Subdivisions approved prior to February 20, 2000, have been completely built out and this section is no longer necessary. The second is to renumber Section 13.10.161 to 13.10.160 for proper sequencing. The third are the major revisions to Section 13.10.161 to bring this Section up to date. The proposed revisions include the following:

- (b) Applicability - This subsection has been updated to apply to all new single-family detached units and single-family paired units (duplexes)
- (c) Building Variation Requirements (2) – This subsection has been updated to include building variation standards for paired units including a change of building elevation design for every fourth building along the same side of any street or residential subdivision.
- Updates to the Building Permit Process – Text was revised to reflect the Town’s current TRAKiT electronic permitting process.
- Exhibit A – Residential Design Minimums Handbook – Exhibit A has been updated with new graphics throughout the Handbook to provide a visual depiction of the standards for differentiating building form and massing, building variation requirements and a new matrix for paired unit models.

Additionally, the requirements within the Exhibit have been updated. One of these updates is the expansion of the Exterior Surface Material Schemes Section. Previously, this section stated that in order to comply a building needed to be constructed of substantially different materials making it appear different. The examples given to meet this requirement were to place a house having a Victorian design next to a house having a Contemporary design. This approach is not workable because residential builders do not wish to create this type of variation within a subdivision. This proposal updates the standard to Exterior Surface Schemes and Color Palettes. It allows builders to incorporate exterior design elements that achieve variety in architectural design without requiring completely dissimilar architectural styles.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Ordinance No. 3.01.116 Redlines
2. Ordinance No. 3.01.116 CLEAN

RECOMMENDED MOTION

I move to approve Ordinance No. 3.01.116 on first reading and to schedule second reading for November 19, 2018, as part of the consent agenda.

ORDINANCE NO. 3.01.116, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO REPEAL SECTION 13.10.160, TO RENUMBER SECTION 13.10.161 TO 13.10.160, AND TO AMEND SECTION 13.10.160 OF THE PARKER MUNICIPAL CODE CONCERNING RESIDENTIAL DESIGN MINIMUMS

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

Section 1. Section 13.10.160 of the Parker Municipal Code is repealed in its entirety.

Section 2. Section 13.10.161 of the Parker Municipal Code is renumbered and amended to read as follows:

13.10.161~~13.10.160~~ Residential design minimums ~~(applicable after February 20, 2000).~~

(a) Intent. The intent of this Section is to require single-family detached units and paired units (as defined in the Town of Parker Design Standards for Commercial, Industrial and Multiple-Family Projects) that buildings-front or are located along the same side of a street or public street, private internal street, or public or private open space in the Town, or greenways be designed to provide a varied street scene, architectural variety, and to eliminate the reuse or repetition of identical or substantially similar buildings-building designs in close proximity to each other.

(b) Applicability. ~~As of the effective date of the ordinance codified in this Section, this~~ This Section shall apply to all new single-family detached ~~residential structures-units and paired units~~ in the Town. ~~If this Section applies, Section 13.10.200 of this Chapter.160 above shall not, and vice versa. For pending developments, the applicable section is listed in Exhibit A to this Section, in the chart entitled Residential Design Minimum Ordinance Applicability.~~

(1) A paired unit or units developed on separate legal lots of record, as a part of a larger subdivision, shall be subject to this Section.

(2) A paired unit or units that are developed as a part of a multiple-family development that is located on the same legal lot of record is not subject to this Section, but is subject to Section 13.10.200 of this Chapter.

(c) Building variation requirements.

(1) Identical or similar ~~buildings-single-family detached units~~ may not be repeated more frequently than every sixth ~~house-(6th) unit~~ along the same side of any street in a residential subdivision.

(2) ~~Buildings~~ Identical or similar paired units may not be repeated more frequently than every fourth (4th) building (each building contains two (2) units) along the same side of any street in a residential subdivision.

(3) ~~Units~~ shall be considered similar if they have similar building mass, ~~and building form. Guidelines, same roofline, or are the same building type or building plan.~~ Design standards for what shall be considered similar building mass and building form are contained in the Residential Design Minimums Handbook, which is contained in ~~Exhibit B to this Section~~ Subsection (m) below.

(d) Soffit design. No roof overhang or soffit, as measured from the finished side of the siding or premium material of the structure to the inside of the fascia board, shall be less than eight (8) inches, unless: the structure embodies architectural styles of an historical nature; for example, a Santa Fe style which has a flat roof without any overhang; or a Tudor style which has a roof pitch of a ten (10) vertical inch rise over a twelve (12) horizontal inch run (10/12) or greater. Requests for such an exemption shall be presented to the ~~Building-Planning~~ Department prior to the issuance of a building permit, and documentation may be required.

(e) Building trim.

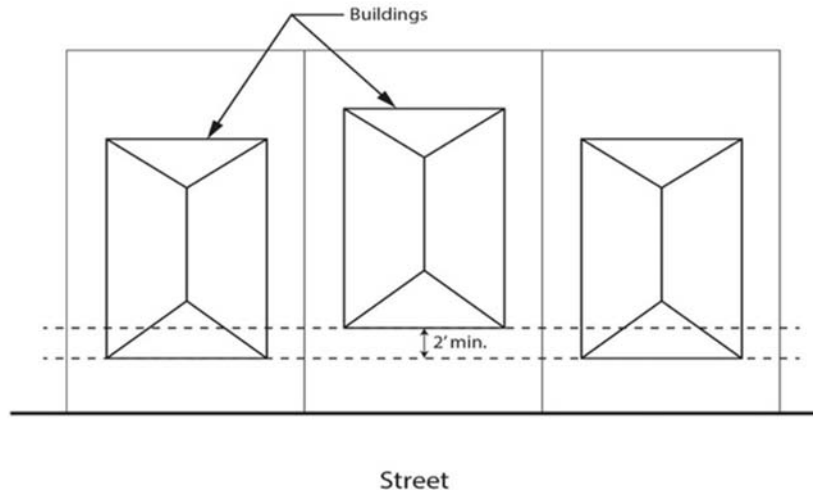
(1) Trim around windows shall be a minimum of three and one-half (3½) inches wide, and trim around doors shall be a minimum of two (2) inches wide. If premium materials such as brick or stone are used on the front of a ~~house structure~~, the premium material need not be used on the other sides.

(2) Trim details such as special moldings, colors and related details shall be used in the same manner on all sides of the structure as they appear on any side of the structure. However, shutters and muntins, including any detail exclusively associated with the use of shutters and muntins, may be used on the front without being carried to the other sides.

~~(f) Landscaping. The minimum front yard landscaping that shall be provided for each new house is for a final plat that was approved on or before February 2, 2004, and the sidewalk in the front yard is attached to the street, is as follows:~~

<i>Plant Quantity and Type</i>	<i>Size</i>
1 tree	2" caliper or larger
AND	
3 shrubs	5 gallon container or larger

~~(g)~~ 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 ~~house within two (2) lots unit adjacent~~ on either side of the subject lot.



Example of front building setback variation

~~(h) After the effective date of the ordinance codified in this Section, the Building Department shall withhold the certificate of occupancy for any residential structure that does not meet the requirements of this Section.~~

~~(i) After the effective date of the ordinance codified in this Section, the Building Department shall not issue any building permits for any residential structure that does not meet the requirements of this Section.~~

~~(j) Exceptions. The design minimums of this Section shall not apply to:~~

~~(1) Any residential structure for which a building permit was issued or applied for on or before December 1, 1997;~~

~~(2) Any residential lot that was under written contract on or before December 1, 1997, for the construction of a residential structure to be occupied by the person that was a party to such written contract; or~~

~~(3) Any lot or subdivision that is governed by Section 13.10.160 above.~~

~~(k) Multifamily housing. Only Subsections (d) and (e) above shall apply to multifamily housing, unless the Uniform Building Code requires separation between units.~~

~~(l) Creation of residential design plan. A residential design plan shall be created for the entire filing, as provided in the Residential Design Minimums Handbook.~~

~~(m) Approval of residential design plan - submittal requirements. Approval of a residential design plan for the entire subdivision shall be required prior to issuance of a building permit for any residential structure within the subdivision. For each subdivision, the applicant shall submit the following information to the Planning Department electronically through the Town's electronic permitting system:~~

~~(1) A complete copy of the residential design plan. The page size of the residential design plan shall be the same as the page size of the building elevations.~~

~~(2) Separate copies of the front and rear building elevations for each model unit that will be constructed in a filing. The respective building elevations and roof plan~~

shall be included on the same page. Only one (1) set of elevations and roof plan shall be shown on any page. ~~Pages shall be no larger than eleven inches by seventeen inches (11" x 17").~~ All elevations shall be accurately drawn using an identical scale of not less than $1/8" = 1'$. Roof plans shall be no smaller than $1/16" = 1'$.

(3) Application fee. The applicant shall submit an application fee as established by resolution of the Town Council.

~~(hi)~~ Residential design plan - review process.

(1) All proposed models in the residential design plan shall be evaluated for similarities and differences.

(2) The Planning and Building Departments shall confer regarding the similarities and differences between the proposed models.

~~(ej)~~ After review, if the Planning Department finds that the residential design plan complies with this Section, the Planning Department shall approve the residential design plan.

~~(p) Upon approval of the residential design plan, the applicant shall provide four (4) bound original sets of the residential design plan to the Town. One (1) copy of the signed residential design plan shall be maintained at each of the following locations: the Planning Department, the Building Department, the regional offices of the applicant homebuilder and the applicant's sales office.~~

~~(ek)~~ Building permit.

~~(1) When applying for a building permit for a new residential structure on any lot within the subdivision, the applicant shall submit the following information to the Building Department:~~

~~a. A copy of the approved residential design plan; and~~

~~b. A portion of the approved subdivision plat which shows the proposed unit and all units within six (6) lots on either side of the subject lot, identifying the legal description, proposed model, elevation and garage right or left for each lot.~~

~~(2)~~ The Planning and/or Building Departments shall review the proposed permit for compliance with the approved residential design plan. Applications in compliance with the approved residential design plan shall be approved for a building permit.

~~(fl)~~ Appeals.

(1) If a building permit or certificate of occupancy is denied based on the failure of a residential ~~structure unit~~ to meet the design minimums set forth in this Section, the aggrieved owner may appeal to the Town Council after a hearing and recommendation by the Planning Commission.

(2) The appeal shall follow the same procedure as a request for a variance, but both the Planning Commission and the Town Council shall limit their consideration to whether the decision of the Planning and/or Building Department was arbitrary and capricious based on the evidence presented.

(3) If the Town Council finds that the decision of the Planning and/or Building Department was arbitrary and capricious, the decision shall be reversed and remanded with instructions. If the Town Council sustains the denial of the building permit or certificate of occupancy, the Town Council's decision shall be final.

EXHIBIT A

<i>Residential Design Minimum Ordinance Applicability</i>			
<i>Subdivision</i>	<i>Filing</i>	<i>Applicable Section</i>	<i>Lots Subject to Section 13.10.161</i>
Bradbury Ranch	1	13.10.160	
	2A	13.10.160	
	2B	13.10.160	
	2C	13.10.160	
	2D	13.10.160	
	2E	13.10.160	
	2F	13.10.160	
	2G	13.10.160	
	2H	Both	B1, L5-14; B2; B3; B4, L8-12
	2I	13.10.160	
	2J	13.10.160	
	2K	13.10.160	
	3A	13.10.161	
	3B	13.10.161	
	4	13.10.161	
Challenger Park	F1	13.10.161	
	F2	13.10.161	
Cottonwood	All	13.10.160	
Clarke Farms	All	13.10.160	
Country Meadows	All	13.10.160	
Hidden River	Sagewood	13.10.160	
	4	13.10.160	
	5	13.10.160	
	6	13.10.160	

	7	13.10.160	
	8	13.10.160	
	9	13.10.160	
	10	Both	B1; B2, L7-15; B3, L3-6; B4, L1-14 & 6-14
	11	13.10.160	
	12	13.10.161	
	13	13.10.161	
Mead's Crossing	All	13.10.160	
Parker Vista	All	13.10.160	
Quail Creek	1	13.10.160	
	2	13.10.161	
Rampart Station	1-2nd amend	13.10.160	
Robinson Ranch	1	13.10.161	
Rowley Downs	All	13.10.160	
Saddlebrook	All	13.10.160	
Stroh Ranch	2	13.10.160	
	3	13.10.160	
	4	13.10.160	
	5A	13.10.160	
	5B	13.10.160	
	6A	13.10.160	
	6B	13.10.160	
	7A	13.10.161	
	7B	13.10.160	
	9A-H	13.10.161	
	12	13.10.161	
	13	13.10.161	
Villages of Parker	1	13.10.160	

	2	13.10.160	
	3	13.10.160	
	3A	13.10.160	
	4A	13.10.160	
	4B	13.10.160	
	4C	13.10.160	
	5A	Both	B1, L1-18; B2, L25-33
	5B	13.10.160	
	5C	13.10.160	
	6	13.10.160	
	6A	13.10.160	
	6B	13.10.160	
	7A	13.10.160	
	7B	13.10.160	
	8A	13.10.160	
	8B	13.10.160	
	8C	13.10.160	
	9	Both	L1-4, 33-52
	10	Both	L1-19, 26-30
	11	Both	L2-8, 10-19
	13	Both	L1-26, 35-48
	15A	13.10.161	
	15B	13.10.161	
	16A	Both	L1-6, 9-28, 30-38
	16B	13.10.161	
	17	13.10.161	
	18	13.10.161	
	19	13.10.161	
Willow Park	All	13.10.160	
Willow Ridge	All	13.10.160	

Exhibit B
Residential Design Minimums Handbook
(Ref. Section 13.10.161)

(m) Residential Design Minimums Handbook.

Intent:- The Residential Design Minimums ~~Ordinance was described in this Section~~ were adopted to prevent the repetition of the same or similar single-family ~~homes detached units and paired units that front or are located along the same side of a public street scene, internal private street, or public or private open space or greenway.~~ To accomplish this, ~~the ordinance purpose, this Section~~ sets forth the parameters for building mass and form, and building variation requirements that are approved to place models ~~of homes~~ into groups and subcategories. A chart will be used to ~~distinguish which place models will go on which within a subdivision lots.~~ This handbook begins with defining the criteria Models for establishing the chart: lot placement are evaluated, as provided in this Handbook.

(1) Criteria: ~~The criteria that differentiate the six (6) categories are for placement of model homes includes:~~

- ~~⇒a.~~ Substantially different building mass and building form, and
- ~~⇒b.~~ Building ~~Variation Requirements~~ variation requirements:
 1. Substantially different roof type.
 2. Elevation plane variation.
 3. Exterior surface material schemes and color palettes.

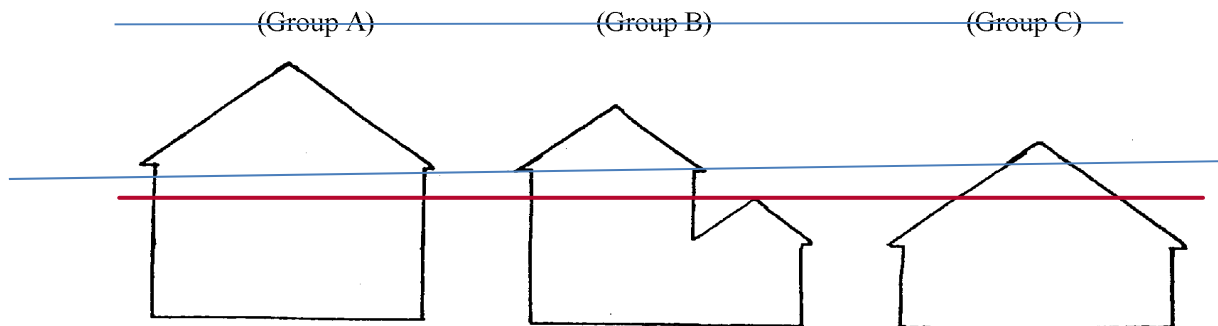
~~All models of structures are initially evaluated for mass and form. The building mass and building form place each model into the three (3) groups (A, B and C).~~

(2) Building mass and form resulting in differences in building composition (vertical bays and a pattern of openings).

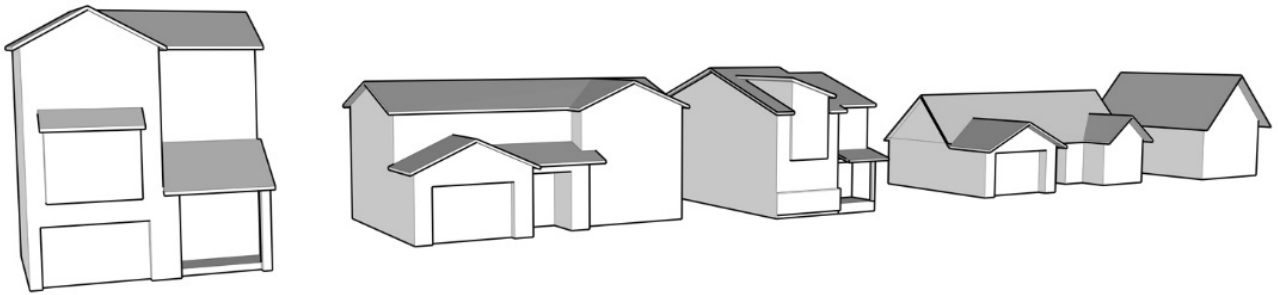
a. Building mass: Considered to be the outline of the ~~structure unit~~. Massing denotes the basic primary mass and the overall scale, shape and proportion of the unit. This is determined by the height, width and depth of the ~~structure unit~~.

b. Building form: Form includes building elements and horizontal/vertical breaks of a unit. The style of the ~~home; including unit includes~~ ranch, tri-level or two-story structures, as depicted in the following diagrams.

Illustration A:



~~All of these structures differ in mass and form~~



Example of single-family detached units showing differences in building mass and form.

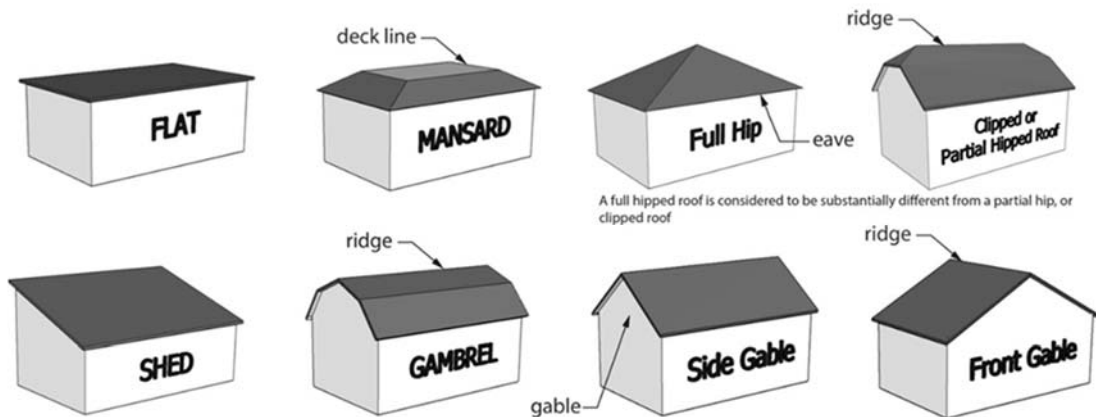


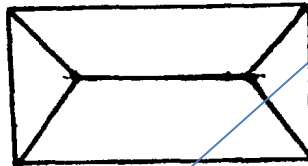
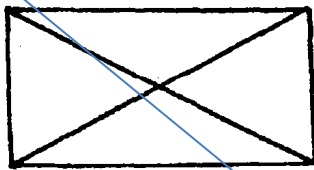
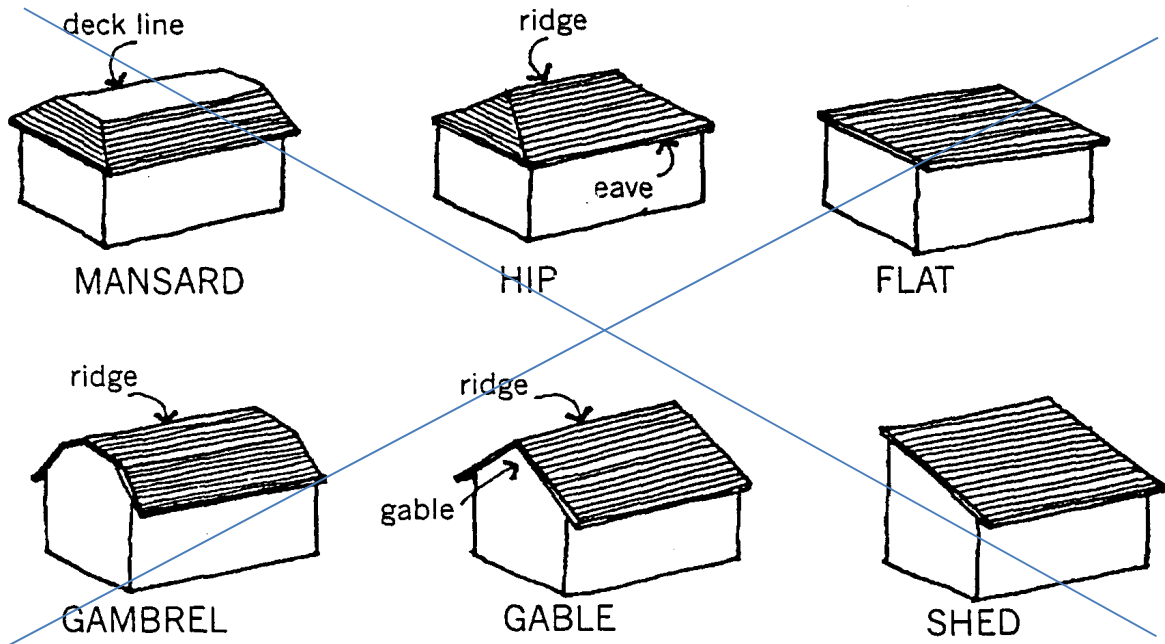
Example of paired units showing differences in building mass and form.

~~If building mass or building form is similar, then the front and rear of each model is required to meet two (2) of the three (3) following criteria in order to be considered under a different group:~~

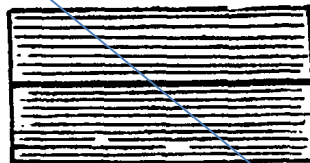
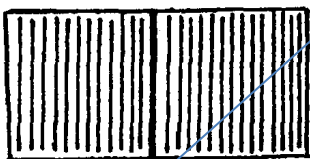
b.(3) Building variations requirements:

a. Substantially different roof type:- Roof types consist of mansard, hip (full or clip), flat, gambrel, gable and front-to-back (shed style), as depicted in the following diagram.





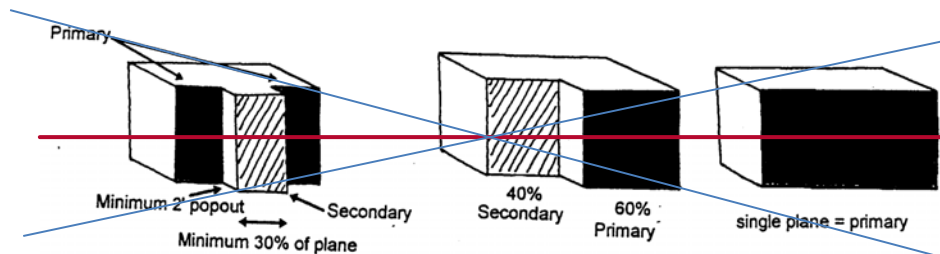
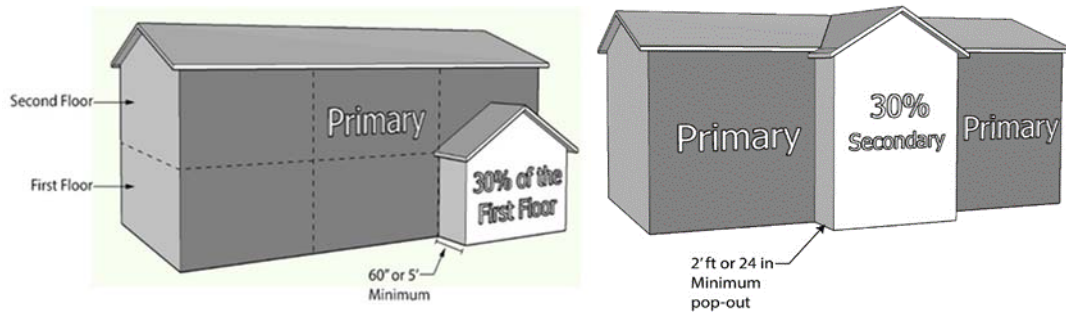
A full hipped roof is considered to be substantially different from a partial hip, or clip



Gables with side- to-side trusses are substantially different than gables with front-to-back trusses

2b. Elevation plane variation:- The elevation plane is identified as the exterior wall of the structure. For an elevation plane to be considered substantially different from another model, the secondary plane must project at least sixty (60) inches from

the primary plane and constitute at least thirty percent (30%) of the first-floor elevation plane (excluding planes with garage doors) or the secondary plane must project at least twenty-four (24) inches from the primary plane and constitute at least thirty percent (30%) of the entire elevation plane (first and second floors), as depicted in the following diagram:

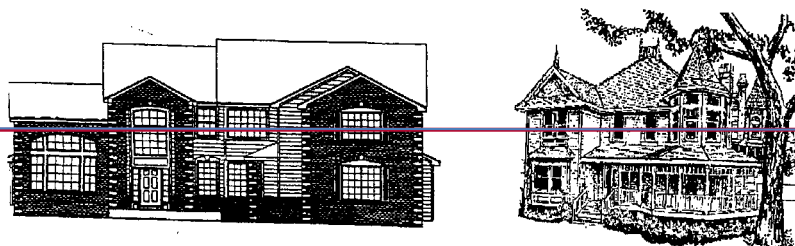


3. ~~Exterior surface material schemes: Exterior surface materials on a structure such as brick, stone, stucco, siding, or combination thereof may be used to create a distinctive differentiation between structures.~~

Example:

- a) ~~Different uses of masonry material.~~
- b) ~~Trim treatment.~~

(Contemporary vs. Victorian styles)



~~c. — Creation of Residential Design Plan: This Section identifies the system for laying out the types and styles of homes throughout the subdivision. There are three (3) groups (A, B, and C) used to disperse dissimilar buildings by one (1) of two (2) methods:~~

~~1. — Models are evaluated for the difference in mass and form (see Illustration A on page 13-240), or~~

~~2. — The front and rear of each model must meet two (2) of the three (3) building variation criteria, as identified on pages 13-240 thru 13-242.~~

~~A group is a structure that can be built on adjacent lots. Each group is then divided into respective lot designation subcategories (I-VI). Group A becomes lot designations I and IV, Group B becomes lot designations II and V, and Group C becomes lot designations III and VI. For a model to qualify for a separate subcategory, both the front and rear elevations of the structure must meet one (1) of the first two (2) building variation criteria (either roof type or elevation plane variation). This establishes a two-lot minimum separation between similar structures. The purpose of this chart is to ensure that similar or identical models are not located next door to one another (or repeated more frequently than every sixth house).~~

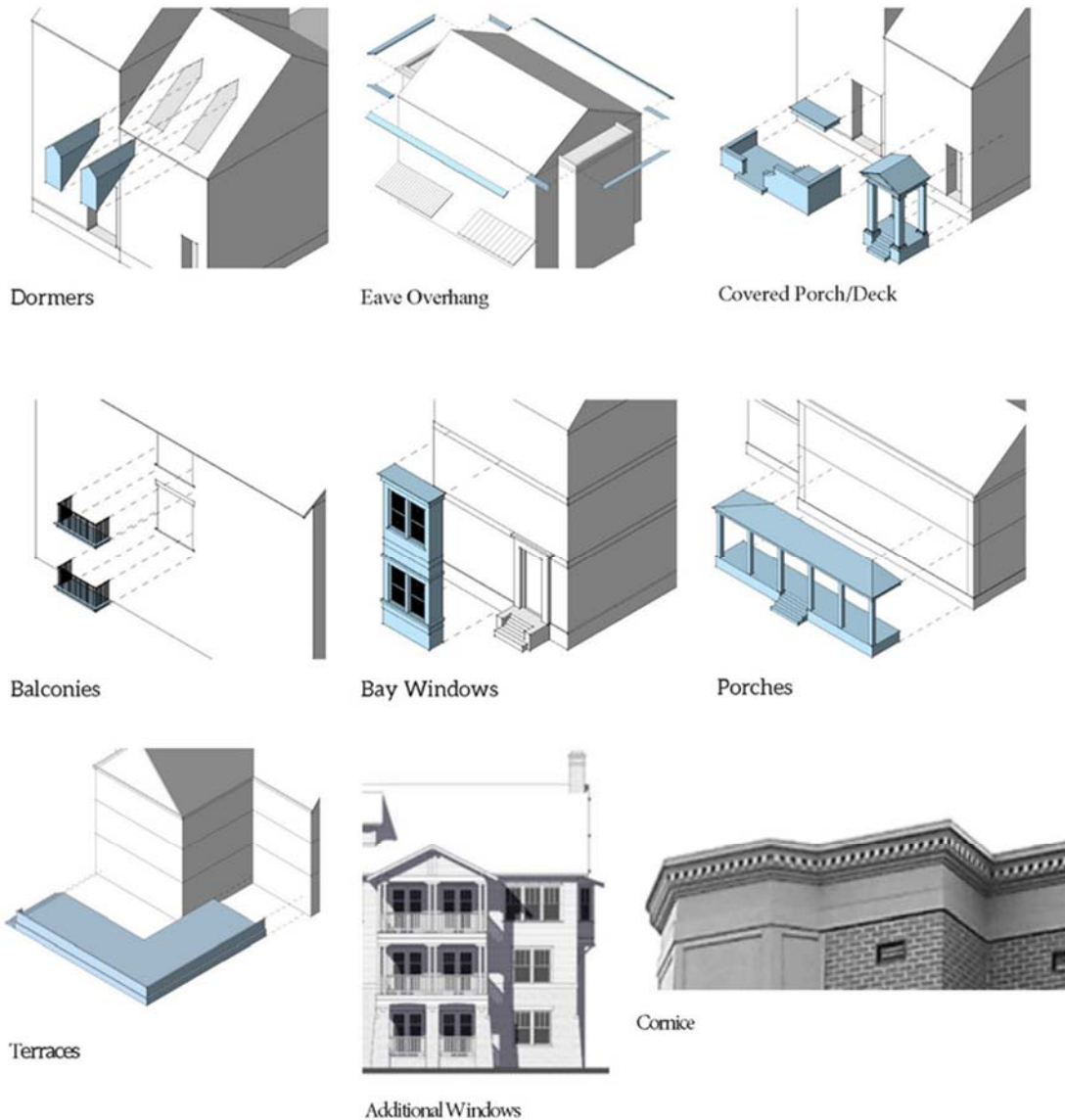
Group A	Group B	Group C
Lot Designation I	Lot Designation II	Lot Designation III
Lot Designation IV	Lot Designation V	Lot Designation VI

c. Exterior building elements and palettes: Exterior building elements and palettes include architectural details and materials on a structure that are used to create a distinctive differentiation between structures and shall be used to distinguish the entire structure including the rear. Exterior building elements for buildings that contain paired units include the addition of the following to the building (examples of these elements can be found in the multiple-family design standards contained in the Town of Parker Design Standards for Commercial, Industrial, and Multiple-Family Projects):

1. Covered porch/deck.
2. Additional windows.
3. Eave overhang.
4. Cornice.
5. Dormers.
6. Balconies.

7. Bay windows.

8. Terraces.



Examples of Exterior Building Elements

d. Exterior building palettes include the use of substantially different building materials to make the unit appear different. The material differences shall be substantial in nature, i.e., a) base change from brick to stone; b) material change and/or variation on upper portion of a structure from siding; or c) architectural detailing.



Examples of base, middle, and top building material changes

(4) Creation of Residential Design Plan (Matrix): This Paragraph identifies the system for the placement of unit models on lots throughout a subdivision.

a. Single-family detached units: In order for single-family detached units to be located next to each other, they shall meet the following:

1. Substantially different building mass and form (i.e., a ranch can be placed next to a two-story home and a 40-foot-wide home can be placed next to a 50-foot-wide home).

2. If building mass and form are similar, then two (2) of the following three (3) criteria shall be satisfied:

a) substantially different roof type;

b) elevation plane variation; or

c) exterior surface material schemes and color palettes.

b. In order for a single-family detached unit to be placed three (3) lots away in either direction, it must meet the following: If building mass and form are similar, then one (1) of the following three (3) shall be satisfied:

1. substantially different roof type;

2. elevation plane variation; or

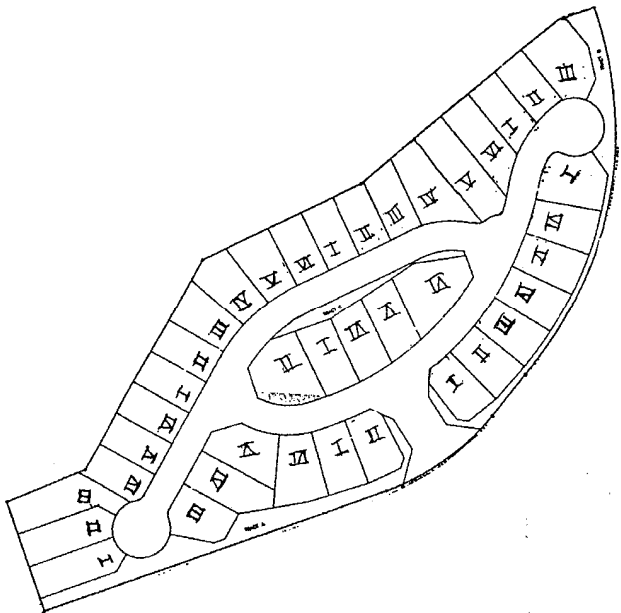
3. exterior surface material schemes and color palettes.

c. Matrix for models.

1. Lot designation for each model. Based on the above criteria, the models are placed within Lots I – VI.

<u>Lot Model I</u>	<u>Lot Model II</u>	<u>Lot Model III</u>
<u>Lot Model IV</u>	<u>Lot Model V</u>	<u>Lot Model VI</u>

2. Once the model numbers of each type of ~~structure-unit~~ are categorized for each lot ~~designation based on the Ordinances criteria~~, these categories models are then laid out onto the subdivision map for the filing being developed.



Example of Single-Family Detached Unit Lot Designation. NOTE: The numerical sequence I, II, III, IV, V and VI must be maintained.

~~NOTE: Once the groups and subcategories have been established by model and elevation, the only change allowed is to add a model to the subcategories I – VI, and/or change in the designation of lot sequence in the subdivision (for vacant lots).~~

d. Paired Units: In order for buildings containing paired units to be located next to each other, the buildings must meet the following:

1. Substantially different building mass and form (i.e., a ranch building can be placed next to a two-story building and a 40-foot-wide building can be placed next to a 50-foot-wide building).

2. If building mass and form are similar, then two (2) of the following three (3) criteria shall be satisfied:

- a) substantially different roof type;
- b) elevation plane variation; or
- c) exterior surface material schemes and color palettes.

3. The following shall be followed for paired units to be placed two (2) lots away in either direction:

a) If building mass and form are similar, then one (1) of the following three (3) shall be satisfied:

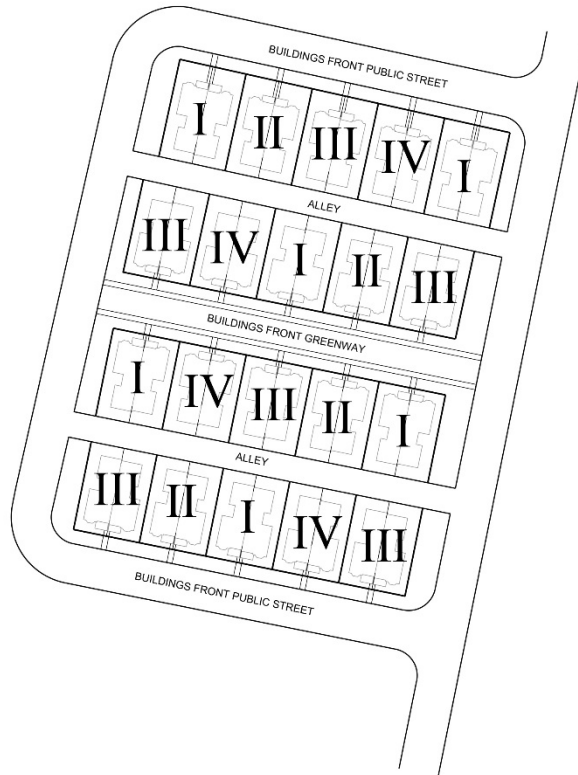
- 1) substantially different roof type;
- 2) elevation plane variation; or
- 3) exterior surface material schemes and color palettes.

b) Matrix for models.

1) Lot designation for each model. Based on the above criteria, the buildings containing paired units are placed within Lots I – IV.

<u>Lot I Model</u>	<u>Lot II Model</u>
<u>Lot III Model</u>	<u>Lot IV Model</u>

2) Once the model numbers of each type of building containing paired units are categorized for each lot, these models are then laid out onto the subdivision map for the filing being developed.



Example of Paired Unit Lot Designation. Note: Each Roman numeral represents one (1) building that contains two (2) attached units.

(5) Breaks in street scenes for both single-family detached units and paired units. A break in a street scene is classified as a separation of twenty-five (25) feet or more which separates lots from one another. The separation can be a tract for open space, greenway, park or a street intersection. When a break in the street scene occurs, the matrix numbering can start over. This means that the same model can be placed next to each other when a break in the street scene occurs.

(6) Amendments for both single-family detached units and paired units. Changes to the approved Residential Design Plan (Matrix) shall be requested in writing and shall include the following:

- a. Legal description and address of proposed change; and
- b. Street scene showing the front and rear elevations of the model constructed or planned to be constructed on either side of the model. The models should be shown for a minimum of six (6) lots on either side of the proposed amendment for a single-family detached unit and four (4) building lots for paired units, excluding any breaks.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

ORDINANCE NO. 3.01.116, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO REPEAL SECTION 13.10.160, TO RENUMBER SECTION 13.10.161 TO 13.10.160, AND TO AMEND SECTION 13.10.160 OF THE PARKER MUNICIPAL CODE CONCERNING RESIDENTIAL DESIGN MINIMUMS

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

Section 1. Section 13.10.160 of the Parker Municipal Code is repealed in its entirety.

Section 2. Section 13.10.161 of the Parker Municipal Code is renumbered to Section 13.10.160 and amended to read as follows:

13.10.160 Residential design minimums.

(a) Intent. The intent of this Section is to require single-family detached units and paired units (as defined in the Town of Parker Design Standards for Commercial, Industrial and Multiple-Family Projects) that front or are located along the same side of a public street, private internal street, or public or private open space, or greenways be designed to provide a varied street scene, architectural variety, and to eliminate the reuse or repetition of identical or substantially similar building designs in close proximity to each other.

(b) Applicability. This Section shall apply to all new single-family detached units and paired units in the Town.

(1) A paired unit or units developed on separate legal lots of record, as a part of a larger subdivision, shall be subject to this Section.

(2) A paired unit or units that are developed as a part of a multiple-family development that is located on the same legal lot of record is not subject to this Section, but is subject to Section 13.10.200 of this Chapter.

(c) Building variation requirements.

(1) Identical or similar single-family detached units may not be repeated more frequently than every sixth (6th) unit along the same side of any street in a residential subdivision.

(2) Identical or similar paired units may not be repeated more frequently than every fourth (4th) building (each building contains two (2) units) along the same side of any street in a residential subdivision.

(3) Units shall be considered similar if they have similar building mass, building form, same roofline, or are the same building type or building plan. Design standards for what shall be considered similar building mass and building form are contained in the Residential Design Minimums Handbook, which is contained in Subsection (m) below.

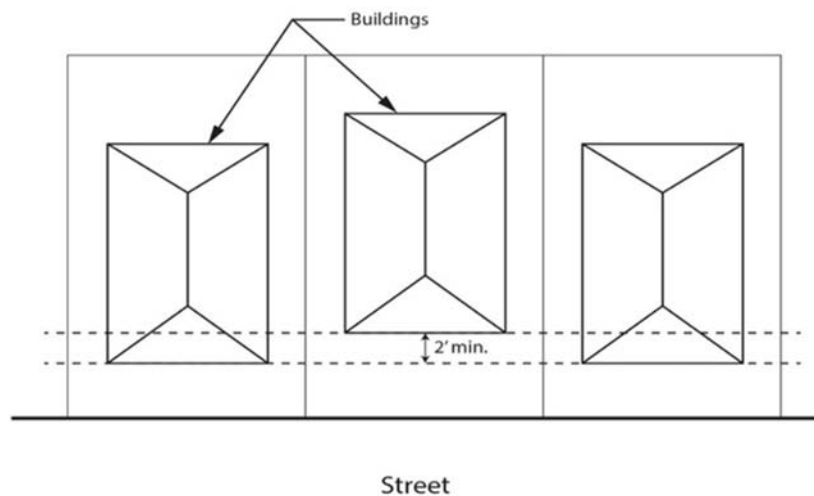
(d) Soffit design. No roof overhang or soffit, as measured from the finished side of the siding or premium material of the structure to the inside of the fascia board, shall be less than eight (8) inches, unless: the structure embodies architectural styles of an historical nature; for example, a Santa Fe style which has a flat roof without any overhang; or a Tudor style which has a roof pitch of a ten (10) vertical inch rise over a twelve (12) horizontal inch run (10/12) or greater. Requests for such an exemption shall be presented to the Planning Department prior to the issuance of a building permit, and documentation may be required.

(e) Building trim.

(1) Trim around windows shall be a minimum of three and one-half (3½) inches wide, and trim around doors shall be a minimum of two (2) inches wide. If premium materials such as brick or stone are used on the front of a structure, the premium material need not be used on the other sides.

(2) Trim details such as special moldings, colors and related details shall be used in the same manner on all sides of the structure as they appear on any side of the structure. However, shutters and muntins, including any detail exclusively associated with the use of shutters and muntins, may be used on the front without being carried to the other sides.

(f) 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 unit adjacent on either side of the subject lot.



Example of front building setback variation

(g) Creation of residential design plan. A residential design plan shall be created for the entire filing, as provided in the Residential Design Minimums Handbook.

(h) Approval of residential design plan - submittal requirements. Approval of a residential design plan for the entire subdivision shall be required prior to issuance of a building permit for any residential structure within the subdivision. For each subdivision, the applicant shall submit the following information to the Planning Department electronically through the Town's electronic permitting system:

(1) A complete copy of the residential design plan.

(2) Separate copies of the front and rear building elevations for each model unit that will be constructed in a filing. The respective building elevations and roof plan shall be included on the same page. Only one (1) set of elevations and roof plan shall be shown on any page. All elevations shall be accurately drawn using an identical scale of not less than $\frac{1}{8}'' = 1'$. Roof plans shall be no smaller than $\frac{1}{16}'' = 1'$.

(3) Application fee. The applicant shall submit an application fee as established by resolution of the Town Council.

(i) Residential design plan - review process.

(1) All proposed models in the residential design plan shall be evaluated for similarities and differences.

(2) The Planning and Building Departments shall confer regarding the similarities and differences between the proposed models.

(j) After review, if the Planning Department finds that the residential design plan complies with this Section, the Planning Department shall approve the residential design plan.

(k) Building permit. The Planning and/or Building Departments shall review the proposed permit for compliance with the approved residential design plan. Applications in compliance with the approved residential design plan shall be approved for a building permit.

(l) Appeals.

(1) If a building permit or certificate of occupancy is denied based on the failure of a residential unit to meet the design minimums set forth in this Section, the aggrieved owner may appeal to the Town Council after a hearing and recommendation by the Planning Commission.

(2) The appeal shall follow the same procedure as a request for a variance, but both the Planning Commission and the Town Council shall limit their consideration to whether the decision of the Planning and/or Building Department was arbitrary and capricious based on the evidence presented.

(3) If the Town Council finds that the decision of the Planning and/or Building Department was arbitrary and capricious, the decision shall be reversed and remanded with instructions. If the Town Council sustains the denial of the building permit or certificate of occupancy, the Town Council's decision shall be final.

(m) Residential Design Minimums Handbook.

Intent: The Residential Design Minimums described in this Section were adopted to prevent the repetition of the same or similar single-family detached units and paired units that front or are located along the same side of a public street, internal private street, or public or private open space or greenway. To accomplish this purpose, this Section sets forth the parameters for building mass and form, and building variation requirements that are approved to place models into groups. A chart will be used to place models within a subdivision. Models for lot placement are evaluated, as provided in this Handbook.

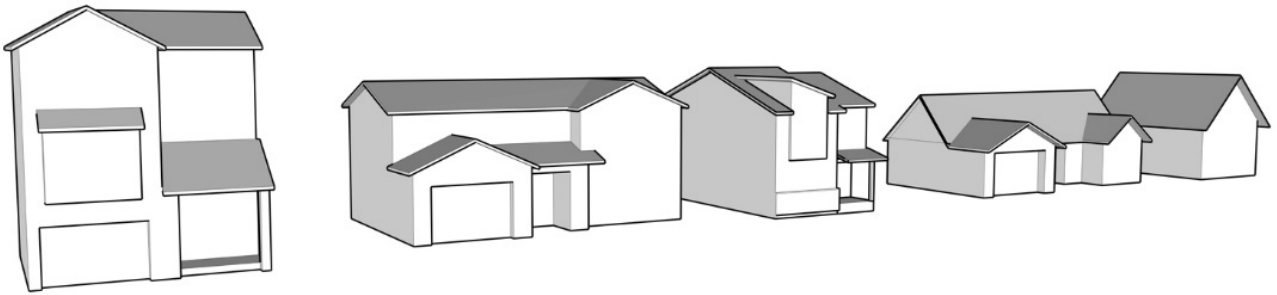
(1) Criteria for placement of model homes includes:

- a. Substantially different building mass and building form, and
- b. Building variation requirements:
 - 1. Substantially different roof type.
 - 2. Elevation plane variation.
 - 3. Exterior surface material schemes and color palettes.

(2) Building mass and form resulting in differences in building composition (vertical bays and a pattern of openings).

a. Building mass: Considered to be the outline of the unit. Massing denotes the basic primary mass and the overall scale, shape and proportion of the unit. This is determined by the height, width and depth of the unit.

b. Building form: Form includes building elements and horizontal/vertical breaks of a unit. The style of the unit includes ranch, tri-level or two-story structures, as depicted in the following diagrams.



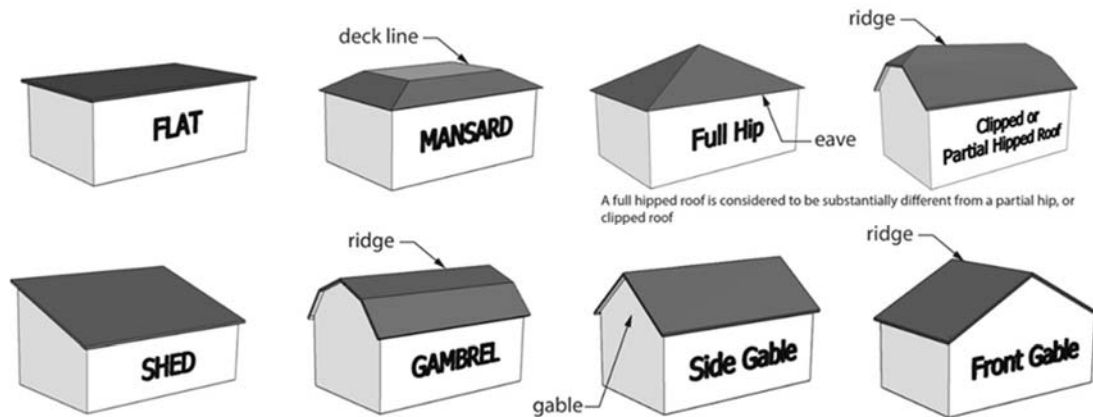
Example of single-family detached units showing differences in building mass and form.



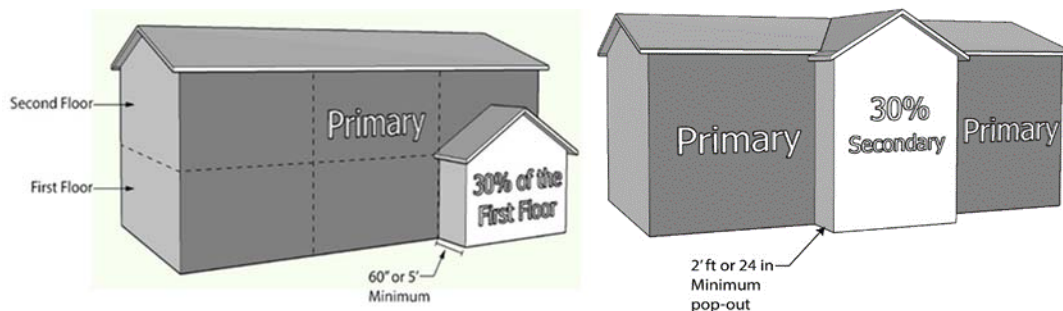
Example of paired units showing differences in building mass and form.

(3) Building variations requirements:

- a. Substantially different roof type: Roof types consist of mansard, hip (full or clip), flat, gambrel, gable and front-to-back (shed style), as depicted in the following diagram.



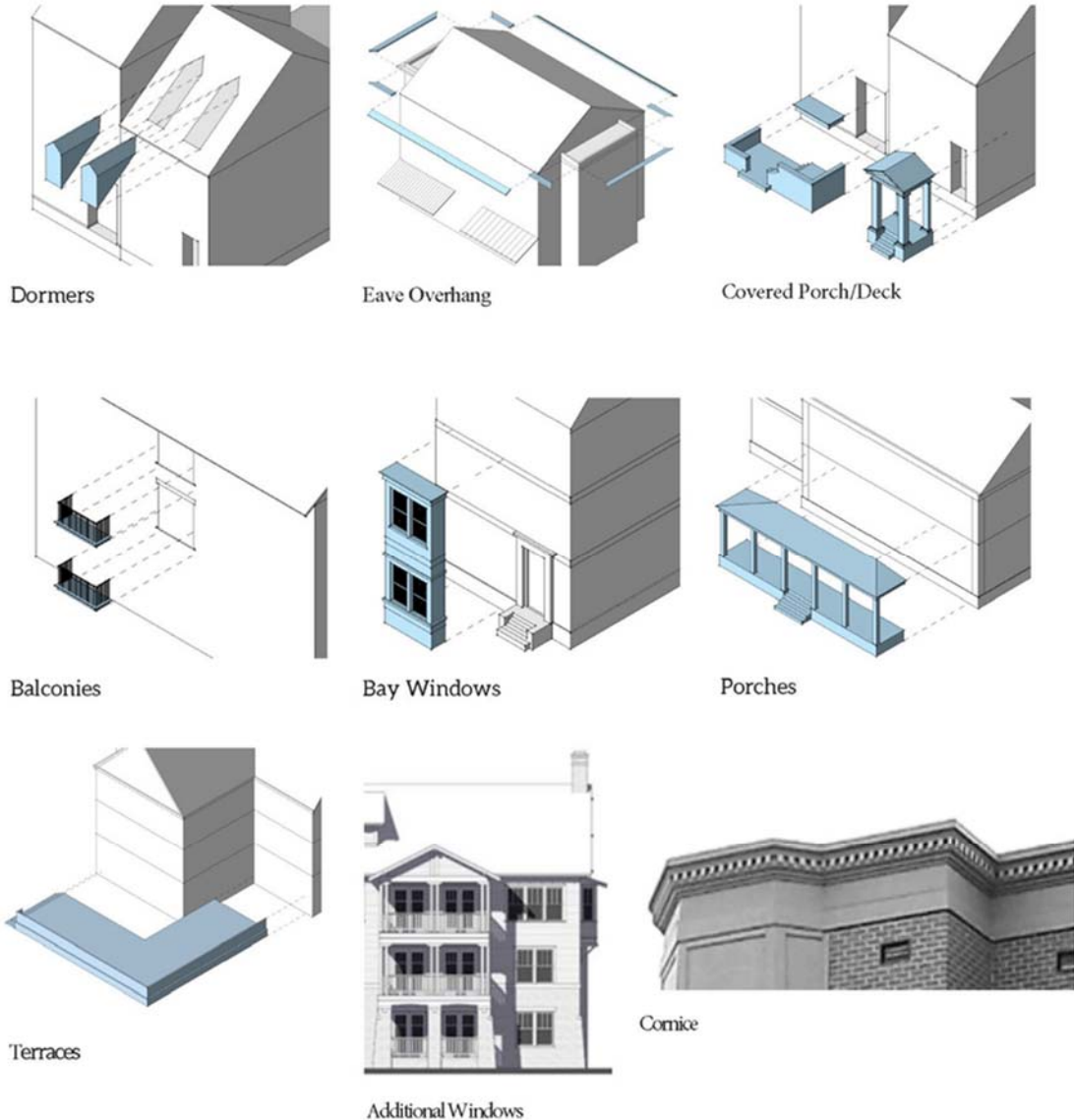
b. Elevation plane variation: The elevation plane is identified as the exterior wall of the structure. For an elevation plane to be considered substantially different from another model, the secondary plane must project at least sixty (60) inches from the primary plane and constitute at least thirty percent (30%) of the first-floor elevation plane (excluding planes with garage doors) or the secondary plane must project at least twenty-four (24) inches from the primary plane and constitute at least thirty percent (30%) of the entire elevation plane (first and second floors), as depicted in the following diagram:



c. Exterior building elements and palettes: Exterior building elements and palettes include architectural details and materials on a structure that are used to create a distinctive differentiation between structures and shall be used to distinguish the entire structure including the rear. Exterior building elements for buildings that contain paired units include the addition of the following to the building (examples of these elements can be found in the multiple-family design standards contained in the Town of Parker Design Standards for Commercial, Industrial, and Multiple-Family Projects):

1. Covered porch/deck.
2. Additional windows.
3. Eave overhang.

4. Cornice.
5. Dormers.
6. Balconies.
7. Bay windows.
8. Terraces.



Examples of Exterior Building Elements

d. Exterior building palettes include the use of substantially different building materials to make the unit appear different. The material differences shall be substantial in nature, *i.e.*, a) base change from brick to stone; b) material change

and/or variation on upper portion of a structure from siding; or c) architectural detailing.



Examples of base, middle, and top building material changes

(4) Creation of Residential Design Plan (Matrix): This Paragraph identifies the system for the placement of unit models on lots throughout a subdivision.

a. Single-family detached units: In order for single-family detached units to be located next to each other, they shall meet the following:

1. Substantially different building mass and form (*i.e.*, a ranch can be placed next to a two-story home and a 40-foot-wide home can be placed next to a 50-foot-wide home).

2. If building mass and form are similar, then two (2) of the following three (3) criteria shall be satisfied:

- a) substantially different roof type;
- b) elevation plane variation; or
- c) exterior surface material schemes and color palettes.

b. In order for a single-family detached unit to be placed three (3) lots away in either direction, it must meet the following: If building mass and form are similar, then one (1) of the following three (3) shall be satisfied:

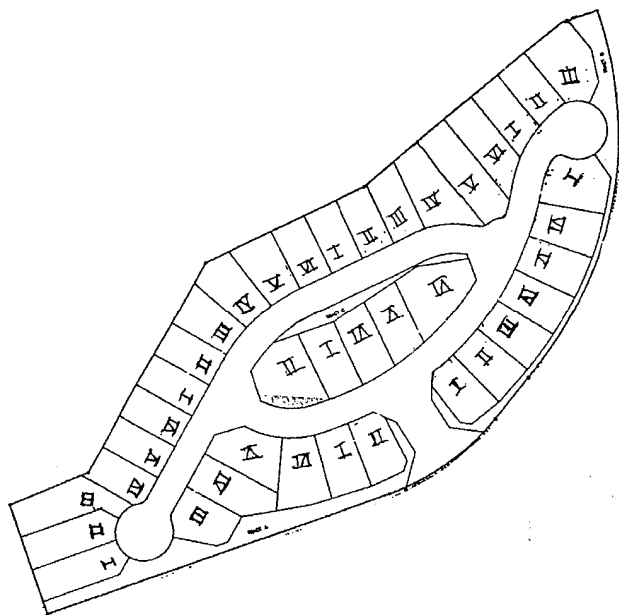
- 1. substantially different roof type;
- 2. elevation plane variation; or
- 3. exterior surface material schemes and color palettes.

c. Matrix for models.

1. Lot designation for each model. Based on the above criteria, the models are placed within Lots I – VI.

Lot Model I	Lot Model II	Lot Model III
Lot Model IV	Lot Model V	Lot Model VI

2. Once the model numbers of each type of unit are categorized for each lot, these models are then laid out onto the subdivision map for the filing being developed.



Example of Single-Family Detached Unit Lot Designation. NOTE: The numerical sequence I, II, III, IV, V and VI must be maintained.

d. Paired Units: In order for buildings containing paired units to be located next to each other, the buildings must meet the following:

1. Substantially different building mass and form (*i.e.*, a ranch building can be placed next to a two-story building and a 40-foot-wide building can be placed next to a 50-foot-wide building).

2. If building mass and form are similar, then two (2) of the following three (3) criteria shall be satisfied:

a) substantially different roof type;

- b) elevation plane variation; or
- c) exterior surface material schemes and color palettes.

3. The following shall be followed for paired units to be placed two (2) lots away in either direction:

a) If building mass and form are similar, then one (1) of the following three (3) shall be satisfied:

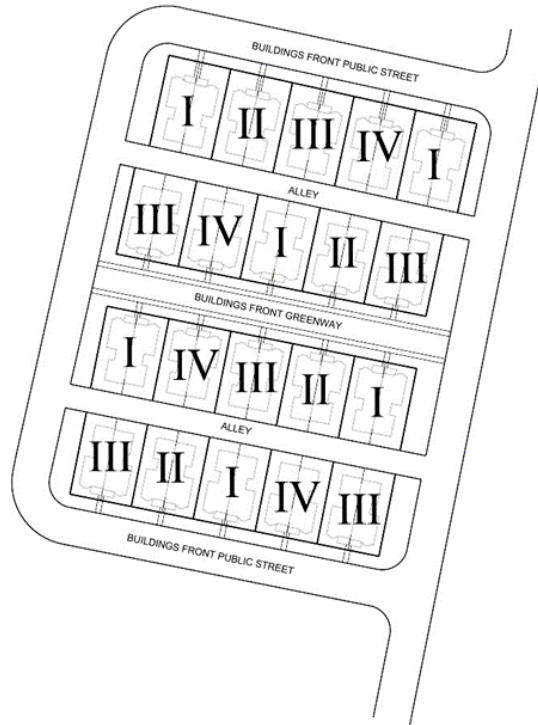
- 1) substantially different roof type;
- 2) elevation plane variation; or
- 3) exterior surface material schemes and color palettes.

b) Matrix for models.

1) Lot designation for each model. Based on the above criteria, the buildings containing paired units are placed within Lots I – IV.

Lot I Model	Lot II Model
Lot III Model	Lot IV Model

2) Once the model numbers of each type of building containing paired units are categorized for each lot, these models are then laid out onto the subdivision map for the filing being developed.



Example of Paired Unit Lot Designation. Note: Each Roman numeral represents one (1) building that contains two (2) attached units.

(5) Breaks in street scenes for both single-family detached units and paired units. A break in a street scene is classified as a separation of twenty-five (25) feet or more which separates lots from one another. The separation can be a tract for open space, greenway, park or a street intersection. When a break in the street scene occurs, the matrix numbering can start over. This means that the same model can be placed next to each other when a break in the street scene occurs.

(6) Amendments for both single-family detached units and paired units. Changes to the approved Residential Design Plan (Matrix) shall be requested in writing and shall include the following:

- a. Legal description and address of proposed change; and
- b. Street scene showing the front and rear elevations of the model constructed or planned to be constructed on either side of the model. The models should be shown for a minimum of six (6) lots on either side of the proposed amendment for a single-family detached unit and four (4) building lots for paired units, excluding any breaks.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Carolyn Washee-Freeland, Associate Planner
Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.01.117 - First Reading**
A Bill for an Ordinance to Amend Sections 13.02.010 and 13.06.050 of the Parker Municipal Code Concerning Off-Street Parking and Internal Circulation

Department: Community Development, Carolyn Washee-Freeland

Second Reading: November 19, 2018

EXECUTIVE SUMMARY

The Community Development Department prepared and the Town Council adopted a Downtown Parking Study and Plan in May of 2017. One of the major outcomes of the Study and Plan is the recommendation to update parking standards in Downtown including for new development. Town Council directed staff to implement this recommendation during the public hearing approval process for the project.

The Community Development Department has prepared updated parking standards for Downtown in follow-up to Town Council direction. Staff proposes to amend Section 13.06.050, Off-Street Parking and Internal Circulation, of the Land Development Ordinance (LDO) to include revised parking standards for the Greater Downtown District. This amendment includes the requirement for off-street parking with new development in the Greater Downtown District Historic and Pikes Peak Centers along Mainstreet east of Parker Road. The LDO does not require parking with new development in these areas at present.

On October 25, 2018, the Planning Commission unanimously recommended Town Council approve Ordinance 3.01.117.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town Council adopted the Greater Downtown District Historic and Pikes Peak Center zoning in 2003. This action eliminated the minimum parking requirements to encourage new development and promote a more pedestrian-oriented Downtown. Despite this action, there has been limited development in Downtown and the public has expressed concerns about parking availability during the Mainstreet Master Plan project in 2015. As a result, the Mainstreet Master Plan recommended that the Town conduct a parking study for Downtown.

In 2017, Town Council adopted the Downtown Parking Study and Plan after substantial public input. The Study and Plan contained a number of recommendations including an update to the existing parking standards for Downtown. This recommendation is intended to ensure that new development provides an appropriate amount of parking without overburdening each site or harming the character of Downtown.

To assist staff, the Community Development Department retained Kimley-Horn to review and make recommendations about how to update Downtown parking standards. The consultant developed a technical assessment report to evaluate current parking conditions in Downtown. The report included a review of current parking standards and downtown development issues, best practices used by communities similar to Parker and recommendations for new parking standards. The consultant also conducted interviews with key stakeholders and a Community Open House was held in September of 2018.

Following these actions, Community Development staff worked with the consultant to finalize the updated parking standards for Downtown. The proposed revisions to Section 13.06.050 of the Land Development Ordinance can be summarized as follows:

1. **Parking Ratios** - Parking ratios will be calculated based on Net Leasable Area (NLA) for non-residential developments where the current standards measure parking requirements based on Gross Floor Area (GFA).
2. **Off-Site Shared Parking** - Updated off-site shared parking requirements and the shared parking agreement.

East of Parker Road (Historic, Pikes Peak and Town Centers):

3. **New Parking Requirements** - Updated parking standards to require off-street parking with new development.
4. **Parking Exemptions** – Limited exemption for new development that is 3,000 s.f. or less in the Historic, Pikes Peak and Town Centers to accommodate small additions and in-fill projects.

West of Parker Road (Market, Twenty Mile and Town Centers):

5. **Parking Adjustments for Mixed-Use Development** - Allows parking adjustments for mixed-use development because they have complementary uses and parking patterns. Adjustments would be made using industry standards for parking demand by use type.
6. **Special Parking Study** - Allows special parking studies for site-specific parking analysis to determine parking demands and requires parking studies for uses that create unique parking demands.
7. **Parking Credits and Reductions** – Parking credits and reductions may be applied based on a site’s proximity to multi-modal options such as walking, biking and transit facilities.
8. **Partial Credit for On-Street Parking** – Retains the existing option to allow partial credit for on-street parking with certain types of development.
9. **Remote (Off-Site) Shared Parking** – Provides an option that allows for partial off-site parking subject to an agreement with the property owner and location within 500-feet of the development site.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Ordinance No. 3.01.117 Redlines
2. Ordinance No. 3.01.117 CLEAN

RECOMMENDED MOTION

I move to approve Ordinance No. 3.01.117 on first reading and to schedule second reading for November 19, 2018, as part of the consent agenda.

ORDINANCE NO. 3.01.117, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.02.010 AND 13.06.050 OF THE PARKER MUNICIPAL CODE CONCERNING OFF-STREET PARKING AND INTERNAL CIRCULATION

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

Section 1. Section 13.02.010 of the Parker Municipal Code is amended by the addition of definitions to read as follows:

13.02.010 Definitions.

* * *

Mixed-use development means a type of land development which blends more than one (1) land use (i.e., residential, commercial, cultural, institutional, or entertainment uses), where those functions are physically and functionally integrated horizontally on a property, or vertically within a building.

Net leasable area means all the leasable area of a building exclusive of nonleasable space, such as hallways, building foyers, areas devoted to heating, air conditioning, elevators, and other utility areas. The net leasable area produces the lease income economically supporting the building.

Parking minimum means the least or smallest amount of parking required to support a building and/or use.

Parking maximum means the greatest or highest amount of parking permitted to support a building and/or use.

Parking reduction means an allowed reduction in the amount of parking otherwise required by the Town.

Remote off-site parking means parking on a lot or property not contiguous and/or lacking a cross-access easement for reciprocal parking, other than the property occupied by the building or use.

Shared parking analysis means a study of land uses and their peak parking demands to determine feasibility if the uses can share parking spaces to meet the requirements of the Town.

Shared parking agreement means a binding legal agreement between two (2) property owners where one property provides parking for another property.

Transportation demand management (TDM) means the application of strategies and policies which reduce travel demand (and parking demand), or to redistribute this demand to any single property or district. These include the provision of or access to transit, carpooling, walking and bicycling.

Section 2. Section 13.06.050 of the Parker Municipal Code is amended to read as follows:

13.06.050 — Off-street parking and internal circulation.

(a) — Intent. ~~(1)~~ — This Section is intended ~~to:~~

(1) To ensure that off-street parking areas are well designed with regard to safety, efficiency and convenience for vehicles, bicycles and pedestrians.

(2) — ~~Parking should~~ To ensure land uses can function without negatively impacting adjacent land uses and allow for the development of walkable mixed-use environments.

(3) To ensure that parking is considered and designed as accessory to the principal uses within the buildings served. ~~The, that~~ buildings and pedestrian scale areas ~~should~~ are the focal point, ~~and that~~ parking is ~~to be~~ viewed as a necessary function in support of those activities and ~~should that it~~ is visually and functionally ~~be~~ secondary to the primary use of the building and pedestrian access.

(3) — To provide enough vehicular parking to accommodate the need generated by the uses without providing excessive amounts of parking.

(4) — To encourage alternative parking arrangements such as shared parking.

~~(5) — Required~~ (5) To provide that required parking facilities ~~should~~ are provided on the same lot or parcel as the building or use served, unless shared parking is allowed; as provided ~~by Subsection (c) below. herein.~~

(6) To provide parking efficiencies through parking reduction mechanisms for mixed-use development, redevelopment, and developments that are within proximity to multi-modal transportation options within the Greater Downtown District.

(7) To provide for creative and innovative parking approaches that support and implement the Mainstreet Master Plan and Transportation Master Plan within the Greater Downtown District and adjacent areas.

(b) — Change of land use/tenant finish. Prior to approval of a tenant finish, the applicant shall demonstrate that adequate parking exists for the proposed land use change. The square footage of all tenant finish areas shall be identified by each use proposed. When ~~proposed uses, resulting from changes in land use and~~ tenant finish ~~changes,~~ require more parking than exists, the applicant shall be required to revise ~~their site~~ plan to increase the number of parking spaces consistent with the requirements herein, while still meeting landscaping requirements. Failure to provide this parking will result in the denial of the ~~proposed land use change and~~ tenant finish permit.

(c) — ~~Shared~~Off-site parking.

(1) — ~~Shared~~ Off-site parking shall be ~~encouraged where~~permitted ~~provided~~ the applicant ~~can demonstrate that~~meets the proposed shared parking is in accordance with this Subsection~~following requirements~~:

(1) Eligibility. For nonresidential or mixed-use development, a portion of the parking requirement may be met through off-site parking pursuant to the requirements of this Section, where the applicant demonstrates that it cannot reasonably provide on-site parking in accordance with this Section and that such off-site parking will promote Master Plan consistency through improved design. The use of off-site parking shall be approved by the Planning Director or designee.

(2) Location of off-site parking. The distance from the boundary of the site to the boundary of the off-site parking area shall not exceed five hundred (500) feet. However, the Planning Director, or designee, may approve a distance of more than five hundred (500) feet (not to exceed a distance of one thousand (1,000) feet) based on the land use or quality of pedestrian connection. Off-site parking shall not be located on-street and shall only be located in a nonresidential or mixed-use zoning district.

Accessible parking. The number and location of spaces required for persons with disabilities shall not be reduced. (2) — ~~Shared parking plans shall be permitted, if the following conditions are satisfied:~~

a. — ~~Location. Shared off-street parking spaces shall be located no further than one thousand (1,000) feet from all the buildings and uses they are intended to serve. The separation shall be measured in a straight line from the nearest point of the buildings or uses to the nearest point of the lot containing the shared off-street parking spaces.~~

(3) b. — Shared

(4) Off-site parking spaces. No more than fifty percent (50%) of the required on-site parking shall be addressed through off-site parking.

(5) Off-site shared parking plan and analysis~~required~~. A ~~shared~~ parking plan shall be submitted ~~accompanied by an analysis which clearly establishes that the land uses sharing~~ ~~therequired~~ and shall include:

a. The location of the off-site parking spaces have different~~area and the distance between it and the site;~~

b. The path of pedestrian travel (e.g., sidewalk, street, parking demand patterns~~area(s), trails between buildings or land uses and are able to use the same~~~~off-site parking spaces at different times of the day, week, month or year without causing an insufficient number of spaces to be available during peak periods of use. The plan and analysis shall:~~area);

~~1. — Address the intensity and type of activities; the composition of uses; hours of operation of the uses; the rate of turnover for proposed shared spaces; distances of shared parking spaces from the uses they serve; availability of embedded on-street parking spaces in the public rights-of-way; and the anticipated peak parking and traffic loads for the site.~~

~~c. 2.—Consider the~~The availability of transit facilities and modes of available transit serving the site, including both public and private transit (e.g., car and vanpooling);

~~3.—Consider the availability of trail access to the site and proximity to residential areas where bicycle trips may originate.~~

~~4.—Contain sufficient evidence to establish to the satisfaction of the Town that the applicants are the owners of the designated land and structures.~~

~~5.—Include plans showing the following details:~~

~~a) —The location of the uses or buildings for which off-street parking space is required.~~

~~b) —The location of off-street parking spaces.~~

~~c) —An executed Shared Parking Agreement in a form approved by the Town Attorney, which shall give the Town the right to enforce the terms of such agreement.~~

~~6.—Contain any other relevant information requested by the Town.~~

~~d. e.—Number of spaces.~~ The total number of proposed off-site parking spaces;
and

e. Information on total parking demand served by the off-site parking spaces required shall be the sum of spaces required for the applicable area, including:

i. The location and names of all buildings, structures, or land uses for which the off-site parking spaces are provided;

ii. Days and hours of operation of the land uses individually, except if that utilize the shared off-site parking plan area;

iii. Peak days and analysis clearly establish hours of operation of such uses;

iv. Parking calculations for each use that the shared parking facility can satisfy the demands of all uses with a lesser number of utilizes the off-site parking spaces area, including calculations for the proposed land uses and existing land uses;

~~d.—Disabled parking. The number and location of spaces required for persons with disabilities shall not be reduced.~~

~~e.—Review of application. All applications shall v. Mixed-use/shared parking reduction calculations, if used; and~~

vi. If required by the Planning Director, or designee, a study by a transportation planner or traffic engineer to demonstrate that there is no substantial conflict (e.g., materially increased risk of vehicular-pedestrian conflict or unreasonable traffic congestion) inherent in the proposed off-site parking arrangement.

(6) Review. All requests for approval of off-site parking shall be filed by the owners of the entire land area to be included within the shared site and off-site parking plan and the area (including any owners of all buildings then-existing on such land the site or off-site parking area, if different than the real property owners), and shall be reviewed as part of the site plan

approval process pursuant to Section 13.06.040 of this Chapter~~Title~~ and either approved, approved with conditions or denied.

(7) ~~f.~~—Shared parking agreement. A shared parking agreement for off-site parking, in a form approved by the Town Attorney, shall be executed by the owners of the site and the off-site parking area (including any owners of buildings existing on the site or off-site parking area, if different than the real property owners) and consented to in writing by the Town. The shared parking agreement for off-site parking shall substantially comply with the format of any model shared parking agreement, which is maintained on file with the Town Clerk.

(8) Approved agreement registered and recorded. Upon approval of ~~an off-site~~ shared parking plan and shared parking agreement hereunder, a copy of such plan and agreement shall be recorded by the Town with the County Clerk and Recorder.

(9) ~~g.~~—Effect of recorded off-site shared parking plan and shared parking agreement. All off-site shared parking plans and shared parking agreements recorded hereunder shall run with the land, be binding upon the applicants for such shared parking plans, their successors and assigns, and shall restrict and limit the use and operation of all land and buildings included within such plan to all conditions and limitations specified in such plan and agreement and the approval thereof. No site plans or plats shall be approved, or permits or certificates of occupancy issued, unless such uses comply with all the conditions and limitations of the approved plan and agreement.

(10) ~~h.~~—Amendment of off-site shared parking plan and shared parking agreement. All off-site shared parking plans and shared parking agreements recorded hereunder may be amended pursuant to the same procedure and subject to the same limitations and requirements by which such plans and agreements were approved and recorded.

(11) ~~i.~~—Termination of recorded off-site shared parking plan and shared parking agreement. Upon application by the owners of ~~the entire land~~ any site and off-site parking area included within subject to any shared parking plan and agreement recorded hereunder ~~and the (including any owners of any buildings then existing thereon, on the site or off-site parking area, if different than the real property owners).~~ any such plan and agreement may be terminated if all uses, land and buildings remaining under such plan can be made to comply with all conditions and limitations of the plan and agreement and all uses, land and buildings withdrawn from such plan can be made to comply with all Town regulations and code provisions. Upon approval of the termination of a shared parking plan and agreement, all parties shall sign a shared parking termination agreement, which shall be recorded by the Town with the County Clerk and Recorder with such costs paid by the applicants.

(d) — Number of off-street parking spaces required. ~~There shall be required in connection with the development or construction of specified buildings or uses, the~~ The minimum number of off-street parking spaces ~~according to for specific uses shall be as provided below in Schedule 13.06.050B for the Greater Downtown District and Schedule 13.06.050A for all other zoning districts, except Pikes Peak Center and Historic Center Design Districts which do not require off-street parking.~~

(1) — Calculation of required parking ~~amount~~ spaces.

a. — Stacking, queuing and gas pumps. The Planning Director, or designee, may allow stacking, queuing or gas pumps to count toward the required parking spaces when the applicant has submitted a parking study for the proposed use, or other competent information, as determined by the ~~director~~ Planning Director or designee, that demonstrates:

1. — Stacking and queuing will function to fulfill the site's traffic demand.

2. — Parking, including stacking and queuing, is adequate to fulfill the parking needs of the site.

The decision of the Planning ~~Director's~~ Director, or ~~designee's decision~~ designee, may be appealed, as provided in Subsection 13.03.030(c) of this Title.

b. — Multiple uses. Unless otherwise approved through off-site shared parking, as provided in Subsection (c) above, off-street parking areas serving more than one (1) principal use shall provide parking in an amount equal to the sum of the parking requirements for each individual use on the same zoned lot as the building or ~~use~~ uses served.

c. — Greater Downtown District. Required off-street parking requirements may be reduced when on-street public parking is provided along local or collector streets adjacent to the proposed development. Such reduction must be approved by the Planning Director or designee.

d. — Fractions. In calculating the required number of parking spaces, any fraction of a parking space more than 1/2 shall be equal to one (1) space. Fractions less than 1/2 of a parking space shall not be counted as a parking space.

e. — Area measurements. Unless otherwise specifically provided herein, all square-footage-based parking and loading standards shall be computed on the basis of ~~gross floor~~ net leasable area: (see figure 1). For outdoor areas, calculations shall be based on the portion of the lot actually being used for the specified use ~~or activity~~.

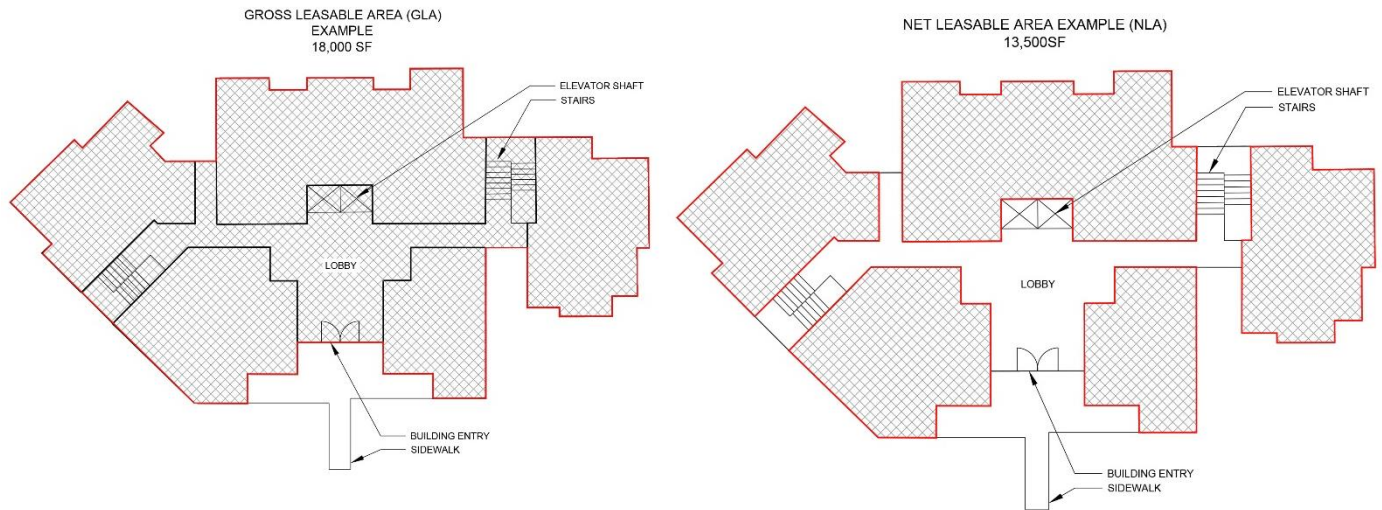


Figure 1 - Example of Gross and Net Leasable Area.

f. ~~Unlisted uses or when an administrative determination is required.~~ In the case of a use not specifically listed ~~or when an administrative determination is required,~~ the ~~Planning Director shall apply the off street parking standard for the most similar use. The~~ applicant may submit a ~~parkingspecial~~ study ~~for the proposed use or with~~ other competent information, ~~as determined for consideration~~ by the Planning Director or designee. ~~The concerning which listed use is most similar to the unlisted proposed use. The Planning Director, or designee, shall apply the off-street parking standard for the most similar use. The decision of the Planning Director's~~ ~~Director, or designee's decision~~ designee, may be appealed, as provided in Subsection 13.03.030(c) of this Title.

Schedule 13.06.050A Off-Street Parking Requirements

<i>Use</i>	Minimum Parking <i>Minimum Parking [Note: Minimum parking ratios for nonresidential land uses are based on Net Leasable Area (N.L.A.)]</i>
Residential/accommodations	
— Dwelling, single-family, two-family	2 per dwelling unit
— Dwelling, multiple-family	
per three-bedroom unit	2 per dwelling unit
per two-bedroom unit	1.5 per dwelling unit
per one-bedroom or studio unit	1 per dwelling unit
guest parking	0.25 per dwelling unit (may be provided on public streets)
— Group home/elderly housing	Administrative determination <u>Special study</u>

—Lodging establishment	1 per guest room
Institutions	
—School, elementary/junior	1.5 per each classroom
—School, senior	4 per each classroom
—School, college, trade, professional, vocational	Administrative determination <u>Special study</u>
—Day care, preschool, nursery	1 per each 4 children of licensed capacity
—Place of worship, funeral home, mortuary, sanctuary	1 per each 3 persons of seating capacity
—Nursing home, hospital	1.5 per each patient bed
—Library, museum	3 per 1,000 s.f. <u>GFA/NLA</u>
—Conference center or meeting hall	5 per 1,000 s.f. <u>GFA/NLA</u>
Eating and drinking establishments	
—Fast food restaurant (drive-through/carry-out only)	1 per 100 s.f. <u>GFA/NLA</u>
—Restaurant, lounge, bar, microbrewery (with or without a drive-through)	1 per each 3 persons of rated capacity (excluding outdoor seating areas)
General office, retail, services/sales	
—Professional office, personal services, grocery, shopping center	1 per 300 s.f. <u>GFA-NLA</u>
—Auto service and repair shop	1 per 450 s.f. <u>GFA/NLA</u> of office area, plus 3 per bay or stall
—Car wash	1 per establishment, plus 1 per staff member per maximum shift
—Convenience service establishment	1 per 250 s.f. <u>GFA-NLA</u>
—Motor vehicle sales, furniture, appliance store, greenhouse, plant nursery	1 per 500 s.f. <u>GFA-NLA</u>
—Kennel, pet day care, veterinary clinic	1 per 400 s.f. <u>GFA/NLA</u> (not including s.f. occupied by animal pens)
Recreation, amusement, entertainment	
—Indoor recreation activity	Administrative determination <u>Special study</u>
—Bowling center	3 per lane
—Indoor movie theater	1 per 3 seats
—Outdoor recreational activity	Administrative determination <u>Special study</u>
—Health club	1 per 250 s.f. <u>GFA-NLA</u>
—Circus, carnival, farmers market	Administrative determination <u>Special study</u>
Industrial uses	
—Research and development facility	1 per 500 s.f. <u>GFA-NLA</u>
—Mini storage	1 per 10,000 s.f. GFA, plus 1 for on-site caretaker's unit (when provided)
—Light manufacturing, printing facility	1 per 300 s.f. <u>GFA/NLA</u> of office area, plus 2 per bay door

—Storage, wholesaling, distribution facility	1 per 300 s.f. <u>GFANLA</u> of office area, plus 2 per bay door
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(2)—Schedule 13.06.050B
Off-Street Parking Requirements for the Greater Downtown District

<u>Land use</u>	<u>Market Center and Twenty Mile Center and the West Side of the Town Center Design District</u>	<u>Pikes Peak Center, Historic Center, and East Side of the Town Center Design District</u>
	<u>The centerline of Parker Road shall be the dividing line between the east and west sides of the Town Center Design District</u>	
	<u>Minimum Parking Standards shown below. Maximum Parking not to exceed 150 percent (%) more than the minimum requirement</u>	<u>Minimum Parking Standards shown below. Maximum Parking not to exceed 150 percent (%) more than the minimum requirement. [Note: minimum parking ratios for nonresidential land uses are based on Net Leasable Area (N.L.A.)]</u>
<u>Residential</u>		
<u>Dwelling, single-family, two-family</u>	<u>N/A</u>	<u>1 spaces/du if allowed within the zone district; (Single-Family detached units are not permitted in the Historic & Town Centers)</u>
<u>Dwelling, multiple-family per three-bedroom unit per two-bedroom unit per one-bedroom or studio unit guest parking</u>	<u>1.5 per dwelling unit 1.5 per dwelling unit 1 per dwelling unit 0.25 per dwelling unit (may be provided on public streets fronting property).</u>	<u>1.25 per dwelling unit 1.25 per dwelling unit1 per dwelling unit</u>
<u>Group home/elderly housing</u>	<u>1 per employee on maximum shift</u>	<u>1 per employee on maximum shift</u>
<u>Lodging establishment</u>	<u>1 per guest room</u>	<u>1 per guest room</u>
<u>Institutions</u>		
<u>School, elementary/junior (middle school)</u>	<u>Special study</u>	<u>Special study</u>
<u>School, senior (high school)</u>	<u>Special study</u>	<u>Special study</u>
<u>School, college, trade, professional, vocational</u>	<u>Special study</u>	<u>Special study</u>
<u>Day care, preschool, nursery</u>	<u>1 space per employee on maximum shift</u>	<u>1 space per employee on maximum shift</u>
<u>Place of worship, funeral home, mortuary, sanctuary</u>	<u>Special study</u>	<u>Special study</u>

<u>Nursing home, hospital</u>	<u>1 per 4 patient beds</u>	<u>1 per 5 patient beds</u>
<u>Library, museum</u>	<u>1 per 500 s.f. NLA</u>	<u>1 per 500 s.f. NLA</u>
<u>Conference center or meeting hall</u>	<u>Special study</u>	<u>Special study</u>
<u>Eating and drinking establishments</u>		
<u>Fast food restaurant (drive-through/carry-out only)</u>	<u>1 per 250 s.f. NLA</u>	<u>N/A</u>
<u>Restaurant, lounge, bar, microbrewery (with or without a drive-through)</u>	<u>1 per 300 s.f. NLA</u>	<u>1 per 300 s.f. NLA</u>
<u>General office, retail, services/sales</u>		
<u>Professional office, personal services, grocery, shopping center</u>	<u>1 per 300 s.f. NLA</u>	<u>1 per 500 s.f. NLA</u>
<u>Auto service and repair shop</u>	<u>1 per 450 s.f. NLA of office area, plus 3 per bay or stall</u>	<u>N/A</u>
<u>Car wash</u>	<u>1 per establishment, plus 1 space per staff member per maximum shift if allowed within the zone district</u>	<u>N/A</u>
<u>Convenience service establishment</u>	<u>1 per 300 s.f. NLA</u>	<u>1 per 500 s.f. NLA</u>
<u>Motor vehicle sales, furniture, appliance store, greenhouse, plant nursery</u>	<u>1 per 500 s.f. NLA if allowed within the zone district</u>	<u>N/A</u>
<u>Kennel, pet day care, veterinary clinic</u>	<u>1 per 400 s.f. NLA (not including s.f. occupied by animal pens)</u>	<u>1 per 500 s.f. NLA (not including s.f. occupied by animal pens) if allowed within the zone district</u>
<u>Recreation, amusement, entertainment</u>		
<u>Indoor recreation activity</u>	<u>Special study</u>	<u>Special study</u>
<u>Bowling center</u>	<u>2 per lane</u>	<u>2 per lane</u>
<u>Indoor movie theater</u>	<u>1 per 4 seats</u>	<u>1 per 5 seats</u>
<u>Outdoor recreational activity</u>	<u>Special study</u>	<u>Special study</u>
<u>Health club</u>	<u>1 per 500 s.f. NLA</u>	<u>1 per 500 s.f. NLA</u>
<u>Circus, carnival, farmers market</u>	<u>Special study</u>	<u>Special study</u>
<u>Industrial uses</u>		
<u>Research and development facility</u>	<u>1 per 500 s.f. NLA</u>	<u>1 per 500 s.f. NLA</u>
<u>Mini-storage</u>	<u>N/A</u>	<u>N/A</u>
<u>Light manufacturing, printing facility</u>	<u>N/A</u>	<u>N/A</u>
<u>Storage, wholesaling, distribution facility</u>	<u>N/A</u>	<u>N/A</u>

(2) Phasing parking. Parking areas may be phased in conjunction with the phasing of the associated building or use. All landscaping plans and access should be designed with consideration of placement and configuration of parking areas at final buildout.

(3)— Temporary facilitiesparking areas. The Town may consider proposals for parking areas designed to serve a temporary building or use, as provided by Section 13.04.210 of this Title. The design and layout of these facilitiesparking areas shall be submitted as part of the application for the temporary use permit.

(4)— Use of required parking spaces. Required parking areas shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only and shall not be used for outdoor storage or display, trailer or RV storage, sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies, except as otherwise permitted as a use by special review, under Section 13.04.200 of this Titlethrough a temporary use permit.

(5)— Drive-through, vehicle stacking and queuing. This ~~Subsection~~Sub-subsection shall apply to all new development that includes drive-through ~~or drive-up~~ facilities to assure that vehicle stacking and queuing areas are secondary to the function of a site and do not interfere with other pedestrian and vehicle movements. ~~The design standards are set out below.~~

a.— Vehicle stacking spaces must be a minimum of eleven (11) feet wide by twenty (20) feet long ~~in size~~.

b. — The applicant shall submit an analysis as a part of the traffic study to determine the number of vehicle stacking spaces and queuing spaces required. The vehicle stacking and queuing shall be subject to the site plan review and approval process.

c. Drive-through facilities and related stacking areas shall be secondary in emphasis and priority to any other access and circulation functions, including vehicle, pedestrian and bicycle movements.

~~c.—To the maximum extent practicable, drive-through lanes shall not be located between the primary structure and curb line of the adjacent public streets or sidewalks. If this is not possible, drive-through lanes and facilities shall be set back a minimum of twenty (20) feet from any curb line of an adjacent public street or sidewalk. The entire twenty-foot setback must be landscaped and bermed to screen the drive-in lane and facility from adjacent streets.~~

d.— Stacking spaces mayshall not impede on- or off-site traffic movements, nor impede movements into or out of off-street parking spaces.

(e)— Accessible parking spaces. All parking ~~facilities~~ provided for any new building constructed, any new use established, any ~~additional or~~ enlargement of an existing building or use, any change in the occupancy of any building or any change of ~~the use conducted~~ shall be designed and constructed in accordance with the ~~guidelines established by the~~ Americans with Disabilities Act, as amended ("ADA").

(f)— Parking space size.

(1)— Each off-street parking space, other than parallel spaces, shall be nine (9) feet wide with an effective depth of in width and eighteen (18) feet in length, with an unobstructed front-end overhang, ~~except as otherwise provided by the ADA for accessible parking spaces.~~

Parking spaces adjacent to landscape islands shall be ten (10) feet in width ~~or a concrete strip,~~
at least eighteen (18) inches wide, shall be provided on the adjacent side of the island for
pedestrians to step out of the car.

(2)— Parallel parking spaces shall be eight (8) feet ~~wide~~in width and twenty-four (24) feet in length.

(g)— Internal vehicular access and circulation.

(1)— All parking areas shall be provided with ingress and egress to an improved public right-of-way, shall be located so as to promote safety and minimize traffic congestion, and shall be provided with necessary internal circulation drives and aisles to create through-traffic patterns.

(2)— Internal drive widths.

a.— When two-way traffic is proposed, the ~~width of the~~ drive shall be designed to be ~~within~~between twenty-four (24) ~~to~~and twenty-six (26) feet ~~in~~ width.

b.— Where two-way traffic is proposed parallel to the ~~elevation~~front of a ~~store~~commercial use with a public entrance, a designated pullout for a loading zone may be established.

c.— ~~Internal drives that function as private through streets and connect to a public street may exceed the twenty-six foot width maximum where approved through the site plan process.~~

d.— No pedestrian crossing of an internal private drive may exceed twenty-six (26) feet, except where said drive intersects with a public street.

e.— ~~c.~~ When one-way traffic is proposed with angled parking, the ~~width of the~~ drive shall be designed to be ~~within~~between twelve (12) ~~to~~and twenty-three (23) feet ~~in~~ width, as provided in Schedule 13.06.050C below.

Schedule 13.06.050C
One-Way Traffic Angled Parking

<i>Aisle width between stall lines</i>	<i>Angles</i>
12'	45°
16'	60°
23'	75°

-

f.— ~~d.~~ Drive-through lanes shall be designed to be eleven (11) feet in width.

g.— ~~e.~~ Drive-through lanes shall demonstrate adequate turning radius for a passenger vehicle.

~~h.~~—~~f.~~ Internal drive lanes without parking shall be designed to be ~~within~~between twenty (20) ~~to~~and twenty-six (26) feet in width.

(h)— Parking location.

(1)— The required off-street parking ~~facilities~~ shall be provided on the same lot as the building or use served, unless otherwise expressly permitted by this Section.

(2)— The location of off-street parking areas in the Greater Downtown ~~Design Districts~~District shall comply with the ~~standards~~requirements in Schedule 13.06.050D below.

Schedule 13.06.050D

Off-Street Parking Location—~~All~~ Greater Downtown ~~Design Districts~~District

	<i><u>Behind building/ interior of lot (see figure 3)</u></i>	<i><u>To the side (see figure 4)</u></i>	<i><u>Two rows (one (1) bay of parking) between building & right-of-way (see figure 2)</u></i>	<i><u>In front of building (see figure 5)</u></i>
Mainstreet	Permitted	Minimally permitted so long as the parking lot <u>area</u> does not occupy more than 1/3 of the contiguous property frontage as measured from parking curb to parking curb	Not permitted	Not permitted
Twenty Mile Road	Permitted	Permitted	Permitted	Not permitted north of Sulphur Gulch; permitted south of Sulphur Gulch
Hilltop Road	Permitted	Permitted	Permitted	Permitted <u>Not permitted</u>
Dransfeldt Road	Permitted	Permitted	Not permitted north of Sulphur Gulch; permitted south of Sulphur Gulch	Not permitted
Parker Road	Permitted	Permitted	Permitted	Permitted <u>Not permitted</u>
Pine Drive	Permitted	Permitted	Permitted	Not permitted north of Sulphur Gulch; permitted south of Sulphur Gulch
Pikes Peak Drive	Permitted	Permitted	Permitted	Not permitted north of Sulphur Gulch; permitted south of Sulphur Gulch

Other public and private streets	As approved during site plan
Internal vehicular circulation systems	As approved during site plan

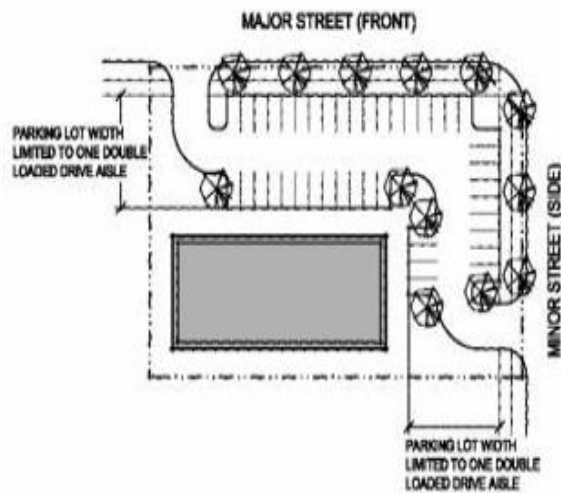


Figure 2 - Example of two rows (one (1) bay) of parking permitted between a building and the right-of-way.

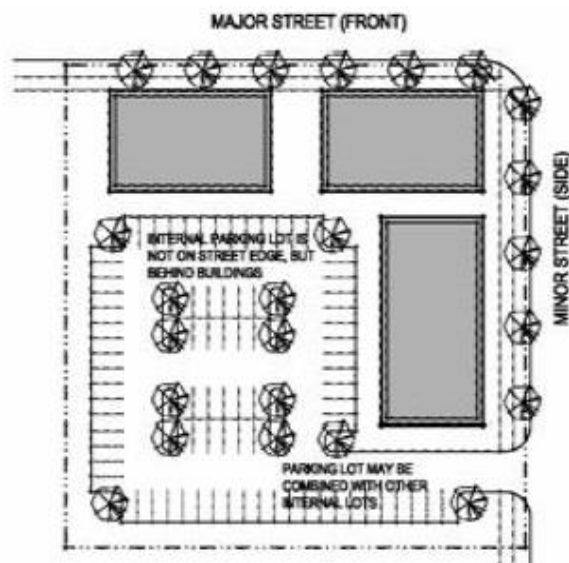


Figure 3 - Example of parking permitted in the interior of a lot or behind a building.

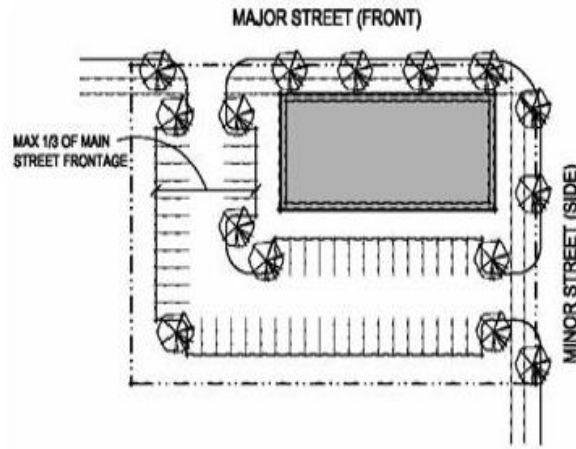


Figure 4 - Example of parking permitted minimally to the side of a building.

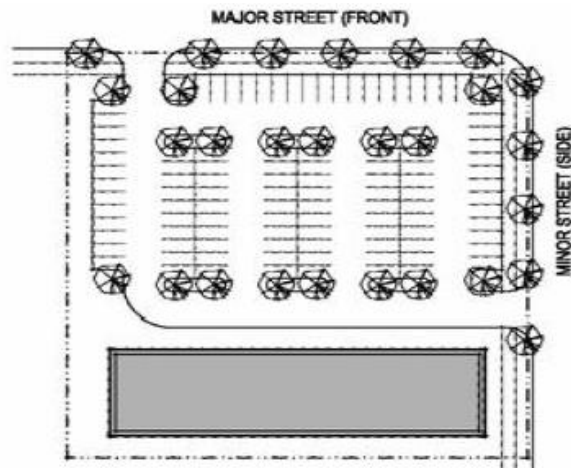


Figure 5 - Example of ~~two rows of~~ parking permitted between a building (in front of building) and the right-of-way.

(i) — Parking exemptions. Parking exemptions shall be permitted within the Greater Downtown District's Historic Center, Pikes Peak Center and for proposed developments located east of Parker Road within the Town Center as follows:

(1) For all uses except residential, the first three thousand (3,000) square feet of newly constructed net leasable floor area shall be excluded from the calculations required by this Section.

(2) For expansions, changes of use, or modifications to existing buildings and property within the Historic Center, Pikes Peak Center, and Town Center, up to three thousand (3,000) square feet of net leasable area per lot shall be excluded from the calculations required by this Section.

(j) Parking Reductions.

(1) Mixed-use/shared parking reductions.

a. Applicability. Mixed-use/shared parking reductions shall be permitted to ensure new development for permitted uses are not over-parked and to promote the efficient use of land while reducing the expanse of paved areas. In locations where a mix of land uses allows for complementary utilization of parking spaces due to differences in the timing of peak parking demand, the Town may reduce the required number of parking spaces according to the provisions of this Section.

b. Shared parking reduction tables. Shared parking between different land uses allows a reduction in the total number of required parking spaces when a site is occupied by two or more categories of land uses that generally do not have peak parking demands at the same time. When any property or building is used for two or more categories of land uses that are listed below in Schedule 13.06.050D and Schedule 13.06.050E, the minimum total number of required parking spaces shall be determined by the following procedures:

1. Multiply the minimum required parking as stipulated in Schedule 13.06.050A and Schedule 13.06.050B for each individual land use, excluding accessible parking spaces, by the appropriate percentage listed in Schedule 13.06.050D, for each of the designated time periods.

2. Calculate a sum for all land uses for each of the five time periods (each of the columns). The minimum parking requirement is the highest of these sums, plus any accessible parking spaces excluded from the calculation in the first step. The Illustrative Shared Parking Reduction Credit Calculation (see Schedule 13.06.050E), provides an example of how to use the Shared Parking Reduction Table to calculate required parking.

3. Accessible parking. The number and location of accessible parking spaces required for persons with disabilities shall not be reduced.

SCHEDULE 13.06.050D
Shared Parking Reduction Table

<u>Use</u>	<u>Weekday</u>			<u>Weekend</u>	
	<u>Night (12 AM to 6 AM)</u>	<u>Day (6 AM to 6 PM)</u>	<u>Evening (6 PM to 12 AM)</u>	<u>Day (6 AM to 6 PM)</u>	<u>Evening (6 PM to 12 AM)</u>
<u>Residential*</u>	<u>100%</u>	<u>60%</u>	<u>90%</u>	<u>80%</u>	<u>90%</u>
<u>Office*</u>	<u>5%</u>	<u>100%</u>	<u>10%</u>	<u>10%</u>	<u>5%</u>
<u>Retail / Commercial*</u>	<u>5%</u>	<u>70%</u>	<u>90%</u>	<u>100%</u>	<u>70%</u>
<u>Commercial Lodging*</u>	<u>80%</u>	<u>80%</u>	<u>100%</u>	<u>50%</u>	<u>100%</u>
<u>Restaurant*</u>	<u>10%</u>	<u>50%</u>	<u>100%</u>	<u>50%</u>	<u>100%</u>

<u>Use</u>	<u>Weekday</u>			<u>Weekend</u>	
	<u>Night</u> <u>(12 AM to 6 AM)</u>	<u>Day</u> <u>(6 AM to 6 PM)</u>	<u>Evening</u> <u>(6 PM to 12 AM)</u>	<u>Day</u> <u>(6 AM to 6 PM)</u>	<u>Evening</u> <u>(6 PM to 12 AM)</u>
<u>Entertainment*</u>	<u>10%</u>	<u>40%</u>	<u>100%</u>	<u>80%</u>	<u>100%</u>
<u>All Others*</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>

*Denotes the ability to submit a special study to change the percentages based on more specific land uses proposed.

Schedule 13.06.050E
Illustrative Shared Parking Reduction Credit Calculation Table

EXAMPLE: A mixed-use building has 4 two-bedroom apartments, 5,000 square feet NLA of office space, and 5,000 square feet NLA of convenience retail space. In the Market Center of the Greater Downtown District, these uses would separately require 43 parking spaces ((4 du. x 2 sp. / unit) + (5,000 sf. x (3 sp. / 1,000 sf.)) + (5,000 sf. x (1 sp. / 250 sf.)) = 43). However, combined, they could share 34 parking spaces, as shown in the calculation below.

<u>Use</u>	<u>Weekday</u>			<u>Weekend</u>	
	<u>Night</u> <u>(12 AM to 6 AM)</u>	<u>Day</u> <u>(6 AM to 6 PM)</u>	<u>Evening</u> <u>(6 PM to 12 AM)</u>	<u>Day</u> <u>(6 AM to 6 PM)</u>	<u>Evening</u> <u>(6 PM to 12 AM)</u>
<u>Residential (8 spaces)</u>	<u>100% x 8 = 8</u>	<u>60% x 8 = 4.8¹</u>	<u>90% x 8 = 7.2</u>	<u>80% x 8 = 6.4</u>	<u>90% x 8 = 7.2</u>
<u>Office (15 spaces)</u>	<u>5% x 15 = 1</u>	<u>100% x 15 = 15</u>	<u>10% x 15 = 1.5</u>	<u>10% x 15 = 1.5</u>	<u>5% x 15 = 0.8</u>
<u>Retail / Commercial (20 spaces)</u>	<u>5% x 20 = 1</u>	<u>70% x 20 = 14</u>	<u>90% x 20 = 18</u>	<u>100% x 20 = 20</u>	<u>70% x 20 = 14</u>
<u>Commercial Lodging</u>	<u>80% x 0 = 0</u>	<u>80% x 0 = 0</u>	<u>100% x 0 = 0</u>	<u>50% x 0 = 0</u>	<u>100% x 0 = 0</u>
<u>Restaurant</u>	<u>10% x 0 = 0</u>	<u>50% x 0 = 0</u>	<u>100% x 0 = 0</u>	<u>50% x 0 = 0</u>	<u>100% x 0 = 0</u>
<u>Entertainment</u>	<u>10% x 0 = 0</u>	<u>40% x 0 = 0</u>	<u>100% x 0 = 0</u>	<u>80% x 0 = 0</u>	<u>100% x 0 = 0</u>
<u>All Others*</u>	<u>100% x 0 = 0</u>	<u>100% x 0 = 0</u>	<u>100% x 0 = 0</u>	<u>100% x 0 = 0</u>	<u>100% x 0 = 0</u>
<u>COLUMN TOTALS</u>	<u>10</u>	<u>34^{1,2}</u>	<u>27</u>	<u>30</u>	<u>22</u>

TABLE NOTES:

¹As per Section 13.06.050(e)(1)d. Fractions, any fraction of a parking space more than 1/2 shall equal one (1) space. Fractions less than 1/2 of a parking space shall not be counted as a parking space.

²The largest number, 34, is the number of parking spaces that are required.

(k) Transportation demand management reductions. Parking reductions through the use of transportation demand management will be permitted within the Greater Downtown District to allow the reduction of parking when a land use is located in close proximity to multi-modal forms of transportation, such as proximity to transit, pedestrian and bicycle access, and car-share programs.

(1) These reductions are based on programs that reduce the peak demand for parking spaces. If used in conjunction with mixed-use shared parking, these reductions may be applied to one category of land use to reduce the parking requirement for the use prior to calculating the shared parking reduction.

(2) The credits and reductions set out in this Subsection are not available to uses that base parking requirements on a special study, unless the special study's methodology specifically addresses these credits and reductions and the Planning Director, or designee, determines that they are appropriate.

a. Up to a five percent (5%) reduction of parking standards by the site's proximity (within ¼ mile) of a transit stop.

b. Up to a five percent (5%) reduction of parking standards by the site's proximity (within ¼ mile) of a regional trail providing pedestrian and bicycle access.

c. Multi-family residential uses may reserve one of the parking spaces required for every twenty (20) dwelling units (rounding up) for a car-share program.

1. For each space reserved for a car-share program, the overall parking requirement may be reduced by two (2) spaces. For example, if a studio apartment building was constructed with fifteen (15) units, fifteen (15) parking spaces would be required. If the building provides a car-share program which reserved one of the spaces, then the overall parking requirement (including the space used for the car share program) would be thirteen (13) spaces.

2. To qualify for the car-share program reduction, the applicant must demonstrate that the program will be operational, and that one car will be available for each reserved parking space.

3. If the program is terminated or reduced, the applicant must provide the parking spaces that were reduced because of the car-share program.

(l) Special study. The purpose of a special study for the Greater Downtown District is to assist the Town with evaluating the impacts of parking for mixed-use and other land use applications.

(1) Land uses listed in Schedules 13.06.050A and 13.06.050B may have parking standards identified as "special study." Required parking for these uses shall be established according to the standards of this Section; or

(2) Special studies may be submitted to support a request to reduce the number of required parking spaces to less than that set out in Schedule 13.06.050B due to the nature of the operations or specific location of a proposed use. Such special studies shall include and support all requested reductions in parking.

(3) **Special study requirements.** A special study shall be conducted by a certified transportation planner or licensed professional engineer.

(4) The special study shall provide:

a. Summary of the development proposal.

b. Access and mobility characteristics including vehicular, bicycle, pedestrian and transit.

c. Summary of parking generation and parking demand, utilizing data from one of the following sources: Institute of Transportation Engineers (ITE), Urban Land Institute (ULI), International Parking Institute (IPI), or American Planning Association (APA).

d. A parking analysis of at least two comparable uses addressing demand characteristics, peak period activity, off-peak activity and opportunities for reductions and/or off-site shared parking.

e. Identification of possible off-site shared parking areas, parking reductions, or mixed uses having complementary parking demands.

f. A summary of how the request is consistent with the Parker 2035 Master Plan and promotes improved site plan or urban design.

g. Documentation regarding the comparability of the referenced uses, including: name, function, location, net leasable area, parking availability, access to transportation network (including vehicular, bicycle, pedestrian, and transit), use restrictions, and other factors that affect the parking demand.

(5) Approval of special study.

a. A special study to reduce the number of parking spaces or to establish the required parking spaces for a land use subject to Schedule 13.06.050A or Schedule 13.06.050B shall be subject to the site plan review process and approval by the Planning Director, or designee.

b. The Planning Director or designee shall approve a special study subject to the following requirements:

1. The proposal shall be consistent with the Parker 2035 Master Plan.

2. A request for a reduction in required parking promotes improved site plan or urban design.

3. The proposal sufficiently documents and supports the reduction of parking for the site and for the use.

c. The Town may request additional information or analysis, including, but not limited to, alternative or new data points, or consideration of additional or alternative factors related to comparability or peak demand, as supported by sound transportation planning and engineering principles.

(m) Credit for on-street parking. Credit for on-street parking is permitted for large scale redevelopment, in-fill development, redevelopment and alterations to existing sites within the Greater Downtown District. New or existing development located in the Greater Downtown

District, west of Parker Road, may claim on-street parking that is located adjacent to the site to meet the minimum parking requirement, if new on-street parking is provided.

(n) Parking area layout and design.

(1)— Intent. This Subsection is intended:

a.— _____ To lay out and design parking areas that minimize negative visual impacts from adjacent primary roadways and properties.

b.— _____ To reduce the expansive impervious surfaces within parking areas by thematically "deconstructing" parking areas into appropriate and comprehensible elements which address a pedestrian scale.

c.— _____ To incorporate elements of design that make the parking ~~lot~~area a comfortable pedestrian experience, as a transition between the parking area and the building or use the parking ~~lot~~area serves.

d.— _____ To better integrate safety and aesthetic issues involving both pedestrians and vehicular interaction.

e.— _____ To visually and physically separate the view of surface parking ~~lots~~areas and the cars on them from adjoining streets, open spaces and pedestrian ways.

(2)— Parking ~~lot~~area layout and design—commercial ~~developments~~development.

a.— _____ Parking shall be ~~arrayed~~arranged into parking blocks defined by pedestrian paths, landscaping and/or building placement.

b.— _____ Each parking block shall have consistent design angles for all parking within the parking block.

c.— _____ Individual parking blocks shall be limited to not more than eighty (80) spaces, with ~~a goal of~~ four (4) rows per block.

d.— _____ Shared parking and cross-property parking access for similar and cohesive uses shall be strongly encouraged to facilitate pedestrian and vehicular access between lots. Shared parking shall be in compliance with Subsection (~~ed~~) above.

(3)— Parking ~~lot~~area layout and design—industrial development.

a.— _____ Each parking block shall have consistent design angles for all parking within the parking block.

~~b.— Clearly.~~ Parking areas shall clearly designate and distinguish visitor and employee parking from truck loading and service areas.

c.— _____ Individual parking blocks shall be limited to not more than one hundred twenty (120) spaces.

(4) — Parking lot area layout and design—multiple-family development.

a. — ~~Individual~~ Parking areas shall be located internally to multiple-family development, behind building massing to minimize the visibility of parking.

a. Parking blocks shall be limited to a maximum width of three (3) bays of parking and one hundred eighty (180) feet by two hundred seventy (270) feet unless separated by an internal street.

b. Parking aisles shall not more than twenty (20) spaces exceed ten (10) cars in length unless separated by an eight-foot-wide minimum planting island.

b.—c. Parking garages and carports.

1.— Garage entries, carports and parking structures shall be internalized in building groups or oriented away from street frontage to the maximum extent feasible.

2.— Carports Garages shall be limited to four (4) bays per structure to avoid a continuous row maximum of five (5) double garages in a row, and a maximum of six (6) parking structures. Typical structure bay may be twenty four (24) feet to thirty (30) feet in width with three (3) to four (4) cars per bay spaces in length in a row for carports.

3.— A minimum of nine (9) feet of separation shall be provided between carport structures.

(5) — Parking lot area layout and design—Historic Center and Pikes Peak Center Design Districts.

a.— Each parking block shall have consistent design angles for all parking within the parking block.

b.— Parking aisles shall not exceed ten (10) cars in length unless separated by an eight-foot-wide minimum landscape island.

c. Individual parking blocks, other than those providing public parking, shall be limited to not more than thirty (30) surface spaces.

e.—d. Shared parking and cross-property parking access for similar and cohesive uses shall be strongly encouraged to facilitate pedestrian and vehicular access between lots. Shared parking shall be in compliance with Subsection (c) above.

(j)—o) Parking lot area maintenance.

(1)— Condition. All off-street parking areas shall be maintained in good condition, free of weeds, trash and debris and major surfacing defects.

(2)—_Surfacing and drainage. Each space shall be surfaced with concrete or asphalt, shall be properly graded for drainage and shall be provided with surfaced vehicular access to an improved public right-of-way.

(3)—_Striping of spaces.

a.—_All off-street parking spaces, excluding residential units with individually designated driveways, shall be outlined by white or yellow stripes not less than four (4) inches wide painted on the surface area or an alternative ~~judged equally effective~~approved by the ~~Town~~Planning Director or designee.

b.—_All nonparking spaces, such as loading zones, emergency lanes or spaces in front of doorways/entrances, shall be clearly delineated.
(~~Ord. 3.01.85 §1, 2008~~)

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

ORDINANCE NO. 3.01.117, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.02.010 AND 13.06.050 OF THE PARKER MUNICIPAL CODE CONCERNING OFF-STREET PARKING AND INTERNAL CIRCULATION

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

Section 1. Section 13.02.010 of the Parker Municipal Code is amended by the addition of definitions to read as follows:

13.02.010 Definitions.

* * *

Mixed-use development means a type of land development which blends more than one (1) land use (*i.e.*, residential, commercial, cultural, institutional, or entertainment uses), where those functions are physically and functionally integrated horizontally on a property, or vertically within a building.

Net leasable area means all the leasable area of a building exclusive of nonleasable space, such as hallways, building foyers, areas devoted to heating, air conditioning, elevators, and other utility areas. The net leasable area produces the lease income economically supporting the building.

Parking minimum means the least or smallest amount of parking required to support a building and/or use.

Parking maximum means the greatest or highest amount of parking permitted to support a building and/or use.

Parking reduction means an allowed reduction in the amount of parking otherwise required by the Town.

Remote off-site parking means parking on a lot or property not contiguous and/or lacking a cross-access easement for reciprocal parking, other than the property occupied by the building or use.

Shared parking analysis means a study of land uses and their peak parking demands to determine feasibility if the uses can share parking spaces to meet the requirements of the Town.

Shared parking agreement means a binding legal agreement between two (2) property owners where one property provides parking for another property.

Transportation demand management (TDM) means the application of strategies and policies which reduce travel demand (and parking demand), or to redistribute this demand to any single property or district. These include the provision of or access to transit, carpooling, walking and bicycling.

Section 2. Section 13.06.050 of the Parker Municipal Code is amended to read as follows:

13.06.050 Off-street parking and internal circulation.

(a) Intent. This Section is intended:

(1) To ensure that off-street parking areas are well designed with regard to safety, efficiency and convenience for vehicles, bicycles and pedestrians.

(2) To ensure land uses can function without negatively impacting adjacent land uses and allow for the development of walkable mixed-use environments.

(3) To ensure that parking is considered and designed as accessory to the principal uses within the buildings served, that buildings and pedestrian scale areas are the focal point, that parking is viewed as a necessary function in support of those activities and that it is visually and functionally secondary to the primary use of the building and pedestrian access.

(4) To provide enough vehicular parking to accommodate the need generated by the uses without providing excessive amounts of parking.

(5) To encourage alternative parking arrangements such as shared parking.

(6) To provide that required parking facilities are provided on the same lot or parcel as the building or use served, unless shared parking is allowed as provided herein.

(7) To provide parking efficiencies through parking reduction mechanisms for mixed-use development, redevelopment, and developments that are within proximity to multi-modal transportation options within the Greater Downtown District.

(8) To provide for creative and innovative parking approaches that support and implement the Mainstreet Master Plan and Transportation Master Plan within the Greater Downtown District and adjacent areas.

(b) Change of land use/tenant finish. Prior to approval of a tenant finish, the applicant shall demonstrate that adequate parking exists for the proposed land use change. The square footage of all tenant finish areas shall be identified by each use proposed. When changes in land use and tenant finish require more parking than exists, the applicant shall be required to revise its site plan to increase the number of parking spaces consistent with the requirements herein, while still meeting landscaping

requirements. Failure to provide this parking will result in the denial of the tenant finish permit.

(c) Off-site parking. Off-site parking shall be permitted provided the applicant meets the following requirements:

(1) Eligibility. For nonresidential or mixed-use development, a portion of the parking requirement may be met through off-site parking pursuant to the requirements of this Section, where the applicant demonstrates that it cannot reasonably provide on-site parking in accordance with this Section and that such off-site parking will promote Master Plan consistency through improved design. The use of off-site parking shall be approved by the Planning Director or designee.

(2) Location of off-site parking. The distance from the boundary of the site to the boundary of the off-site parking area shall not exceed five hundred (500) feet. However, the Planning Director, or designee, may approve a distance of more than five hundred (500) feet (not to exceed a distance of one thousand (1,000) feet) based on the land use or quality of pedestrian connection. Off-site parking shall not be located on-street and shall only be located in a nonresidential or mixed-use zoning district.

(3) Accessible parking. The number and location of spaces required for persons with disabilities shall not be reduced.

(4) Off-site parking spaces. No more than fifty percent (50%) of the required on-site parking shall be addressed through off-site parking.

(5) Off-site shared parking plan required. A parking plan shall be required and shall include:

a. The location of the off-site parking area and the distance between it and the site;

b. The path of pedestrian travel (*e.g.*, sidewalk, street, parking area(s), trails between buildings or land uses and the off-site parking area);

c. The availability of transit facilities and modes of available transit serving the site, including both public and private transit (*e.g.*, car and vanpooling);

d. The total number of proposed off-site parking spaces; and

e. Information on total parking demand served by the off-site parking area, including:

1. The location and names of all buildings, structures, or land uses for which the off-site parking spaces are provided;

2. Days and hours of operation of the land uses that utilize the off-site parking area;

3. Peak days and hours of operation of such uses;

4. Parking calculations for each use that utilizes the off-site parking area, including calculations for the proposed land uses and existing land uses;

5. Mixed-use/shared parking reduction calculations, if used; and

6. If required by the Planning Director, or designee, a study by a transportation planner or traffic engineer to demonstrate that there is no substantial conflict (*e.g.*, materially increased risk of vehicular-pedestrian conflict or unreasonable traffic congestion) inherent in the proposed off-site parking arrangement.

(6) Review. All requests for approval of off-site parking shall be filed by the owners of the site and off-site parking area (including any owners of buildings existing on the site or off-site parking area, if different than the real property owners), and shall be reviewed as part of the site plan approval process pursuant to Section 13.06.040 of this Title and either approved, approved with conditions or denied.

(7) Shared parking agreement. A shared parking agreement for off-site parking, in a form approved by the Town Attorney, shall be executed by the owners of the site and the off-site parking area (including any owners of buildings existing on the site or off-site parking area, if different than the real property owners) and consented to in writing by the Town. The shared parking agreement for off-site parking shall substantially comply with the format of any model shared parking agreement, which is maintained on file with the Town Clerk.

(8) Approved agreement registered and recorded. Upon approval of an off-site shared parking plan and shared parking agreement hereunder, a copy of such plan and agreement shall be recorded by the Town with the County Clerk and Recorder.

(9) Effect of recorded off-site shared parking plan and shared parking agreement. All off-site shared parking plans and shared parking agreements recorded hereunder shall run with the land, be binding upon the applicants for such shared parking plans, their successors and assigns, and shall restrict and limit the use and operation of all land and buildings included within such plan to all conditions and limitations specified in such plan and agreement and the approval thereof. No site plans or plats shall be approved, or permits or certificates of occupancy issued, unless such uses comply with all the conditions and limitations of the approved plan and agreement.

(10) Amendment of off-site shared parking plan and shared parking agreement. All off-site shared parking plans and shared parking agreements recorded hereunder

may be amended pursuant to the same procedure and subject to the same limitations and requirements by which such plans and agreements were approved and recorded.

(11) Termination of recorded off-site shared parking plan and shared parking agreement. Upon application by the owners of any site and off-site parking area subject to any shared parking plan and agreement recorded hereunder (including any owners of buildings existing on the site or off-site parking area, if different than the real property owners), any such plan and agreement may be terminated if all uses, land and buildings remaining under such plan can be made to comply with all conditions and limitations of the plan and agreement and all uses, land and buildings withdrawn from such plan can be made to comply with all Town regulations and code provisions. Upon approval of the termination of a shared parking plan and agreement, all parties shall sign a shared parking termination agreement, which shall be recorded by the Town with the County Clerk and Recorder with such costs paid by the applicants.

(d) Number of off-street parking spaces required. The minimum off-street parking spaces for specific uses shall be as provided below in Schedule 13.060.050B for the Greater Downtown District and Schedule 13.06.050A for all other zoning districts.

(1) Calculation of required parking spaces.

a. Stacking, queuing and gas pumps. The Planning Director, or designee, may allow stacking, queuing or gas pumps to count toward the required parking spaces when the applicant has submitted a parking study for the proposed use, or other competent information, as determined by the Planning Director or designee, that demonstrates:

1. Stacking and queuing will function to fulfill the site's traffic demand.

2. Parking, including stacking and queuing, is adequate to fulfill the parking needs of the site.

The decision of the Planning Director, or designee, may be appealed, as provided in Subsection 13.03.030(c) of this Title.

b. Multiple uses. Unless otherwise approved through off-site shared parking as provided in Subsection (c) above, off-street parking areas serving more than one (1) principal use shall provide parking in an amount equal to the sum of the parking requirements for each individual use on the same zoned lot as the building or uses served.

c. Greater Downtown District. Required off-street parking requirements may be reduced when on-street public parking is provided along local or collector streets adjacent to the proposed development. Such reduction must be approved by the Planning Director or designee.

d. Fractions. In calculating the required number of parking spaces, any fraction of a parking space more than 1/2 shall be equal to one (1) space. Fractions less than 1/2 of a parking space shall not be counted as a parking space.

e. Area measurements. Unless otherwise specifically provided herein, all square-footage-based parking and loading standards shall be computed on the basis of net leasable area (see figure 1). For outdoor areas, calculations shall be based on the portion of the lot actually being used for the specified use.

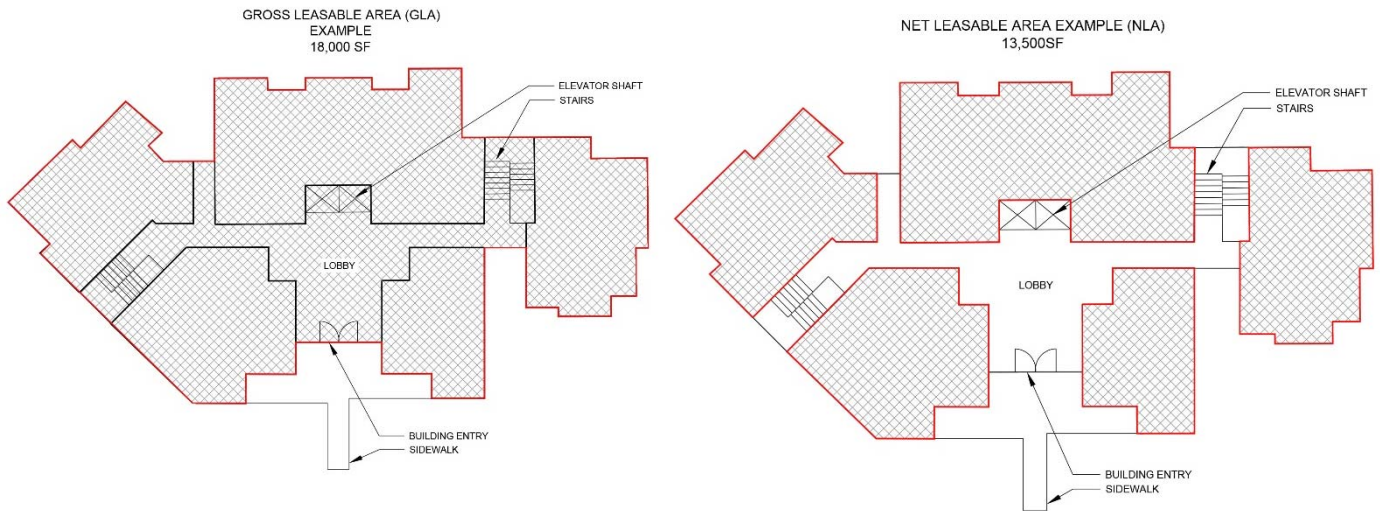


Figure 1 - Example of Gross and Net Leasable Area.

f. Unlisted uses. In the case of a use not specifically listed, the applicant may submit a special study with other competent information for consideration by the Planning Director or designee concerning which listed use is most similar to the unlisted proposed use. The Planning Director, or designee, shall apply the off-street parking standard for the most similar use. The decision of the Planning Director, or designee, may be appealed, as provided in Subsection 13.03.030(c) of this Title.

Schedule 13.06.050A Off-Street Parking Requirements

<i>Use</i>	<i>Minimum Parking [Note: Minimum parking ratios for nonresidential land uses are based on Net Leasable Area (N.L.A.)]</i>
Residential/accommodations	
Dwelling, single-family, two-family	2 per dwelling unit
Dwelling, multiple-family	
per three-bedroom unit	2 per dwelling unit
per two-bedroom unit	1.5 per dwelling unit
per one-bedroom or studio unit	1 per dwelling unit
guest parking	0.25 per dwelling unit (may be provided on public streets)
Group home/elderly housing	Special study

Lodging establishment	1 per guest room
Institutions	
School, elementary/junior	1.5 per each classroom
School, senior	4 per each classroom
School, college, trade, professional, vocational	Special study
Day care, preschool, nursery	1 per each 4 children of licensed capacity
Place of worship, funeral home, mortuary, sanctuary	1 per each 3 persons of seating capacity
Nursing home, hospital	1.5 per each patient bed
Library, museum	3 per 1,000 s.f. NLA
Conference center or meeting hall	5 per 1,000 s.f. NLA
Eating and drinking establishments	
Fast food restaurant (drive-through/carry-out only)	1 per 100 s.f. NLA
Restaurant, lounge, bar, microbrewery (with or without a drive-through)	1 per each 3 persons of rated capacity (excluding outdoor seating areas)
General office, retail, services/sales	
Professional office, personal services, grocery, shopping center	1 per 300 s.f. NLA
Auto service and repair shop	1 per 450 s.f. NLA of office area, plus 3 per bay or stall
Car wash	1 per establishment, plus 1 per staff member per maximum shift
Convenience service establishment	1 per 250 s.f. NLA
Motor vehicle sales, furniture, appliance store, greenhouse, plant nursery	1 per 500 s.f. NLA
Kennel, pet day care, veterinary clinic	1 per 400 s.f. NLA (not including s.f. occupied by animal pens)
Recreation, amusement, entertainment	
Indoor recreation activity	Special study
Bowling center	3 per lane
Indoor movie theater	1 per 3 seats
Outdoor recreational activity	Special study
Health club	1 per 250 s.f. NLA
Circus, carnival, farmers market	Special study
Industrial uses	
Research and development facility	1 per 500 s.f. NLA
Light manufacturing, printing facility	1 per 300 s.f. NLA of office area, plus 2 per bay door
Storage, wholesaling, distribution facility	1 per 300 s.f. NLA of office area, plus 2 per bay door

Schedule 13.06.050B
Off-Street Parking Requirements for the Greater Downtown District

Land use	Market Center and Twenty Mile Center and the West Side of the Town Center Design District	Pikes Peak Center, Historic Center, and East Side of the Town Center Design District
	The centerline of Parker Road shall be the dividing line between the east and west sides of the Town Center Design District	
	Minimum Parking Standards shown below. Maximum Parking not to exceed 150 percent (%) more than the minimum requirement	Minimum Parking Standards shown below. Maximum Parking not to exceed 150 percent (%) more than the minimum requirement. [Note: minimum parking ratios for nonresidential land uses are based on Net Leasable Area (N.L.A.)]
Residential		
Dwelling, single-family, two-family	N/A	1 spaces/du if allowed within the zone district; (Single-Family detached units are not permitted in the Historic & Town Centers)
Dwelling, multiple-family per three-bedroom unit per two-bedroom unit per one-bedroom or studio unit guest parking	1.5 per dwelling unit 1.5 per dwelling unit 1 per dwelling unit 0.25 per dwelling unit (may be provided on public streets fronting property).	1.25 per dwelling unit 1.25 per dwelling unit 1 per dwelling unit
Group home/elderly housing	1 per employee on maximum shift	1 per employee on maximum shift
Lodging establishment	1 per guest room	1 per guest room
Institutions		
School, elementary/junior (middle school)	Special study	Special study
School, senior (high school)	Special study	Special study
School, college, trade, professional, vocational	Special study	Special study
Day care, preschool, nursery	1 space per employee on maximum shift	1 space per employee on maximum shift
Place of worship, funeral home, mortuary, sanctuary	Special study	Special study
Nursing home, hospital	1 per 4 patient beds	1 per 5 patient beds
Library, museum	1 per 500 s.f. NLA	1 per 500 s.f. NLA
Conference center or meeting hall	Special study	Special study
Eating and drinking establishments		

Fast food restaurant (drive-through/carry-out only)	1 per 250 s.f. NLA	N/A
Restaurant, lounge, bar, microbrewery (with or without a drive-through)	1 per 300 s.f. NLA	1 per 300 s.f. NLA
General office, retail, services/sales		
Professional office, personal services, grocery, shopping center	1 per 300 s.f. NLA	1 per 500 s.f. NLA
Auto service and repair shop	1 per 450 s.f. NLA of office area, plus 3 per bay or stall	N/A
Car wash	1 per establishment, plus 1 space per staff member per maximum shift if allowed within the zone district	N/A
Convenience service establishment	1 per 300 s.f. NLA	1 per 500 s.f. NLA
Motor vehicle sales, furniture, appliance store, greenhouse, plant nursery	1 per 500 s.f. NLA if allowed within the zone district	N/A
Kennel, pet day care, veterinary clinic	1 per 400 s.f. NLA (not including s.f. occupied by animal pens)	1 per 500 s.f. NLA (not including s.f. occupied by animal pens) if allowed within the zone district
Recreation, amusement, entertainment		
Indoor recreation activity	Special study	Special study
Bowling center	2 per lane	2 per lane
Indoor movie theater	1 per 4 seats	1 per 5 seats
Outdoor recreational activity	Special study	Special study
Health club	1 per 500 s.f. NLA	1 per 500 s.f. NLA
Circus, carnival, farmers market	Special study	Special study
Industrial uses		
Research and development facility	1 per 500 s.f. NLA	1 per 500 s.f. NLA
Mini-storage	N/A	N/A
Light manufacturing, printing facility	N/A	N/A
Storage, wholesaling, distribution facility	N/A	N/A

(2) Phasing parking. Parking areas may be phased in conjunction with the phasing of the associated building or use. All landscaping plans and access should be designed with consideration of placement and configuration of parking areas at final buildout.

(3) Temporary parking areas. The Town may consider proposals for parking areas designed to serve a temporary building or use, as provided by

Section 13.04.210 of this Title. The design and layout of these parking areas shall be submitted as part of the application for the temporary use permit.

(4) Use of required parking spaces. Required parking areas shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only and shall not be used for outdoor storage or display, trailer or RV storage, sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies, except as otherwise permitted through a temporary use permit.

(5) Drive-through, vehicle stacking and queuing. This Sub-subsection shall apply to all new development that includes drive-through facilities to assure that vehicle stacking and queuing areas are secondary to the function of a site and do not interfere with other pedestrian and vehicle movements.

a. Vehicle stacking spaces must be a minimum of eleven (11) feet wide by twenty (20) feet long.

b. The applicant shall submit an analysis as a part of the traffic study to determine the number of vehicle stacking spaces and queuing spaces required. The vehicle stacking and queuing shall be subject to the site plan review and approval process.

c. Drive-through facilities and related stacking areas shall be secondary in emphasis and priority to any other access and circulation functions, including vehicle, pedestrian and bicycle movements.

d. Stacking spaces shall not impede on- or off-site traffic movements, nor impede movements into or out of off-street parking spaces.

(e) Accessible parking. All parking provided for any new building constructed, any new use established, any enlargement of an existing building or use, any change in the occupancy of any building or any change of use shall be designed and constructed in accordance with the Americans with Disabilities Act, as amended ("ADA").

(f) Parking space size.

(1) Each off-street parking space, other than parallel spaces, shall be nine (9) feet in width and eighteen (18) feet in length, with an unobstructed front-end overhang. Parking spaces adjacent to landscape islands shall be ten (10) feet in width or a concrete strip, at least eighteen (18) inches wide, shall be provided on the adjacent side of the island for pedestrians to step out of the car.

(2) Parallel parking spaces shall be eight (8) feet in width and twenty-four (24) feet in length.

(g) Internal vehicular access and circulation.

(1) All parking areas shall be provided with ingress and egress to an improved public right-of-way, shall be located so as to promote safety and minimize traffic congestion, and shall be provided with necessary internal circulation drives and aisles to create through-traffic patterns.

(2) Internal drive widths.

a. When two-way traffic is proposed, the drive shall be designed to be between twenty-four (24) and twenty-six (26) feet in width.

b. Where two-way traffic is proposed parallel to the front of a commercial use with a public entrance, a designated pullout for a loading zone may be established.

c. No pedestrian crossing of an internal private drive may exceed twenty-six (26) feet, except where said drive intersects with a public street.

d. When one-way traffic is proposed with angled parking, the drive shall be designed to be between twelve (12) and twenty-three (23) feet in width, as provided in Schedule 13.06.050C below.

Schedule 13.06.050C One-Way Traffic Angled Parking

<i>Aisle width between stall lines</i>	<i>Angles</i>
12'	45°
16'	60°
23'	75°

e. Drive-through lanes shall be designed to be eleven (11) feet in width.

f. Drive-through lanes shall demonstrate adequate turning radius for a passenger vehicle.

g. Internal drive lanes without parking shall be designed to be between twenty (20) and twenty-six (26) feet in width.

(h) Parking location.

(1) The required off-street parking shall be provided on the same lot as the building or use served, unless otherwise expressly permitted by this Section.

(2) The location of off-street parking areas in the Greater Downtown District shall comply with the requirements in Schedule 13.06.050D below.

Schedule 13.06.050D
Off-Street Parking Location—Greater Downtown District

	<i>Behind building/ interior of lot</i> (see figure 3)	<i>To the side</i> (see figure 4)	<i>Two rows (one (1) bay of parking) between building & right-of-way</i> (see figure 2)	<i>In front of building</i> (see figure 5)
Mainstreet	Permitted	Minimally permitted so long as the parking area does not occupy more than 1/3 of the contiguous property frontage as measured from parking curb to parking curb	Not permitted	Not permitted
Twenty Mile Road	Permitted	Permitted	Permitted	Not permitted
Hilltop Road	Permitted	Permitted	Permitted	Not permitted
Dransfeldt Road	Permitted	Permitted	Not permitted north of Sulphur Gulch; permitted south of Sulphur Gulch	Not permitted
Parker Road	Permitted	Permitted	Permitted	Not permitted
Pine Drive	Permitted	Permitted	Permitted	Not permitted
Pikes Peak Drive	Permitted	Permitted	Permitted	Not permitted
Other public and private streets	As approved during site plan			
Internal vehicular circulation systems	As approved during site plan			

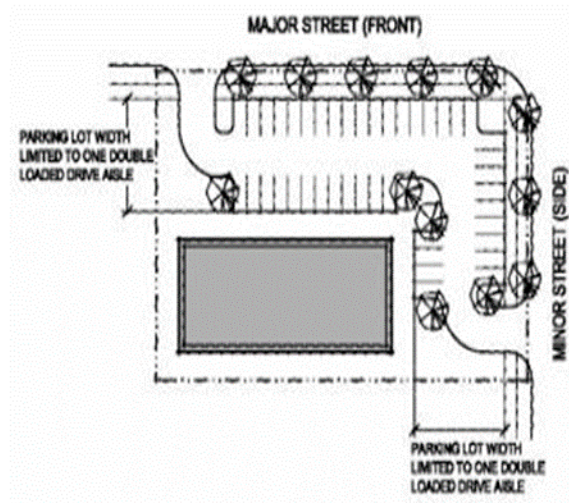


Figure 2 - Example of two rows (one (1) bay) of parking permitted between a building and the right-of-way.

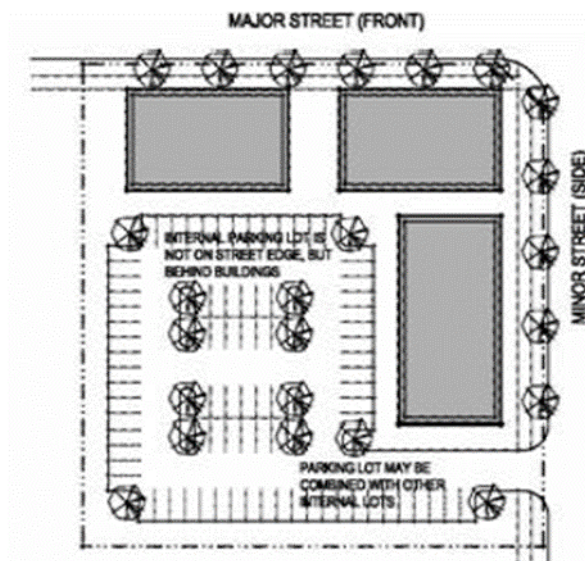


Figure 3 - Example of parking permitted in the interior of a lot or behind a building.

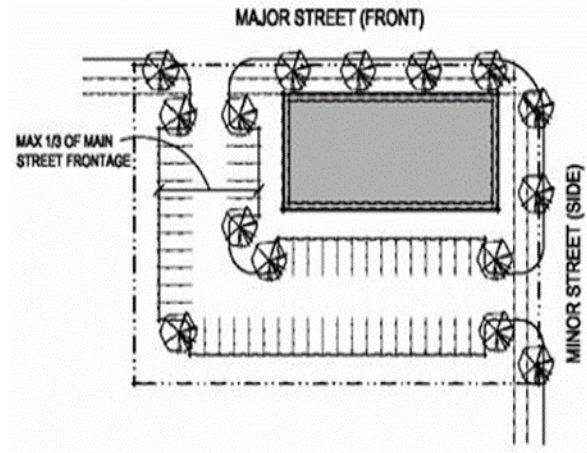


Figure 4 - Example of parking permitted minimally to the side of a building.

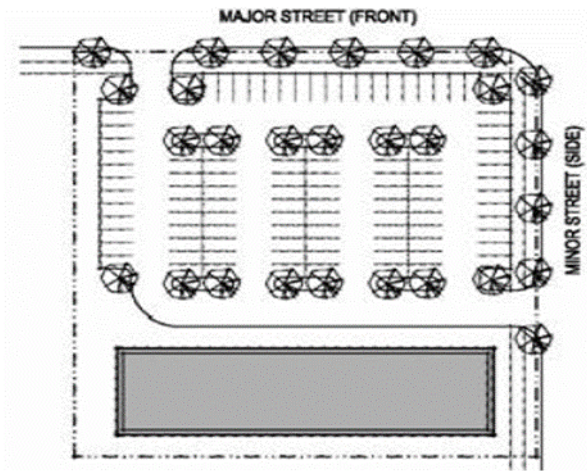


Figure 5 - Example of parking permitted between a building (in front of building) and the right-of-way.

(i) Parking exemptions. Parking exemptions shall be permitted within the Greater Downtown District's Historic Center, Pikes Peak Center and for proposed developments located east of Parker Road within the Town Center as follows:

(1) For all uses except residential, the first three thousand (3,000) square feet of newly constructed net leasable floor area shall be excluded from the calculations required by this Section.

(2) For expansions, changes of use, or modifications to existing buildings and property within the Historic Center, Pikes Peak Center, and Town Center, up to three thousand (3,000) square feet of net leasable area per lot shall be excluded from the calculations required by this Section.

(j) Parking Reductions.

(1) Mixed-use/shared parking reductions.

a. Applicability. Mixed-use/shared parking reductions shall be permitted to ensure new development for permitted uses are not over-parked and to promote the efficient use of land while reducing the expanse of paved areas. In locations where a mix of land uses allows for complementary utilization of parking spaces due to differences in the timing of peak parking demand, the Town may reduce the required number of parking spaces according to the provisions of this Section.

b. Shared parking reduction tables. Shared parking between different land uses allows a reduction in the total number of required parking spaces when a site is occupied by two or more categories of land uses that generally do not have peak parking demands at the same time. When any property or building is used for two or more categories of land uses that are listed below in Schedule 13.06.050D and Schedule 13.06.050E, the minimum total number of required parking spaces shall be determined by the following procedures:

1. Multiply the minimum required parking as stipulated in Schedule 13.06.050A and Schedule 13.06.050B for each individual land use, excluding accessible parking spaces, by the appropriate percentage listed in *Schedule 13.06.050D*, for each of the designated time periods.

2. Calculate a sum for all land uses for each of the five time periods (each of the columns). The minimum parking requirement is the highest of these sums, plus any accessible parking spaces excluded from the calculation in the first step. The *Illustrative Shared Parking Reduction Credit Calculation (see Schedule 13.06.050E)*, provides an example of how to use the *Shared Parking Reduction Table* to calculate required parking.

3. Accessible parking. The number and location of accessible parking spaces required for persons with disabilities shall not be reduced.

SCHEDULE 13.06.050D
Shared Parking Reduction Table

Use	Weekday			Weekend	
	Night (12 AM to 6 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)
Residential*	100%	60%	90%	80%	90%
Office*	5%	100%	10%	10%	5%
Retail / Commercial*	5%	70%	90%	100%	70%

Use	Weekday			Weekend	
	Night (12 AM to 6 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)
Commercial Lodging*	80%	80%	100%	50%	100%
Restaurant*	10%	50%	100%	50%	100%
Entertainment*	10%	40%	100%	80%	100%
All Others*	100%	100%	100%	100%	100%

*Denotes the ability to submit a special study to change the percentages based on more specific land uses proposed.

Schedule 13.06.050E Illustrative Shared Parking Reduction Credit Calculation Table

EXAMPLE: A mixed-use building has 4 two-bedroom apartments, 5,000 square feet NLA of office space, and 5,000 square feet NLA of convenience retail space. In the Market Center of the Greater Downtown District, these uses would separately require 43 parking spaces ((4 du. x 2 sp. / unit) + (5,000 sf. x (3 sp. / 1,000 sf.)) + (5,000 sf. x (1 sp. / 250 sf.)) = 43). However, combined, they could share 34 parking spaces, as shown in the calculation below.					
Use	Weekday			Weekend	
	Night (12 AM to 6 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)	Day (6 AM to 6 PM)	Evening (6 PM to 12 AM)
Residential (8 spaces)	100% x 8 = 8	60% x 8 = 4.8 ¹	90% x 8 = 7.2	80% x 8 = 6.4	90% x 8 = 7.2
Office (15 spaces)	5% x 15 = 1	100% x 15 = 15	10% x 15 = 1.5	10% x 15 = 1.5	5% x 15 = 0.8
Retail / Commercial (20 spaces)	5% x 20 = 1	70% x 20 = 14	90% x 20 = 18	100% x 20 = 20	70% x 20 = 14
Commercial Lodging	80% x 0 = 0	80% x 0 = 0	100% x 0 = 0	50% x 0 = 0	100% x 0 = 0
Restaurant	10% x 0 = 0	50% x 0 = 0	100% x 0 = 0	50% x 0 = 0	100% x 0 = 0
Entertainment	10% x 0 = 0	40% x 0 = 0	100% x 0 = 0	80% x 0 = 0	100% x 0 = 0
All Others*	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0	100% x 0 = 0
COLUMN TOTALS	10	34^{1,2}	27	30	22
TABLE NOTES: ¹ As per Section 13.06.050(e)(1)d. Fractions, any fraction of a parking space more than 1/2 shall equal one (1) space. Fractions less than 1/2 of a parking space shall not be counted as a parking space. ² The largest number, 34, is the number of parking spaces that are required.					

(k) Transportation demand management reductions. Parking reductions through the use of transportation demand management will be permitted within the Greater Downtown District to allow the reduction of parking when a land use is located in close proximity to multi-modal forms of transportation, such as proximity to transit, pedestrian and bicycle access, and car-share programs.

(1) These reductions are based on programs that reduce the peak demand for parking spaces. If used in conjunction with mixed-use shared parking, these reductions may be applied to one category of land use to reduce the parking requirement for the use prior to calculating the shared parking reduction.

(2) The credits and reductions set out in this Subsection are not available to uses that base parking requirements on a special study, unless the special study's methodology specifically addresses these credits and reductions and the Planning Director, or designee, determines that they are appropriate.

a. Up to a five percent (5%) reduction of parking standards by the site's proximity (within ¼ mile) of a transit stop.

b. Up to a five percent (5%) reduction of parking standards by the site's proximity (within ¼ mile) of a regional trail providing pedestrian and bicycle access.

c. Multi-family residential uses may reserve one of the parking spaces required for every twenty (20) dwelling units (rounding up) for a car-share program.

1. For each space reserved for a car-share program, the overall parking requirement may be reduced by two (2) spaces. For example, if a studio apartment building was constructed with fifteen (15) units, fifteen (15) parking spaces would be required. If the building provides a car-share program which reserved one of the spaces, then the overall parking requirement (including the space used for the car share program) would be thirteen (13) spaces.

2. To qualify for the car-share program reduction, the applicant must demonstrate that the program will be operational, and that one car will be available for each reserved parking space.

3. If the program is terminated or reduced, the applicant must provide the parking spaces that were reduced because of the car-share program.

(l) Special study. The purpose of a special study for the Greater Downtown District is to assist the Town with evaluating the impacts of parking for mixed-use and other land use applications.

(1) Land uses listed in Schedules 13.06.050A and 13.06.050B may have parking standards identified as "special study." Required parking for these uses shall be established according to the standards of this Section; or

(2) Special studies may be submitted to support a request to reduce the number of required parking spaces to less than that set out in Schedule

13.06.050B due to the nature of the operations or specific location of a proposed use. Such special studies shall include and support all requested reductions in parking.

(3) Special study requirements. A special study shall be conducted by a certified transportation planner or licensed professional engineer.

(4) The special study shall provide:

- a. Summary of the development proposal.
- b. Access and mobility characteristics including vehicular, bicycle, pedestrian and transit.
- c. Summary of parking generation and parking demand, utilizing data from one of the following sources: Institute of Transportation Engineers (ITE), Urban Land Institute (ULI), International Parking Institute (IPI), or American Planning Association (APA).
- d. A parking analysis of at least two comparable uses addressing demand characteristics, peak period activity, off-peak activity and opportunities for reductions and/or off-site shared parking.
- e. Identification of possible off-site shared parking areas, parking reductions, or mixed uses having complementary parking demands.
- f. A summary of how the request is consistent with the Parker 2035 Master Plan and promotes improved site plan or urban design.
- g. Documentation regarding the comparability of the referenced uses, including: name, function, location, net leasable area, parking availability, access to transportation network (including vehicular, bicycle, pedestrian, and transit), use restrictions, and other factors that affect the parking demand.

(5) Approval of special study.

- a. A special study to reduce the number of parking spaces or to establish the required parking spaces for a land use subject to Schedule 13.06.050A or Schedule 13.06.050B shall be subject to the site plan review process and approval by the Planning Director, or designee.
- b. The Planning Director or designee shall approve a special study subject to the following requirements:
 1. The proposal shall be consistent with the Parker 2035 Master Plan.

2. A request for a reduction in required parking promotes improved site plan or urban design.

3. The proposal sufficiently documents and supports the reduction of parking for the site and for the use.

c. The Town may request additional information or analysis, including, but not limited to, alternative or new data points, or consideration of additional or alternative factors related to comparability or peak demand, as supported by sound transportation planning and engineering principles.

(m) Credit for on-street parking. Credit for on-street parking is permitted for large scale redevelopment, in-fill development, redevelopment and alterations to existing sites within the Greater Downtown District. New or existing development located in the Greater Downtown District, west of Parker Road, may claim on-street parking that is located adjacent to the site to meet the minimum parking requirement, if new on-street parking is provided.

(n) Parking area layout and design.

(1) Intent. This Subsection is intended:

a. To lay out and design parking areas that minimize negative visual impacts from adjacent primary roadways and properties.

b. To reduce the expansive impervious surfaces within parking areas by thematically "deconstructing" parking areas into appropriate and comprehensible elements which address a pedestrian scale.

c. To incorporate elements of design that make the parking area a comfortable pedestrian experience, as a transition between the parking area and the building or use the parking area serves.

d. To better integrate safety and aesthetic issues involving both pedestrians and vehicular interaction.

e. To visually and physically separate the view of surface parking areas and the cars on them from adjoining streets, open spaces and pedestrian ways.

(2) Parking area layout and design—commercial development.

a. Parking shall be arranged into parking blocks defined by pedestrian paths, landscaping and/or building placement.

b. Each parking block shall have consistent design angles for all parking within the parking block.

c. Individual parking blocks shall be limited to not more than eighty (80) spaces, with four (4) rows per block.

d. Shared parking and cross-property parking access for similar and cohesive uses shall be strongly encouraged to facilitate pedestrian and vehicular access between lots. Shared parking shall be in compliance with Subsection (d) above.

(3) Parking area layout and design—industrial development.

a. Each parking block shall have consistent design angles for all parking within the parking block.

b. Parking areas shall clearly designate and distinguish visitor and employee parking from truck loading and service areas.

c. Individual parking blocks shall be limited to not more than one hundred twenty (120) spaces.

(4) Parking area layout and design—multiple-family development.

a. Parking areas shall be located internally to multiple-family development, behind building massing to minimize the visibility of parking.

b. Parking blocks shall be limited to a maximum width of three (3) bays of parking and one hundred eighty (180) feet by two hundred seventy (270) feet unless separated by an internal street.

c. Parking aisles shall not exceed ten (10) cars in length unless separated by an eight-foot-wide minimum planting island.

d. Parking garages and carports.

1. Garage entries, carports and parking structures shall be internalized in building groups or oriented away from street frontage to the maximum extent feasible.

2. Garages shall be limited to a maximum of five (5) double garages in a row, and a maximum of six (6) parking spaces in length in a row for carports.

3. A minimum of nine (9) feet of separation shall be provided between carport structures.

(5) Parking area layout and design—Historic Center and Pikes Peak Center Design Districts.

a. Each parking block shall have consistent design angles for all parking within the parking block.

b. Parking aisles shall not exceed ten (10) cars in length unless separated by an eight-foot-wide minimum landscape island.

c. Individual parking blocks, other than those providing public parking, shall be limited to not more than thirty (30) surface spaces.

d. Shared parking and cross-property parking access for similar and cohesive uses shall facilitate pedestrian and vehicular access between lots. Shared parking shall be in compliance with Subsection (c) above.

(o) Parking area maintenance.

(1) Condition. All off-street parking areas shall be maintained in good condition, free of weeds, trash and debris and major surfacing defects.

(2) Surfacing and drainage. Each space shall be surfaced with concrete or asphalt, shall be properly graded for drainage and shall be provided with surfaced vehicular access to an improved public right-of-way.

(3) Striping of spaces.

a. All off-street parking spaces, excluding residential units with individually designated driveways, shall be outlined by white or yellow stripes not less than four (4) inches wide painted on the surface area or an alternative approved by the Planning Director or designee.

b. All nonparking spaces, such as loading zones, emergency lanes or spaces in front of doorways/entrances, shall be clearly delineated.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.524 - First Reading**
A Bill for an Ordinance to Approve the Memorandum of Understanding for the Formal Creation of the Centennial Airport Community Noise Roundtable

Department: Town Attorney, Jim Maloney
Second Reading: November 19, 2018

EXECUTIVE SUMMARY

The purpose of this agenda item is for the Town Council to approve the Memorandum of Understanding (the “MOU”) between the Town and the counties of Arapahoe and Douglas, as well as several municipalities, including Aurora, Castle Pines, Castle Rock, Centennial, Cherry Hills Village, Foxfield, Greenwood Village and Lone Tree (“Participation Jurisdictions”) to formalize the Centennial Airport Community Noise Roundtable (the “Roundtable”), which is an advisory association to the Centennial Airport Authority and funding of the Roundtable.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town has been a member of the Roundtable for several years. Currently, Councilmember Amy Holland is the Town’s representative to the Roundtable. In July of 2018, the Roundtable requested that the Town review a proposed memorandum of understanding concerning the organization and funding of the Roundtable. Following discussions with Town Council, the Town provided suggested changes to the MOU on July 20, 2018. On September 6, 2018, the Town Attorney’s Office received a new draft of the MOU that included suggested changes from all of Participating Jurisdictions. The purpose of the MOU is to formalize the organization of the Roundtable as an advisory association of the Centennial Airport Authority to address airport noise issues impacting the Participating Jurisdictions that surround the airport and to provide that the Roundtable will fund noise mitigation measures.

FINANCIAL IMPACT

The financial commitment of the Town under the MOU is \$1,000 a year, for the next two (2) years.

STRATEGIC GOAL(S)

**ATTACHMENTS**

1. Ordinance No. 1.524

RECOMMENDED MOTION

I move to approve Ordinance No. 1.524 on first reading and to schedule second reading for November 19, 2017, as part of the consent agenda.

ORDINANCE NO. 1.524, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE MEMORANDUM OF UNDERSTANDING FOR THE FORMAL CREATION OF THE CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE

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 Memorandum of Understanding for the Formal Creation of the Centennial Airport Community Noise Roundtable, 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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE

A MEMORANDUM OF UNDERSTANDING FOR THE FORMAL CREATION OF THE CENTENNIAL AIRPORT COMMUNITY NOISE ROUNDTABLE

(08 08 18 Updated Clean Version for Reps)

Approved by Centennial Airport Community Noise Roundtable on _____

Memorandum of Understanding effective date: _____

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Preamble

Centennial Airport is one of more than 70 public-use, general aviation airports in the state of Colorado. The facility was opened in 1967 and has been owned and operated by the Arapahoe County Public Airport Authority (ACPAA) since 1975. The Airport's location along Interstate 25 next to the Denver Tech Center and a few miles south of downtown Denver makes it a key element of the economic vitality of the Denver metropolitan area. Numerous companies have chosen to locate their corporate headquarters near the Airport to take advantage of the convenience, facilities, and services that the Airport has to offer.

Centennial Airport is home to more than 800 fixed-based aircraft. This ever-increasing number includes a mix of single-engine, multi-engine, turboprops, jets, and helicopters. Four fixed-base operators (FBOs) provide a full spectrum of services for both the locally based and transient pilot communities. With approximately 320,000 annual take-offs and landings on three runways, Centennial Airport ranks among the busiest general aviation airports in the United States. The Airport's mission is safety, security and service for the general aviation community.

In 1998, ACPAA initiated a voluntary FAA 14 Code of Federal Regulation (CFR) Part 150 Noise Compatibility Program (NCP) to analyze and examine community noise impacts from Centennial Airport aircraft operations. The need for a plan was due in part to the rapid commercial and residential growth in the airport environs and the on-going increase in airport operations. The outcome of the five-year study to develop a plan produced a list of 12 recommendations. Those recommendations included several key actions, such as establishing a Fly Quiet Program, installing an aircraft noise monitoring system, and creating an advisory committee to address aircraft noise issues impacting the communities surrounding Centennial Airport and to monitor programs implemented as a result of the adoption of the ACPAA Noise Compatibility Program, including the Fly Quiet Program guidelines and the Noise Monitoring Program. That committee became known as the Centennial Airport Community Noise Roundtable (CACNR).

CACNR was formed in May 2009 to make recommendations to ACPAA to reduce and mitigate the noise impacts that users of the airport create on surrounding communities. Through its membership of locally appointed community representatives, the ACPAA, airport users, and key staff from the Federal Aviation Administration (FAA) and the Colorado Department of Transportation (CDOT) Division of Aeronautics, CACNR acts as a forum that attempts to achieve cooperation between all of these groups in accomplishing airport noise reduction. CACNR held its first formal meeting on July 15, 2009, and at that time, its purpose was further delineated as shown below, with the adoption of a statement of purpose developed by an ACPAA-retained consultant.

This Memorandum of Understanding (MOU) formalizes an agreement among the Members to officially create CACNR. The document specifies the purpose and objectives of CACNR and provides guidance on membership criteria, operations and support, and the procedure to amend the MOU.

This document shall be considered the foundation document for the creation of CACNR, replaces all previous creating documents, and is intended to act as the instrument that provides focus and guidance for the on-going activities of the organization.

Article I. Creation of the CACNR Organization/Purpose/Objectives

1. Creation of the Organization

This MOU formally creates an advisory committee to be known as the Centennial Airport Community Noise Roundtable (CACNR) for the purpose and objectives stated below via the Agreement and Membership criteria stated herein.

2. Purpose

CACNR is a voluntary association of ACPAA, neighboring communities, federal and state agencies, and airport users, created to monitor programs implemented as a result of the adoption of the ACPAA Noise Compatibility Program, including the Fly Quiet Program guidelines and the noise monitoring program, and to address aircraft noise issues impacting the communities surrounding Centennial Airport. In an interactive, and collaborative open forum, CACNR will seek to identify the dimension of the noise issues, discover possible mitigation actions, find opportunities for implementation, and evaluate the effectiveness of the mitigations. While CACNR's initial efforts in the development and implementation of a Work Program will be directed to noise issues associated with current aircraft operations, consideration of future noise issues also will be addressed, including interaction with noise roundtable activities at other airports.

3. Objectives

A. Continue to organize, administer, and operate CACNR to develop, evaluate, and pursue recommendations for implementation of reasonable and feasible policies, programs, procedures, and other relevant actions by the appropriate agencies to reduce the noise impacts from aircraft operations at Centennial Airport.

B. Maintain CACNR as a focal point of information and discussion between local, state, and federal legislators and policy makers regarding noise impacts in local neighborhoods and communities from airport/aircraft operations.

C. Develop and implement a CACNR Work Program to further its purpose, including but not limited to:

- 1) analyzing and evaluating the impacts of aircraft noise on affected communities, and
- 2) making recommendations to appropriate agencies, including ACPAA, regarding implementation of effective aircraft noise mitigation actions.

D. Maintain communication and cooperation between CACNR, ACPAA, airport staff, and local governments (cities, towns, and counties) regarding:

- 1) local agency land use and zoning decisions within noise-sensitive and/or overflight areas, while recognizing local government autonomy to make those decisions, and
- 2) decisions/actions that affect current and future on-airport development, while recognizing ACPAA's autonomy to make those decisions.

ARTICLE II. Terms of Agreement

The signatories to this MOU agree to:

A. Accept in concept and spirit the formal creation of and continuing operation of CACNR as described in Article I herein.

B. Continue to work cooperatively with all stakeholders to reduce noise impacts on affected neighborhoods and communities from aircraft operations at Centennial Airport.

C. Provide the funding as determined by CACNR, to enable CACNR to carry out its on-going efforts to achieve effective aircraft noise reduction and mitigation as addressed in this Agreement.

D. Inform their respective constituencies of CACNR'S activities and actions to reduce aircraft noise impacts.

E. Not support actions that shift noise related to aircraft operations at Centennial Airport from one community to another.

ARTICLE III. Membership

1. Membership Categories

A. Regular (Voting) Members of CACNR, as of the effective date of this MOU are:

Counties:	Arapahoe	Douglas
Cities/Towns:	Aurora	Foxfield
	Castle Pines	Greenwood Village
	Castle Rock	Lone Tree
	Centennial	Parker
	Cherry Hills Village	
Arapahoe County Public Airport Authority		

B. Advisory (Non-Voting) Members of CACNR as of the effective date of this MOU are:

Aircraft Owners and Pilots Association (AOPA)
Colorado Aviation Business Association (CABA)
Colorado Department of Transportation Division of Aeronautics (CDOT)
FAA Centennial Airport Air Traffic Control Tower (APA)
FAA Denver District Office (ADO)
FAA Terminal Radar Approach Control (TRACON)

2. Members' Representatives

A. Each city or town, and ACPAA, shall appoint one Regular Representative and one Alternate. Each county shall appoint two Regular Representatives and two Alternates: at least one private citizen Representative and one private citizen Alternate shall be from its unincorporated area, and one County Official and one County Alternate shall represent the county as a whole.

B. All Regular Members' Representatives who serve on CACNR must have the authority to act and vote on CACNR matters on behalf of their appointing Member. On issues and recommendations referred to the ACPAA Board, the ACPAA Representative's vote shall be nonbinding on ACPAA.

C. Each Advisory Member shall appoint one Representative and one Alternate.

D. All Representatives and Alternates shall serve on CACNR at the pleasure of their appointing Members.

3. Addition of Members

A. Adding Regular Members:

- 1) A jurisdiction requesting Regular Membership on CACNR must submit a formal request in writing to the CACNR Chair which explains why the jurisdiction wants to join CACNR, and demonstrate noise impacts from Centennial Airport.
- 2) The governing body of a jurisdiction requesting Regular Membership must sign a copy of this MOU, agreeing to the terms set forth herein, and provide the signed copy to the CACNR Chair.
- 3) Following submission of the formal request to join CACNR and the signed MOU, Regular Members may be added by a majority vote of the current Regular Members' Representatives at a regularly scheduled meeting.

B. Adding Advisory Members:

- 1) The participation and advice of local, state and/or federal aviation agencies and other organizations are essential to the success of CACNR.
- 2) Such agencies or organizations wishing Advisory Member status in CACNR shall submit a request in writing and a signed copy of this MOU to the Chair of CACNR.
- 3) Regular Members which have opted to withdraw from Regular Membership may apply for Advisory Membership status.
- 4) Advisory members may be added by a majority vote of Regular Members' Representatives at a regularly scheduled CACNR meeting.
- 5) Such action will not require an amendment to the MOU.

4. Withdrawal/Reinstatement of a Member

A. Any Regular Member of CACNR may withdraw its membership by submitting a written *Notice of Intent to Withdraw Membership from CACNR*, to the CACNR Chairperson. A withdrawing member will forfeit any funding already paid for that year.

B. Any Advisory Member of CACNR may withdraw its membership by submitting a written *Notice of Intent to Withdraw Membership from CACNR* to the CACNR Chairperson.

C. Should a Regular Member which has withdrawn its Regular Membership wish to rejoin CACNR, the rejoining Regular Member's governing body must sign this MOU and agree to the terms. Following submission of the signed MOU to the Chair of CACNR, the rejoining Regular Member may do so the following fiscal year by a majority vote of the current Regular membership, at a regularly scheduled meeting. Such action shall not require an amendment to the MOU.

D. An Advisory Member which has withdrawn its Advisory Membership status may apply to rejoin CACNR utilizing Article III.3.B. of this MOU.

ARTICLE IV. Operations and Support

1. Operations

CACNR operations shall be governed by:

- A. all relevant state laws applicable to Colorado governmental advisory bodies' or agencies' meetings, including but not limited to the Colorado Open Meetings Law (C.R.S. § 24-6-402 et seq.) and the Colorado Open Records Act (C.R.S. § 24-72-204 et seq.) and
- B. a comprehensive set of adopted bylaws that guide and govern the operation, administration, funding, and management of CACNR and its activities.

2. Technical and Administrative Support

- A. Technical and administrative support will continue to be provided by ACPAA.
- B. Additional technical and administrative support may be obtained by CACNR as it deems necessary.

3. Funding Support

- A. Funding shall come from the Regular Members of CACNR in accordance with the accompanying Funding Structure document.
- B. CACNR funds shall be held in a designated/restricted fund established by ACPAA.

- C. Funds shall be expended from the designated/restricted fund only as authorized by two members of CACNR's Executive Committee, one of whom must be either the Chair or Treasurer and shall be made upon such authorization.
- D. Any unspent funds in a fiscal year shall be carried over to the next fiscal year.

ARTICLE V. Adoption and Effective Date

1. Adoption of MOU

This MOU shall be deemed adopted and effective upon approval and execution by at least two-thirds of the Regular Members listed in Article III herein. No party shall become a Member until the MOU is approved and executed by that party.

2. Term of MOU

This MOU and any subsequent amendments to the document shall remain in effect indefinitely:

- A. until it is superseded by another MOU; or
- B. until there are fewer than four Regular Members.

ARTICLE VI. Amending the MOU

1. This MOU may be amended by approval of at least two-thirds of the Regular Members' Representatives at any regularly scheduled meeting.

2. Proposed amendment (s) shall be drafted by at least 25% of the Regular Members' Representatives and submitted in writing to the Secretary no later than sixty (60) days before the meeting at which it/they will be considered. Written notification of the proposed amendments shall then be provided, via email, to all Representatives at least thirty (30) days in advance of that meeting.

3. If amended, the MOU must be readopted by each Regular Member's governing body.

4. Notwithstanding the foregoing, the Funding Structure Document accompanying this MOU may be amended by CACNR without being readopted by each Regular Member's governing body.

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER ARAPAHOE COUNTY

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER DOUGLAS COUNTY

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULARL MEMBER THE CITY OF AURORA

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE CITY OF CASTLE PINES

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE TOWN OF CASTLE ROCK

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE CITY OF CENTENNIAL

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE CITY OF CHERRY HILLS VILLAGE

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE TOWN OF FOXFIELD

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE CITY OF GREENWOOD VILLAGE

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE CITY OF LONE TREE

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE TOWN OF PARKER

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Regular Members have executed the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR REGULAR MEMBER THE ARAPAHOE COUNTY PUBLIC AIRPORT
AUTHORITY

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Advisory Members have acknowledged the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR ADVISORY MEMBER THE AIRCRAFT OWNERS AND PILOTS
ASSOCIATION

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Advisory Members have acknowledged the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR ADVISORY MEMBER THE COLORADO AVIATION BUSINESS
ASSOCIATION

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Advisory Members have acknowledged the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR ADVISORY MEMBER THE COLORADO DEPARTMENT OF
TRANSPORTATION – AERONAUTICS DIVISION

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Advisory Members have acknowledged the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR ADVISORY MEMBER THE FAA CENTENNIAL AIRPORT CONTROL
TOWER

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Advisory Members have acknowledged the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR ADVISORY MEMBER THE FAA DISTRICT OFFICE

NAME: _____

TITLE: _____

A Memorandum of Understanding
For the Formal Creation of the
Centennial Airport Community Noise Roundtable

IN WITNESS WHEREOF, the CACNR Advisory Members have acknowledged the Memorandum of Understanding in counterparts as of the date set forth below.

Dated this _____ day of _____, 20__.

ON BEHALF OF CACNR ADVISORY MEMBER THE FAA TRACON

NAME: _____

TITLE: _____



Request for Town Council Action

Date: November 5, 2018

Submitted By: Rhonda Willey, Accounting Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.507.4 - First Reading**
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Rhonda Willey
Second Reading: November 19, 2018

EXECUTIVE SUMMARY

The purpose of this budget revision is to increase budgeted 2018 expenditures and revenues.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The purpose of this budget revision is to increase the 2018 budget appropriation and revenues in the General Fund and Cultural Fund due to increases in programming. More specifically, the Communications Department has raised more sponsorship revenue than originally budgeted and therefore increased their special event programming. The Cultural Department has increased rentals and programming and therefore, more expenditures are necessary. There are offsetting revenues in this budget revision for the expenditures.

Additionally, the Public Improvements Fund expenditures will increase due to the power line undergrounding project on the east side of Parker Road adjacent to Robinson Ranch. The Town receives annual funding through the IREA franchise agreement to fund this type of project.

FINANCIAL IMPACT

The financial impacts to the budget are as follows:

General Fund increase revenue and expenditures by \$8,650 for a net effect of \$0

Cultural Fund increase revenue \$151,645 and increase expenditures \$85,166 for a net effect of

\$66,479 additional revenue.

Capital Improvement Fund increase expenditures of \$209,000.

STRATEGIC GOAL(S)



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**



**FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT**

ATTACHMENTS

1. Ordinance No. 1.507.4

RECOMMENDED MOTION

I move to approve Ordinance No 1.507.4 on first reading as part of consent agenda and to schedule a second reading and public hearing for Monday, November 19, 2018 at 7:00 p.m.

ORDINANCE NO. 1.507.4, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2018 REVISED BUDGET FOR THE TOWN OF PARKER AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that Town Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget revisions are open for inspection by the public at the Town Hall.

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

Section 1. The 2018 Revised Budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

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

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Town of Parker

2018 Revised Budget Ordinance 1.507.4

1st Reading

2nd Reading

November 5, 2018

November 19, 2018

Exhibit A

	Revision	2018 Revised Budget
<u>General Fund</u>		
Beginning fund balance		\$ 17,498,022
Revenue		50,629,610
Revenue revision	8,650	8,650
Total revised revenue		50,638,260
Total available		68,136,282
Expenditures		53,473,372
Supplemental appropriation	8,650	8,650
Total expenditure revision		8,650
Total revised expenditures		53,482,022
Ending fund balance		\$ 14,654,260
<u>Cultural Fund</u>		
Beginning fund balance		\$ 1,085,196
Revenue		5,362,635
Revenue revision	151,645	151,645
Total revised revenue		5,514,280
Total available		6,599,476
Expenditures		6,282,898
Supplemental appropriation	85,166	85,166
Total expenditure revisions		85,166
Total revised expenditures		6,368,064
Ending fund balance		\$ 231,412

Town of Parker**Exhibit A**

2018 Revised Budget Ordinance 1.507.4

1st Reading

November 5, 2018

2nd Reading

November 19, 2018

	Revision	2018 Revised Budget
<u>Public Improvements Fund</u>		
Beginning fund balance		\$ 13,945,954
Revenue		10,378,300
Revenue revision	-	-
Total revised revenue		<u>10,378,300</u>
Total available		<u>24,324,254</u>
Expenditures		16,223,638
Supplemental appropriation	209,000	
Total expenditure revisions		<u>209,000</u>
Total revised expenditures		<u>16,432,638</u>
Ending fund balance		<u><u>\$ 7,891,616</u></u>

Town of Parker**Exhibit A****Summary of Revisions to 2018 Budget Ordinance 1.507.4**

1st reading 11/05/2018

2nd reading 11/19/2018

	Supplemental Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ 8,650	\$ 8,650	\$ -
Cultural Fund	85,166	151,645	(66,479)
Capital Improvement Fund	209,000	-	209,000
Total all funds	<u>\$ 302,816</u>	<u>\$ 160,295</u>	<u>\$ 142,521</u>

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget Ordinance 1.507.4

1st reading 11/05/2018

2nd reading 11/19/2018

Expenditures**General Fund**

Additional special event programming costs increased including cost of staging, sound and portable toilets. There is revenue to offset this expenditure.

8,650

Total General Fund expenditure supplemental revision

8,650**Cultural Fund**

Increase part time wages due to higher staffing required for increase in rentals and programs. There is revenue to offset this expenditure.

5,000

Increase in program expenditures due to increase in rentals and programs. There is revenue to offset this expenditure.

80,166

Total Cultural Fund expenditure supplemental revision

85,166**Public Improvement Fund**

Power Line Undergrounding on East side of Parker Road adjacent to Robinson Ranch. The Town receives annual funding via the IREA franchise agreement to fund undergrounding projects.

209,000

Total Public Improvement Fund expenditure supplemental revision

209,000***Total expenditure supplemental revision***

302,816

Revenues**General Fund**

Special Event Sponsorship

8,650

Total General Fund revenue supplemental revision

8,650**Cultural Fund**

Various charges for services based on increased participation in rentals and programs.
SCFD Grant is more than anticipated.

91,645

60,000

Total Cultural Fund revenue supplemental revision

151,645***Total revenue supplemental revision***

160,295



Request for Town Council Action

Date: November 5, 2018

Submitted By: Carolyn Washee-Freeland, Associate Planner
Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-068**
A Resolution to Adopt the Town of Parker, Colorado, Three-Mile Area Plan

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

EXECUTIVE SUMMARY

The Town of Parker Three-Mile Area Plan (the Plan), was originally adopted by Town Council in 2006 and is a plan document developed to comply with the Municipal Annexation Act of 1965. State law requires that the Town update the Plan annually. On October 11, 2018, Planning Commission recommended Town Council adopt the 2018 Three-Mile Area Plan.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

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

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

Overview of 2018 Three-Mile Area Plan

The Plan was prepared to address the requirements as outlined in the Colorado Revised Statute Section 31-12-105(e)(I), regarding unincorporated lands located within three (3) miles of the Town's current municipal boundaries. The unincorporated land described in the Plan includes properties located in Douglas, Arapahoe and Elbert Counties. The Plan boundary perimeters also encompass incorporated areas located within portions of the City of Lone Tree, City of Centennial, City of Foxfield, City of Aurora, Town of Castle Rock and the City of Castle Pines. Unincorporated lands within the three-mile boundary total approximately 49,803 acres or 77.82 square miles.

This year, the framework for the Plan has been modified to create a more detailed report format that provides an analysis of unincorporated land that may be annexed into the Town in the future. In addition, the 2018 three (3) mile boundary has been divided into six (6) Sub-Areas to assist in the analysis of such a large area. Each of the six (6) Sub-Areas have been examined individually.

The framework for the Plan now includes:

1. An introduction section that describes how the Town complies with State requirements and is consistent with the Parker 2035 Master Plan;
2. The methodology used to divide the three (3) mile radius into six (6) Sub-Areas;
3. A description of unincorporated lands located within each Sub-Area; and
4. A map exhibit(s) showing annual changes.

The Plan includes references to multiple applicable plans, policies, maps and other documents adopted by the jurisdictions that are located within the three (3) mile radius. This modified Plan format will help facilitate tracking changes in unincorporated areas within the three (3) mile boundary.

On May 14, 2018, the Town of Parker and Douglas County Intergovernmental Agreement and Comprehensive Development Plan (IGA) was terminated as a result of County action. Previously, the IGA between the Town and the County stipulated a mutually agreed Urban Growth Area for Parker. The former Urban Growth Area will now be referred to and labeled on the map exhibits as the Parker Planning Area.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Resolution 18-068

RECOMMENDED MOTION

I move to approve Resolution No. 18-068, as part of the consent agenda.

RESOLUTION NO. 18-068, Series of 2018

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby adopts the Three-Mile Area Plan, which is attached hereto as **Exhibit 1** and incorporated by this reference.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

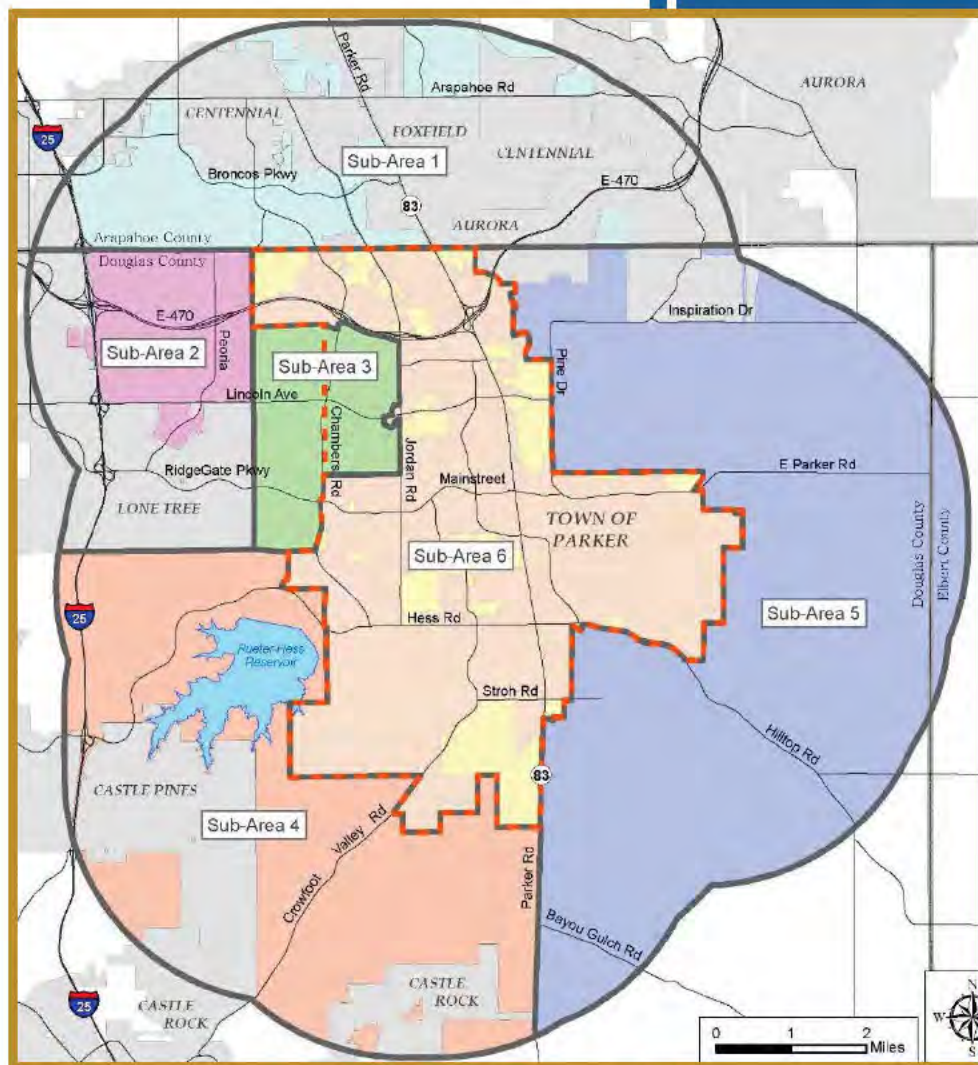
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



2018 Three-Mile Area Plan for the Town of Parker, Colorado



Updated: October 2018

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Introduction

Purpose

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

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

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

Methodology

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

Parker’s three-mile boundary, which is based on the Town’s municipal boundaries, has been further broken down into ‘Areas of Inclusion’ which consists of all unincorporated properties that the Town of Parker may consider for annexation in the future. Land not included in the Plan has been identified as ‘Areas of Exclusion’ which includes incorporated land located within a municipal boundary.

2018 Three-Mile Area Plan Town of Parker, Colorado

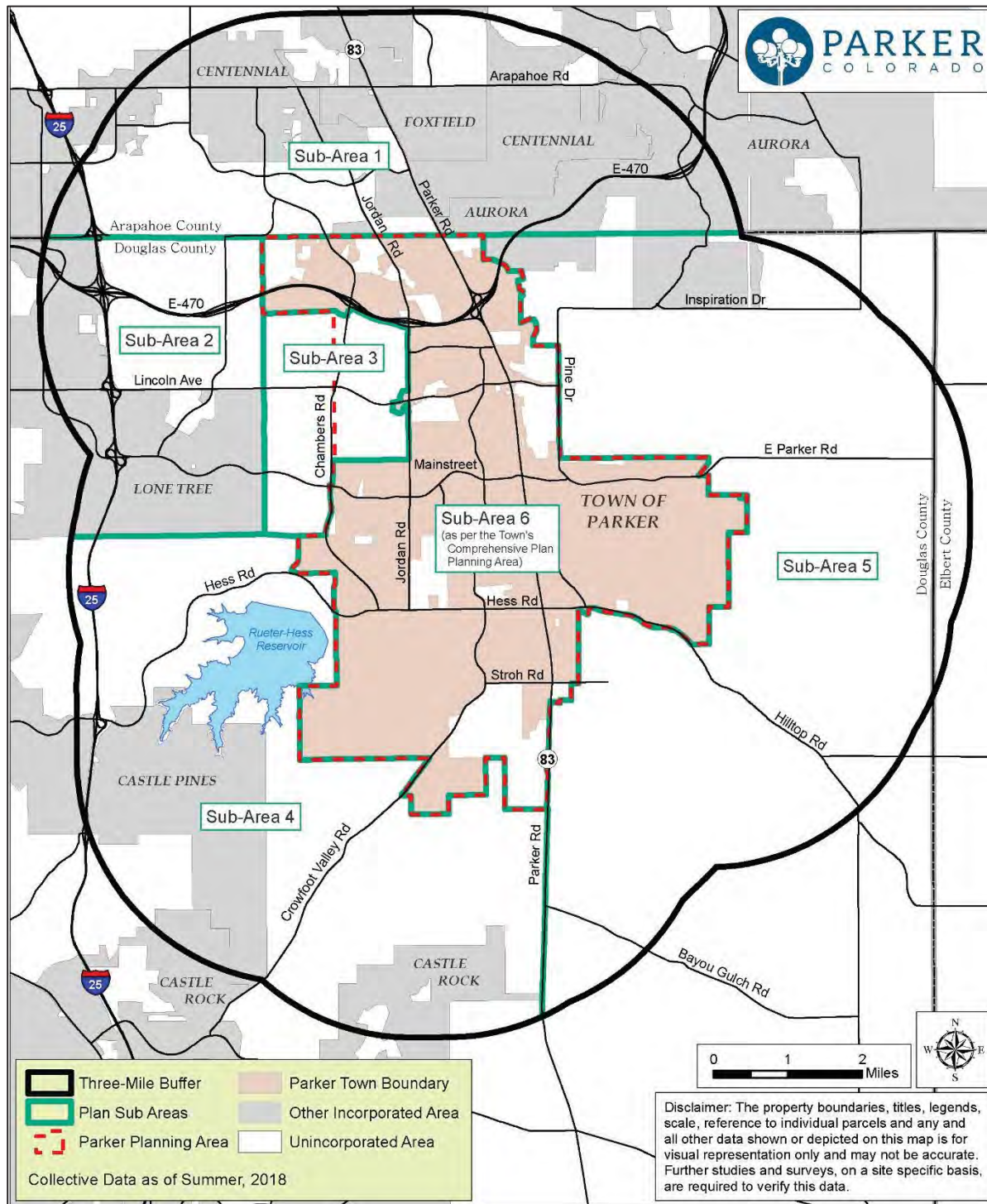


Figure 1 – Town of Parker Three-Mile Boundary – based on the Town's Municipal Boundary

Overview of Sub-Areas

The land described in this Three-Mile Area Plan includes properties located in Douglas, Arapahoe, and Elbert Counties. The Three-Mile Area Plan boundary perimeters also encompass the municipal boundaries of the City of Lone Tree, City of Centennial, City of Foxfield, City of Aurora, Town of Castle Rock, and the City of Castle Pines. The general character of land ranges from rolling hills, high plains grasslands, bluffs, forest, as well as highly developed urban areas. Unincorporated lands within the three-mile boundary total approximately 49,803 acres or 77.82 square miles (see table 1).

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

Parker Three-Mile Area Plan Sub-Areas	Total Unincorporated Acreage
Sub-Area One	4,579
Sub-Area Two	2,959
Sub-Area Three	2,968
Sub-Area Four	12,870
Sub-Area Five	23,530
Sub-Area Six	2,897
Grand Total Acreage	49,803

Relevant Plans, Policies and Other Documents

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

Transportation

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

Streets, Bridges and Parkways

- Town of Parker 2035 Master Plan
- Town of Parker Mainstreet Master Plan
- Town of Parker Transportation Master Plan
- Town of Parker Bike Lane Plan
- Town of Parker Salisbury Estates Neighborhood Objective
- Douglas County Comprehensive Master Plan 2035
- Douglas County 2030 Transportation Plan
- Douglas County Comprehensive Bike Plan/Map
- Arapahoe County Comprehensive Plan
- Arapahoe County 2035 Transportation Plan
- Arapahoe County Bicycle/Pedestrian Master Plan
- City of Aurora Comprehensive Plan
- City of Castle Pines Comprehensive Plan
- City of Centennial Comprehensive Plan

- City of Centennial Transportation Master Plan
- City of Lone Tree Comprehensive Plan
- Town of Castle Rock 2020 Comprehensive Plan
- Town of Castle Rock Transportation Plan
- Elbert County Master Plan
- West Elbert County Transportation Master Plan

Transit Services and Terminals for Public Transportation

- Town of Parker Transit Feasibility Study
- Town of Parker Fixed Guideway Transit Study
- Regional Transportation District Southeast Corridor Service Plan

Airport/Aviation Fields

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

Other Public Ways

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

Parks, Natural Areas, and Open Land Related Items

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

Waterways

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

Waterfronts

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

Playgrounds, Squares and Parks

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

Open Space

- Town of Parker Open Space, Trails and Greenways Master Plan
- Town of Parker Parks, Recreation & Open Space Master Plan 2018-2022
- Douglas County Parks Trails and Open Space Plan
- Elbert County Open Lands, Parks and Trails Plan
- Arapahoe County Open Space Master Plan

Utilities and Related Items

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

Public Utilities*

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

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

Proposed Land Uses

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

Land Uses defined within the Planning Area

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

Land Use defined outside the Planning Area

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

Sub-Area One

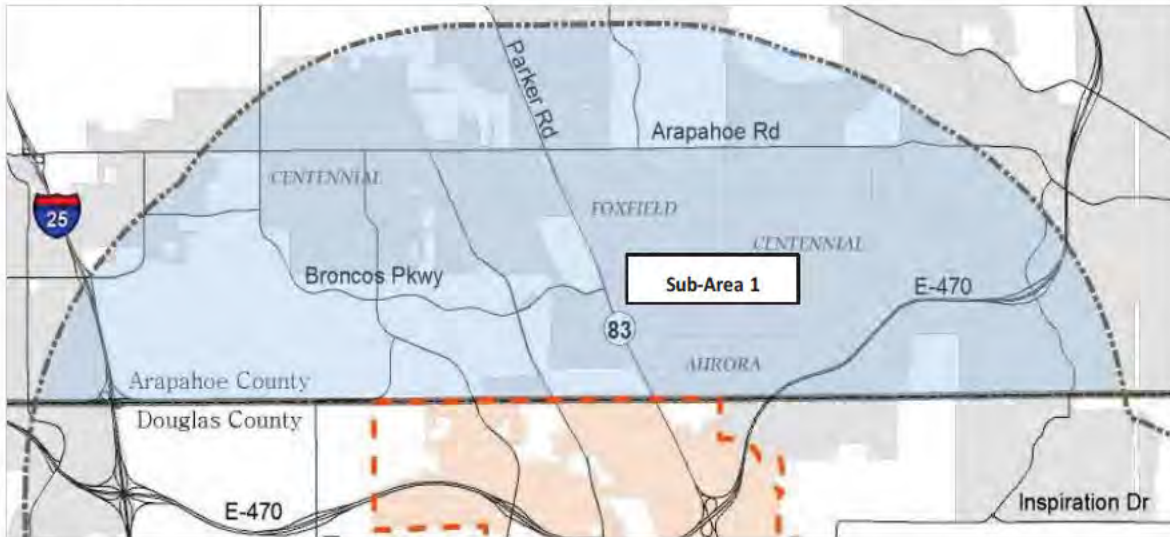


Figure 2 – Sub-Area 1

Location

Sub-Area One is located entirely within Arapahoe County and is generally bound by Orchard Road to the north, County Line Road to the south, Interstate 25 (I-25) to the west, and Gartrell Road to the east. Parker Road (Highway 83) runs north-south through the Sub-Area. Unincorporated lands in this Sub-Area are located north of the Town of Parker. Sub-Area One also encompasses incorporated areas within portions of the Cities of Centennial, Foxfield, and Aurora.

Areas of Inclusion

The areas of inclusion for Sub-Area One include all unincorporated lands located in Arapahoe County currently zoned as follows:

Table 2 – Total acreage of all unincorporated land in Sub-Area One

Sub-Area One Areas of Inclusion	County	Acres
Agricultural	Arapahoe	792
Business		21
Floodplain		139
Industrial		472
Mixed Use		1963
Office		305
Residential		742
Federal Land		145
Total Acreage		4,579

Areas of Exclusion

Incorporated areas located within the Cities of Centennial, Foxfield, and Aurora.

Character and Land Use

Unincorporated areas of Sub-Area One consist of a full range of land uses including large-scale commercial, industrial, single-family and multi-family residential developments. The western portion is located within the Inverness Business Park which is a highly urbanized business and commercial area and serves as a major economic and employment center for the Denver Metro Area. There are large parcels of undeveloped land scattered throughout the Sub-Area. These unincorporated areas are further described in more detail by the following segments.

East of Interstate 25 (I-25) and West of Parker Road

- Stretching east from the I-25 Interchange, north of County Line Road is the Inverness Business Park featuring a mix of business, industrial, and mixed use developments, with a golf-course and open space interspersed within.
- A large concentration of land located north of Centennial Airport is zoned as Mixed Use, and is bordered by Arapahoe Road and Peoria Street. This area is mainly developed with commercial uses, Arapahoe County government facilities, the Arapahoe Library District Headquarters and Arapahoe County Sheriff Offices.
- Land east of Centennial Airport contains the largest concentration of undeveloped land along with clusters of mixed use, light industrial/flex space and warehouse distribution land uses. The Denver Broncos Football Club and training facilities, Dove Valley Regional Park, and a large multi-family developments are located within this general vicinity.
- Federal land located in the southern tip of Cherry Creek State Park and Reservoir falls within the north portion of the Town of Parker's three-mile boundary.
- Unincorporated parcels located between Jordan Road and Parker Road are zoned as mixed use and contain residential subdivisions.

East of Parker Road

- A large portion of unincorporated land located east of Parker Road falls within Foxfield, Centennial, and Aurora municipal boundaries.
- A small subdivision located east along the Arapahoe County boundary line is zoned as Rural Residential.

Utilities and Services

Utilities and Telecommunications

CenturyLink
Intermountain Rural Electric Association (IREA)
Xcel Energy
Xfinity

Improvement Districts

Antelope Water System Improvement District
Inverness Metro Improvement District
Southeast Public Improvement Metro District

Metropolitan Districts

Columbia Metro District
Cornerstar Metro District
Dove Valley Metro District

East Valley Metro District
Goodman Metro District
Interstate South Metro District
Inverness Metro Improvement District
Inverness North Metro District
Kingspoint Metro Districts #1, 2, and 3
Liverpool Metro District
Parker Jordan Metro District
Valley Club Pointe Metro District
Vermilion Creek Metro District

Water and Sanitation

Arapahoe County Water & Wastewater Authority
Castlewood Water & Sanitation District A
Castlewood Water & Sanitation District D

East Cherry Creek Valley Water & San. District
East Valley Metro Water & Sanitation District
Havana Water & Sanitation District
Inverness Water & Sanitation District

School District

Cherry Creek School District #5

Freeway/Interstate

Highway E-470
Interstate 25

Transit Services

RTD Access-a-Ride
RTD Bus Routes
RTD County Line Light Rail Station
RTD Call-n-Ride

Subways

None

Streets, Bridges and Transportation

*Roads and Bridges are further referenced in the
Arapahoe County 2035 Transportation Plan*

Airport/Aviation Fields

*Airports and aviation fields are further referenced in
Centennial Airport Authority's Airport Influence
Area (AIA) Map and Centennial Airport Land Use
Guidelines*

Significant Parks

17 Mile House & Farm Park
Cherry Creek Valley Ecological Park
Dove Valley Regional Park

Sub-Area Two

Location

Sub-Area Two is generally located northwest of Parker, east of the City of Lone Tree within the northern boundary of Douglas County. Interstate 25 runs north-south and Highway E-470, Lincoln Avenue and RidgeGate Parkway cross east-west through Sub-Area Two.

Areas of Inclusion

The areas of inclusion for Sub-Area Two include unincorporated lands located in Douglas County currently zoned as follows:

Table 3 – Total acreage of all unincorporated land in Sub-Area Two

Sub-Area Two Areas of Inclusion	County	Acres
Agricultural One	Douglas	262
Commercial		90
Estate & Suburban Residential		3
Light Industrial		348
Planned Development		2,256
Total Acreage		2,959

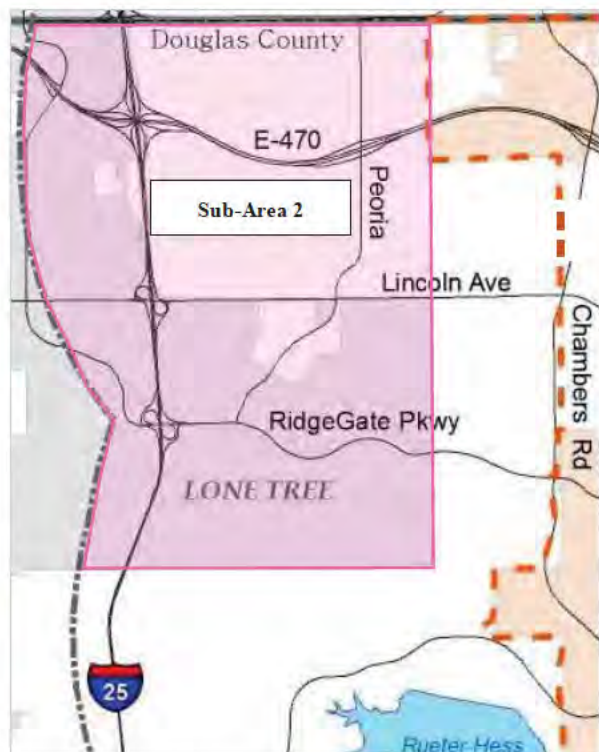


Figure 3 – Sub-Area Two

Areas of Exclusion

Incorporated areas within the City of Lone Tree.

Character and Land Use

The character of land use in the northern portion of Sub-Area Two (north of Lincoln Avenue) can be described as large commercial, office, and light industrial land uses. The southern part of the Sub-Area (south of Lincoln Avenue) falls within the City of Lone Tree, and is currently undeveloped. Sub-Area Two contains a network of existing streets, public areas, utilities, public services, infrastructure, and transportation facilities and is further described by the following segments.

East of I-25 and North of E-470

- Unincorporated lands located east of I-25 and north of E-470 are zoned as Planned Development, Commercial, and Light Industrial, and are part of the Meridian International Business Center North. This large Planned Development allows a mix of light industrial, large-scale office, open space, and residential development.

- A large portion of Centennial Airport’s physical runway is located in the central portion of Sub-Area Two and is zoned as Agricultural One. Parcels located east of Centennial Airport are zoned as Light-Industrial, Planned Development, and Commercial.
- Commercial developments, as well as the County Line Light Rail Station are located adjacent to I-25.

West of Interstate-25

A small area of unincorporated land is located west of I-25. This area contains the Lincoln Light-Rail Station, Multi-Family housing, Office, Mixed-Use developments, and is zoned as Planned Development.

Lincoln Avenue Corridor

- There are two large parcels of undeveloped land zoned as Planned Development, located west of First Street on the north side of the Lincoln Avenue corridor.
- The majority of land located south of Lincoln Avenue falls within the City of Lone Tree municipal boundaries. Within the City of Lone Tree, there is a large unincorporated area which is zoned Planned Development containing a mix of commercial, office, multi-family, and single-family residential development.

Utilities and Services

Utilities and Telecommunications

CenturyLink
Intermountain Rural Electric Association (IREA)
Xcel Energy
Xfinity

Water and Sanitation

Meridian Metropolitan District
Inverness Water and Sanitation District
Parker Water and Sanitation District

School District

Douglas County School District RE-1

Streets, Bridges and Transportation

Road and Bridges are further referenced in the Douglas County 2030 Transportation Master Plan

Subways

None

Transit Services

RTD Bus Routes
RTD Access-a-Ride
RTD Call-n-Ride
RTD Light Rail Stations: County Line Station, Lincoln Station
Future Southeast Rail Line Extension: Sky Ridge Station, Lone Tree City Center, and RidgeGate Parkway Station

Airport/Aviation Fields

Airports and aviation fields are further referenced in Centennial Airport Authority’s Airport Influence Area (AIA) Map and Centennial Airport Land Use Guidelines

Significant Parks

None

Sub-Area Three

Location

Sub-Area Three is generally located east of I-25 between the City of Lone Tree and the Town of Parker, and south of Highway E-470. The eastern portion of Sub-Area Three is located within the Parker 2035 Master Plan planning area.

Areas of Inclusion

The areas of inclusion for Sub-Area Three include all unincorporated lands located in Douglas County currently zoned as follows:

Table 4 – Total acreage of all unincorporated land in Sub-Area Three

Sub-Area Three Areas of Inclusion	County	Acres
Agricultural	Douglas	18
Planned Development		2,341
Estate Residential		608
Total Acreage		2,968



Figure 4 – Sub-Area Three

Areas of Exclusion

None

Character and Land Use

Unincorporated areas of Sub-Area Three fall within Douglas County's Estate Residential and Planned Development zoning districts. Sub-Area Three contains a network of existing streets, public areas and infrastructure. Major roads that provide access to this area include E-470, Lincoln Avenue, Chambers Road, Jordan Road, and RidgeGate Parkway. The character of Sub-Area Three is further described as follows.

- The majority of Sub-Area Three consists of unincorporated single-family residential development. The Grandview Estates (zoned as Estate Residential) is located north of Lincoln Avenue and west of Chambers Road.
- Areas east of Chambers Road are part of the Stonegate Planned Development, and areas south of Lincoln Avenue and west of Chambers Road contains the Meridian International Business Center and the Sierra Ridge Planned Developments consisting of residential, open space, and commercially-designated areas.
- A small 18-acre strip of unincorporated land owned by the Belford South Metropolitan District is zoned Agricultural One, and is located directly north of the Grandview Estates development.

Utilities and Services

Utilities and Telecommunications

CenturyLink
Intermountain Rural Electric Association (IREA)
Xcel Energy
Xfinity

Water and Sewer Providers

Meridian Metropolitan District
Stonegate Village Metropolitan District

School District

Douglas County School District RE-1

Streets, Bridges and Transportation

*Road and Bridges are further referenced in the
Douglas County 2030 Transportation Master Plan
and the Parker 2035 Master Plan*

Subways

None

Transit Services

RTD Access-a-Ride
RTD Bus Route 483
RTD Bus Route P
RTD Park-n-Ride Station with Bus Service

Airports/Aviation Fields

*Airports and aviation fields are further referenced in
Centennial Airport Authority's Airport Influence
Area (AIA) Map and Centennial Airport Land Use
Guidelines*

Significant Parks

None

Sub-Area Four

Location

Sub-Area Four is generally located southwest of the Town of Parker, east of I-25, west of Parker Road, and encompasses portions of the City of Castle Pines and the Town of Castle Rock. Sub-Area Four lies entirely within Douglas County. A significant amount of unincorporated land is undeveloped in this Sub-Area.

Areas of Inclusion

The areas of inclusion for Sub-Area Four include all unincorporated lands located in Douglas County currently zoned as follows:

Table 5 – Total acreage of all unincorporated land in Sub-Area Four

Sub-Area Four Areas of Inclusion	County	Acres
Agricultural	Douglas	7,923
Light Industrial		2
Open Space Conservation		515
Planned Development		3,692
Residential		739
Total Acreage		12,870

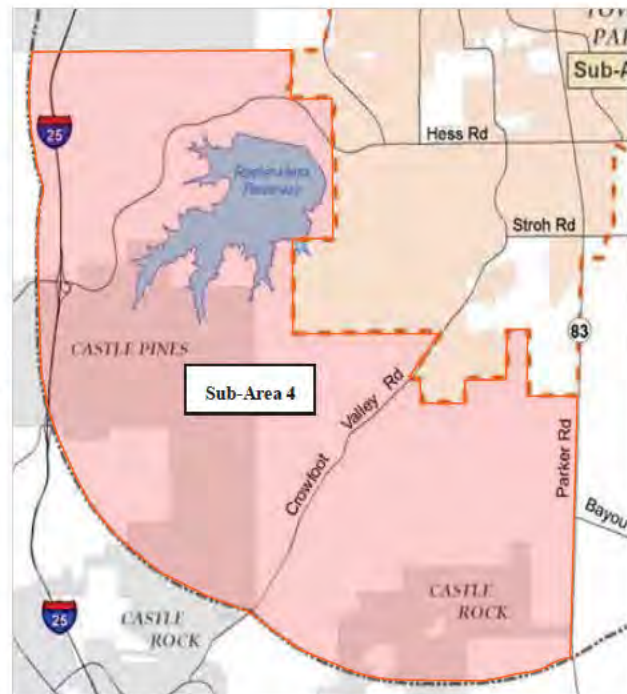


Figure 5 – Sub-Area Four

Areas of Exclusion

Incorporated areas located within the Cities of Castle Pines and the Town of Castle Rock.

Character and Land Use

Unincorporated areas of Sub-Area Four are generally described as rural in character, with small pockets of large-lot residential estates interspersed throughout. The topography consists of gently rolling hills, minor ridges and valleys, and a mix of open grasslands and shrubbery. Land within Sub-Area Four has been used for ranching activities as a large portion is zoned Agricultural One. The character of Sub-Area Four is further described as follows.

- Reuter-Hess Reservoir (drinking-water reservoir) is located in Sub-Area Four. This 425-acre site is owned by Parker Water and Sanitation District, located on Hess Road, one mile east of I-25 at the Castle Pines Parkway Exit 188, approximately three miles west of Parker Road immediately west of the Town of Parker.
- A 1,113-acre unincorporated property surrounds the Douglas County's Glendale Open Space area and is zoned as Agricultural One in Douglas County.

- Unincorporated areas east of Castle Pines and south of Reuter-Hess Reservoir are zoned as Agricultural One, with several properties just north of Crowfoot Valley Road that are zoned as Large Rural Residential and Estate Residential in the County.
- Unincorporated areas north of Castle Rock, and west of Parker Road are zoned as Planned Development, Estate Residential, Rural Residential, Open Space, and Agricultural One.
- Approximately two (2) acres of unincorporated land west of Crowfoot Valley Road is zoned for Light Industrial uses. There are two unincorporated enclaves that fall within Castle Rock municipal boundaries.

Utilities and Services

Utilities and Telecommunications

CenturyLink

Intermountain Rural Electric Association (IREA)

Xcel Energy

Xfinity

Water and Sanitation

Parker Water & Sanitation District

Pinery – Denver SE Suburban

Town of Castle Rock

School District

Douglas County School District RE-1

Streets, Bridges and Transportation

Refer to Douglas County 2030 Transportation Master Plan

Subways

None

Transit Services

RTD Bus Route P (along Parker Road)

RTD Park-n-Ride Station with Bus Service

Airport/Aviation Fields

Airports and aviation fields are further referenced in Centennial Airport Authority's Airport Influence Area (AIA) Map and Centennial Airport Land Use Guidelines

Substantial Parks

Glendale Farm Open Space

Sub-Area Five

Location

Sub-Area Five is generally located east of the Town of Parker within the northeastern corner of Douglas County. This Sub-Area also includes small portions of western Elbert County and City of Aurora municipal boundaries.

Areas of Inclusion

All unincorporated areas of Douglas and Elbert Counties located within Sub-Area Five currently zoned as follows:

Table 6 – Total acreage of all unincorporated land in Sub-Area Five

Sub-Area Five Areas of Inclusion	County	Acres
Agricultural	Douglas	6,665
Commercial		4
Residential		10,360
Open Space		
Conservation		605
Planned Development		5,029
Subtotal Acreage		22,663
Agricultural	Elbert	365
Agricultural-Residential		2
Planned Development		91
Residential-Agricultural		388
Right-of-Way		21
Subtotal Acreage		867
Grand Total Acreage (Douglas & Elbert Counties)		23,530

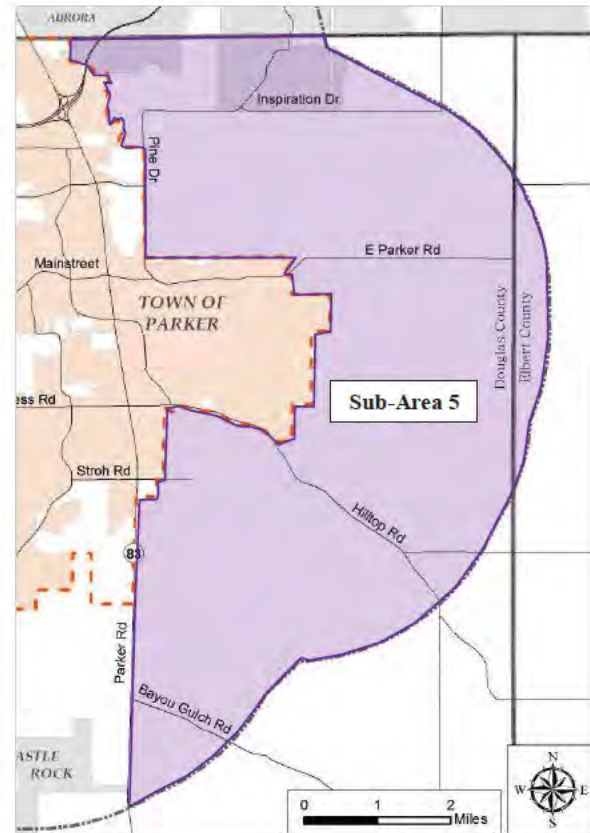


Figure 6 – Sub-Area Five

Areas of Exclusion

Incorporated areas located within the City of Aurora.

Character and Land Use

The predominant character of land use in Sub-Area Five can be described as large lot residential and rural in nature with large areas of open space, natural landscapes, natural grade and terrain. Sub-Area Five contains a network of existing streets, public areas and infrastructure. A short segment of Highway E-470 is located at the northwestern edge of this Sub-Area. The character of Sub-Area Five is further described as follows.

Douglas County

- Unincorporated lands located in the northeastern portion of Sub-Area Five, south of County Line Road to Hilltop Road are zoned Rural Residential, Large Rural Residential, Planned Development, Estate Residential, Agricultural One and Open Space and consist of primarily large lot residential uses.
- Unincorporated land located between Hilltop Road and Parker Road is comprised of the Pinery Planned Development, Estate Residential, Rural Residential, and Large Rural Residential. The Douglas County 2035 Master Plan has designated this area as a ‘Separated Urban Area.’

Elbert County

Unincorporated lands located east of N. Delbert Road (at the Douglas and Elbert County line) are zoned as Agricultural, Planned Unit Development (PUD), and Residential Agricultural-1 (RA-1).

Utilities and Services

Telecommunications

CenturyLink
Intermountain Rural Electric Association (IREA)
Xcel Energy
Xfinity

Water and Sewer Providers

Aurora Water
Cottonwood Water and Sanitation District
Parker Water and Sanitation District
Pinery – Denver SE Suburban
Sierra Vista Douglas Mutual Water Company

School District

Douglas County School District RE-1

Streets, Bridges and Transportation

*Refer to Douglas County 2030 Transportation
Master Plan & Elbert County 2018 Comprehensive
Plan*

Freeway/Interstate

Highway E-470

Subways

None

Transit Services

RTD Bus Route P (Along Parker Road)
RTD Park-n-Ride Station with Bus Service

Airport/Aviation Fields

None

Significant Parks

Bayou Gulch Regional Park

Sub-Area Six

Location

Sub-Area Six contains unincorporated properties that are located within the Town of Parker's municipal boundaries. Sub-Area Six is located in its entirety within Douglas County, east of I-25. Highway E-470 travels through the northern portion of the Sub-Area and Parker Road (Highway 83) runs north-south through Town.

Areas of Inclusion

The areas of inclusion for Sub-Area Six includes all unincorporated lands located in Douglas County currently zoned as follows:

Table 7 – Total acreage of all unincorporated land in Sub-Area Six

Sub-Area Six Areas of Inclusion	County	Acres
Agricultural	Douglas	832
Business		4
Commercial		12
Light Industrial		19
Open Space Conservation		73
Planned Development		1,152
Residential		805
Total Acreage		2,897

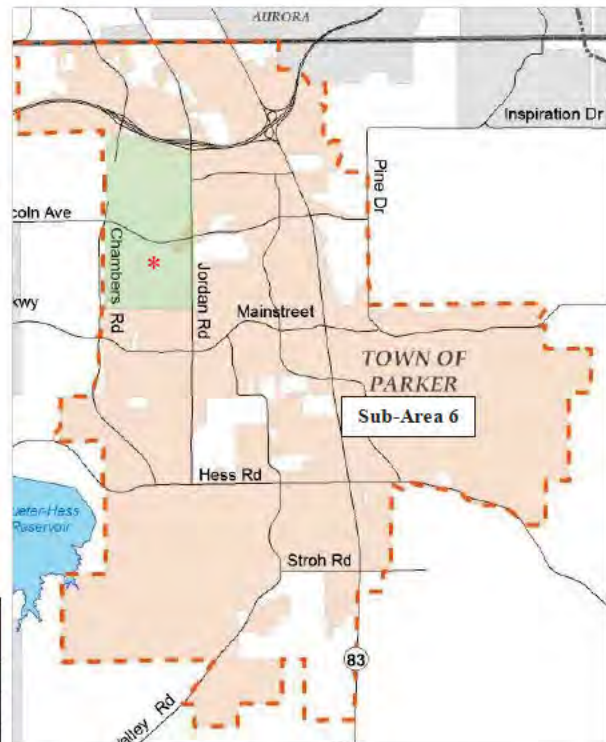


Figure 7 – Sub-Area Six

**Note: Sub-Area Six does not include the Stonegate Planned Development*

Areas of Exclusion

Incorporated areas located within the Town of Parker.

Character and Land Use

The Town of Parker is characterized as a suburban community with a 'home-town feel.' The land base consists of varied topography ranging from shrub-land, ridgelines, hills, riparian areas, drainages and grass-covered plains. Natural resources in the area include of the Cherry Creek corridor, waterways and gulches, natural vegetation, tree cover, and wildlife habitat. Sub-Area Six contains a network of existing streets, public areas and infrastructure, as well as a checkerboard of unincorporated parcels. Unincorporated areas are further described in the following segments.

Peoria Street & James E. Casey Avenue (South of County Line Road & North of Highway E-470)

Unincorporated land located in the northern portion of Sub-Area Six is zoned Planned Development. Major land uses include light industrial, flex-office and the American Furniture Warehouse and Showroom is located in this Sub-Area. Centennial Airport is located adjacent to Sub-Area.

Jordan Road & the Arapahoe County Boundary

This unincorporated area consists of the Compark and Cottonwood Planned Developments, of which the majority of land use is residential.

East of Parker Road & Highway E-470

This area is located within the northern portion of Douglas County and is zoned Agricultural One, and Estate Residential.

Pine Drive & Pine Lane (Northwest)

Unincorporated lands in this area are zoned as Rural Residential and mainly consist of large lot residential uses.

Lincoln Avenue & Pine Drive (Southwest)

This unincorporated area is zoned as Suburban Residential, Planned Development (Lincoln Creek Village), and Rural Residential. Major land use is residential.

Parker Road & Richlawn Drive

This area is zoned as Rural Residential and contains the Richlawn Hills large lot residential units.

Stroh Road & Crowfoot Valley Road

A large parcel of unincorporated land in this area is zoned as Agricultural One and contains Lemon Gulch, Kinney Creek, and a portion of the Cherry Creek corridor. This parcel is undeveloped.

South of Stroh Road & Parker Road

This unincorporated area contains the Pinery West Planned Development, which is currently undeveloped.

Enclaves Located within Parker

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

List of Enclaves

Canyon Rim Circle & Chambers Road

Zoned: Planned Development

Land Use: Canyon Creek Condos Residential

Jordan Road & Acer Drive

Zoned: Planned Development (Cottonwood 11 Amendment 1)

Land Use: Single Family Residential

Jordon Road & Apache Plume Dr.

Zoned: Planned Development (Cottonwood 10B1st Amd)

Land Use: Single Family Residential

Jordon Road & Cottonwood Drive

Zoned: Planned Development (Cottonwood Mixed Commercial Industrial 1)

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

Jordan Road & E-470

Zoned: Planned Development (Stonegate Village Metro District)

Land Use: Stonegate Village Metro District

Lincoln Avenue & Jordan Road

Zoned: Planned Development (Stonegate PD)

Land Use: Single Family Residential

Lincoln Avenue & Recreation Drive

Zoned: Unincorporated Douglas County

Land Use: Challenger Regional Park

Lincoln Avenue & Dransfeldt Road

Zoned: Agricultural One

Land Use: Residential/ Peaslee Property

Parker Road & Parkglenn Way

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

Land Use: Commercial

Parker Road & Longs Way

Zoned: Suburban Residential

Land Use: Vacant Undeveloped

Newlin Gulch Blvd & E. Meadow Vista Circle

Zoned: Agricultural One

Land Use: Vacant

Mainstreet & Newlin Gulch Blvd (North)

Zoned: Agricultural One

Land Use: Church Property

Hess Road, Jordan Road, Todd Drive & Motsenbocker Road

Zoned: Agricultural One, Rural Residential and Light Industrial

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

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

Zoned: Agricultural One

Land Use: Landscaping Company

Twenty-Mile Road (west of Parker Road)

Zoned: Agricultural One

Land Use: Flat Acres Farm (Pope Property)

West Side of Parker Road (behind Kohls)

Zoned: Agricultural One

Land Use: KOA Property (I Heart Media)

Motsenbocker Road & King Court

Zoned: Rural Residential

Land Use: Large Lot Residential (King Ranch Estates)

Hess Road & Pine Bluffs Way (on Cockriel Drive)

Zoned: Agricultural One

Land Use: Cockriel Boarding Stables

Hilltop Road

Zoned: Agricultural One

Land Use: Vacant (Kuback Property)

Newlin Gulch Blvd.

Zoned: Agricultural One

Land Use: Vacant

Crowfoot Valley Road

Zoned: Agricultural One

Land Use: Outdoor Storage

Utilities and Services

Utilities and Telecommunications

CenturyLink
Intermountain Rural Electric Association (IREA)
Xcel Energy
Xfinity

Water and Sanitation

Cottonwood Water and Sanitation District
Meridian Metropolitan District
Parker Water and Sanitation District
Pinery – Denver SE Suburban
Stonegate Village Metro

School District

Douglas County School District RE-1

Streets, Bridges and Transportation

Refer to Town of Parker Transportation Master Plan

Freeway/Interstate

Highway E-470

Subways

None

Transit Services

RTD Access-a-Ride
RTD Bus Route 483 (provides commuter service to the Lincoln Light Rail and Nine Mile Stations)
RTD Bus Route P (provides express commuter services to downtown Denver)
RTD Park-n-Ride Bus Stations with Bus Service:
Lincoln Avenue & Jordan Road, Longs Way
RTD Call-n-Ride Services (limited to portions of Parker)

Airport/Aviation Fields

Airports and aviation fields are further referenced in Centennial Airport Authority's Airport Influence Area (AIA) Map and Centennial Airport Land Use Guidelines

Significant Parks

Challenger Regional Park
Cottonwood Park & Trailhead
Discovery Park
Dog Park & Disk Golf Course
Norton Farm
O'Brien Park
Salisbury Equestrian Park

Map Exhibits

Map 1 – Surrounding Jurisdictions

Map 2 – Transportation Facilities

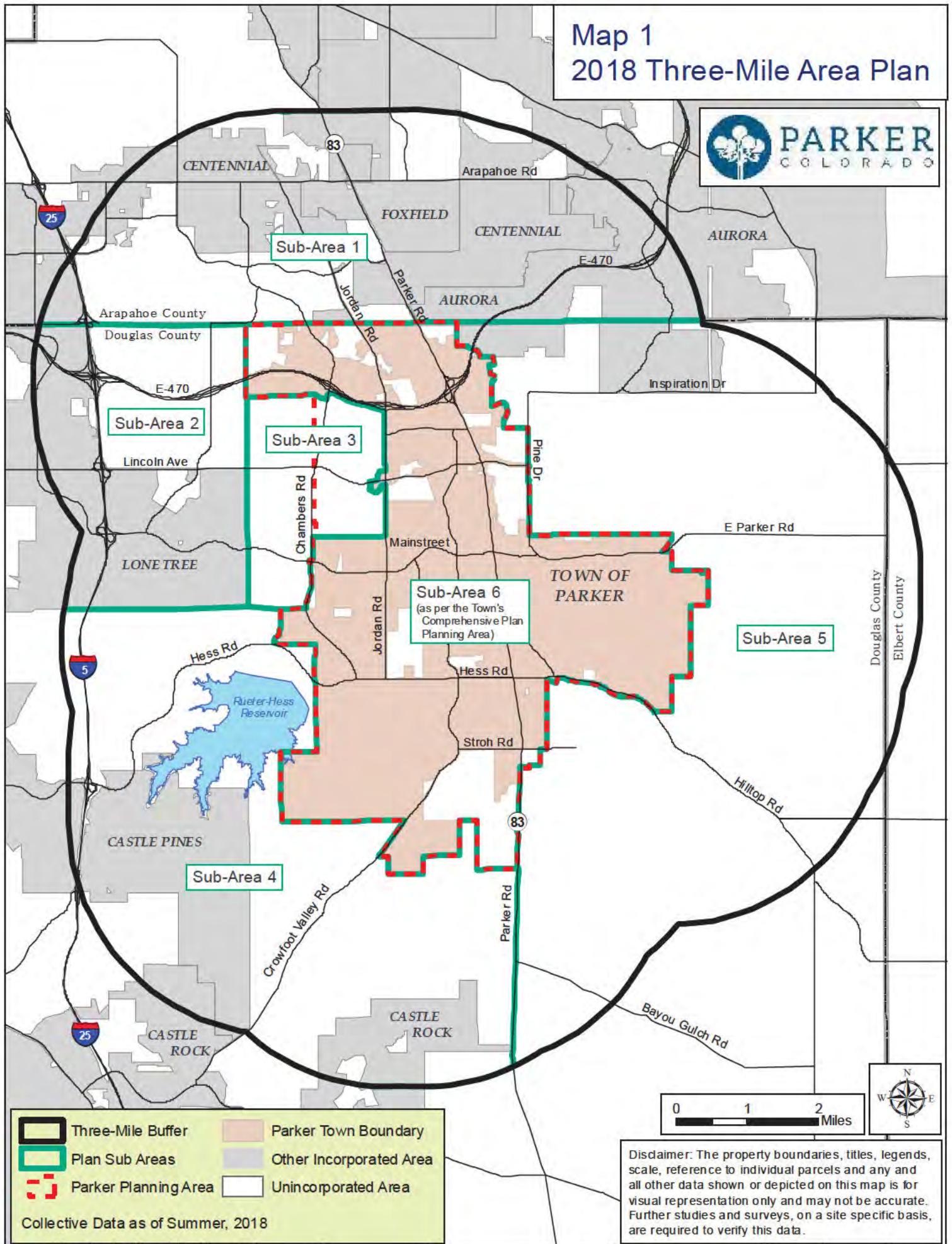
Map 3 – Significant Waterways

Map 4 – Significant Parks

Map 5 – Water and Sanitation Districts

Map 6 – County Zoning

Map 1 2018 Three-Mile Area Plan

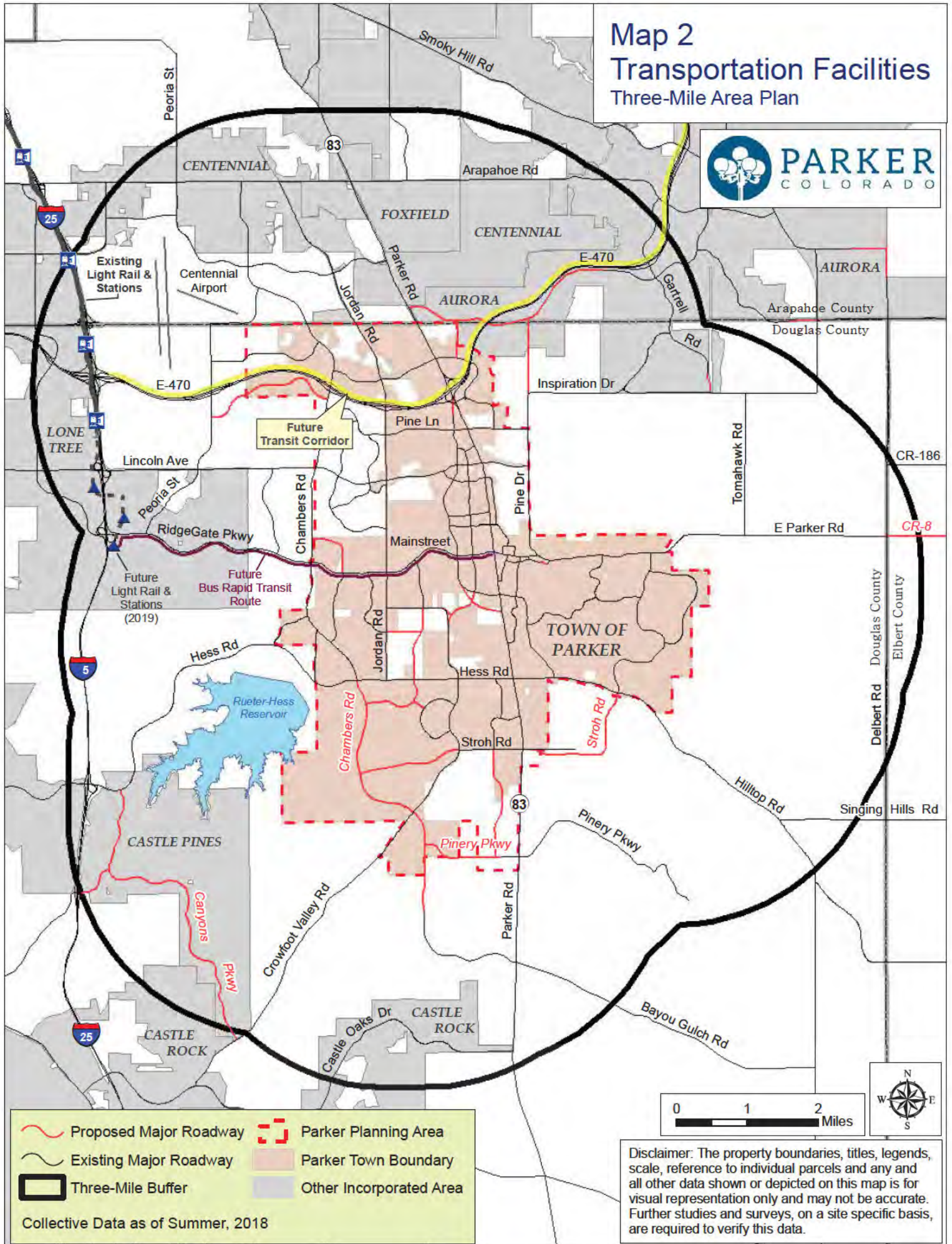


- | | |
|----------------------|-------------------------|
| Three-Mile Buffer | Parker Town Boundary |
| Plan Sub Areas | Other Incorporated Area |
| Parker Planning Area | Unincorporated Area |
- Collective Data as of Summer, 2018

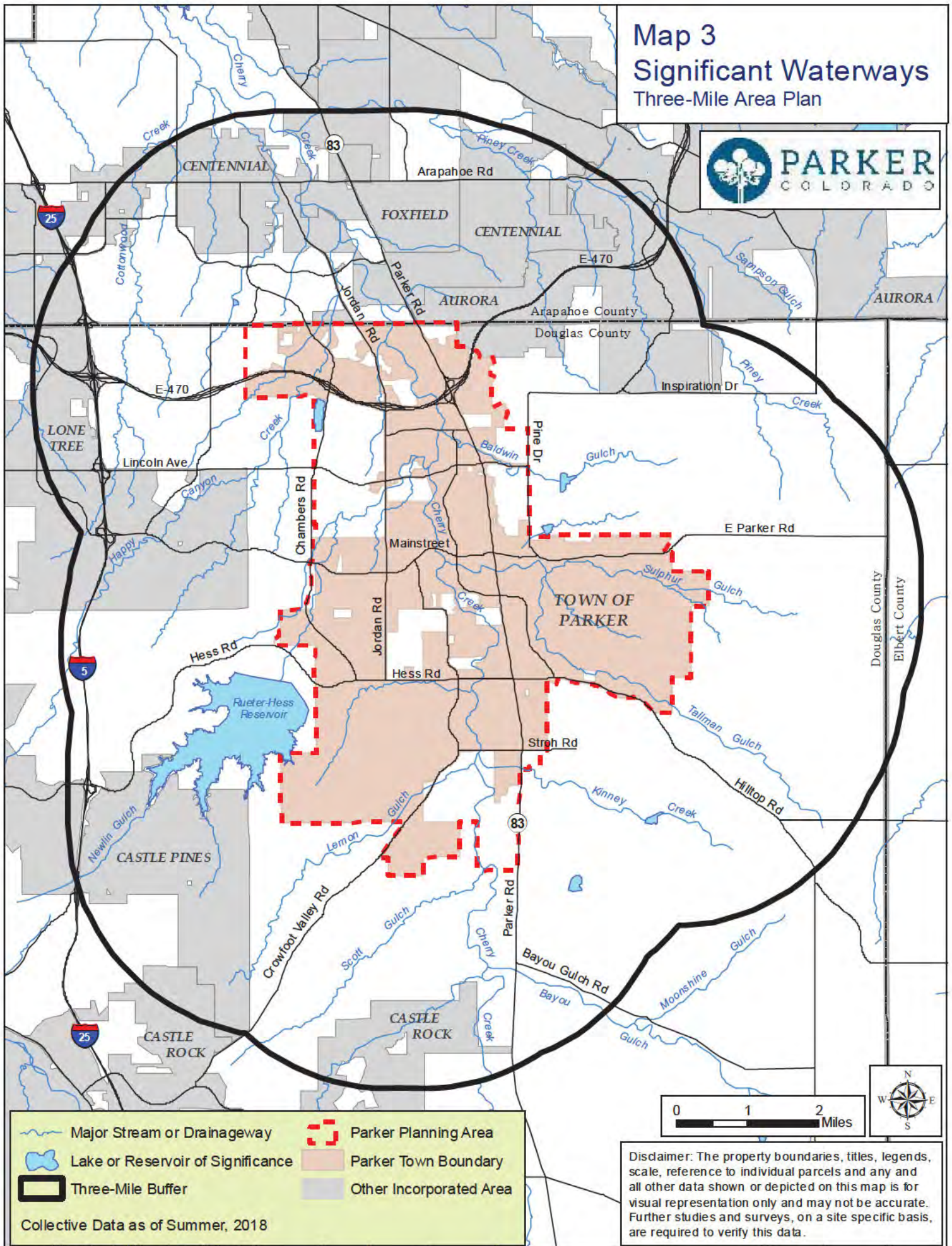


Disclaimer: The property boundaries, titles, legends, scale, reference to individual parcels and any and all other data shown or depicted on this map is for visual representation only and may not be accurate. Further studies and surveys, on a site specific basis, are required to verify this data.

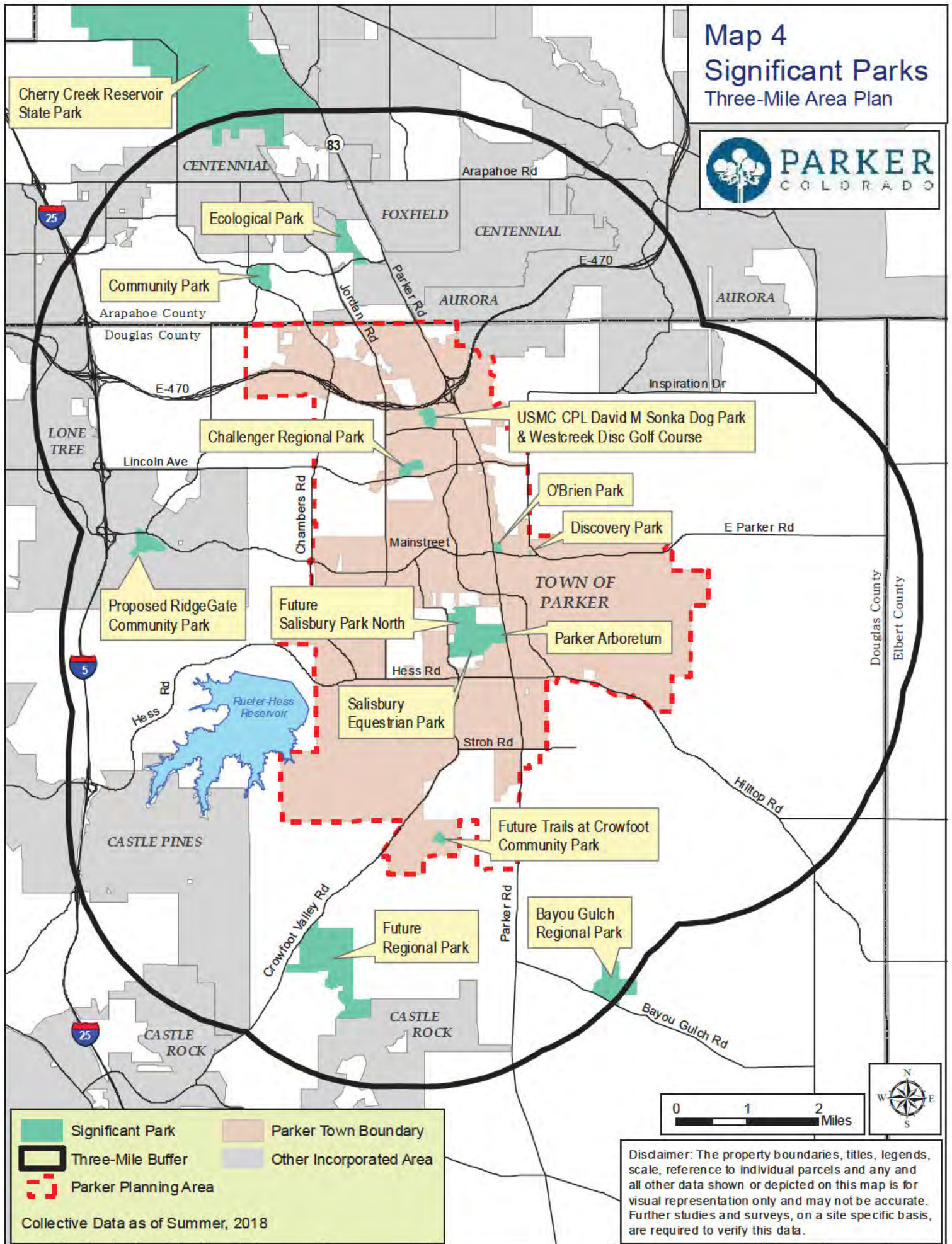
Map 2 Transportation Facilities Three-Mile Area Plan



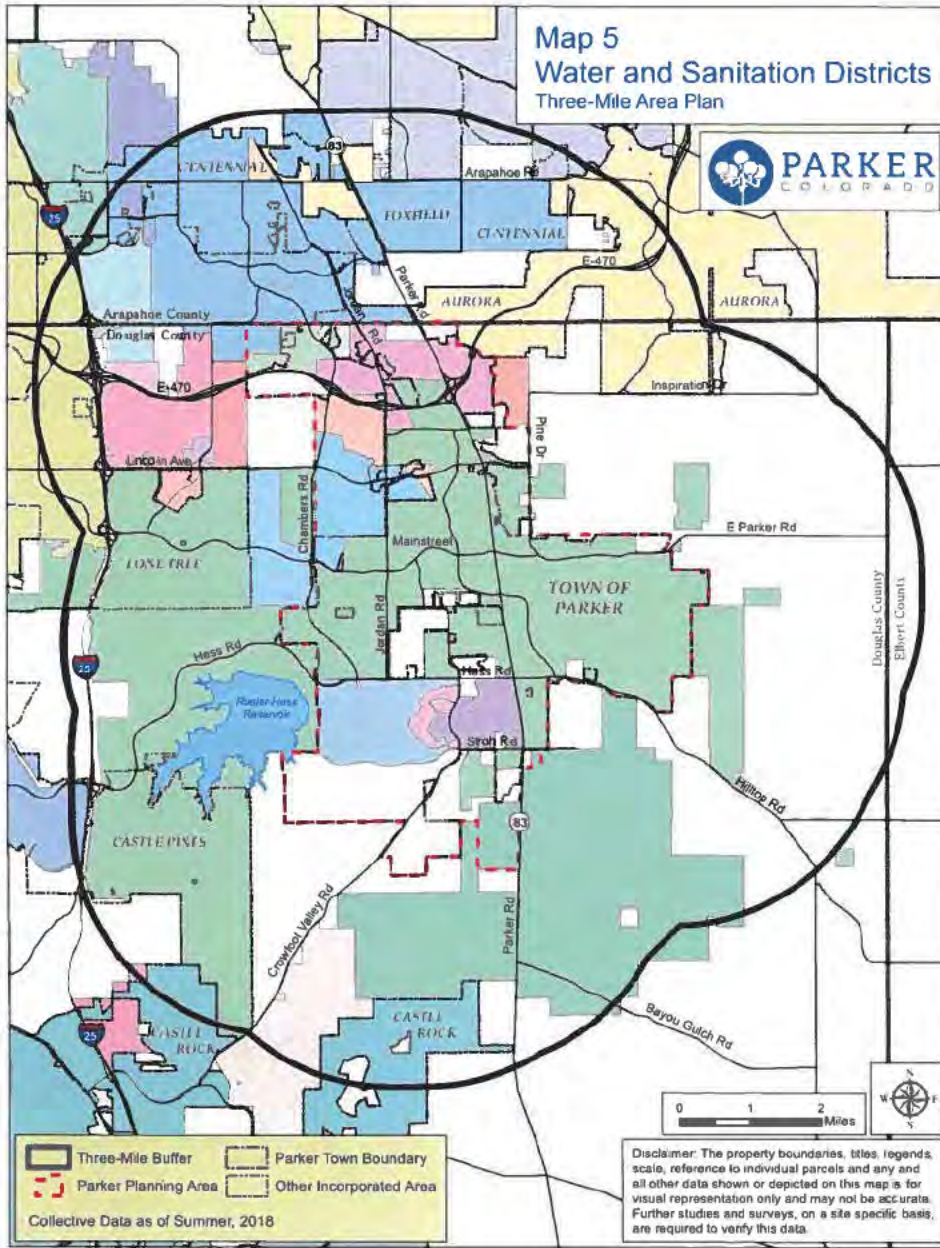
Map 3 Significant Waterways Three-Mile Area Plan



Map 4 Significant Parks Three-Mile Area Plan

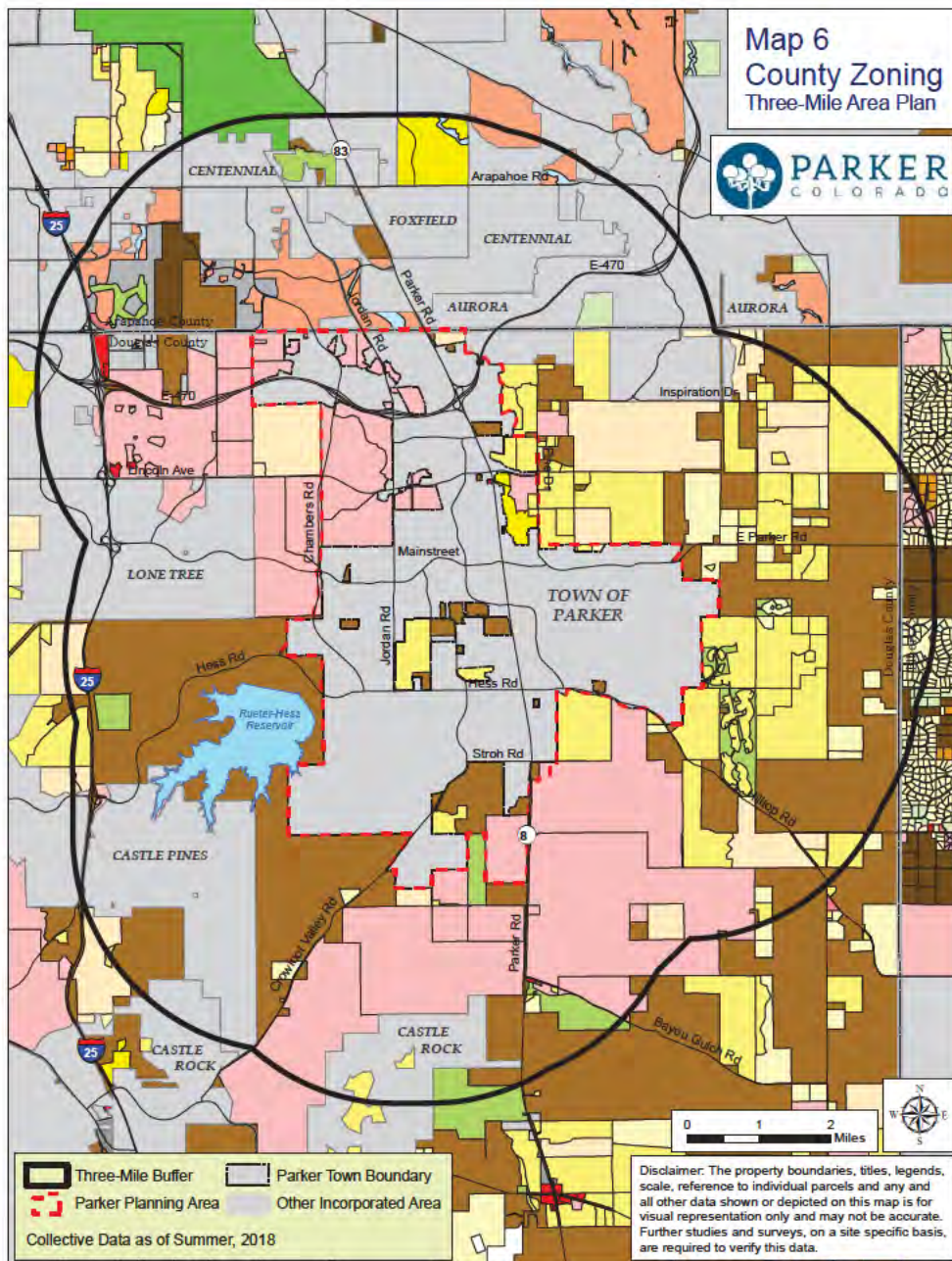


Map 5
Water and Sanitation Districts
 Three-Mile Area Plan



Water & Sanitation Districts

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



Arapahoe County Zoning

- A-1 (Agriculture)
- A-2 (Agriculture)
- B-5 (Business)
- F (Floodplain)
- I-1 / I-1 PUD (Industrial)
- M-U PUD / MDP (Mixed Use)
- O (Office)
- R-1 (Residential)
- R-3 / R-3 PUD (Residential)
- R-4 / R-4 PUD (Residential)
- R-A (Residential -
- R-E (Residential - Estate)
- R-P / R-P PUD (Residential)
- R-PH (Residential - High Density)
- R-PM / R-PM PUD (Residential - Moderate Density)
- R-PSF (Residential - Single Family)
- U.S.A. (Federal Land)

Douglas County Zoning

- A1 (Agriculture)
- B (Business)
- C (Commercial)
- ER (Estate Residential)
- GI (General Industrial)
- LI (Light Industrial)
- LRR (Large Rural Residential)
- OS (Open Space)
- PD (Planned Development)
- RR (Rural Residential)
- SR (Suburban Residential)

Elbert County Zoning

- A (Agriculture)
- AR (Agriculture - Residential)
- B (Business)
- C (Commercial)
- PUD (Planned Unit Development)
- RA (Residential - Agriculture)
- RA-1 (Residential - Agriculture)
- ROW (Right-of-way)



Request for Town Council Action

Date: November 5, 2018
Submitted By: Alex Mestdagh, Engineering Service Manager
Reviewed By: Michelle Kivela, Town Administrator
Title: **PARKER AUTOMOTIVE PLAZA**

Department: Engineering/Public Works, Alex Mestdagh

- (1) RESOLUTION NO. 18-073**
A Resolution Approving the Release of the Slope Easement By and Between Parker Automotive Plaza, LLLP, and the Town of Parker Concerning Lot 1, Cherry Park Business Center Filing No. 1 and Lot 1, Block 1, Stonegate East Filing No. 1
- (2) RESOLUTION NO. 18-074**
A Resolution to Approving the Release of Agreement for Possession and Use By and Between State Farm Mutual Automobile Insurance Company and the Town of Parker Concerning Lot 1, Cherry Park Business Center Filing No. 1
- (3) RESOLUTION NO. 18-075**
A Resolution Accepting the Conveyance of a Traffic Signal/Pedestrian Easement from Faris Properties LLC to Regulate Traffic at the Intersection of Twenty Mile Road and Lincoln Avenue
- (4) RESOLUTION NO. 18-076**
A Resolution Accepting The Conveyance Of A Drainage Easement From Faris Properties LLC for a Portion of Lot 1a, Block 1, Parker Auto Plaza Filing No. 2, 1st Amendment

EXECUTIVE SUMMARY

This item accompanies resolutions accepting drainage and traffic signal/pedestrian easements from Faris Properties over Lot 1a, Block 1, Parker Auto Plaza Filing No. 2, 1st Amendment as well as resolutions releasing a slope easement and a possession and use agreement held by the Town over the same property.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In 1998, the Town entered into an Agreement for Possession and Use (PUA) with State Farm Mutual Automobile Insurance Company regarding right-of-way and easement parcels associated with the construction of Lincoln Avenue and Twenty Mile Road. The property owned by State Farm, which would later be developed as Parker Auto Plaza, is located at what is now the northwest corner of these two roadways. The PUA allowed the Town to construct a portion of this intersection within a parcel on this property, and designated a second parcel as a Slope, Drainage, and Pedestrian Easement and could allow the roadway slope, ditch, and a future sidewalk. This right-of-way parcel was later deeded to the Town, but the permanent easement was not conveyed by a separate agreement. Additionally, in 2005 a separate Slope Easement over this property was subsequently granted to the Town to allow for additional roadway embankment associated with the ultimate expansion of the roadways.

This property, now platted as Lot 1a, Block 1, Parker Auto Plaza Filing No. 2, 1st Amendment, is proposed to be developed as an automotive sales center known as Parker Auto Mart. During the Site Plan process, the applicant has requested that the Slope, Drainage, and Pedestrian Easement and the standalone Slope Easement be released by the Town to remove the encumbrance on the property.

To allow for the release of these easements, the approved grading plans for the development were designed in a manner that will not require slope easements to be maintained to ensure the stability of the roadway. A replacement Traffic Signal/Pedestrian easement is proposed to be dedicated to the Town to cover the traffic signal and sidewalk infrastructure that are located within the existing Slope, Drainage, and Pedestrian easement.

Finally, a new drainage easement on the property is proposed to be dedicated to the Town with this item. This easement is required by the Town to cover the storm sewer infrastructure that is proposed with the new development. The Town's criterion requires that drainage easements be dedicated to the Town over all stormwater conveyance infrastructure on private property to preserve the Town's ability to maintain these items should the property owner fail to do so.

FINANCIAL IMPACT

The Town paid State Farm considerations of \$9,290 with the PUA, and require reimbursement of that sum from the current property owner.

STRATEGIC GOAL(S)



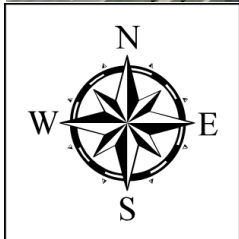
DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. VM - Parker Auto Plaza
2. Resolution 18-073
3. Resolution 18-074
4. Resolution 18-075
5. Resolution 18-076

RECOMMENDED MOTION

I move to approve Resolution Nos. 18-073, 18-074, 18-075, and 18-076 on the consent agenda.



Parker Auto Plaza
Vicinity Map

RESOLUTION NO. 18-073, Series of 2018

TITLE: A RESOLUTION APPROVING THE RELEASE OF THE SLOPE EASEMENT BY AND BETWEEN PARKER AUTOMOTIVE PLAZA, LLLP, AND THE TOWN OF PARKER CONCERNING LOT 1, CHERRY PARK BUSINESS CENTER FILING NO. 1 AND LOT 1, BLOCK 1, STONEGATE EAST FILING NO. 1

WHEREAS, the Town and Parker Automotive Plaza, LLLP (the “Grantor”), entered into a slope easement on September 25, 2005, which was recorded at Reception No. 2005113946 of the Douglas County Clerk and Recorder’s Office (the “Slope Easement”);

WHEREAS, the Slope Easement provides that the easement may be released by the Town “upon the construction of an approved development on the property”;

WHEREAS, the property subject to the easement has been developed and provides the necessary subjacent support and protection of Twenty Mile Road and Lincoln Avenue that is created by this easement;

WHEREAS, the Town desires to release the Slope Easement as permitted by the Slope Easement; and

WHEREAS, all the conditions have been satisfied.

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, based on the fact that all the conditions have been satisfied.

Section 2. The Town Council directs the Town Clerk to record this Resolution with the Douglas County Clerk and Recorder.

Section 3. This Resolution shall go into effect upon payment in the amount of Nine Thousand Two Hundred Ninety and 00/100 Dollars (\$9,290.00) from Parker Automotive Plaza, LLLP, to the Town.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

2005113946

11/29/2005 03:00:42

PGS 6 \$31.00 DF\$0.00

TD1000N

Electronically Recorded Official Records Douglas County CO

Carole R. Murray Clerk and Recorder

SLOPE EASEMENT

THIS EASEMENT, made this 27th day of September, 2005, between PARKER AUTOMOTIVE PLAZA, LLLP, a Colorado limited liability limited partnership, GRANTOR(S), whose legal address is 10301 East Arapahoe Road, Centennial, Colorado 80112, and TOWN OF PARKER, a Colorado Home Rule Municipality, GRANTEE, whose legal address is 20120 E. Mainstreet, Parker, Colorado 80138.

THE GRANTOR, for and in consideration of 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 its 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 itself, its 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, it owns the property on which the easement above conveyed is located 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.

Grantor and Grantee agree that this Easement may be released by Grantee upon the construction of an approved development on the property described in Exhibit A, which provides the

2005113946

9/21/2005

SLOPE EASEMENT

THIS EASEMENT, made this 27th day of September, 2005, between **PARKER AUTOMOTIVE PLAZA, LLLP**, a Colorado limited liability limited partnership, **GRANTOR(S)**, whose legal address is 10301 East Arapahoe Road, Centennial, Colorado 80112, and **TOWN OF PARKER**, a Colorado Home Rule Municipality, **GRANTEE**, whose legal address is 20120 E. Mainstreet, Parker, Colorado 80138.

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(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 its 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 itself, its 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, it owns the property on which the easement above conveyed is located 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.

Grantor and Grantee agree that this Easement may be released by Grantee upon the construction of an approved development on the property described in Exhibit A, which provides the

necessary subjacent support and protection of Twenty Mile Road and Lincoln Avenue that is created by this Easement.

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.

IN WITNESS WHEREOF, the Grantor has caused his name to be subscribed hereto, the day and year first written above.

GRANTOR: PARKER AUTOMOTIVE PLAZA, LLLP

By: LGC Management, Inc., its general partner

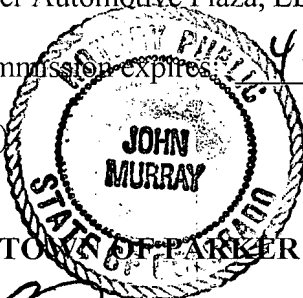
By: 
John H. Held, Senior Vice President

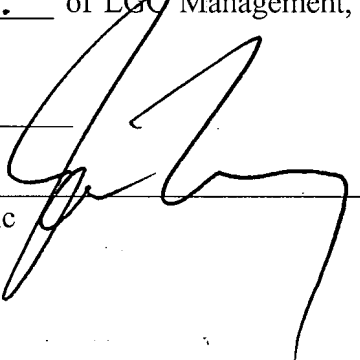
STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 27TH day of September, 2005, by John H. Held, as Senior v.p. of LGC Management, Inc., general partner of Parker Automotive Plaza, LLLP.

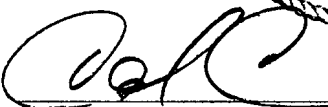
My commission expires 4-16-2009

(SEAL)

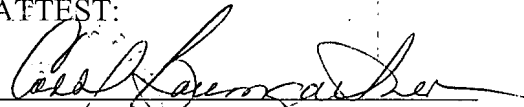



Notary Public

GRANTEE: TOWN OF PARKER


David Casiano, Mayor

ATTEST:


Carol Baumgartner, Town Clerk

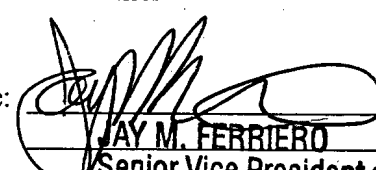
CONSENT STATEMENT

Capital Automotive Finance L.L.C., as the beneficiary of a deed of trust that is secured against the Easement Property and recorded on November 10, 2004 at Reception No. 2004115490 of the Douglas County Clerk and Recorder's Office, hereby consents to the Slope Easement granted to the Town of Parker, Colorado as described herein.

CAPITAL AUTOMOTIVE FINANCE L.L.C.
A Delaware limited liability company

By: Capital Automotive L.P., a Delaware limited partnership
Its sole member

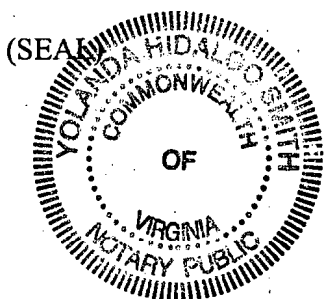
By: Capital Automotive REIT
A Maryland real estate investment trust
Its General Partner

By: 
Name: JAY M. FERRIERO
Title: Senior Vice President and Director of Acquisitions

STATE OF Virginia)
COUNTY OF Fairfax) ss.

The foregoing instrument was acknowledged before me this 7 day of October, 2005, by Jay M. Ferriero, as SVP, Dir. of Acquisitions for Capital Automotive REIT, in such entity's capacity as General Partner of Capital Automotive L.P., in that entity's capacity as sole member of CAPITAL AUTOMOTIVE FINANCE L.L.C.

My commission expires: 7-31-06



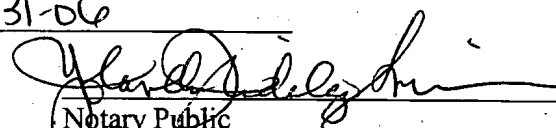

Notary Public

EXHIBIT A

SLOPE EASEMENT DESCRIPTION

A parcel of land consisting of a portion of that parcel described in Book 1847 at Page 2195, a portion of Lot 1, Cherry Park Business Center Filing No. 1 as recorded at Reception No. 9500907, a portion of that parcel described in Book 2041 at Page 796, and a portion of that parcel described in Book 1903 at Page 984, being a portion of Lot 1, Block 1, Stonegate East Filing No. 1 as recorded at Reception No. 8712189, all of the Douglas County records, located in the Southeast Quarter of Section 9, and the Northeast Quarter of Section 16, Township 6 South, Range 66 West of the Sixth Principal Meridian, Douglas County, State of Colorado, being more particularly described as follows:

NOTE: For the purpose of this description the bearings are based on the easterly line of the Southeast Quarter of said Section 9, being of an assumed bearing North 00°17'51" East, 2669.21 feet. Monumented by a 3.25" aluminum cap stamped "PLS 20966, 1997" at the northern terminus and by a 3.25" aluminum cap stamped "PLS 19003, 1999" at the southern terminus.

Commencing at the Southeast Corner of said Section 9;

Thence South 89°43'57" West, 129.54 feet along the south line of said Section 9 to a point on the northerly right-of-way line of Lincoln Avenue, being the **TRUE POINT OF BEGINNING**, said point being a point of non-tangent curvature;

Thence easterly along said northerly right-of-way line, along the arc of a curve to the right, the radial line to the center point bears South 10°10'00" East a radius of 1,320.00 feet, thru a central angle of 02°37'06", an arc length of 60.32 feet, whose chord bears North 81°08'33" East, 60.32 feet to the point of intersection of said northerly right-of-way line with the westerly right-of-way line of Twenty Mile Road, as shown on the plat of Parker Auto Plaza Filing No. 1, recorded at Reception No. 2004113377, of the Douglas County records;

Thence North 00°17'51" East, 494.27 feet along the westerly right-of-way line of said Twenty Mile Road;

Thence departing said westerly right-of-way line, North 89°42'09" West, 10.15 feet;

Thence South 10°10'40" West, 189.25 feet;

Thence South 00°17'51" West, 267.04 feet along a line that is 42.63 feet west of and parallel with the westerly right-of-way line of said Twenty Mile Road;

Thence South 74°24'34" West, 133.60 feet to a point of tangent curvature;

Thence southwesterly along the arc of a curve to the left, the radial line to the center point bears South 15°35'26" East a radius of 1310.00 feet, thru a central angle of 19°58'07", an arc length of 456.56 feet, whose chord bears South 64°25'31" West, 454.25 feet;

Thence South 54°26'27" West, 186.52 feet;

Thence South 32°11'30" East, 16.63 feet to a point on the northerly right-of-way line of said Lincoln Avenue;

Thence along the northerly right-of-way line of said Lincoln Avenue the following five (5) courses:

1. North 57°48'30" East, 229.15 feet, to a point of tangent curvature;
2. Northeasterly, along the arc of a curve to the right, the radial line to the center point bears South 32°11'30" East a radius of 1320.00 feet, thru a central angle of 08°08'11", an arc

length of 187.45 feet, whose chord bears North 61°52'36" East, 187.29 feet, to a point of non-tangent curvature;

3. Northeasterly, along the arc of a curve to the right, the radial line to the center point bears South 24°30'12" East a radius of 1049.31 feet, thru a central angle of 04°22'11", an arc length of 80.03 feet, whose chord bears North 67°40'53" East, 80.01 feet, to a point of non-tangent curvature;
4. Easterly, along the arc of a curve to the right, the radial line to the center point bears South 20°34'55" East a radius of 1320.00 feet, thru a central angle of 10°24'42", an arc length of 239.87 feet, whose chord bears North 74°37'26" East, 239.54 feet to a point on the north line of the Northeast Quarter of said Section 16;
5. North 89°43'57" East, 0.05 feet along said north line to the **TRUE POINT OF BEGINNING**.

Containing 42,671 square feet or 0.98 acres, more or less.

I hereby certify that the above legal description was prepared under my direct supervision.

WSSI JOB NO.: 9958-002.25

DATE: June 7, 2005

Prepared For and on Behalf of

WESTERN STATES SURVEYING, INC.

12753 South Parker Road, Suite 205

Parker, CO 80134

(303) 841-7436

Lee E. Lovell, PLS 24960

EXHIBIT

NUMBER	RADIUS	DELTA	ARC LEN.	CHORD BRG.	CHORD LEN.
C1	1320.00	02°37'06"	60.32	N81°08'33"E	60.32
C2	1310.00	19°58'07"	456.56	S64°25'31"W	454.25
C3	1320.00	08°08'11"	187.45	N61°52'36"E	187.29
C4	1049.31	04°22'11"	80.03	N67°40'53"E	80.01
C5	1320.00	10°24'42"	239.87	N74°37'26"E	239.54

NUMBER	DIRECTION	DISTANCE
L1	N 00°17'51" E	494.27'
L2	N 89°42'09" W	10.15'
L3	S 10°10'40" W	189.25'
L4	S 00°17'51" W	267.04'
L5	S 74°24'34" W	133.60'
L6	S 54°26'27" W	186.52'
L7	S 32°11'30" E	16.63'
L8	N 57°48'30" E	229.15'
L9	N 89°43'57" E	0.05'
L10	S 89°43'57" W	129.54'

W1/4 CORNER SECTION 9
3.25" ALUM. CAP IN PVC PIPE
STAMPED PLS 20966 1997

PARKER AUTOMOTIVE
PLAZA, LLLP
BOOK 2041, PAGE 796

CHERRY LANE

PARKER
AUTOMOTIVE
PLAZA, LLLP
BOOK 1847,
PAGE 2195

LOT 1
CHERRY PARK BUSINESS CENTER
FILING NO. 1
RECEPTION NO. 9500907

SE1/4 SECTION 9
T. 6 S., R. 66 W.

SOUTH LINE SE1/4 SECTION 9
NORTH LINE OF NE1/4 SECTION 16
S89°43'57"W (2652.64')

NE1/4 SECTION 16
T. 6 S., R. 66 W.

PARKER AUTOMOTIVE
PLAZA, LLLP
BOOK 1903, PAGE 984

LOT 1, BLOCK 1
STONEGATE EAST
FILING NO. 1
RECEPTION NO. 8712189

LINCOLN AVENUE

TRUE POINT
OF BEGINNING

POINT OF COMMENCEMENT
SE CORNER SECTION 9
3.25" ALUM. CAP IN RANGE BOX
STAMPED PLS 19003 1999

PARKER AUTO PLAZA
FILING NO. 1
RECEPTION NO. 2004113877

EAST LINE SE1/4 SECTION 9
N00°17'51"E 2669.21'



SCALE: 1" = 200'

Western States
SURVEYING, Inc.
12753 SOUTH PARKER ROAD, SUITE 205
PARKER, CO 80134-3486 (303) 841-7436

NOTE: THIS DOES NOT REPRESENT
A MONUMENTED SURVEY. IT IS
INTENDED ONLY TO DEPICT THE
ATTACHED DESCRIPTION.

OWNER:
PARKER AUTO PLAZA, LLLP

TOWN OF PARKER
SLOPE EASEMENT

CALC: LEL DATE: 06/07/05

DRWN: KBD COMMIT. NO.

JOB NO. 9958-002.25

DWG. NAME:

SHEET 3 OF 3

AREA OF PARCEL: 0.98 AC.

RESOLUTION NO. 18-074, Series of 2018

TITLE: A RESOLUTION APPROVING THE RELEASE OF THE AGREEMENT FOR POSSESSION AND USE BY AND BETWEEN STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AND THE TOWN OF PARKER CONCERNING LOT 1, CHERRY PARK BUSINESS CENTER FILING NO. 1

WHEREAS, the Town and State Farm Mutual Automobile Insurance Company ("State Farm"), entered into an Agreement for Possession and Use on January 8, 1998, which was recorded at Reception No. 9805873, Book 1506, Page 2052, of the Douglas County Clerk and Recorder's Office (the "Agreement");

WHEREAS, the Agreement provides that the Town can release the right to use and possess the property subject to the Agreement.

WHEREAS, the Town desires to release the Agreement as permitted by Paragraph 4 the Agreement; and

WHEREAS, all the conditions have been satisfied.

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 Agreement, which is attached hereto as **Exhibit 1** and incorporated by this reference, based on the fact that all the conditions have been satisfied.

Section 2. The Town Council directs the Town Clerk to record this Resolution with the Douglas County Clerk and Recorder.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

9805873 - 01/30/98 12:15 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
B1506 - P2052 - \$65.00 - 1/ 13

parker\c50-2\statfrm2.apu

**Agreement For Possession and
Use**

DC9805873

**Between
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
and
TOWN OF PARKER**

1. The undersigned landowner(s) hereby irrevocably grant(s) to **TOWN OF PARKER**, (hereafter "Town"), its contractors, agents, and all others deemed necessary by it the irrevocable right to possession and use of parcel(s) on **Exhibits A, B, and C** hereto, for the purpose of construction and maintenance of a Public Transportation system, including facilities associated thereto. Said right to possession shall include the right to perform construction and maintenance activities. In consideration for this irrevocable grant of possession Town will tender to the landowner(s) the sum of **NINE THOUSAND, TWO HUNDRED AND NINETY DOLLARS (\$9,290.00)**. The Town shall take possession upon tender of payment.

2. Simultaneously with tender of the \$9,290.00 by Town, Landowner(s) shall deliver fully executed partial releases of any applicable Deeds of Trust, liens or encumbrances. Such partial releases shall cover all the property described in Exhibits A, B, and C. Landowner(s) shall obtain the cooperation of the lienholders and do all things necessary to obtain the release(s) of any such Deed(s) of Trust by the public trustee.

3. It is understood the sum tendered pursuant to Paragraph One represents the Town's appraised value of the just compensation for the property rights being acquired. It is agreed this sum shall be deducted from any final settlement amount, award, or verdict.

4. This Agreement is made with the understanding the Town will continue to negotiate in good faith with the undersigned Landowner(s) to acquire the property rights described in Paragraph One. It is further understood in the event a settlement is not reached within 180 days of the signing of this Agreement such failure will be a confession the negotiations to acquire the property rights described in Paragraph One have proved futile. At this point the Town shall begin proceedings in eminent domain to acquire title to the property described in Paragraph One. The Town shall not unreasonably delay the commencement of proceedings under the eminent domain law once the time provided for in this Paragraph has expired. In the event that Town files an eminent domain proceeding, this Agreement may be immediately submitted to the Court as a stipulation to obtain a court order for possession of

the property described in Exhibits A, B, & C. Regardless of any such order for possession by the court, this grant of possession shall remain in effect until title to the property rights described in Exhibits A, B, & C transfers to Town, or until Town releases such right in writing.

5. If the Town begins proceedings in eminent domain, Landowner(s) agree not to request that Town deposit any amount into the registry of the court. It is understood that the sum advanced as provided in Paragraph One above shall be deemed to be in satisfaction of the requirements of C.R.S. §38-1-105(6) (a) and (b). It is also agreed that for purposes of ascertaining the statutory interest, if any, due the Landowner(s), the date the funds were tendered to Landowner(s) shall constitute the date the funds were available for withdrawal pursuant to C.R.S. §38-1-105(6) (b) and §38-1-116.

6. It is agreed by the undersigned in the event proceedings in eminent domain are begun the valuation date for determining the amount of just compensation shall be the date on which payment was tendered to the landowner(s) pursuant to Paragraph One above.

7. Should an eminent domain proceeding be brought by Town, it is agreed that this document shall be sequestered by the court and shall not be considered as evidence in any valuation hearing or trial. Except that this document may be presented to the court to obtain an Order for Immediate Possession pursuant to Paragraph Four above.

8. It is agreed by entering into this Agreement the undersigned do not waive any rights to raise any issue pertaining to just compensation at the time of trial. However, Landowner(s) specifically waive any rights they may have to contest the power of Town to condemn the property, and further waive the right to contest the jurisdiction, authority, necessity, or any other precedent to the filing of the eminent domain proceeding. It is the parties intent that the only issue in any such proceeding be the amount of the just compensation to be paid by Town.

9. The purposes of this Agreement are to allow the Town to proceed with its construction project without delay and to allow the Landowner(s) to avoid litigation at this time. It is agreed any increase or decrease in valuation of the property of the Landowner(s) due to construction by the Town or its agents of the project described in Paragraph 1 shall not be used as a factor in the determination of the amount of just compensation.

10. The undersigned Landowner(s) agree(s) to pay all taxes, including prorated taxes for the current year, and special assessments due at the time the Town takes possession of its (their) property.

11. Town, its successors and assigns, agree to and shall promptly restore, or cause to be restored, except as necessarily modified as to accommodate the improvements contemplated hereunder, the surface or subsurface of the real property hereinabove described to the condition said property was in prior to the performance of any enlargement, construction, reconstruction, removal and replacement, operation, inspection, maintenance, repair, improvement and relocation, or any other use of the parcel(s) on Exhibits B and C and such restoration shall be performed in a workmanlike manner acceptable to Landowner.

12. This Agreement shall be deemed a contract. It shall bind the parties only when signed by an authorized person on behalf of the Town and by all Landowners or their designated representatives. This contract shall also extend to and bind the heirs, devisee, executors, administrators, legal representatives, successors and assigns of the parties.

13. It is agreed the Town shall record this document.

FOR: STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

BY: [Signature] TITLE: James E. Rutrough, Senior Vice President

DATE: 12/15/97

STATE OF Illinois)

:SS.

COUNTY OF McLean)

Subscribed and sworn to before me this 15th day of December, 1997, by James E. Rutrough as Senior Vice President, as Grantor.

WITNESS my hand and official seal.

My Commission Expires:

5/21/00

Kathy Jean Acklin
Notary Public

Address of Notary: One State Farm Plaza
Bloomington, IL 61710

"OFFICIAL SEAL"
Kathy Jean Acklin
Notary Public, State of Illinois
My Commission Expires 5/21/00

APPROVED AS TO FORM:	
TOWN ATTORNEY:	(Init) (Date)
APPROVED:	
PROJECT MANAGER:	(Init) (Date)

TOWN OF PARKER

BY:

Director of Public Works

DATE:

1-8-98

STATE OF COLORADO)
COUNTY OF Douglas) :SS.

Subscribed and sworn to before me this 8th day of January, 1998, by William Sweeney on behalf of the Town of Parker, Colorado.

WITNESS my hand and official seal.

My Commission Expires:

January 23, 2000

Notary Public
Address of Notary:

Carl Baumgardner

9805873 - 01/30/98 12:15 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
B1506 - P2056 - \$65.00 - 5/ 13

EXHIBIT A

TO FEE ACQUISITION

**BETWEEN TOWN OF PARKER
AND**

STATE FARM MUTUAL AUTOMOBILE COMPANY

TOTAL OF 2 PAGES

LEGAL DESCRIPTION

September 5, 1997

PREPARED BY: JANET M. MONHEISER, P.L.S.
P.L.S. #28281

ON BEHALF OF: KIRKHAM MICHAEL CONSULTING ENGINEERS
7600 EAST ORCHARD ROAD, SUITE 220S
ENGLEWOOD, COLORADO 80111
(303) 694-2300

PARCEL RW-15

A part of Lot 1, Cherry Park Business Center Filing No. 1, as recorded under Reception No. 9500907 in the Douglas County Clerk and Recorders Office, in the Northeast Quarter of Section 16, Township 6 South, Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, being more particularly described as follows:

For the purpose of this description the bearings are based on the southerly line of the Southeast Quarter of Section 9, Township 6 South, Range 66 West, as marked by a 3 1/8" aluminum cap, PLS 12405 at the South Quarter corner and by 3 1/4" aluminum in range box, PLS 9133 at the South Quarter corner, bearing South 89°55'47" East.

Beginning at the Southeast corner of said Lot 1;
Thence North 89°55'47" West along the southerly line of said Lot 1 a distance of 74.52 feet to a point of non-tangent curvature;
Thence along the arc of a curve to the right having a central angle of 03°16'24", radius of 1320.00 feet, arc length of 75.41 feet, (chord bears North 81°48'32" East, 75.40 feet) to a point of non-tangency on the easterly line of said Lot 1;
Thence South 00°38'07" West a distance of 10.29 feet to the POINT OF BEGINNING.

Containing 410 square feet, more or less.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF KIRKHAM MICHAEL CONSULTING ENGINEERS

RIGHT-OF-WAY ACQUISITION PARCEL RW-15

CHERRY PARK
BUSINESS CENTER NO. 1
LOT 1

STATE FARM MUTUAL AUTOMOBILE CO.
C/O CORPORATE TAX DEPT. RE 804
ONE STATE FARM PLAZA
BLOOMINGTON, IL. 61710
BOOK 1242 PAGE 1532

$\Delta = 03^{\circ}16'24''$
 $R = 1320.00'$
 $L = 75.41'$
 $CB = N81^{\circ}48'32''E$
 $Ch = 75.40'$

S00^{\circ}38'07''W

10.29'
POINT OF BEGINNING
SE COR LOT 1

N89^{\circ}55'47''W

74.52'

Parcel RW-15
410 Sq. Ft. $\pm$

Twenty Mile Road

Lincoln Avenue



SCALE: 1" = 20'

9805873 - 01/30/98 12:15 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
B1506 - P2059 - \$65.00 - 8/ 13

EXHIBIT B

TO SLOPE EASEMENT

**BETWEEN TOWN OF PARKER
AND**

STATE FARM MUTUAL AUTOMOBILE COMPANY

(TOTAL OF 2 PAGES)

LEGAL DESCRIPTION

September 5, 1997

PREPARED BY: JANET M. MONHEISER, P.L.S.
P.L.S. #28281

ON BEHALF OF: KIRKHAM MICHAEL CONSULTING ENGINEERS
7600 EAST ORCHARD ROAD, SUITE 220S
ENGLEWOOD, COLORADO 80111
(303)694-2300

PARCEL PE-15

A permanent slope, drainage and pedestrian easement over and across Lot 1, Cherry Park Business Center Filing No. 1, as recorded under Reception No. 9500907 in the Douglas County Clerk and Recorders Office, in the Northeast Quarter of Section 16, Township 6 South, Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, being more particularly described as follows:

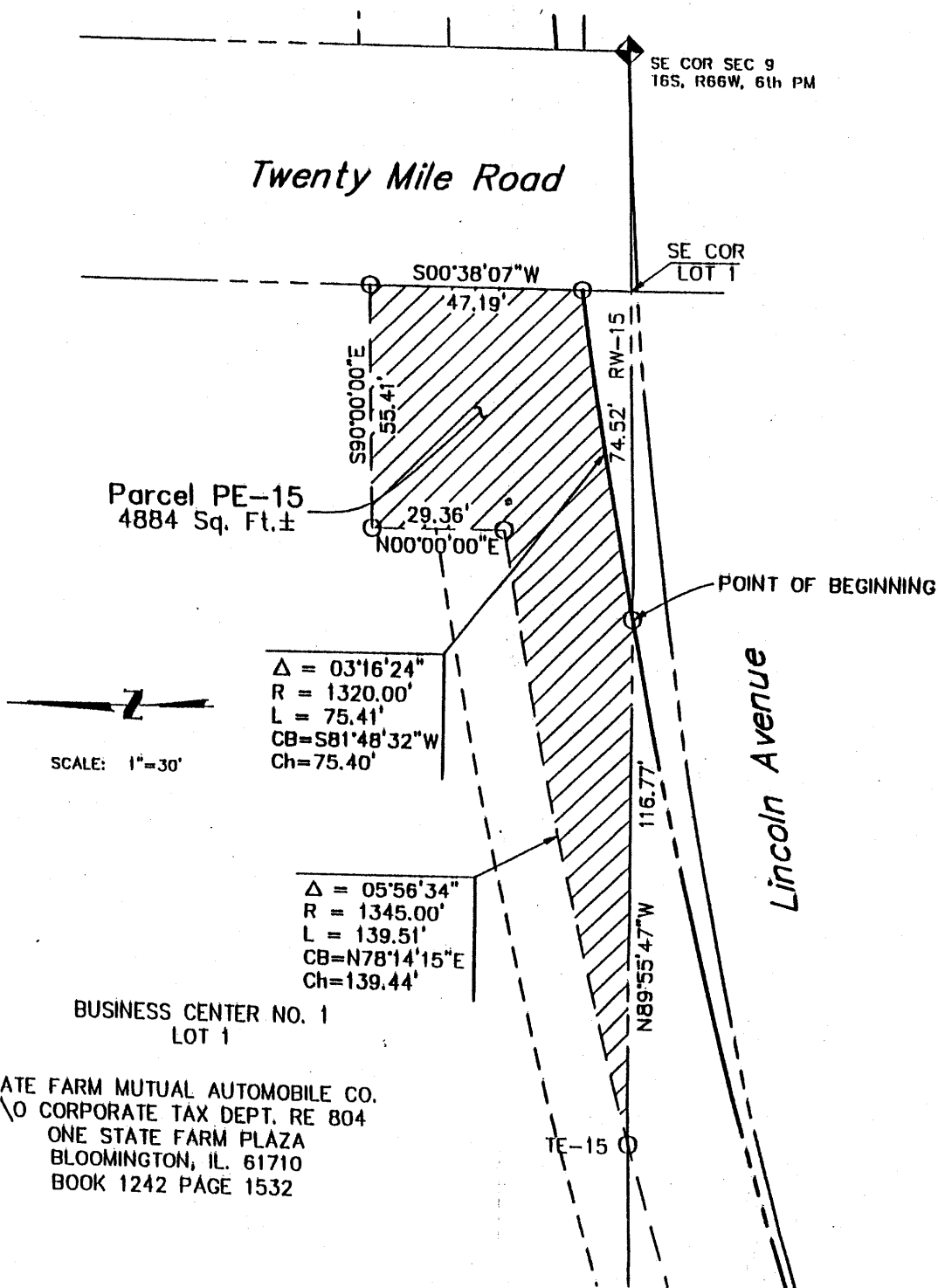
For the purpose of this description the bearings are based on the southerly line of the Southeast Quarter of Section 9, Township 6 South, Range 66 West, as marked by a 3 1/8" aluminum cap, PLS 12405 at the South Quarter corner and by 3 1/4" aluminum in range box, PLS 9133 at the South Quarter corner, bearing South 89°55'47" East.

Commencing at the Southeast corner of said Lot 1;
Thence North 89°55'47" West along the southerly line of said Lot 1 a distance of 74.52 feet to the POINT OF BEGINNING;
Thence continuing North 89°55'47" West along said southerly line a distance of 116.77 feet to a point of non-tangent curvature;
Thence along the arc of a curve to the right having a central angle of 05°56'34", radius of 1345.00 feet, arc length of 139.51 feet, (chord bears North 78°14'15" East, 139.44 feet) to a point;
Thence North 00°00'00" West a distance of 29.36 feet to a point;
Thence South 90°00'00" East a distance of 55.41 feet to a point on the easterly line of said Lot 1;
Thence South 00°38'07" West along said easterly line a distance of 47.19 feet to a point of non-tangent curvature;
Thence along the arc of a curve to the left having a central angle of 03°16'24", radius of 1320.00 feet, arc length of 75.41 feet (chord bears South 81°48'32" West, 75.40 feet) to the POINT OF BEGINNING.

Containing 4884 square feet, more or less.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF KIRKHAM MICHAEL CONSULTING ENGINEERS.

PERMANENT EASEMENT PARCEL PE-15



9805873 - 01/30/98 12:15 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
B1506 - P2062 - \$65.00 - 11/ 13

EXHIBIT C

**TO GRANT OF TEMPORARY EASEMENT
FOR CONSTRUCTION**

**BETWEEN TOWN OF PARKER
AND**

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

TOTAL OF 2 PAGES

LEGAL DESCRIPTION

September 5, 1997

PREPARED BY: JANET M. MONHEISER, P.L.S.
P.L.S. #28281

ON BEHALF OF: KIRKHAM MICHAEL CONSULTING ENGINEERS
7600 EAST ORCHARD ROAD, SUITE 220S
ENGLEWOOD, COLORADO 80111
(303) 694-2300

PARCEL TE-15

A temporary construction easement over and across Lot 1, Cherry Park Business Center Filing No. 1, as recorded under Reception No. 9500907 in the Douglas County Clerk and Records Office, in the Northeast Quarter of Section 16, Township 6 South, Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, being more particularly described as follows:

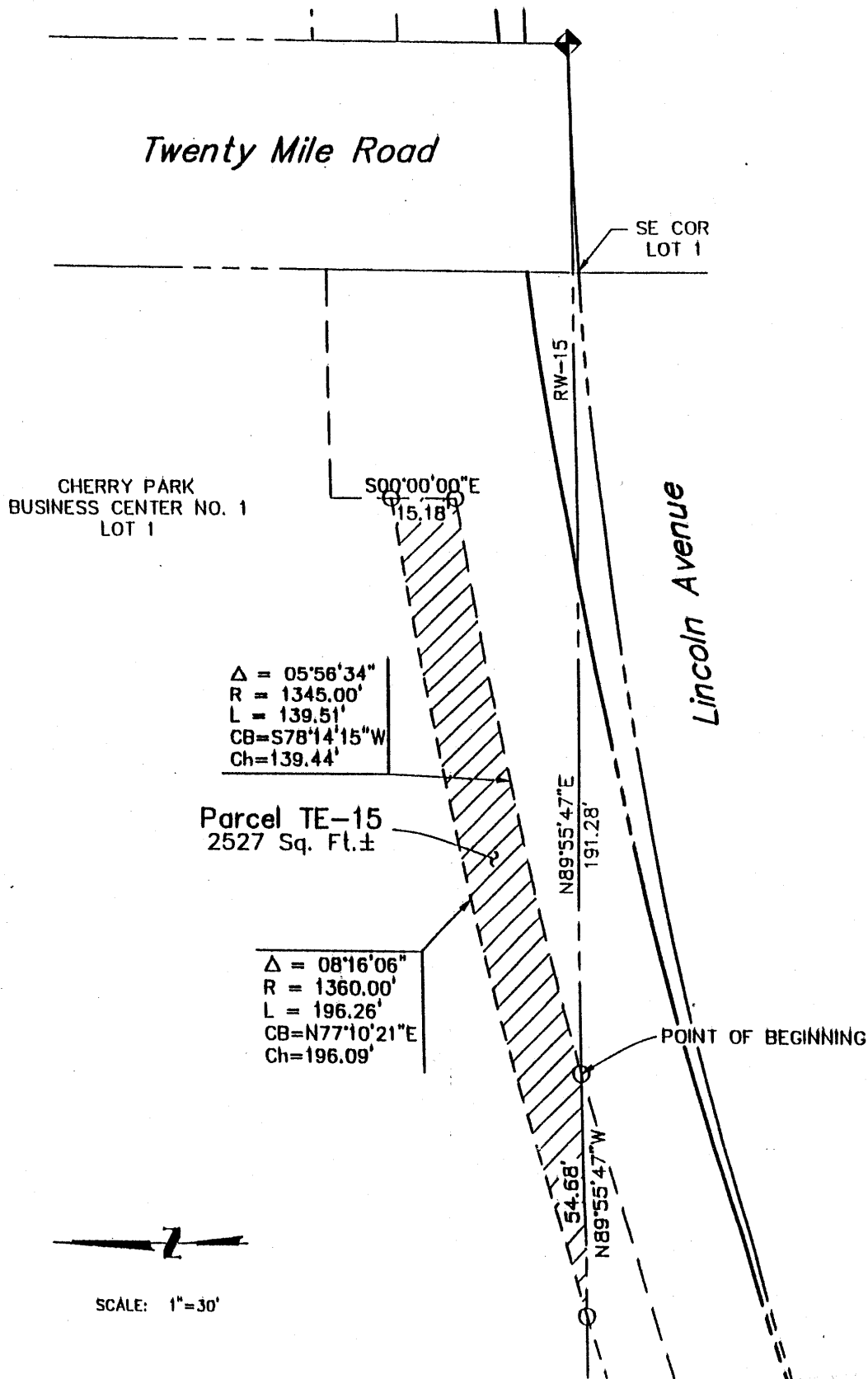
For the purpose of this description the bearings are based on the southerly line of the Southeast Quarter of Section 9, Township 6 South, Range 66 West, as marked by a 3 1/8" aluminum cap, PLS 12405 at the South Quarter corner and by 3 1/4" aluminum in range box, PLS 9133 at the South Quarter corner, bearing South 89°55'47" East.

Commencing at the Southeast corner of said Lot 1;
Thence North 89°55'47" West along the southerly line of said Lot 1 a distance of 191.28 feet to the POINT OF BEGINNING;
Thence continuing North 89°55'47" West along said southerly line a distance of 54.68 feet to a point of non-tangent curvature;
Thence along the arc of a curve to the right having a central angle of 08°16'06", radius of 1360.00 feet, arc length of 196.26 feet, (chord bears North 77°10'21" East, 196.09 feet) to a point of non-tangency;
Thence South 00°00'00" West a distance of 15.18 feet to a point of non-tangent curvature;
Thence along the arc of a curve to the left having a central angle of 05°56'34", radius of 1345.00 feet, arc length of 139.51 feet (chord bears South 78°14'15" West, 139.44 feet) to the POINT OF BEGINNING.

Containing 2527 square feet, more or less.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF KIRKHAM MICHAEL CONSULTING ENGINEERS.

TEMPORARY EASEMENT PARCEL TE-15



RESOLUTION NO. 18-075, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A TRAFFIC SIGNAL/PEDESTRIAN EASEMENT FROM FARIS PROPERTIES LLC TO REGULATE TRAFFIC AT THE INTERSECTION OF TWENTY MILE ROAD AND LINCOLN AVENUE

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement for the purpose of constructing and operating a traffic signal and providing pedestrian access across the easement property from Faris Properties LLC to regulate traffic at the intersection of Twenty Mile Road and Lincoln Avenue;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of certain property interests for the purpose of constructing and operating a traffic signal and providing pedestrian access across the easement property, from Faris Properties LLC, to regulate traffic at the intersection of Twenty Mile Road and Lincoln Avenue, as provided in the Sight Distance Easement Agreement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

TRAFFIC SIGNAL/PEDESTRIAN EASEMENT AGREEMENT

This TRAFFIC SIGNAL/PEDESTRIAN EASEMENT AGREEMENT (the "Easement Agreement"), made this _____ day of _____, 2018, between Faris Properties LLC, a Colorado limited liability company (the "Grantor") and the Town of Parker, a Colorado home rule municipality (the "Grantee").

WHEREAS, the Grantee desires to acquire an easement for the purpose of a constructing and operating a traffic signal to regulate traffic at the intersection of Twenty Mile Road and Lincoln Avenue in the Town of Parker, on and through the property more particularly described and depicted in **Exhibit A** (the "Easement Property"), attached hereto and incorporated herein by this reference; and

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

NOW, THEREFORE, for good and valuable consideration by the Grantee to the Grantor, the covenants of the Grantee herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, and for and in consideration of the easement rights herein granted and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantee does hereby covenant and agree as follows:

1. Grant of Easement. The Grantor hereby grants to the Grantee an easement for a traffic control signal, including the maintenance and repair of such signal and appurtenances thereto, in, under, through, and across the property described in **Exhibit A** which is attached hereto and incorporated herein by this reference. Subject to the other terms and conditions of this Easement Agreement, the Grantee shall also have the right to remove impediments to operation and maintenance of the Easement Property such as trees, asphalt and sidewalks. The Grantee further agrees all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with the Grantor so as to minimize any disruption to the Grantor's property.

2. Unencumbered Title. The Grantor warrants that the Easement Property granted herein is granted free and clear of all liens and encumbrances.

3. Infringement and Correction. The Grantee is hereby given and granted possession of the above-described Easement Property, and the Grantor covenants and agrees that no structure, fixture, improvement, or other obstruction above or below ground that will interfere with the purposes aforesaid will be placed, erected, installed or permitted on or through the above-described Traffic Signal Easement. The Grantor further covenants and agrees that in the event the terms of this paragraph are violated by the Grantor, or any person acting by, through or on behalf of the Grantor, such violation will be corrected and eliminated within a reasonable time upon receipt of written notice of such violation from the Grantee, after which the Grantee shall have the right, following a reasonable period of time, to correct or eliminate such violation and the Grantor shall promptly pay the actual costs thereof.

4. Operation and Maintenance. The operation and maintenance of the traffic signal on the Easement Property shall be the responsibility of the Grantee.

5. Obligations of the Grantee. The Grantee shall maintain the above-described easement in good condition at all times. All work performed by the Grantee on the property of the Grantor shall be done with care, and all damage to the Grantor's land and improvements, to the extent said improvements are constructed or installed in accordance with this Agreement, shall be promptly paid for or repaired at the expense of the Grantee. The Grantee's obligation herein shall include the restoration of the land and improvements to their condition prior to the damage, if any.

6. Grantor Defined. The word "Grantor" as used herein, whenever the context requires or permits, shall include the heirs, personal representatives, beneficiaries, successors, grantees and assigns of the owners of the land through which the easement runs, or the respective owners from time to time of portions thereof. The burdens and benefits of this Easement Agreement shall be deemed covenants running with said easements and said land. Notwithstanding any contrary provision in this Easement Agreement, however, any obligation under this Easement Agreement which is to be performed by the owner of any land which is burdened by this Easement Agreement shall be enforceable only against the then owner of such land, and not against any such owner's predecessors in interest.

7. Covenants of Grantee. The Grantee hereby represents, covenants and warrants in favor of the Grantor, and its successors and assigns, as follows:

a. The Grantee shall protect the Easement Property, and the adjacent lands of the Grantor over which Grantee has rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of the Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents.

b. The Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by the Grantor.

8. Retained Rights. The Grantor shall have all rights to the Easement Property not granted hereby.

9. Binding Effect. The terms and provisions of this Easement Agreement shall be binding upon and inure to the benefit of the respective heirs, personal representatives, beneficiaries, successors, grantees and assigns of the parties hereto, and the burdens or benefits of the provisions of this Agreement shall be deemed covenants running with said easement.

10. Recordation. This Easement Agreement shall be recorded in the real estate records of the Douglas County Clerk and Recorder's Office.

11. Miscellaneous.

a. This easement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

b. This easement shall be of no force and effect until this easement is duly and validly executed by all parties hereto.

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

GRANTOR: FARIS PROPERTIES LLC, a
Colorado limited liability company

By: _____
Dan Ramirez, Operations Manager

ATTEST:

[Name/Title]

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

TOWN OF PARKER

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

A PUBLIC USE EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING A PART OF LOT 1A, BLOCK 1, PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS IN THIS DESCRIPTION ARE BASED ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 9, ASSUMED TO HAVE A BEARING OF N00°17' 51" E BETWEEN THE SOUTHEAST CORNER (A 3-1/4" ALLOY CAP IN RANGE BOX, PLS 19003 1999) AND THE EAST 1/4 CORNER (A 3-1/4" ALUMINUM CAP, PLS 22561 2008), WITH ALL BEARINGS HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1A;
THENCE WESTERLY, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF LINCOLN AVENUE AND ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 1°35'03", A RADIUS OF 1320.00 FEET, AN ARC LENGTH OF 36.50 FEET AND A CHORD BEARING AND DISTANCE OF S81°39'35"W, 36.50 FEET;
THENCE N55°01'14"E A DISTANCE OF 13.81 FEET;
THENCE N0°01'40"W A DISTANCE OF 14.39 FEET;
THENCE N61°00'23"E A DISTANCE OF 28.54 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF TWENTY MILE ROAD;
THENCE S0°17'51"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 30.85 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 672 SQUARE FEET OR 0.015 ACRES OF LAND, MORE OR LESS.

ALL DISTANCES ARE IN U.S. SURVEY FEET

PREPARED 8/1/2018

ON BEHALF OF AND FOR:

RED ROCK LAND SURVEYS, INC.

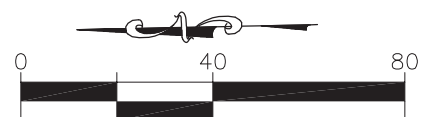
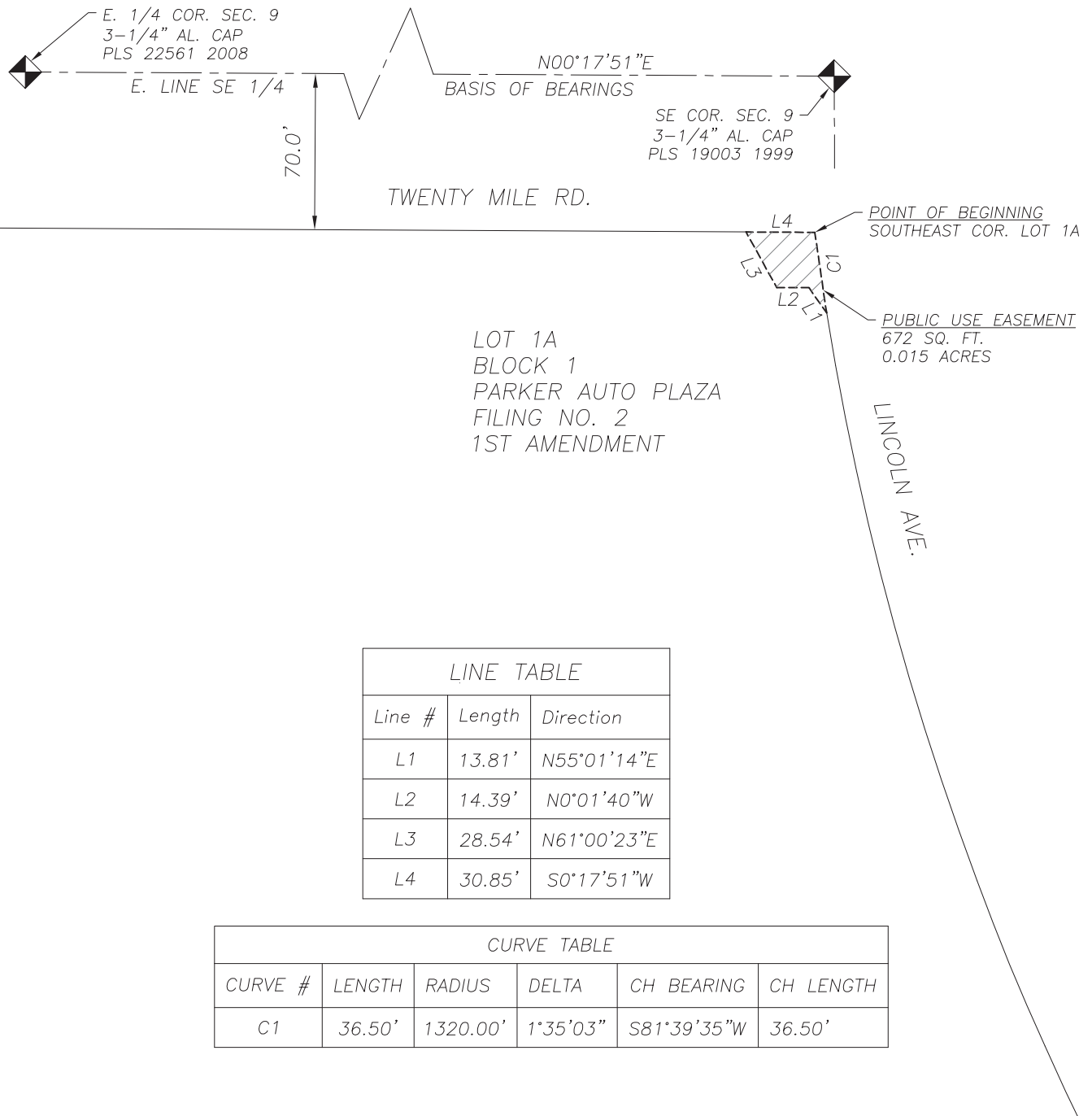
PREPARED BY:

JOHN E. KRATZ, PLS NO. 20142

254 PELAGE CT., CAÑON CITY, CO 81212



ILLUSTRATION FOR EXHIBIT A



SCALE: 1"=80'

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

ALL DISTANCES ARE IN U.S. SURVEY FEET.

DRAWN BY: JEK	SCALE: 1"=70'	R.O.W. FILE NUMBER
CHECKED BY: LAK	DATE: 08/01/2018	JOB NUMBER:

RESOLUTION NO. 18-076, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A DRAINAGE EASEMENT FROM FARIS PROPERTIES LLC, FOR A PORTION OF LOT 1A, BLOCK 1, PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of certain property interests for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities from Faris Properties LLC, for a portion of Lot 1A, Block 1, Parker Auto Plaza Filing No. 2, 1st Amendment, as provided in the Drainage Easement Agreement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

DRAINAGE EASEMENT AGREEMENT

THIS DRAINAGE EASEMENT AGREEMENT (the "Easement Agreement") is dated this ____ day of _____, 2018, by Faris Properties LLC, a Colorado limited liability company (the "Grantor"), and the Town of Parker, a Colorado home rule municipality (the "Grantee").

WHEREAS, the Grantee desires to acquire an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities on and through the property more particularly described and depicted in **Exhibits A-1 through A-4** (the "Easement Property"), attached hereto and incorporated herein by this reference; and

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

NOW, THEREFORE, for good and valuable consideration by the Grantee to the Grantor, the covenants of the Grantee herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, and for and in consideration of the easement rights herein granted and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantee does hereby covenant and agree as follows:

1. Grant of Easement. The Grantor does hereby grant and convey unto the Grantee, its successors, assigns, lessees, licensees and agents, an easement under and through the Easement Property, for the purpose of providing the maintenance of a drainage pipe and appurtenant drainage facilities. The Grantee shall also have the specific rights of ingress and egress, consistent with this Easement Agreement, for the construction, reconstruction, operation and maintenance of a drainage pipe and appurtenant drainage facilities, consistent with the easement provided herein. Subject to the other terms and conditions of this Easement Agreement, the Grantee shall also have the right to remove impediments to operation and maintenance of the Easement Property such as trees, asphalt and sidewalks. The Grantee further agrees all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with Grantor so as to minimize any disruption to the Grantor's property.

2. Unencumbered Title. The Grantor warrants that the Easement Property granted herein is granted free and clear of all liens and encumbrances.

3. Operation and Maintenance.

a. The operation and maintenance of the drainage facilities described herein and located within the Easement Property shall be the responsibility of the Grantor and be performed in accordance with "Operation and Maintenance Manual for Vortex Separator," as provided to the Town; provided, however, that Grantee shall have the right to maintain the Easement Property in the event Grantee, in its sole discretion, determines to enter the Easement Property for the operation and/or maintenance of the Easement Property as set forth in subsection b. hereinbelow. The Grantor acknowledges and agrees that the Grantee has the right to enter the Easement Property

to maintain and operate the drainage facilities covered by Chapter 4.08 of the Parker Municipal Code or to maintain and operate the drainage facilities in the manner described herein.

b. If the Grantor fails to adequately maintain the drainage facilities located within the Easement Property, and within fourteen (14) days after the date of written notice from the Grantee, fails to correct the maintenance problem, or fails to begin to clean, cure or correct such problem within fourteen (14) days if such problem cannot be reasonably cleaned, cured or corrected within fourteen (14) days, and fails to diligently prosecute such cleaning, cure or correction to completion, then the Grantee may do so as provided herein. Notwithstanding the foregoing, the Grantee may, in the event of an emergency, as determined by the Grantee in its sole discretion, clean, cure or correct any damage caused by Grantor's failure to adequately maintain the drainage facilities located within the Easement Property. The Grantor shall reimburse the Grantee for the cost of such maintenance to the extent that (i) the drainage facilities and/or the type of maintenance performed by the Grantee are not covered by Chapter 4.08 of the Parker Municipal Code, as amended, or (ii) if the drainage facilities and/or the type of maintenance performed by the Grantee is covered by Chapter 4.08 of the Parker Municipal Code, as amended, and the Grantee determines in its sole discretion that there are not sufficient funds available for such maintenance. If the Grantor fails to reimburse the Grantee for the cost of such maintenance, within thirty (30) days after receipt of an invoice from the Grantee describing the corrective or maintenance action taken, the unpaid amount shall constitute a lien on the Easement Property until paid in full, with priority over all other liens, except general tax liens, which liens shall be certified to the County Treasurer and collected in the same manner as other taxes are collected. The Grantor further agrees that the Grantee may also pursue any and all other remedies available at law or in equity.

4. Grantor Defined. The word "Grantor" as used herein, whenever the context requires or permits, shall include the heirs, personal representatives, beneficiaries, successors, grantees and assigns of the owners of the land through which the easement runs, or the respective owners from time to time of portions thereof. The burdens and benefits of this Easement Agreement shall be deemed covenants running with said easements and said land. Notwithstanding any contrary provision in this Easement Agreement, however, any obligation under this Easement Agreement which is to be performed by the owner of any land which is burdened by this Easement Agreement shall be enforceable only against the then owner of such land, and not against any such owner's predecessors in interest.

5. Covenants of Grantee. The Grantee hereby represents, covenants and warrants in favor of the Grantor, and its successors and assigns, as follows:

a. The Grantee shall protect the Easement Property, and the adjacent lands of the Grantor over which the Grantee has rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of the Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents.

b. The Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos

and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by the Grantor.

6. Retained Rights. The Grantor shall have all rights to the Easement Property not granted hereby.

7. Miscellaneous.

a. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

b. This easement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

c. This easement shall be of no force and effect until this easement is duly and validly executed by all parties hereto.

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

**GRANTOR: FARIS PROPERTIES LLC,
a Colorado limited liability company**

By: _____
Dan Ramirez, Operations Manager

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Dan Ramirez, as Operations Manager of Faris Properties LLC.

My commission expires: _____.

SEAL

Notary Public

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

GRANTEE: TOWN OF PARKER

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A-1

A DRAINAGE EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING A PART OF LOT 1A, BLOCK 1, PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS IN THIS DESCRIPTION ARE BASED ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 9, ASSUMED TO HAVE A BEARING OF N00°17' 51"E BETWEEN THE SOUTHEAST CORNER (A 3-1/4" ALLOY CAP IN RANGE BOX, PLS 19003 1999) AND THE EAST 1/4 CORNER (A 3-1/4" ALUMINUM CAP, PLS 22561 2008), WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1A;
THENCE N87°28'53" E, A DISTANCE OF 183.14 FEET TO THE **POINT OF BEGINNING**;
THENCE N54°17'18"W A DISTANCE OF 80.65 FEET;
THENCE S75°32'26"W A DISTANCE OF 183.78 FEET TO AN EXISTING DRAINAGE EASEMENT DEDICATED BY SAID PLAT OF PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT;
THENCE N0°00'24"W, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 18.70 FEET;
THENCE S89°59'36"W, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 27.62 FEET;
THENCE N75°32'26"E A DISTANCE OF 201.31 FEET;
THENCE N0°19'34"W A DISTANCE OF 87.88 FEET;
THENCE N61°55'57"E A DISTANCE OF 184.87 FEET;
THENCE N0°17'51"E A DISTANCE OF 17.85 FEET;
THENCE S89°42'09"E A DISTANCE OF 27.35 FEET;
THENCE S0°17'51"W A DISTANCE OF 31.50 FEET;
THENCE S61°55'57"W A DISTANCE OF 187.35 FEET;
THENCE S0°19'34"E A DISTANCE OF 75.53 FEET;
THENCE S54°17'18"E A DISTANCE OF 80.93 FEET;
THENCE S35°42'42"W A DISTANCE OF 25.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 14,220 SQUARE FEET OR 0.326 ACRES OF LAND, MORE OR LESS.

ALL DISTANCES ARE IN U.S. SURVEY FEET

PREPARED 8/1/2018

ON BEHALF OF AND FOR:

RED ROCK LAND SURVEYS, INC.

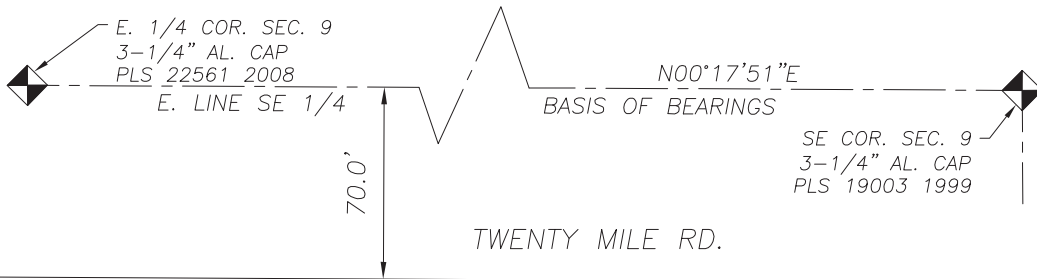
PREPARED BY:

JOHN E. KRATZ, PLS NO. 20142

254 PELAGE CT., CAÑON CITY, CO 81212

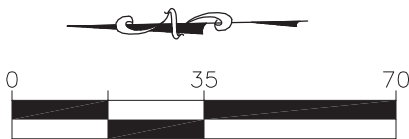


ILLUSTRATION FOR EXHIBIT A-1



LINE TABLE		
Line #	Length	Direction
L1	80.65'	N54°17'18"W
L2	183.78'	S75°32'26"W
L3	18.70'	N0°00'24"W
L4	27.62'	S89°59'36"W
L5	201.31'	N75°32'26"E
L6	87.88'	N0°19'34"W
L7	184.87'	N61°55'57"E
L8	17.85'	N0°17'51"E
L9	27.35'	S89°42'09"E
L10	31.50'	S0°17'51"W
L11	187.35'	S61°55'57"W
L12	75.53'	S0°19'34"E
L13	80.93'	S54°17'18"E
L14	25.00'	S35°42'42"W

LOT 1A
BLOCK 1
PARKER AUTO PLAZA
FILING NO. 2
1ST AMENDMENT



SCALE: 1"=70'

POINT OF COMMENCEMENT
SOUTHEAST COR. LOT 1A

N87°28'53"W
183.14'

LINCOLN AVE.

POINT OF BEGINNING

DRAINAGE EASEMENT
14,220 SQ. FT.
0.326 ACRES

EXIST. DRAINAGE EASE.
(DEDICATED BY PLAT)

DRAWN BY: JEK	SCALE: 1"=70'	R.O.W. FILE NUMBER
CHECKED BY: LAK	DATE: 08/01/2018	JOB NUMBER:

THIS ILLUSTRATION DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY TO
DEPICT THE ATTACHED DESCRIPTION.

ALL DISTANCES ARE IN U.S. SURVEY FEET.

EXHIBIT A-2

A DRAINAGE EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING A PART OF LOT 1A, BLOCK 1, PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS IN THIS DESCRIPTION ARE BASED ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 9, ASSUMED TO HAVE A BEARING OF N00°17' 51"E BETWEEN THE SOUTHEAST CORNER (A 3-1/4" ALLOY CAP IN RANGE BOX, PLS 19003 1999) AND THE EAST 1/4 CORNER (A 3-1/4" ALUMINUM CAP, PLS 22561 2008), WITH ALL BEARINGS HEREIN RELATIVE THERETO;

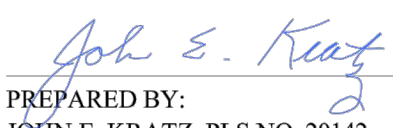
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1A;
THENCE N20°18'17" E A DISTANCE OF 404.53 FEET TO THE **POINT OF BEGINNING**;
THENCE S15°09'04"W A DISTANCE OF 79.11 FEET;
THENCE S67°51'57"W A DISTANCE OF 69.43 FEET;
THENCE S47°51'55"W A DISTANCE OF 64.50 FEET;
THENCE N73°59'45"W A DISTANCE OF 185.44 FEET TO AN EXISTING DRAINAGE EASEMENT DEDICATED BY SAID PLAT OF PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT;
THENCE N89°06'44"E, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 36.29 FEET;
THENCE N0°53'16"W, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 15.11 FEET;
THENCE S73°59'45"E A DISTANCE OF 141.21 FEET;
THENCE N47°51'55"E A DISTANCE OF 55.01 FEET;
THENCE N67°51'57"E A DISTANCE OF 61.45 FEET;
THENCE N15°09'04"E A DISTANCE OF 66.72 FEET;
THENCE S74°50'56"E A DISTANCE OF 25.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 8,762 SQUARE FEET OR 0.201 ACRES OF LAND, MORE OR LESS.

ALL DISTANCES ARE IN U.S. SURVEY FEET

PREPARED 8/29/2018

ON BEHALF OF AND FOR:
RED ROCK LAND SURVEYS, INC.

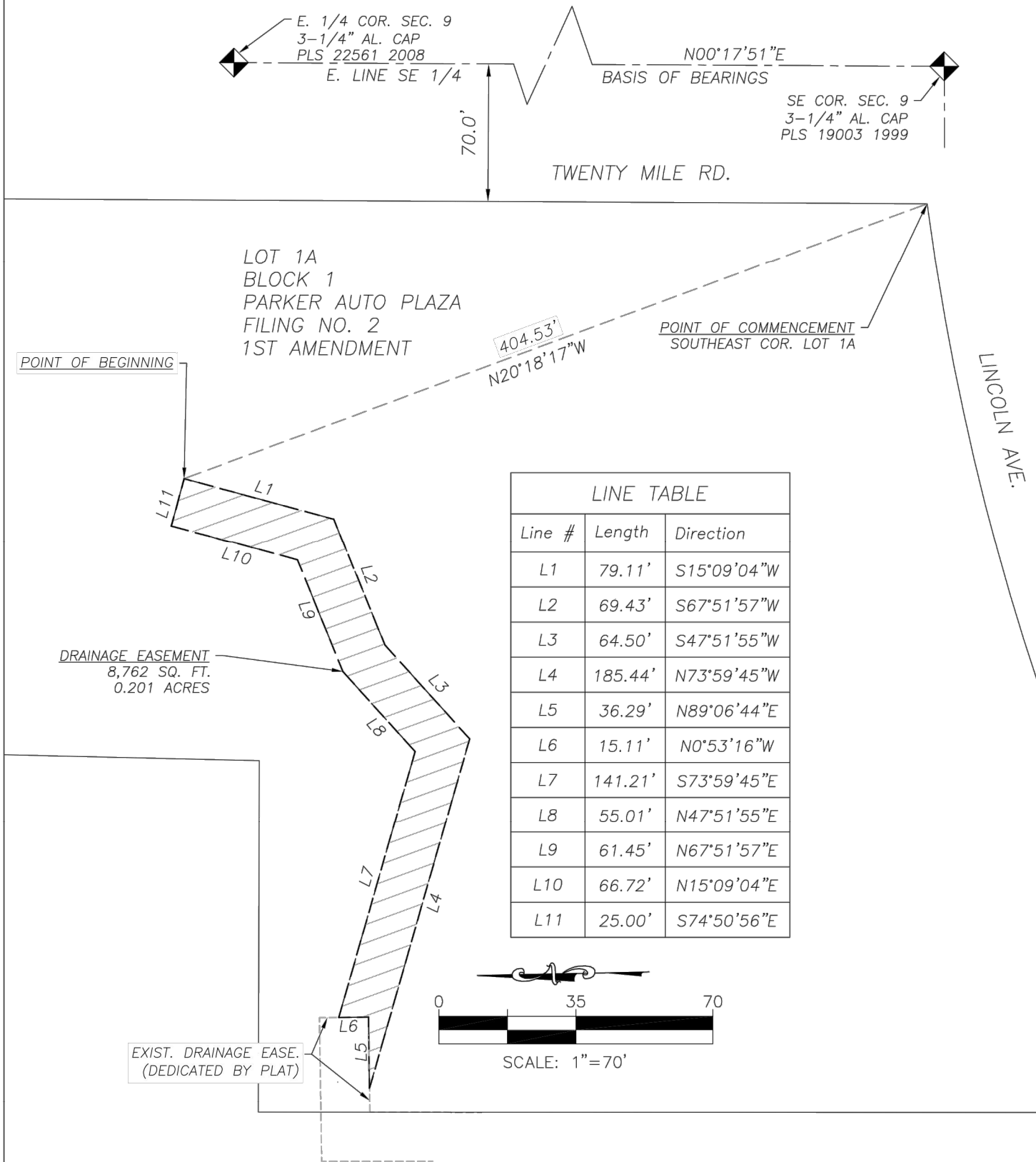

PREPARED BY:

JOHN E. KRATZ, PLS NO. 20142

254 PELAGE CT., CAÑON CITY, CO 81212



ILLUSTRATION FOR EXHIBIT A-2



DRAWN BY: JEK	SCALE: 1"=70'	R.O.W. FILE NUMBER
CHECKED BY: LAK	DATE: 08/01/2018	REVISION: 08/29/2018

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

ALL DISTANCES ARE IN U.S. SURVEY FEET.

EXHIBIT A-3

A DRAINAGE EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING A PART OF LOTS 1A AND 1B, BLOCK 1, PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS IN THIS DESCRIPTION ARE BASED ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 9, ASSUMED TO HAVE A BEARING OF N00°17' 51"E BETWEEN THE SOUTHEAST CORNER (A 3-1/4" ALLOY CAP IN RANGE BOX, PLS 19003 1999) AND THE EAST 1/4 CORNER (A 3-1/4" ALUMINUM CAP, PLS 22561 2008), WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1A;
THENCE N12°53'12"W A DISTANCE OF 629.46 FEET TO THE **POINT OF BEGINNING**;
THENCE S13°48'50"W A DISTANCE OF 65.52 FEET;
THENCE N76°40'19"W A DISTANCE OF 99.53 FEET;
THENCE N0°17'51"E A DISTANCE OF 157.75 TO AN EXISTING DRAINAGE EASEMENT DEDICATED BY SAID PLAT OF PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT;
THENCE S88°40'14"E, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 8.27 FEET;
THENCE N1°19'46"E, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 26.56 FEET;
THENCE N89°59'59"E A DISTANCE OF 31.77 FEET;
THENCE S0°00'01"E A DISTANCE OF 25.00 FEET;
THENCE S89°59'59"W A DISTANCE OF 15.65 FEET;
THENCE S0°17'51"W A DISTANCE OF 139.36 FEET;
THENCE S76°40'19"E A DISTANCE OF 54.87 FEET;
THENCE N13°48'50"E A DISTANCE OF 40.73 FEET;
THENCE S76°11'10"E A DISTANCE OF 25.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 7,779 SQUARE FEET OR 0.179 ACRES OF LAND, MORE OR LESS.

ALL DISTANCES ARE IN U.S. SURVEY FEET

PREPARED 8/1/2018

ON BEHALF OF AND FOR:

RED ROCK LAND SURVEYS, INC.

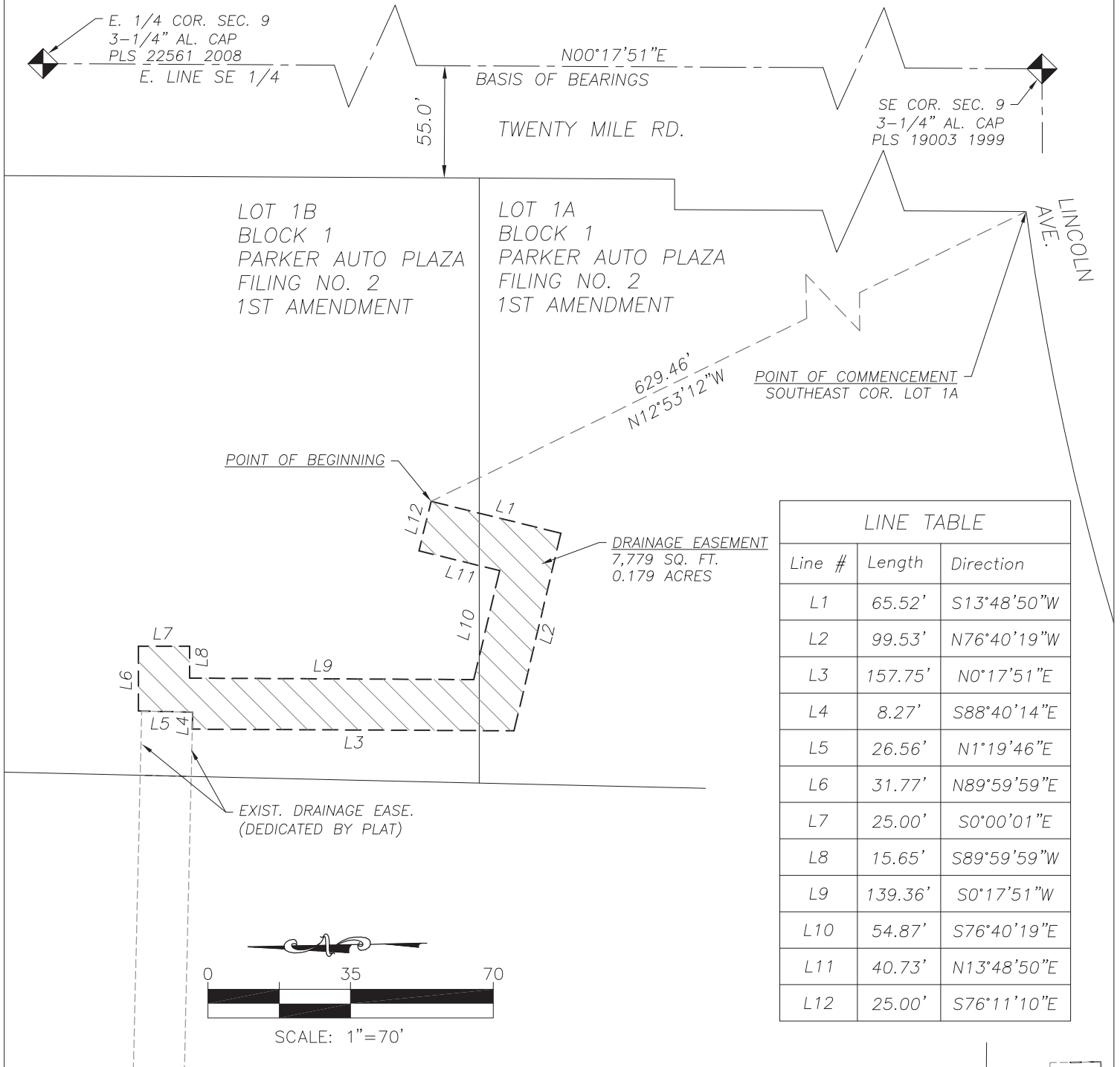
PREPARED BY:

JOHN E. KRATZ, PLS NO. 20142

254 PELAGE CT., CAÑON CITY, CO 81212



ILLUSTRATION FOR EXHIBIT A-3



DRAWN BY: JEK	SCALE: 1"=70'	R.O.W. FILE NUMBER
CHECKED BY: LAK	DATE: 08/01/2018	JOB NUMBER:

THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

ALL DISTANCES ARE IN U.S. SURVEY FEET.

EXHIBIT A-4

A DRAINAGE EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING A PART OF LOT 1B, BLOCK 1, PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS IN THIS DESCRIPTION ARE BASED ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 9, ASSUMED TO HAVE A BEARING OF N00°17' 51"E BETWEEN THE SOUTHEAST CORNER (A 3-1/4" ALLOY CAP IN RANGE BOX, PLS 19003 1999) AND THE EAST 1/4 CORNER (A 3-1/4" ALUMINUM CAP, PLS 22561 2008), WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHERNMOST CORNER OF SAID LOT 1B;
THENCE N80°17'21"E A DISTANCE OF 132.36 FEET TO AN EXISTING DRAINAGE EASEMENT DEDICATED BY SAID PLAT OF PARKER AUTO PLAZA FILING NO. 2, 1ST AMENDMENT AND THE **POINT OF BEGINNING** ;
THENCE N77°28'32"E A DISTANCE OF 114.22 FEET;
THENCE N1°55'43"E A DISTANCE OF 79.07 FEET;
THENCE N65°28'28"E A DISTANCE OF 48.23 FEET;
THENCE S24°31'32"E A DISTANCE OF 25.00 FEET;
THENCE S65°28'28"W A DISTANCE OF 32.74 FEET;
THENCE S1°55'43"W A DISTANCE OF 57.14 FEET;
THENCE N77°28'32"E A DISTANCE OF 74.17 FEET;
THENCE S12°08'17"E A DISTANCE OF 25.00 FEET;
THENCE S77°28'32"W A DISTANCE OF 202.38 FEET TO SAID EXISTING DRAINAGE EASEMENT;
THENCE N1°37'53"W, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 22.35 FEET;
THENCE S88°22'07"W, ALONG SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 16.17 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 7,741 SQUARE FEET OR 0.178 ACRES OF LAND, MORE OR LESS.

ALL DISTANCES ARE IN U.S. SURVEY FEET

PREPARED 8/1/2018

ON BEHALF OF AND FOR:

RED ROCK LAND SURVEYS, INC.

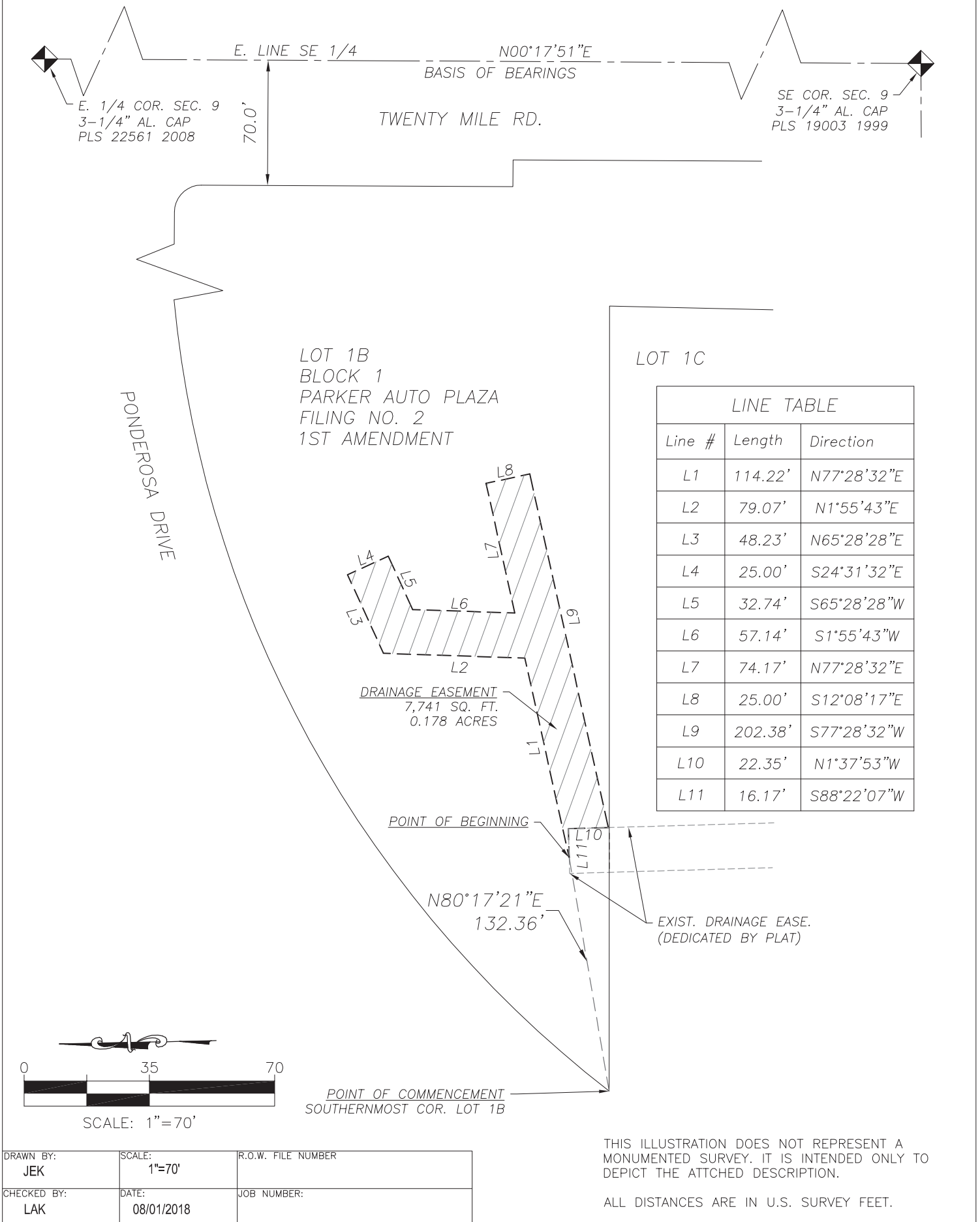
PREPARED BY:

JOHN E. KRATZ, PLS NO. 20142

254 PELAGE CT., CAÑON CITY, CO 81212



ILLUSTRATION FOR EXHIBIT A-4





Request for Town Council Action

Date: November 5, 2018

Submitted By: Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-077**
A Resolution to Supplement Exhibit A to the Amended and Restated Cooperation Agreement Between the Town of Parker, Colorado, and the Parker Authority for Reinvestment for Administrative Services to Include the Real Property Commonly Known as the Parker Tap House Property

Department: **Community Development, Jason Rogers**

EXECUTIVE SUMMARY

Resolution 18-077 will supplement Exhibit A of the Amended and Restated Cooperation Agreement between the Town of Parker and the Parker Authority for Reinvestment. The Resolution will add one property, the Municipal Redevelopment Property, in Exhibit A. The property being added is described as Lot 1B, Mainstreet Center 1st Amendment, which is commonly known as The Schoolhouse property located at 19640 East Mainstreet.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On December 4, 2017, the Town of Parker ("Town") and the Parker Authority ("PAR") for Reinvestment entered into a Amended and Restated Cooperation Agreement. This agreement allows PAR to oversee the development and redevelopment of Town owned properties ("Municipal Redevelopment Properties").

Exhibit A describes the Municipal Redevelopment Properties. Resolution 18-077 will supplement the existing Exhibit A to add a Municipal Redevelopment Property for PAR oversight. The additional Municipal Redevelopment Property described as Lot 1B, Mainstreet Center 1st Amendment, is commonly known as The Schoolhouse property located at 19640 East

Mainstreet.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

ENHANCE ECONOMIC
VITALITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Resolution No. 18-077

RECOMMENDED MOTION

I move to approve Resolution No. 18-077 as part of the consent agenda.

RESOLUTION NO. 18-077, Series of 2018

TITLE: A RESOLUTION TO SUPPLEMENT EXHIBIT A TO THE AMENDED AND RESTATED COOPERATION AGREEMENT BETWEEN THE TOWN OF PARKER, COLORADO, AND THE PARKER AUTHORITY FOR REINVESTMENT FOR ADMINISTRATIVE SERVICES TO INCLUDE THE REAL PROPERTY COMMONLY KNOWN AS THE PARKER TAP HOUSE PROPERTY

WHEREAS, the Town of Parker (the “Town”) and the Parker Authority for Reinvestment (the “Authority”) entered into the “Amended and Restated Cooperation Agreement” on December 4, 2017 (the “Agreement”);

WHEREAS, Paragraph 5.0 of the Agreement provides the “Town and the Authority agree that the Authority shall oversee the development and redevelopment of Authority and Town of Parker owned properties” as described in Exhibit A to the Agreement (the “Municipal Redevelopment Properties”);

WHEREAS, the Agreement provides that the Town may modify these Municipal Redevelopment Properties described in Exhibit A to the Agreement by resolution;

WHEREAS, the Town owns the real property described in **Exhibit 1**, which is attached hereto and incorporated by this reference (the “Additional Municipal Property”); and

WHEREAS, the Town Council desires that the Authority oversee the development and redevelopment of the Additional Municipal Property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council hereby determines that the Additional Municipal Property is to be included as part of the Municipal Redevelopment Properties and that the Authority oversee the development and redevelopment of the Additional Municipal Property as provided by the Agreement.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1
MUNICIPAL REDEVELOPMENT
PROPERTIES LEGAL DESCRIPTIONS

19640 E Mainstreet

Lot 1B, Mainstreet Center 1st Amendment



Request for Town Council Action

Date: November 5, 2018

Submitted By: Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.523 - First Reading**
A Bill for an Ordinance to Adopt the 2019 Budget and to
Make Appropriations for the Same

Department: Finance, Mary Lou Brown
Second Reading: November 19, 2018

EXECUTIVE SUMMARY

The 2019 Town of Parker Budget is submitted for Town Council approval.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The 2019 Town of Parker Annual Budget has been prepared for Town Council consideration and approval.

Staff is required by Town Charter to submit a budget for the coming year to Council prior to October 15, 2018. The document was posted on the Town of Parker Internet site on Friday, October 12, 2018 in compliance with that requirement. In addition, a budget retreat was held on September 21, 2018, where the financial environment of the Town was reviewed. On October 22, 2018, a Study Session was held with Council. At the Study Session, the major components of the budget including capital outlay, contributions to others and the compensation plan were presented along with an overview of revenue and appropriations.

The projected budget is balanced across all funds. The General Fund cash balance meets the requirement of maintaining a 25% reserve equal to the total annual General Fund appropriations.

FINANCIAL IMPACT

The budget establishes the approved appropriation levels by fund for 2019.

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY



FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



ENHANCE ECONOMIC
VITALITY



PROMOTE A SAFE AND
HEALTHY COMMUNITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Ordinance No. 1.523

RECOMMENDED MOTION

I move to approve Ordinance No 1.523 on first reading and to schedule second reading and Public Hearing for November 19, 2018.

ORDINANCE NO. 1.523, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2019 BUDGET AND TO MAKE APPROPRIATIONS FOR THE SAME

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

WHEREAS, the proposed budget for 2019 was presented by the Town Administrator on October 22, 2018; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget was open for inspection by the public at the Town Hall, and Public Hearings were held on November 5, 2018, and November 19, 2018, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

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

Section 1. The 2019 budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

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

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

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

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Exhibit A
Town of Parker
2019 Annual Budget

General Fund

Beginning fund balance	\$ 16,373,172.30
Revenues	51,428,521.74
Expenditures	52,475,218.00
Ending fund balance	<u>\$ 15,326,476.04</u>

Conservation Trust Fund

Beginning fund balance	\$ 162,087.00
Revenues	400,100.00
Expenditures	375,000.00
Ending fund balance	<u>\$ 187,187.00</u>

Parks and Recreation Fund

Beginning fund balance	\$ 5,676,090.00
Revenues	8,689,160.00
Expenditures	9,193,446.00
Ending fund balance	<u>\$ 5,171,804.00</u>

Law Enforcement Assistance Fund

Beginning fund balance	\$ 160,118.00
Revenues	120,600.00
Expenditures	93,167.00
Ending fund balance	<u>\$ 187,551.00</u>

Cultural Fund

Beginning fund balance	\$ 505,557.00
Revenues	5,341,099.00
Expenditures	5,679,121.00
Ending fund balance	<u>\$ 167,535.00</u>

Recreation Fund

Beginning fund balance	\$ 1,726,458.00
Revenues	8,314,845.00
Expenditures	9,208,631.00
Ending fund balance	<u>\$ 832,672.00</u>

Capital Renewal and Replacement Fund

Beginning fund balance	\$ 2,036,209.00
Revenues	32,000.00
Expenditures	-
Ending fund balance	<u>\$ 2,068,209.00</u>

Exhibit A
Town of Parker
2019 Annual Budget

Public Improvements Fund

Beginning fund balance	\$ 11,763,845.00
Revenues	11,595,263.00
Expenditures	6,825,000.00
Ending fund balance	<u>\$ 16,534,108.00</u>

Excise Tax Fund

Beginning fund balance	\$ 7,495,401.00
Revenues	3,272,000.00
Expenditures	1,750,000.00
Ending fund balance	<u>\$ 9,017,401.00</u>

Parkglenn Construction Fund

Beginning fund balance	\$ 205,800.00
Revenues	3,100.00
Expenditures	-
Ending fund balance	<u>\$ 208,900.00</u>

General Debt Service Fund

Beginning fund balance	\$ -
Revenues	943,045.00
Expenditures	943,045.00
Ending fund balance	<u>\$ -</u>

Recreation Debt Service Fund

Beginning fund balance	\$ -
Revenues	1,585,947.00
Expenditures	1,585,947.00
Ending fund balance	<u>\$ -</u>

Stormwater Utility fund

Beginning fund balance	\$ 7,617,082.00
Revenues	2,441,300.00
Expenditures	2,132,813.32
Ending fund balance	<u>\$ 7,925,568.68</u>

Fleet Services Fund

Beginning fund balance	\$ 429,213.00
Revenues	2,587,703.00
Expenditures	1,750,498.00
Ending fund balance	<u>\$ 1,266,418.00</u>

Exhibit A
Town of Parker
2019 Annual Budget

Technology Management Fund

Beginning fund balance	\$ 1,745,600.14
Revenues	3,458,634.00
Expenditures	<u>3,706,184.89</u>
Ending fund balance	<u><u>\$ 1,498,049.25</u></u>

Facility Services Fund

Beginning fund balance	\$ 55,099.40
Revenues	1,093,019.00
Expenditures	<u>1,089,974.30</u>
Ending fund balance	<u><u>\$ 58,144.10</u></u>

Medical Benefits Fund

Beginning fund balance	\$ 577,472.00
Revenues	3,817,501.00
Expenditures	<u>3,641,000.00</u>
Ending fund balance	<u><u>\$ 753,973.00</u></u>



Request for Town Council Action

Date: November 5, 2018

Submitted By: Mary Munekata, Associate Planner
Carolyn Parkinson, Planner I
Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-078**
A Resolution to Adopt the Town of Parker Complete Streets Policy

Department: **Community Development, Mary Munekata**
Community Development, Carolyn Parkinson

EXECUTIVE SUMMARY

In the Town of Parker streets are an important part of the local transportation system and comprise 15 percent of total land area. Streets also serve other purposes such as:

1. Access for land use and development
2. Support for economic vitality
3. Contribute to community character and quality of life
4. Public space for biking, walking and gathering
5. Multi-modal infrastructure for travel choice and safety

The 2014 Transportation Master recommends that the Town prepare and adopt a Complete Streets policy because of the importance of streets and the substantial land area that they occupy in Town.

A Complete Streets policy recognizes that streets are central to local mobility and often serve multiple functions. Such a policy supports the idea that everyone, regardless of age, ability, income, or background, should have safe, comfortable and convenient access to community destinations and public places – whether driving, walking, bicycling or taking public

transportation.

The adoption of a Complete Streets policy will implement a key recommendation of the Transportation Master Plan and establish a policy framework for how the Town approaches streets, the transportation system and adjacent land use in the future. The policy promotes a multi-modal approach to streets while recognizing that vehicular travel will continue to be the dominant mode of travel. As with most policies, it is flexible enough to support a range of mobility options tailored to local needs and locations.

The Planning Commission will receive public comment at its meeting on October 25, 2018, and make a recommendation to Town Council.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Complete Streets approach has been utilized in communities since the early 2000's and is in increasingly widespread use throughout the U.S including in Colorado. For communities wishing to utilize the Complete Streets approach, it is a best practice to adopt a Complete Streets policy that informs future transportation planning and design.

Currently, there are greater than 1,400 adopted Complete Streets policies across the U.S. at the state, regional and local levels. In Colorado, this includes Boulder, Colorado Springs, Durango, Denver, Golden, Greeley, Grand Junction and Thornton. In addition to Parker, the Cities of Arvada, Aurora and Westminster are working collaboratively on a Complete Streets policy funded by the National Complete Streets Coalition and Smart Growth America.

The Community Development Department, in the first quarter of 2018, initiated the development of the Parker Complete Streets Policy project with transportation planning consultant Michael Baker International. The project included a multi-disciplinary approach and robust collaboration with the Engineering/Public Works, Parks and Recreation and Police Departments.

Many of the Town's streets already include Complete Streets elements such as sidewalks or bikes lanes. However, the adoption of a policy is an important step in formalizing Parker's intent to plan, design and maintain streets with a focus upon comfort and safety for all users of every age and ability within a connected transportation network.

The development of the Complete Streets policy implements the *Parker Transportation Master Plan* (2014), supports goals from the *Parker 2035 Master Plan* and *Mainstreet Master Plan* (2015) for creating a multi-modal, connected transportation network and is consistent with the Town's Strategic Plan. The Community Development Department and consultant Michael Baker International presented the proposed Complete Streets Policy to Town Council on August 27, 2018. Town Council indicated its support for the Policy and directed staff to proceed with

adoption by resolution during Fall, 2018.

Staff used the following three goals to guide the development of the Parker Complete Streets Policy:

1. Planning & Design;
2. Performance; and
3. Implementation

The resulting policy includes the following components:

Vision and Commitment – Vision statement and commitment to:

- Context Sensitivity - considers surrounding lands use, context and character
- Diverse Users - recognizing vulnerable populations may require special accommodations
- Development Projects - all future development projects will be required to comply
- All Projects & Phases - all Town projects consider the needs of all users
- Communication - The Town will communicate the policy to internal and external agencies
- Best Practices - the Town commits to updating plans, policies and standards

Exceptions – Any exceptions to this policy must be approved by the Town

Implementation Strategies – Requires coordination between partners including Town departments and leadership

Evaluation Metrics – Analysis of the performance of the policy

The adoption of the Parker Complete Streets Policy will not only implement a key recommendation of the Transportation Master Plan but also advance the Town of Parker Strategic Plan Goals.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



SUPPORT AN
ACTIVE COMMUNITY



PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Resolution No. 18-078

RECOMMENDED MOTION

I move to approve Resolution No. 18-078.

RESOLUTION NO. 18-078, Series of 2018

TITLE: A RESOLUTION TO ADOPT THE TOWN OF PARKER COMPLETE STREETS POLICY

WHEREAS, the Town Council recognizes the need to accommodate all modes of travel on Town street rights-of-way, for all users, including pedestrians, bicyclists, motorists, public transit and users of all ages and abilities;

WHEREAS, streets are an important part of the local transportation system, occupying approximately 15% of the total land area within the Town of Parker, and serving many functions including providing access, community character, economic development, public spaces for gathering and support for public safety;

WHEREAS, street rights-of-way are a critical component of the success and vitality of adjoining private uses and neighborhoods;

WHEREAS, the Town Council seeks to develop a balanced and equitable multimodal network that will support increased capacity and efficiency for all users;

WHEREAS, the Town Council is committed to reducing traffic congestion through mobility options street design and connectivity;

WHEREAS, the Town Council is committed to improving economic opportunity through street design, connectivity and access to the Town of Parker's thriving community;

WHEREAS, the Town Council seeks to plan, design, construct and maintain interconnected transportation facilities that are safe, comfortable and accessible for users of all ages;

WHEREAS, the National Complete Streets Coalition defines "complete streets" as "streets for everyone... designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities;"

WHEREAS, the Complete Streets Policy is designed to improve mobility, reduce congestion and increase the transportation network capacity and efficiency for all users;

WHEREAS, the Complete Streets Policy advances the Town's Strategic Plan goals of supporting an active community, promoting a safe and healthy community, and developing a visionary community through balanced growth;

WHEREAS, the Complete Streets Policy will advance the transportation vision and goals of the Parker 2035 Master Plan to develop and sustain a safe, convenient and efficient transportation system that integrates various modes of travel;

WHEREAS, the Complete Streets Policy will implement the goals of the Parker Transportation Master Plan to provide a multi-modal transportation system and to plan, design and implement transportation infrastructure that affords safe travel for all users;

WHEREAS, the Complete Streets Policy will support the goals from the Mainstreet Master Plan to improve roadways throughout the Mainstreet corridor by enhancing vehicular, bicycle and pedestrian safety, mobility and comfortability to create a multimodal environment;

WHEREAS, the Town Council held a study session on August 27, 2018, to review and comment on the proposed Complete Streets Policy;

WHEREAS, the Planning Commission held a public meeting on October 25, 2018, and recommended to the Town Council adoption of the Complete Streets Policy; and

WHEREAS, the Town Council held a public meeting on November 5, 2018, to consider adoption of the Complete Streets Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby adopts the Town of Parker Complete Streets Policy, which is attached hereto as **Exhibit 1** and incorporated herein by this reference.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



TOWN OF PARKER COMPLETE STREETS POLICY

November 2018



SOUTH PINE DRIVE
PARKER, CO



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Implementation Strategies3

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VISION AND COMMITMENT TO COMPLETE STREETS

VISION

The Town of Parker shall plan, design, construct and maintain interconnected transportation facilities that are safe, comfortable, and accessible for users of all ages and abilities – including pedestrians, bicyclists, transit patrons, trucks and automobiles. Parker will continue to develop a balanced, responsive and equitable multimodal network that will support increased capacity and efficiency for all users. We will strive to reduce traffic congestion through mobility options and improve economic opportunity through street design, connectivity and access to our thriving community.

COMMITMENT TO COMPLETE STREETS

CONTEXT SENSITIVITY

The Town shall implement Complete Streets solutions with consideration of the surrounding land use, context, and character. The Town will thus align land use and transportation goals, policies, and code provisions that allow for flexible and appropriate solutions.

Design will be consistent with and supportive of local neighborhoods, recognizing that transportation needs vary and must be balanced in a flexible, safe, and cost effective manner.

DIVERSE USERS

The Town recognizes that children, seniors, and persons with disabilities may require special accommodations and will strive to ensure no inequity within complete street solutions. All streets and roadways within the Town shall provide basic, safe access and crossings for all allowed categories of users.

DEVELOPMENT PROJECTS

All development projects will be required to identify how they comply with this policy and demonstrate how public input has been incorporated into development plans.

ALL PROJECTS & PHASES

The Town shall require that all new construction, reconstruction/ retrofit projects, maintenance projects, and on-going operations completed by the Town account for the needs of all users on the roadway network.

The Town shall ensure that the travel of all users will be accommodated in a safe and efficient manner during construction of roadway improvements.

For exceptions, see the Exceptions section of this document.

COMMUNICATION

The Town will coordinate with internal and external agencies to ensure that complete street concepts, such as accommodation of all modes and connectivity, are being applied to existing and future roadways.

BEST PRACTICES

During future plan, policy and procedure updates, the Town shall adopt best practices and design guidance consistent with MUTCD, AASHTO, NACTO, ADA, and other relevant guidelines.

EXCEPTIONS

Any exceptions to this Policy, including for eligible private projects, must be reviewed and approved by The Engineering/Public Works Director and Planning Director and be documented with supporting data that indicates the basis for the decision. Such documentation shall be made publicly available.



THE FOLLOWING SHALL BE CONSIDERED FOR EXCEPTIONS TO THE POLICY:

1. **Compliance** with complete streets standards/ recommendations is not necessary on corridors where specific users are prohibited, such as highways.
2. **Accommodation** is not required if the existing and projected population, employment densities, traffic volumes, or level of transit service around a particular roadway is so low as to demonstrate an absence of current and future need.
3. **Accommodation** is not required in the event of emergency repairs such as a water main leak that requires immediate, rapid response; however, temporary accommodations for all modes should still be made. Depending on the severity of repairs, opportunities to improve multimodal access should still be considered where possible.
4. **Transit accommodations** are not required where there is no existing or planned service.
5. **The cost** of providing accommodations is excessive compared to reasonable access to alternative facilities within one quarter mile of the surrounding network of complete streets to the site.
6. **Routine maintenance** projects will consider tools such as re-striping pavement marking and signage that supports alternative modes.
7. **Street reconstruction** projects and maintenance paving projects which involve widening pavement may exclude elements of this Policy when the accommodation of specific uses is expected to:
 1. Require more space than is physically available, or;
 2. Be located where both current and future demand is proven absent, or;
 3. Have adverse impacts on environmental resources or historic structures above and beyond what currently exists.
8. **There is a reasonable and equivalent project** along the same corridor that is already programmed to provide facilities.

IMPLEMENTATION STRATEGIES

The implementation of this Policy begins with coordination among partners including the community, Planning, Engineering/Public Works, Police, Fire, Parks and Recreation, Schools, and Elected Officials. The following are potential starting points for consideration.

1. **Incorporate** the Complete Streets Policy into the Town's Master Plan and other planning and engineering documents as applicable and as they are updated.
2. **Integrate Complete Streets** practices into daily operations.
3. **Approach every transportation project and program** as an opportunity to improve streets and the transportation network for all users.
4. **Distribute the adopted policy** to appropriate local, state, federal, and other key agencies.
5. **Prioritize elements of these plans** that can be accomplished with little or no additional expense (such as providing bike lanes where existing pavement is adequate).
6. **Projects that enhance** the transportation system and/or improve system connectivity should be encouraged and given priority.
7. **Cooperation and collaboration** among all Town departments, outside agencies, and, to the greatest extent practicable, private developers, will guide the implementation of the Complete Streets Policy to achieve the right balance of multi-modal users.
8. **Continue to maintain sidewalks** and trails and prioritize new projects to eliminate gaps in the sidewalk and bikeway network.
9. **Planning and Engineering/Public Works departments will partner** to provide technical review on all Complete Streets projects. Engineering/Public Works will distribute applicable project documentation to applicable departments for review and comment.
10. **Provide staff training** on the content of this Policy and Complete Streets best practices.
11. **Seek funding opportunities** for implementation of Complete Streets strategies and projects. Some potential opportunities for funding include BUILD grants from USDOT or others from RTD or DRCOG.

EVALUATION METRICS

This policy will be evaluated on a regular basis based on a variety of evaluation metrics, and reviewed by the Planning and Engineering/Public Works Directors to analyze the performance of the policy. The performance results will be outlined in a periodic report and made available to the public.

Type	Metric	Unit	Goal
ACCESS	ADA compliant sidewalks on both sides of roadway	%	Increase
	ADA compliant curb ramps	Number of	Increase
	Audible Traffic Signals	Number of	Increase
	Bike Lane Connectivity	Miles	Increase
	Transit Use	Ridership	Increase
	Bus stops that provide weather protection	%	Increase
SAFETY *	Crashes for all modes	Number of	Decrease
	Fatalities (all modes)	Number of	Decrease
	Serious injuries (all modes)	Number of	Decrease
HEALTH	WalkScore for downtown	Score	Increase
	WalkScore for Parker overall	Score	Increase
	Connectivity of trails for walking/biking	Miles	Increase
ECONOMY	Retail/commercial occupancy downtown	%	Increase
	Jobs accessible within ½ mile walkshed of transit stops	Number	Increase
IMPLEMENTATION	Grant funding allocated to complete streets projects	Dollar amount	Increase
	Town documents updated to incorporate complete streets principles	Number of	Increase

*** The ability to meet these metrics is influenced not only by roadway design but by increasing traffic volume and ADT.**



Request for Town Council Action

Date: November 5, 2018

Submitted By: Judge Kevin Sidel
Sue Ratcliff, Court Administrator

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 5.81 - Second Reading**
A Bill for an Ordinance to Amend Title 3 of the Parker
Municipal Code Authorizing the Municipal Court to
Maintain a Supervision Office Through the Court Clerk's
Office

Department: **Municipal Court, Kevin Sidel**
Municipal Court, Sue Ratcliff

EXECUTIVE SUMMARY

The purpose of this ordinance is to amend Title 3 of the Parker Municipal Code to authorize the Municipal Court to maintain a Supervision Office through the Court Clerk's Office.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

This ordinance will allow the Municipal Court to provide supervision to juveniles and adult defendants who may pose a risk to the community or, in the case of juveniles, who may be at higher risk to re-offend or fail to thrive, and thus become a greater burden to the community. Supervision will further the goals of rehabilitation and community safety.

Through the Municipal Court, a supervision specialist will monitor and supervise juveniles and adult defendants who meet the criteria set forth above. As examples of the scope of this person's duties, s/he will ensure that at-risk individuals comply with requirements for alcohol or substance abuse evaluations, complete recommended treatment from an evaluation, remain offense-free and complete other court-ordered requirements, i.e., community service, classes, etc.

Individuals will enter into supervision either by agreement with the Town Attorney as part of a plea bargain (typically involving a Deferred Judgment and Sentence Agreement) or when sentenced to supervision by the Judge upon a conviction.

In addition, a supervised juvenile or adult may be required to complete one or more of the following: An alcohol or substance abuse evaluation; treatment as recommended by an evaluation; an appropriate class; or community service hours. The juvenile or adult would be responsible for any additional fees for these requirements. In the case of juveniles, the supervisor would utilize cost-free or minimal-cost services as much as possible.

FINANCIAL IMPACT

The functions would be absorbed by an existing employee with minimal staff overhead. It is anticipated that the supervision fees would offset costs to the Town.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 5.81

RECOMMENDED MOTION

I move to approve Ordinance No. 5.81 on second reading.

ORDINANCE NO. 5.81, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND TITLE 3 OF THE PARKER MUNICIPAL CODE AUTHORIZING THE MUNICIPAL COURT TO MAINTAIN A SUPERVISION OFFICE THROUGH THE COURT CLERK'S OFFICE

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

Section 1. Section 3.01.050 of the Parker Municipal Code is amended by the addition of a new Paragraph (a)(12) to read as follows:

3.01.050 Court costs.

(a) Whenever the Municipal Judge imposes any fine for any violation of a municipal ordinance, in addition to any such fine or any other sentence, the Municipal Judge may also assess the following costs:

* * *

(12) Whenever the Municipal Judge places any person on supervision pursuant to Chapter 3.04 of this Parker Municipal Code, the Municipal Judge may also assess the following supervision costs:

a. One hundred fifty dollars (\$150.00) for adults who are placed on supervision for six (6) months or less.

b. Two hundred dollars (\$200.00) for adults who are placed on supervision for more than six (6) months and up to one (1) year.

c. One hundred dollars (\$100.00) for juveniles who are placed on supervision for six (6) months or less.

d. One hundred fifty dollars (\$150.00) for juveniles who are placed on supervision for more than six (6) months and up to one (1) year.

Section 2. The Parker Municipal Code is amended by the addition of a new Chapter 3.04 entitled "Supervision Office," which shall read as follows:

CHAPTER 3.04

Supervision Office

3.04.010 Establishment.

There is hereby created a Supervision Office within the Office of the Court Clerk of the Municipal Court. The Court is authorized to establish by order the procedures by which a person may have his or her sentence subject to supervision by the Supervision Office.

3.04.020 Sentence including supervision.

The Supervision Office is authorized to exercise supervision of the following sentences imposed by the Court:

(1) A person pleading guilty or no contest to a violation of this Code may be required to undergo supervision through the Supervision Office for a period of up to one (1) year.

(2) A person pleading guilty or no contest to a violation of this Code, pursuant to a deferred judgment and sentence, may be required to undergo supervision through the Supervision Office for a period of up to one (1) year.

(3) A person entering into an agreement for a deferred prosecution may be required to undergo supervision through the Supervision Office for a period of up to one (1) year.

3.04.030 Scope.

The Court shall establish criteria for the monitoring and supervision of individuals by the Supervision Office to include, by way of example, but not be limited to, compliance with requirements for alcohol or substance abuse evaluations and completion of recommended treatment, completion of useful public service, completion of required classes, and the payment of restitution.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.89.5 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.01.030,
11.01.060 and 11.01.080 of the Parker Municipal Code
Concerning the Parker Administrative Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.01.030, 11.01.060 and 11.01.080 of the Parker Municipal Code to address the administration of all the technical codes related to building and construction.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Historically, and in today's technical codes, each has had its own administrative section. As in the past, Parker has created its own administrative code for building and construction tailored to fit the Town of Parker. This unifies all the individual administrative sections into one document which can then be applied uniformly to all of the technical codes. The administrative code also contains the building permit fee schedule. There are no changes to the building permit fee schedule. The elevator fees have been updated to reflect the new rates from the third party inspection company.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**

ATTACHMENTS

1. Ordinance 4.89.5

RECOMMENDED MOTION

I move to approve Ordinance No. 4.89.5 on second reading.

ORDINANCE NO. 4.89.5, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.01.030, 11.01.060 AND 11.01.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER ADMINISTRATIVE CODE

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

Section 1. Section 11.01.030 of the Parker Municipal Code is amended to read as follows:

11.01.030 Parker Administrative Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the Parker Administrative Code, ~~July~~ **November** 2018 Edition, as published by the Town of Parker, Colorado, 20120 E. Mainstreet, Parker, CO 80138-7344, is adopted by reference and incorporated into this Chapter as though fully set forth herein. The Parker Administrative Code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.01.060 of the Parker Municipal Code is amended to read as follows:

11.01.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Administrative Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 3. Section 11.01.080 of the Parker Municipal Code is amended to read as follows:

11.01.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, ~~2016~~ **2019**.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.91.6 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.02.020,
11.02.050, 11.02.060 and 11.02.080 of the Parker Municipal
Code Concerning the Parker Residential Code for One- and
Two-Family Dwellings Building Code

Department: Building, Randy Sale

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.02.020, 11.02.050, 11.02.060 and 11.02.080 of the Parker Municipal Code concerning the regulations for one- and two-family dwellings and townhouses.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Internationally, code officials recognize the need for a modern and up-to-date residential code addressing the design and construction of one- and two-family dwellings and townhouses. The International Residential Code®, in this 2018 edition, is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities.

This comprehensive stand-alone residential code establishes minimum regulations for one- and two-family dwellings and townhouses using prescriptive and performance provisions. It is founded on broad-based principles that make possible the use of new materials and new building designs.

This 2018 edition is fully compatible with all the International Codes (I-Codes) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code® and International Plumbing Code®.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.91.6

RECOMMENDED MOTION

I move to approve Ordinance No. 4.91.6 on second reading.

ORDINANCE NO. 4.91.6, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.02.020, 11.02.050, 11.02.060 AND 11.02.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS BUILDING CODE

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Section 11.02.020 of the Parker Municipal Code is amended to read as follows:

11.02.020 International Residential Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Residential Code for One- and Two-Family Dwellings, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.02.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.02.050 Amendments.

The International Residential Code for One- and Two-Family Dwellings, as adopted by this Chapter, is amended as follows (section numbers correspond with those in the International Residential Code for One- and Two-Family Dwellings):

(1) Delete Appendix Chapters A, B, C, D, E, F, G, H, I, J, K, L, N, O, P, Q, R, S, ~~T~~ and ~~U~~

(2) Amend Section R101.1, Title, to read:

"R101.1 Title. These provisions shall be known as the Parker Residential Code for One- and Two-Family Dwellings Building Code, and shall be cited as such and will be referred to herein as this 'code.'"

(3) Sections R101.2, Scope, and R101.3, Intent, remain unchanged

(4) The remainder of Chapter 1 of the code, entitled "Scope and Administration," is deleted in its entirety (see Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

(5) Amend Section R202, Definitions, to add two new definitions to read:

"*Building face*. The outer most point of the wall cladding, exclusive of door, window trim or similar exterior trim.

"*Secondary Family Space*. A secondary *Dwelling Unit* located inside a single-family, detached dwelling whose occupants and the occupants of the principal dwelling unit live together as a single-household unit and which is neither rented nor locked off from the principal dwelling unit. This is not an accessory dwelling unit."

(6) Amend Section R202, Fire separation distance, to read:

"*Fire separation distance*. The distance measured from the *building face* to one of the following: . . ."

The remainder of the Section remains unchanged.

(7) Delete Table R301.2(1), Climatic and Geographic Design Criteria, including footnotes, and replace with:

**"Table R301.2(1)
Climatic and Geographic Design Criteria**

Ground Snow Load	"WIND DESIGN				Seismic Design Category ^e	SUBJECT TO DAMAGE FROM			Winter Design Temp ⁱ	Ice Barrier Underlayment Required ^j	Flood Hazards ^{kl}	Air Freezing Index ^l	Mean Annual Temp ^m
	Speed ^a (mph)	Topographic Effects ^b	Special wind region ^c	Wind- borne debris zone ^d		Weatherin g ^f	Frost Line Depth ^g	Termite ^h					
30 lbs.	115	NO	NO	NO	B	SEVERE	36"	Slight to Moderate	-3° F	NO	Adopted 9/30/2005 Class 7 IP# 080310	867	48.1° F

MANUAL J DESIGN CRITERIA								
<u>Elevation</u>	<u>Latitude</u>	<u>Winter heating</u>	<u>Summer cooling</u>	<u>Altitude corrections factor</u>	<u>Indoor design temperature</u>	<u>Design temperature cooling</u>	<u>Heating temperature difference</u>	
5900	40	(-3)	90	0.832	70	75	73	
<u>Cooling temperature difference</u>	<u>Wind velocity heating</u>	<u>Wind velocity cooling</u>	<u>Coincident wet bulb</u>	<u>Daily range</u>	<u>Winter humidity</u>	<u>Summer humidity</u>		
15	15	7.5	59	H	30%	50%		

"For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

"^a The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

"^b In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with 'YES.' Otherwise, the jurisdiction shall indicate 'NO' in this part of the table.

"^c In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with 'YES' and identify any specific requirements. Otherwise, the jurisdiction shall indicate 'NO' in this part of the table.

- "d In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate 'NO' in this part of the table.
- "e The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- "f Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (*i.e.*, 'negligible,' 'moderate' or 'severe') for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- "g The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- "h The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- "i The outdoor design dry-bulb temperature shall be selected from the columns of 97½% values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- "j In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with 'YES.' Otherwise, the jurisdiction shall fill in this part of the table with 'NO.'
- "k The jurisdiction shall fill in this part of the table with: (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas); (b) the date(s) of the Flood Insurance Study; and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- "l The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table 'Air Freezing Index- USA Method (Base 32°F).'
- "m The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table 'Air Freezing Index-USA Method (Base 32°F).'
- "n The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.

(8) Delete Table R302.1, Exterior Walls, and replace with:

**"Table R302.1
Exterior Walls**

"EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building code with exposure from both sides	< 5 feet ¹
	(Not fire-resistance rated)	0 hours	≥ 5 feet ¹
Projections	(Fire-resistance rated)	1 hour on the underside	≥ 2 feet and < 5 feet
	(Not fire-resistance rated)	0 hours	≥ 5 feet ²
Openings	Not allowed	N/A	< 3 feet
	25% Maximum of Wall Area	0 hours	≥ 3 feet and < 5 feet
	Unlimited	0 hours	≥ 5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	≥ 3 feet

"N/A = Not Applicable.

"¹ Fire separation distance of 3 feet can be used if the exterior wall cladding and trim is of noncombustible material (refer to Section R202 for definition of noncombustible).

"² Fire separation distance of 3 feet can be used if the soffit cladding and fascia board is of noncombustible material (refer to Section R202 for definition of noncombustible)."

(9) Amend R302.3 by the addition of a new exception to provide as follows:

"3. *Secondary Family Space* that comply with Section R302.3.2."

(10) Amend R302.3 to add a new Subsection R302.3.2 to provide as follows:

"R302.3.2 Secondary Family Space. The dwelling unit separation specified in Section R302.3 is not required where all of the following apply:

1. No more than one (1) *Secondary Family Space* is allowed within a single-family, detached dwelling.

2. The *Secondary Family Space* cannot be larger than 40% of the main dwelling unit, including the basement.

3. Prior to the issuance of a building permit for a *Secondary Family Space*, the property owner shall sign a declaration of restrictions in a form acceptable to the Chief Building Official, in which the property owner(s) shall acknowledge and agree to the building code requirements for maintaining a *Secondary Family Space* within a single-family, detached dwelling, to be recorded by the Chief Building Official with the Douglas County Clerk and Recorder's Office to put prospective purchasers of the real property that is the subject of the building permit on notice of the declaration of restrictions. The declaration of restrictions shall contain the following:

a. The *Secondary Family Space* shall be in effect only so long as either the principle residence, or the *Secondary Family Space*, is occupied by the owner of record as their principal residence.

b. The principle residence and the *Secondary Family Space* shall not be rented.

c. The occupants of the principle residence and the *Secondary Family Space* shall be related by blood or marriage.

d. Access between the principle residence and the *Secondary Family Space* shall remain and doors within the access shall not have a locking devise.

e. Access to inspect the principal residence and/or the *Secondary Family Space* shall be granted to the Chief Building Official if there is a reasonable suspicion that there is a violation of the declaration of restrictions.

f. Any improvements made to the *Secondary Family Space* under the building permit issued by the Town shall be removed if there is a violation of the declaration of restrictions, which remedy is not exclusive under the Code.

g. The declaration of restrictions are binding upon any successor in ownership of the property."

(11) Amend the Exceptions to Section R303.1, Habitable rooms, as follows:

Add Exception #4 to read:

"4. All habitable rooms in basements of R occupancies shall be provided with aggregate glazing area of not less than 4 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 2 percent of the floor area being ventilated."

(12) Delete Section R303.3, Bathrooms, and replace with:

"R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with a local exhaust system. The minimum local exhaust rates shall be determined in accordance with Section ~~M1507~~ M1505. Exhaust air from the space shall be exhausted directly to the outdoors."

(13) Amend the first sentence of Section R303.~~910~~, Required heating, by removing "68° F (20°C)" and replacing it with "70° F (21°C)."

(14) ~~Amend~~ Delete the Exception to Section R310.1, Emergency escape and rescue required, ~~to read:~~

~~"Exception: Basements and habitable attics . . ."~~

The remainder of the Section remains unchanged.

(15) Delete the Exception to Section R310.2.1, Minimum opening area.

(16) Amend Section R310.2.3, Window wells, by adding the following Exception to read:

"Exception: In basements of existing R-3 (one- or two-family dwellings) occupancies, egress window wells may have a minimum horizontal projection of 24 inches (610 mm) and must be the full width of the window. If a ladder is required in the window well, the ladder must be installed such that it does not interfere with or be in front of the operable side of the window."

(17) Amend section R310.2.5 Replacement window emergency escape and rescue opening, by revising the first sentence in condition #1 to read:

"The replacement window is the manufacturer's largest standard size window that will fit within the existing rough opening."

The remainder of the Section remains unchanged.

(1718) Delete Section R313, Automatic Fire Sprinkler Systems, in its entirety.

(1819) Amend the first sentence of Section R315.3, Location, to read:

"R315.3 Location. Carbon monoxide alarms in dwelling units shall be installed within fifteen feet (15') of the entrance to each bedroom.

(1920) Amend the second and third sentences of Section R408.1, Ventilation, by inserting "(min. 10 mill in thickness or a cross-laminated 3.5 mills in thickness)" after "Class 1 vapor retarder."

(2021) Amend the first sentence of Section R408.3, Unvented crawl space, by inserting "(min. 10 mill in thickness or a cross-laminated 3.5 mills in thickness)" after "Class 1 vapor retarder."

(22) Amend Section R703.2, Water-resistive barrier, by the deletion of the last sentence.

(23) Amend Section R905.2.8.3, Sidewall flashing, to read:

"R905.2.8.3, Sidewall flashing. Base flashing against a vertical sidewall shall be step flashing and shall be a minimum of 4 inches (102 mm) in height and 4 inches (102 mm) in width and shall direct water away from the vertical sidewall onto the roof and/or into the gutter."

The remainder of the Section remains unchanged.

(22) R507.3.2 Delete all exceptions. Add the following sentences:

"All freestanding deck footings shall be a minimum 12 inches below undisturbed ground surface as noted in section R403.1.1. Freestanding decks shall not be attached to any other structure."

(23) R806.2 Minimum vent area. Amend exception charging statement as follows:

“The minimum net free ventilation area shall be 1/300 of the vented space; provided one or more of the following are met: . . .”

The reminder is unchanged.

(~~23~~**24**) Delete the third sentence of Section R905.2.8.5, Drip edge, and replace with:

"Drip edges shall extend ~~a minimum~~ to cover gap between the roof sheathing and fascia and extend onto sheathing a minimum of 2 inches, also extending onto the fascia face a minimum of:

"Rakes: One inch

"Eves: Into gutter."

The remainder of the Section remains unchanged.

(~~24~~**25**) Delete Subparagraph 3 of Section R908**7.3.1.1**, Recovering versus replacement, and replace with:

"3. Where the existing roof has one or more applications of any type of roof covering."

(~~25~~**26**) Amend Section M1503.1, General, by deleting the Exception. **Add the following sentence to read:**

“All cooking exhaust shall be vented to the exterior and in accordance with Section M1505.4.4.”

(~~26~~) ~~Amend Section M1503.3, Kitchen exhaust rates, to read:~~

~~"**M1503.3 Kitchen exhaust rates.** Domestic kitchen cooking appliances shall be equipped with ducted range hoods or down draft exhaust systems. The fans shall be sized in accordance with Section M1507.4."~~

(27) Amend Section M1503.~~6~~**4**, Makeup air required, by **deleting the exception**, revising the first sentence, and adding a sentence to the end of the Section to read:

a. First sentence to read:

"Where one or more . . . Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.19m³/s) or more. . ."

The remainder of the sentence remains unchanged.

b. Add a sentence at the end of the Section to read:

"Makeup air systems shall be capable of maintaining a minimum makeup air temperature of 50° F (10°C) during the heating season."

(28) Amend Table M15057.34.3(1) by adding a footnote to read:

"¹ An equation can be used as an alternative to Table R15057.43.3(1)

$$Q_{fan} = 0.01A_{floor} + 7.5(N_{br} + 1)$$

Where:

Q_{fan} = fan flow rate in cubic feet per minute (cfm).

A_{floor} = floor area in square feet (ft²).

N_{br} = number of bedrooms; not to be less than 1."

(29) Amend Section M1601.1.1, Above-ground duct systems, by deleting requirements 7, 7.1, 7.2, 7.3, 7.4, 7.5 and replacing with:

"7. Stud wall cavities and the spaces between solid floor joists shall not be used as supply air or return air plenums."

(30) Amend Section G2417.4.1 (406.4.1), Test pressure, to read:

"G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 20 psig (138 kPa gauge)."

The remainder of the Section remains unchanged.

(31) Amend Section G2417.4.2 (406.4.2), Test duration, to read:

"G2417.4.2 (406.4.2) Test duration. The test duration shall be not less than one hour at 60 psi or 24 hours at 20 psi.

(32) Amend Section G2425.8 (501.8), Appliances not required to be vented, by deleting #7.

(33) Delete all Subsections of Section G2445 (621), Unvented room heaters, in their entirety and replace with:

"G2445.1 General. Unvented room heaters are prohibited from installation."

(34) Amend the first sentence of Section P2503.5.1, Rough plumbing, to read:

"P2503.5.1 Rough plumbing. DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage."

The remainder of the Section remains unchanged.

(35) Delete Chapters 34 through 43 and replace with:

"E3401 General. Electrical installations shall comply with the Parker Electrical Code."

Section 3. Section 11.02.060 of the Parker Municipal Code is amended to read as follows:

11.02.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Residential Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.02.080 of the Parker Municipal Code is amended to read as follows:

11.02.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, ~~2016~~ **2019**.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.92.5 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.03.020,
11.03.050, 11.03.060 and 11.03.080 of the Parker Municipal
Code Concerning the Parker Building Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend those Sections 11.03.020, 11.03.050, 11.03.060 and 11.03.080 of the Parker Municipal Code concerning the design and installation of building systems through requirements emphasizing performance that safeguards public health and safety.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Building Code®, in this 2018 edition, is designed to meet model code regulations that safeguard the public health and safety in all communities.

This comprehensive building code establishes minimum regulations for building systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new building designs. This 2018 edition is fully compatible with all the International Codes (I-Codes) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code® and International Plumbing Code®.

The International Building Code® provisions provide many benefits, among which is the model code development process that offers an international forum for building professionals to discuss code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance 4.92.5

RECOMMENDED MOTION

I move to approve Ordinance No. 4.92.5 on second reading.

ORDINANCE NO. 4.92.5, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.03.020, 11.03.050, 11.03.060 AND 11.03.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER BUILDING CODE

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

Section 1. Section 11.03.020 of the Parker Municipal Code is amended to read as follows:

11.03.020 International Building Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Building Code, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001 is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.03.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.03.050 Amendments.

The International Building Code, as adopted by this Chapter, is amended as follows (section numbers correspond with those in the International Building Code):

(1) Delete all Appendix Chapters.

(2) Amend Section 101.1, Title, to read:

"101.1 Title. These regulations shall be known as the Parker Building Code, hereinafter referred to as the 'code.'"

(3) Sections 101.2, 101.2.1 and 101.3 remain unchanged.

(4) The remainder of Chapter 1 of the code, entitled "Scope and Administration," is deleted in its entirety (*see* Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code)

(5) Amend Section 1608.2, Ground snow loads, to read:

"1608.2 Ground snow loads. The ground snow load within the Town of Parker shall be a minimum of 30 pounds per square foot for calculating roof

drifting. Snow load for roofs shall be 30 pounds per square foot minimum, plus drifting."

(6) Amend Section 1609.3, Basic wind speed, by the addition of the following:

Figure 1609.3(1) equals ~~115~~110 miles per hour

Figure 1609B.3(2) equals ~~120~~115 miles per hour

Figure 1609C.3(3) equals ~~105~~120 miles per hour

Figure 1609.3(4) equals 105 miles per hour

(7) Amend Subsection 1609.4.3, Exposure categories, Exposure C, to read:

"Exposure C shall be used for the design of all structures in the Town of Parker."

~~(8) Amend Section 3109, Swimming Pool Enclosures and Safety Devices, to read:~~

~~"**3109.1 General.** Swimming pools shall comply with the Parker Swimming Pool and Spa Code."~~

~~The remainder of the Section is deleted.~~

(98) Amend Chapter 31 to add a new Section 3114, Manufactured housing, to read:

"3114 Manufactured housing. Manufactured housing constructed in accordance with standards other than those set forth in this ordinance may be erected in approved locations. The site constructed foundation, porches, decks, utilities and other functions must meet the standards set forth in this and other related ordinances. Permits may be issued for these elements of the building; however, a certificate of occupancy will not be issued, as the conformance with the Town's standards of the manufactured home is not known to the department. No additions shall be made to a manufactured home, unless said addition meets the standards set forth in this ordinance."

(109) Amend Chapter 35, ASME standards, as follows:

ASME A 18.1: Replace the ~~2008~~14 Safety Standard for Platform Lifts and Stairway Chair Lifts with the 2011 Safety Standard for Platform Lifts and Stairway Chair Lifts.

The remaining ASME standards remain unchanged.

Section 3. Section 11.03.060 of the Parker Municipal Code is amended to read as follows:

11.03.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Building Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.03.080 of the Parker Municipal Code is amended to read as follows:

11.03.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, ~~2016~~**2019**.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.93.5 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.04.020,
11.04.050, 11.04.060 and 11.04.080 of the Parker Municipal
Code Concerning the Parker Fire Protection Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.04.020, 11.04.050, 11.04.060 and 11.04.080 of the Parker Municipal Code concerning conditions hazardous to life and property from fire, explosion, handling or use of hazardous materials and the use and occupancy of buildings and premises. These administrative duties will be delegated to the Chief Building Official of the Town of Parker.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Fire Code®, in this 2018 edition, is designed through model code regulations to safeguard the public health and safety in all communities.

This comprehensive fire code establishes minimum regulations for fire prevention and fire protection systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new system designs.

This 2018 edition is fully compatible with all the International Codes (“I-Codes”) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fuel Gas Code®, International Mechanical Code®, International Plumbing Code® and International Residential Code®.

The International Fire Code® provisions provide many benefits, among which is the model code development process that offers an international forum for fire safety professionals to discuss code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.93.5

RECOMMENDED MOTION

I move to approve Ordinance No. 4.93.5 on second reading.

ORDINANCE NO. 4.93.5, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.04.020, 11.04.050, 11.04.060 AND 11.04.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER FIRE PROTECTION CODE

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

Section 1. Section 11.04.020 of the Parker Municipal Code is amended to read as follows:

11.04.020 International Fire Code adopted.

Pursuant to Section 7.7 of the Parker Home Rule Charter, the International Fire Code, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001 is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.04.040 of the Parker Municipal Code is amended to read as follows:

11.04.040 Definitions.

Fire Code Official, wherever used in the International Fire Code, shall mean the Chief Building Official of Parker, Colorado, except as otherwise provided herein. In the event there is a conflict in the information or application of the Fire Code, the Chief Building Official will resolve such conflicts.

Jurisdiction, wherever used in the International Fire Code, shall mean that area within the corporate limits of the Town or any area hereafter annexed to the Town.

Section 3. Section 11.04.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.04.050 Amendments.

The International Fire Code, as adopted by this Chapter, is hereby amended as follows (article numbers correspond with those in the International Fire Code):

- (1) Delete Appendix Chapters A, ~~D~~, E, F, G, H, I, J, K, L and M.
- (2) Amend Section 101.1, Title, to read:

"**101.1 Title.** These regulations shall be known as the Parker Fire Protection Code, hereinafter referred to as the 'code.'"

(3) Amend Section 105.6.36, Outdoor assembly event, to read as follows:

"105.6.36, Outdoor assembly event. An operational permit is required to conduct an outdoor assembly event where planned attendance exceeds 500 persons."

(34) Amend Section ~~108.1~~**109.1**, Board of appeals established, to read:

"108.1109.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be a board of appeals. The board of appeals shall be the Regional Fire Code Board of Appeals and shall hold office at its pleasure."

(45) Amend Section ~~109.4~~**110.4**, Violation penalties, to read:

"109.4110.4 Violation penalties. Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than four hundred ninety-nine dollars (\$499). Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(56) Amend Section ~~111.4~~**112.4**, Failure to comply, to read:

"111.4112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than four hundred ninety-nine dollars (\$499)."

(67) Amend Section 202, General Definitions, by the addition of a new definition, *approved side of the building*, and by amending the definition of *Fire Code Official* to read:

"Approved side of the building shall account for at least twenty-five percent (25%) of the building perimeter and will be determined by the fire code official.

"Fire Code Official shall mean the Chief Building Official of Parker, Colorado."

(78) Add a new Section 401.1.1, Fire Code Official, to read:

"401.1.1 Fire Code Official. Wherever *Fire Code official* is referred to in this Chapter, it shall mean the Chief of the South Metro Fire Rescue Authority."

(89) Delete the exceptions to Section 503.1.1. Buildings and facilities, and replace with:

"Exception: The dimension of 150 feet (45,720 mm) shall be increased as follows:

"11.1. Where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 (NFPA 13), the dimension shall be unlimited; provided access roads are extended to within 150 feet (45,720 mm) of at least one (1) approved side of the building. Fire hydrant requirements of Section ~~508.5.1~~**507.5.1** may necessitate additional roads to serve hydrants near large buildings.

"21.2. Where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2 (NFPA 13R) or 903.3.1.3 (NFPA 13D), the dimension shall be increased to 200 feet (60,960 mm).

"1.33. Where there are not more than two Group R-3 or Group U occupancies, the dimension shall be unlimited; provided access roads are extended to within 150 feet (45,720 mm) of at least one (1) approved side of the building. Fire hydrant requirements of Section ~~508.5.1~~**507.5.1** may necessitate additional roads to serve hydrants near large buildings."

(910) ~~Delete~~**Amend** Section 503.1.2, ~~Additional Access, in its entirety and replace with the following~~**by adding the following sentence to read:**

Reference Appendix D for additional requirements

~~"503.1.2 Additional access. At least two (2) separate and approved fire apparatus access roads shall be provided to the following occupancies, buildings, and facilities:~~

~~"1. Where the designated and/or calculated occupant load is 300 or more occupants in the following occupancies:~~

~~"a. Assembly Group (A);~~

~~"b. Business Group (B);~~

~~"c. Educational Group (E); and~~

~~"d. Mercantile Group (M).~~

~~"2. Institutional Group (I) occupancies having an occupant load of 100 or more occupants.~~

~~"3. Storage Group (S) and Factory Group (F) occupancies where the total fire area exceeds 50,000 square feet.~~

~~"4. High Hazard Group (H) occupancies will be evaluated independently by the fire code official.~~

~~"5. Residential Group (R) occupancies where the number of dwelling units exceeds 40."~~

(4011) Amend Section 503.2, Specifications, to read:

"503.2 Specifications. Fire apparatus access roads shall be installed and arranged~~designed in accordance with South Metro Fire Rescue Authority's Fire Access Road Specification Sheet for specific roadway design criteria. Site plans showing an auto turn or equivalent depiction of fire apparatus movements through designated fire lanes in order to verify proper turning radii are required for new fire apparatus access roads~~ and in accordance with Sections 503.2.1 through 503.2.8;and Appendix D.

"Exception: South Metro Fire Rescue Authority shall default to the current edition of the Roadway Design and Construction Criteria Manual adopted by the Town of Parker."

(4412) Amend Section 503.2.53, ~~Dead ends~~Surface, to read:

"503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus weighing up to 80,000 pounds and shall be surfaced so as to provide all-weather driving capabilities and in accordance with Section D102.

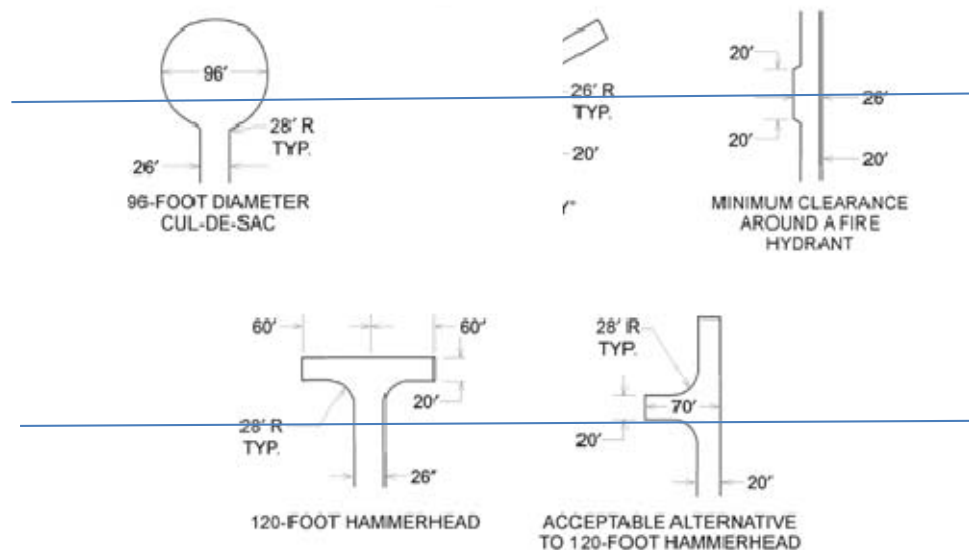
~~"503.2.5 Dead ends. Dead end fire apparatus access roads in excess of 150 feet (45,720 mm) in length shall be provided with an approved area for turning around fire apparatus in accordance with Table 503.2.5. The length of the designated fire access road shall be measured from the curb cut to the end of the road surface.~~

~~"Table 503.2.5
Requirements for Dead End Fire Apparatus Access Roads~~

<i>Length (feet)</i>	<i>Width (feet)</i>	<i>Turnarounds Required</i>
0-150	20	Not required

151-600	20	120-foot Hammerhead 96-foot diameter cul-de-sac in accordance with Figure 503.2.5
Over 600	Special approval required	

**~~"Figure 503.2.5
Dead End Fire Apparatus Access Road Turnaround~~**



(1213) Amend Section 503.4.1, Traffic calming devices, to read:

"503.4.1 Traffic calming devices. Traffic calming devices on public streets shall be prohibited, unless approved by the Public Works Director. For all other fire apparatus access roads, traffic calming devices shall be permitted, subject to the approval of the fire code official and the Public Works Director."

(14) Amend Section 503.4, Obstruction of fire apparatus access roads, by adding the following to the end of the sentence:

"... in Sections 503.2.1, 503.2.2, and Appendix D, shall be maintained at all times."

(15) Amend Section 503.6, Security gates, to read:

“Section 503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the Fire Code Official and shall be in accordance with Section D103.5.”

(1316) Amend Section 507.3, Fire flow, to read:

"507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B, as amended, or by an approved method."

(1417) Amend Section 507.5, Fire hydrant systems, to read:

"507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C."

(18) Amend Chapter 9 to add a new Section 903.3.1.2.4, Location of sprinklers, to read:

“903.3.1.2.4 Location of sprinklers. Sprinklers shall be installed in any closet used for heating or air-conditioning equipment, washers, dryers or water heaters.”

(19) Amend Chapter 9 to add a new Section 903.3.1.2.5, Stock of spare sprinklers, to read:

“903.3.1.2.5 Stock of spare sprinklers. On a single property with multiple buildings under the same ownership, it shall be required that each individual riser room be provided with the required sprinkler box, spare sprinkler heads and wrench.”

(20) Amend Section 905.4 (1), Location of Class I standpipe hose connections, by deleting the exception in its entirety.

(21) Amend Section 1103.7.6(3), Group R-2, to read:

“Section 1103.7.6(3). A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units; provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1027.6, exceptions 3.2 to 3.5.”

(1522) Amend Exception #4 of Section 5601.1.3, Fireworks, to read:

"5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

"Exceptions:

"1. Unchanged.

"2. Deleted.

"3. The use of fireworks for fireworks displays as allowed in Section 5608.

"4. The possession, storage, sales, handling, and use of permissible fireworks, as defined by Section 12-28-101~~(8)(a)~~, C.R.S., as amended, as follows:

"Permissible fireworks as defined by Section 12-28-101~~(8)(a)~~, C.R.S. as amended, are permitted in the Town, except as provided by Chapter 6.04 of the Parker Municipal Code, as amended. Permissible fireworks include the following:

"a. Cylindrical fountains, total pyrotechnic composition not to exceed seventy-five grams each for a single tube or, when more than one tube is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;

"b. Cone fountains, total pyrotechnic composition not to exceed fifty grams each for a single cone or, when more than one cone is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;

"c. Wheels, total pyrotechnic composition not to exceed sixty grams for each driver unit or two hundred grams for each complete wheel;

"d. Ground spinner, a small device containing not more than twenty grams of pyrotechnic composition venting out of an orifice usually in the side of the tube, similar in operation to a wheel, but intended to be placed flat on the ground;

"e. Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed two hundred grams each;

"f. Dipped sticks and sparklers, the total pyrotechnic composition of which does not exceed one hundred grams, of which the composition of any chlorate or perchlorate shall not exceed five grams;

"g. Any of the following that do not contain more than fifty milligrams of explosive composition:

- "1. Explosive auto alarms;
- "2. Toy propellant devices;
- "3. Cigarette loads;
- "4. Strike-on-box matches; or
- "5. Other trick noise makers;

"h. Snake or glow worm pressed pellets of not more than two grams of pyrotechnic composition and packaged in retail packages of not more than twenty-five units;

"i. Multiple tube devices with:

- "1. Each tube individually attached to a wood or plastic base;
- "2. The tubes separated from each other on the base by a distance of at least one-half of one inch;
- "3. The effect limited to a shower of sparks to a height of no more than fifteen feet above the ground;
- "4. Only one external fuse that causes all of the tubes to function in sequence; and
- "5. A total pyrotechnic composition of no more than five hundred grams.

"j. 'Permissible fireworks' do not include aerial devices or audible ground devices, including, but not limited to, firecrackers. "

(~~1723~~) Amend Section 5704.2.9.6, Above-ground tanks outside of buildings, (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), by the addition of the following:

"The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(~~1824~~) Amend Section 5706.2.4.4, Locations where above-ground tanks are prohibited (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), by the addition of the following:

"The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(25) Amend Section 5708.2, Locations where above-ground tanks are prohibited (geographic limits in which the storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited), by the addition of the following:

"The storage of flammable cryogenic fluids in stationary containers outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(1926) Amend to Section 6104.2, Maximum capacity within established limits (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas), by the addition of the following:

"Restricted use. Bulk storage of liquefied petroleum gas within all business and commercial zones is restricted for the protection of heavily populated or congested commercial areas. The aggregate capacity of any one installation shall not exceed two thousand (2,000) gallons water capacity, except that in particular installations this capacity limit may be altered at the discretion of the Fire Code Official after consideration of any special features, such as topographical conditions, nature of occupancy and proximity of buildings, capacity of proposed tanks, degree of private fire protection to be provided and the facilities of the South Metro Fire Rescue Authority. Storage and use of propane in cylinders that are designed to hold more than forty (40) pounds is prohibited on any residential lot in the Town. Storage and use of propane in cylinders with an aggregate capacity of more than one hundred fifty (150) pounds is prohibited on any residential lot in the Town."

(27) Amend Section D102.1, Access and loading to read:

"D102.1, Access and loading. Facilities, building or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 80,000 pounds. "

(28) Amend Section D103.1, Access road width with a hydrant, by deleting it in its entirety.

(29) Amend Section D103.2, Grade, by deleting and replace with the following:

“D103.2, Grade. The grade of the fire apparatus access road shall be a maximum of 6% or as otherwise determined by the Fire Code Official based on fire district apparatus specifications.”

(30) Amend Section D103.4, Dead ends, to read:

“D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45,720mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 and the Town of Parker roadway design standards.”

(31) Amend Section D106.1, Projects having more than 100 dwelling units, by deleting the exception in its entirety.

Section 4. Section 11.04.060 of the Parker Municipal Code is amended to read as follows:

11.04.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Fire Protection Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 5. Section 11.04.080 of the Parker Municipal Code is amended to read as follows:

11.04.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, **2019**.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.94.4 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.06.020,
11.06.050, 11.06.060 and 11.06.080 of the Parker Municipal
Code Concerning the Parker Mechanical Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.06.020, 11.06.050, 11.06.060 and 11.06.080 of the Parker Municipal Code concerning the design and installation of mechanical systems emphasizing performance that safeguards public health and safety.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Mechanical Code®, in this 2018 edition, is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities.

This comprehensive mechanical code establishes minimum regulations for mechanical systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new mechanical system designs. This 2018 edition is fully compatible with all the International Codes (“I-Codes”) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Fuel Gas Code®, International Plumbing Code®, and International Residential Code®.

The International Mechanical Code® provisions provide many benefits, among which is the model code development process that offers an international forum for mechanical professionals to discuss code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.94.4

RECOMMENDED MOTION

I move to approve Ordinance No. 4.94.4 on second reading.

ORDINANCE NO. 4.94.4, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.06.020, 11.06.050, 11.06.060 AND 11.06.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER MECHANICAL CODE

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

Section 1. Section 11.06.020 of the Parker Municipal Code is amended to read as follows:

11.06.020 International Mechanical Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Mechanical Code, ~~2015~~**2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is hereby adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.06.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.06.050 Amendments.

The International Mechanical Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those in the International Mechanical Code):

(1) Delete Appendix Chapters A and B.

(2) Amend Section 101.1, Title, to read:

"101.1 Title. These regulations shall be known as the Parker Mechanical Code, hereinafter referred to as the 'code.'"

(3) Sections 101.2, 101.2.1 and 101.3 remain unchanged.

(4) The remainder of Chapter 1 of the code, entitled "Administration," is deleted in its entirety (*see* Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

(5) Amend Section 202, General definitions, to add new definitions to read:

"Certified Solid Fuel Burning Device shall mean a solid fuel burning device which is certified by the Air Pollution Control Division of the Colorado

Department of Public Health and Environment to meet the Emissions Standards set forth in Section IV of Regulation No. 4 of Volume I of the Colorado Air Quality Control Commission, hereinafter referred to as 'State Regulations.'

"*Solid Fuel Burning Device* shall mean any fireplace, stove, firebox or device intended and/or used for the purpose of burning wood, coal, pulp, paper or other nonliquid or nongaseous fuel.

"*Wood Burning Fireplace* shall mean an open hearth or fire chamber or similar prepared place in which a fire may be made and which is built in conjunction with a chimney."

(6) Amend Section 505.2, Makeup air required, to read:

"505.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of 600 cfm (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

"Makeup air systems shall be capable of maintaining a minimum makeup air temperature of 50° F (10° C) during the heating season."

(7) Delete Section 602.3, Stud cavity and joist space plenums, and replace with:

"602.3 Stud cavity and joist space plenums. Stud wall cavities and the spaces between floor joists shall not be utilized as air plenums."

(8) Amend Section 905.1, General, to add a new second paragraph to read:

"Installation of a certified solid fuel burning device will be permitted within the Town of Parker when such device meets the EPA Phase II or Colorado Phase III emissions testing as defined in the State Regulations."

Section 3. Section 11.06.060 of the Parker Municipal Code is amended to read as follows:

11.06.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Mechanical Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.06.080 of the Parker Municipal Code is amended to read as follows:

11.06.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, **2016**
2019.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.95.4 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.07.020,
11.07.050, 11.07.060 and 11.07.080 of the Parker Municipal
Code Concerning the Parker Plumbing Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.07.020, 11.07.050, 11.07.060 and 11.07.080 of the Parker Municipal Code concerning the design and installation of plumbing systems through requirements emphasizing performance that safeguards public health and safety.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Plumbing Code®, in this 2018 edition, is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities.

This comprehensive plumbing code establishes minimum regulations for plumbing systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new plumbing designs. This 2018 edition is fully compatible with all the International Codes (“I-Codes”) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code® and International Residential Code®.

The International Plumbing Code® provisions provide many benefits, among which is the model code development process that offers an international forum for plumbing professionals to discuss code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.95.4

RECOMMENDED MOTION

I move to approve Ordinance No. 4.95.4 on second reading.

ORDINANCE NO. 4.95.4, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.07.020, 11.07.050, 11.07.060 AND 11.07.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER PLUMBING CODE

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

Section 1. Section 11.07.020 of the Parker Municipal Code is amended to read as follows:

11.07.020 International Plumbing Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Plumbing Code, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is hereby adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.07.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.07.050 Amendments.

The International Plumbing Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those in the International Plumbing Code):

(1) Delete Appendix Chapters A, C, D and E.

(2) Amend Section 101.1, Title, to read:

"101.1 Title. These regulations shall be known as the Parker Plumbing Code, hereinafter referred to as the 'code.'"

(3) Sections 101.2 and 101.3 remain unchanged.

(4) The remainder of Chapter 1 of the code, entitled "Scope and Administration," is deleted in its entirety (see Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

(5) Amend Section 916.3, Vent installation below the fixture flood level rim, by adding a new Exception to read:

"Exception: A vent is not required if the island drain is the uppermost fixture on a 3" branch drain."

Section 3. Section 11.07.060 of the Parker Municipal Code is amended to read as follows:

11.07.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Plumbing Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.07.080 of the Parker Municipal Code is amended to read as follows:

11.07.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, ~~2016~~ **2019**.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.96.4- Second Reading**
A Bill for an Ordinance to Amend Sections 11.14.020,
11.14.050, 11.14.060 and 11.14.080 of the Parker Municipal
Code Concerning the Parker Energy Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.14.020, 11.14.050, 11.14.060 and 11.14.080 of the Parker Municipal Code that apply to the design of energy-efficient building envelopes and installation of energy efficient mechanical, lighting and power systems through requirements emphasizing performance that results in the optimal utilization of fossil fuel and non-depleting resources.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Energy Conservation Code®, in this 2018 edition, is a comprehensive energy conservation code that establishes minimum regulations for energy efficient buildings using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new energy efficient designs. This 2018 edition is fully compatible with all the International Codes (“I-Codes”) published by the International Code Council (ICC), including the International Building Code®, International Existing Building Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code®, International Plumbing Code® and International Residential Code®.

The International Energy Conservation Code® provisions provide many benefits, among which is the model code development process that offers an international forum for energy professionals to discuss code requirements.

This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.96.4

RECOMMENDED MOTION

I move to approve Ordinance No. 4.96.4 on second reading.

ORDINANCE NO. 4.96.4, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.14.020, 11.14.050, 11.14.060 AND 11.14.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER ENERGY CODE

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

Section 1. Section 11.14.020 of the Parker Municipal Code is amended to read as follows:

11.14.020 International Energy Conservation Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Energy Conservation Code, ~~2015~~2018 Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.14.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.14.050 Amendments.

The International Energy Conservation Code, as adopted by this Chapter, is hereby amended as follows:

(1) Delete Section 101.1, Title, and replace with:

"101.1 Title. This code shall be known as the Parker Energy Code and shall be cited as such. It is referred to herein as the 'code.'"

(2) Delete all sections after Part 2 – Administration and Enforcement (refer to Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

(3) Amend Section C302.1, Interior design conditions, by replacing "72°F (22°C)" with "70°F (21°C)."

(4) Add a new Section C402.5.1.1.2, Air permeable insulation, to read:

"C402.5.1.1.2, Air permeable insulation. A rigid, air-impermeable barrier shall be installed in a continuous and contiguous manner on all six

sides of all air-permeable insulation that is part of the building's thermal envelope.

"Exception: Air-permeable insulation used in the horizontal assembly of a ventilated attic and the insulation has a minimum depth of 14 inches."

~~(5) Delete Section C406, Additional Efficiency Package Options, in its entirety.~~

Section 3. Section 11.14.060 of the Parker Municipal Code is amended to read as follows:

11.14.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Energy Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.14.080 of the Parker Municipal Code is amended to read as follows:

11.14.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, ~~2016~~2019.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.97.4 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.15.020,
11.15.050, 11.15.060 and 11.15.080 of the Parker Municipal
Code Concerning the Parker Fuel Gas Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.15.020, 11.15.050, 11.15.060 and 11.15.080 of the Parker Municipal Code concerning the design and installation of fuel gas systems and gas-fired appliances through requirements emphasizing performance that safeguards public health and safety.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Fuel Gas Code®, in this 2018 edition, establishes minimum regulations for fuel gas systems and gas-fired appliances using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new fuel gas system and appliance designs. This 2018 edition is fully compatible with all the International Codes (“I-Codes”) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Mechanical Code®, International Plumbing Code® and International Residential Code®.

The International Fuel Gas Code® provisions provide many benefits, among which is the model code development process that offers an international forum for fuel gas technology professionals to discuss code requirements. This forum provides an excellent arena to debate

proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.97.4

RECOMMENDED MOTION

I move to approve Ordinance No. 4.97.4 on second reading.

ORDINANCE NO. 4.97.4, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.15.020, 11.15.050, 11.15.060 AND 11.15.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER FUEL GAS CODE

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

Section 1. Section 11.15.020 of the Parker Municipal Code is amended to read as follows:

11.15.020 International Fuel Gas Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Fuel Gas Code, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is hereby adopted by reference as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.15.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.15.050 Amendments.

The International Fuel Gas Code, as adopted by this Chapter, is amended as follows (section numbers correspond with those in the International Fuel Gas Code):

(1) Delete Appendix Chapters A, B, C and D.

(2) Delete Section 101.1, Title, and replace with:

"101.1 Title. These regulations shall be known as the Parker Fuel Gas Code, hereinafter referred to as the 'code.'"

(3) Sections 101.2 through 101.2.5 are unchanged.

(4) The remainder of Chapter 1 of the code, entitled "Administration," is deleted in its entirety (see Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

(5) Delete Sections 406.4.1, Test pressure, and 406.4.2, Test duration, and replace with:

"406.4.1 Test pressure and duration. Test pressure shall be 20 psig for 24 hours or 60 psig for 1 hour."

(6) Amend Section 621 (IFGC), Unvented room heaters, to read:

"621.1 General. Unvented room heaters are prohibited from installation."

The remainder of the Section is deleted in its entirety

Section 3. Section 11.15.060 of the Parker Municipal Code is amended to read as follows:

11.15.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Fuel Gas Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.15.080 of the Parker Municipal Code is amended to read as follows:

11.15.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, ~~2016~~**2019**.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.101.5 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.16.010,
11.16.050, 11.16.060 and 11.16.080 of the Parker Municipal
Code Concerning the Parker Property Maintenance Code

Department: Building, Randy Sale

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.16.020, 11.16.050, 11.16.060 and 11.16.080 of the Parker Municipal Code concerning property maintenance for all existing residential and nonresidential structures on existing premises.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Property Maintenance Code®, in this 2018 edition, addresses property owner's maintenance responsibilities, standards to be met and penalties for violations.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.101.5

RECOMMENDED MOTION

I move to approve Ordinance No. 4.101.5 on second reading.

ORDINANCE NO. 4.101.5, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.16.010, 11.16.050, 11.16.060 AND 11.16.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER PROPERTY MAINTENANCE CODE

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

Section 1. Section 11.16.010 of the Parker Municipal Code is amended to read as follows:

11.16.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Property Maintenance Code.

Section 2. Section 11.16.050 of the Parker Municipal Code is amended to read as follows:

11.16.050 Amendments.

The International Property Maintenance Code is amended as follows (section numbers correspond with those in the International Property Maintenance Code).

(1) Delete Chapters 1, 4, 5, 6, 7 and Appendix A.

(2) Amend Section 301.2, Responsibility, to read:

"301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code."

(3) Amend Section 302.4, Weeds, to read:

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height.
...

The remainder of the Section remains unchanged.

(4) Amend Section 302.9, Defacement of property, to read:

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti ("Defacement"). Whenever any defacement

of property shall be found, the Chief of Police or his or her designee shall order the occupant or owner of the property upon which the defacement exists to remove or correct the same within twenty-four (24) hours or such period in excess of twenty-four (24) hours as designated in writing by the Chief of Police or his or her designee at the expense of the owner of the property or occupant. If the occupant or owner does not comply with the order of the Chief of Police or his or her designee, the Chief of Police or his or her designee may cause the defacement to be removed or corrected and all expense incurred thereby shall be paid by the occupant or owner and may be recovered by the Town in an action against the occupant and/or owner as provided in this Code.

(5) Delete Sections 303, 305, 307, 308 and 309 in their entirety

Section 3. Section 11.16.060 of the Parker Municipal Code is amended to read as follows:

11.16.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Property Maintenance Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.16.080 of the Parker Municipal Code is amended to read as follows:

11.16.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, **2019**

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.105.2 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.08.020,
11.08.050, 11.08.060 and 11.08.080 of the Parker Municipal
Code Concerning the Parker Existing Building Code

Department: Building, Randy Sale

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.08.020, 11.08.050, 11.08.060 and 11.08.080 of the Parker Municipal Code that concerns the remodeling, repair or alteration of existing buildings.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Existing Building Code®, in this 2018 edition, is designed to meet model code regulations that safeguard the public health and safety in all communities.

This comprehensive building code establishes minimum regulations for building systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new building designs. This 2018 edition is fully compatible with all the International Codes (I-Codes) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code® and International Plumbing Code®.

The International Existing Building Code® provisions provide many benefits, among which is the model code development process that offers an international forum for building professionals to discuss code requirements. This forum provides an excellent arena to debate

proposed revisions. This model code also encourages International consistency in the application of provisions.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.105.2

RECOMMENDED MOTION

I move to approve Ordinance No. 4.105.2 on second reading.

ORDINANCE NO. 4.105.2, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.08.020, 11.08.050, 11.08.060 AND 11.08.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER EXISTING BUILDING CODE

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

Section 1. Section 11.08.020 of the Parker Municipal Code is amended to read as follows:

11.08.020 International Existing Building Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Existing Building Code, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is hereby adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.08.050 of the Parker Municipal Code is amended to read as follows:

11.08.050 Amendments.

The International Existing Building Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those in the International Existing Building Code):

(1) Delete Section 101.6, Appendices, and Appendix Chapters A, B and C.

(2) Amend 101.1, Title, to read:

"101.1 Title. These regulations shall be known as the Parker Existing Building Code, hereinafter referred to as the 'code.'"

(3) Sections 101.2, 101.3, 101.4, 101.5, and 101.7 remain unchanged.

(4) The remainder of Chapter 1 of the code is deleted in its entirety (see Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

Section 3. Section 11.08.060 of the Parker Municipal Code is amended to read as follows:

11.08.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Existing Building Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.08.060 of the Parker Municipal Code is amended to read as follows:

11.08.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2016
2019.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018

Submitted By: Randy Sale, Chief Building Official
Jason Rogers, Deputy Community Development Director
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.106.2 - Second Reading**
A Bill for an Ordinance to Amend Sections 11.09.020,
11.09.050, 11.09.060 and 11.09.080 of the Parker Municipal
Code Concerning the Parker Swimming Pool and Spa Code

Department: **Building, Randy Sale**

EXECUTIVE SUMMARY

The Town desires to amend Sections 11.09.020, 11.09.050, 11.09.060 and 11.09.080 of the Parker Municipal Code concerning the design and installation of swimming pool and spa systems through requirements emphasizing performance that safeguards public health and safety.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The International Swimming Pool and Spa Code®, in this 2018 edition, addresses comprehensive swimming pool and spa code minimum regulations using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new swimming pool and spa designs. This 2018 edition is fully compatible with all the International Codes (“I-Codes”) published by the International Code Council (ICC), including the International Building Code®, International Energy Conservation Code®, International Fire Code®, International Fuel Gas Code®, International Mechanical Code®, International Plumbing Code® and International Residential Code®.

The International Swimming Pool and Spa Code® provisions provide many benefits, among which is the model code development process that offers an international forum for swimming pool and spa professionals to discuss code requirements. This forum provides an excellent arena

to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 4.106.2

RECOMMENDED MOTION

I move to approve Ordinance No. 4.106.2 on second reading.

ORDINANCE NO. 4.106.2, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.09.020, 11.09.050, 11.09.060 AND 11.09.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER SWIMMING POOL AND SPA CODE

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

Section 1. Section 11.09.020 of the Parker Municipal Code is amended to read as follows:

11.09.020 International Swimming Pool and Spa Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Swimming Pool and Spa Code, ~~2015~~ **2018** Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is hereby adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.09.050 of the Parker Municipal Code is amended to read as follows:

11.09.050 Amendments.

The International Swimming Pool and Spa Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those in the International Swimming Pool and Spa Code):

(1) Amend Section 101.1, Title, to read:

"101.1 Title. These regulations shall be known as the Parker Swimming Pool and Spa Code, hereinafter referred to as the 'code.'"

(2) Sections 101.2, 101.3 and 101.4 remain unchanged.

(3) The remainder of Chapter 1 of the code is deleted in its entirety (*see* Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

Section 3. Section 11.09.060 of the Parker Municipal Code is amended to read as follows:

11.09.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Swimming Pool and Spa Code, any person who violates any of the provisions of this Chapter shall

be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.09.080 of the Parker Municipal Code is amended to read as follows:

11.09.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, **2016**
2019.

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 _____,
2015.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2015.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: November 5, 2018
Submitted By: Chris Hudson, Public Works Manager
Reviewed By: Michelle Kivela, Town Administrator
Title: **Stroh Road Widening Project**

Department: **Engineering & Public Works, Chris Hudson**

- (1) RESOLUTION NO. 18-079**
A Resolution Accepting the Conveyance of a Temporary Construction Easement from Parker Water and Sanitation District for Stroh Road
- (2) RESOLUTION NO. 18-080**
A Resolution Accepting the Conveyance of Real Property from Parker Water and Sanitation District for Stroh Road
- (3) RESOLUTION NO. 18-081**
A Resolution Accepting the Conveyance of a Traffic Signal Easement from Parker Water and Sanitation District for Stroh Road
- (4) RESOLUTION NO. 18-082**
A Resolution Accepting the Conveyance of Real Property from Parker Water and Sanitation District (Slope Easement) for Stroh Road
- (5) ORDINANCE NO. 1.520 - Second Reading**
A Bill for an Ordinance Conveying a 50-Foot Nonexclusive Easement to Parker Water and Sanitation District for Water and Sewer Lines to be Located in Stroh Road

EXECUTIVE SUMMARY

This set of resolutions will accept the conveyance of right-of-way and easements from Parker Water & Sanitation District associated with the planned Stroh Road widening project west of Cherry Creek. Following the resolutions accepting these conveyances, the Town will convey a nonexclusive easement to Parker Water & Sanitation District associated with the planned Stroh Road widening project west of Cherry Creek subject to Town Council approval of the ordinance.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker and Parker Water & Sanitation District (PWSD) were contacted in late-2017 regarding a proposed Public Service Company (PSCo)/Xcel high pressure gas line installation adjacent to Stroh Road. The gas line is currently being installed on the south side of Stroh Road between the Motsenbocker Road/Crowfoot Valley Road intersection to just east of the J Morgan Boulevard intersection. Due to the meetings with PSCo/Xcel, Town, and PWSD staff began discussion regarding the proposed Stroh Road widening. The intent of the initial coordination was to locate the proposed PSCo/Xcel gas line outside of the proposed Stroh Road widening improvements to limit potential future conflicts. The Town engaged a design consultant to update the conceptual design of the Stroh Road widening that was completed over 12-years ago to aid in this coordination effort. The Town/PWSD meetings lead to further discussions about PWSD dedicating the needed real property (right-of-way) and easements for the proposed Stroh Road widening. Due to timing of other easements being requested by PWSD, the proposed Stroh Road dedication was seen as reciprocity for the easements being dedicated to PWSD for their water system improvements.

The four (4) resolutions associated with this item accept the real property (right-of-way), a traffic signal easement, a slope easement and a temporary construction easement for the proposed Stroh Road improvements. The resolution accepting the conveyance of real property needs to occur prior to the ordinance. The ordinance is related to conveying an easement to PWSD on real property that they dedicated by a resolution. This proposed real property has existing PWSD water and sewer improvements. Since PWSD is the owner of the property west of Cherry Creek, they cannot grant themselves an easement. Had the property been owned by someone else, PWSD would have an easement in place and the right-of-way conveyance would be subject to that easement. This ordinance will create this condition.

The widening of Stroh Road over Cherry Creek is anticipated to occur several years pending future budget. Obtaining the right-of-way and easements now will assist in obtaining the necessary property for this important arterial roadway widening project in the future when funding becomes available.

FINANCIAL IMPACT

None at this time. The Town will ultimately be constructing Stroh Road in the future.

STRATEGIC GOAL(S)



ATTACHMENTS

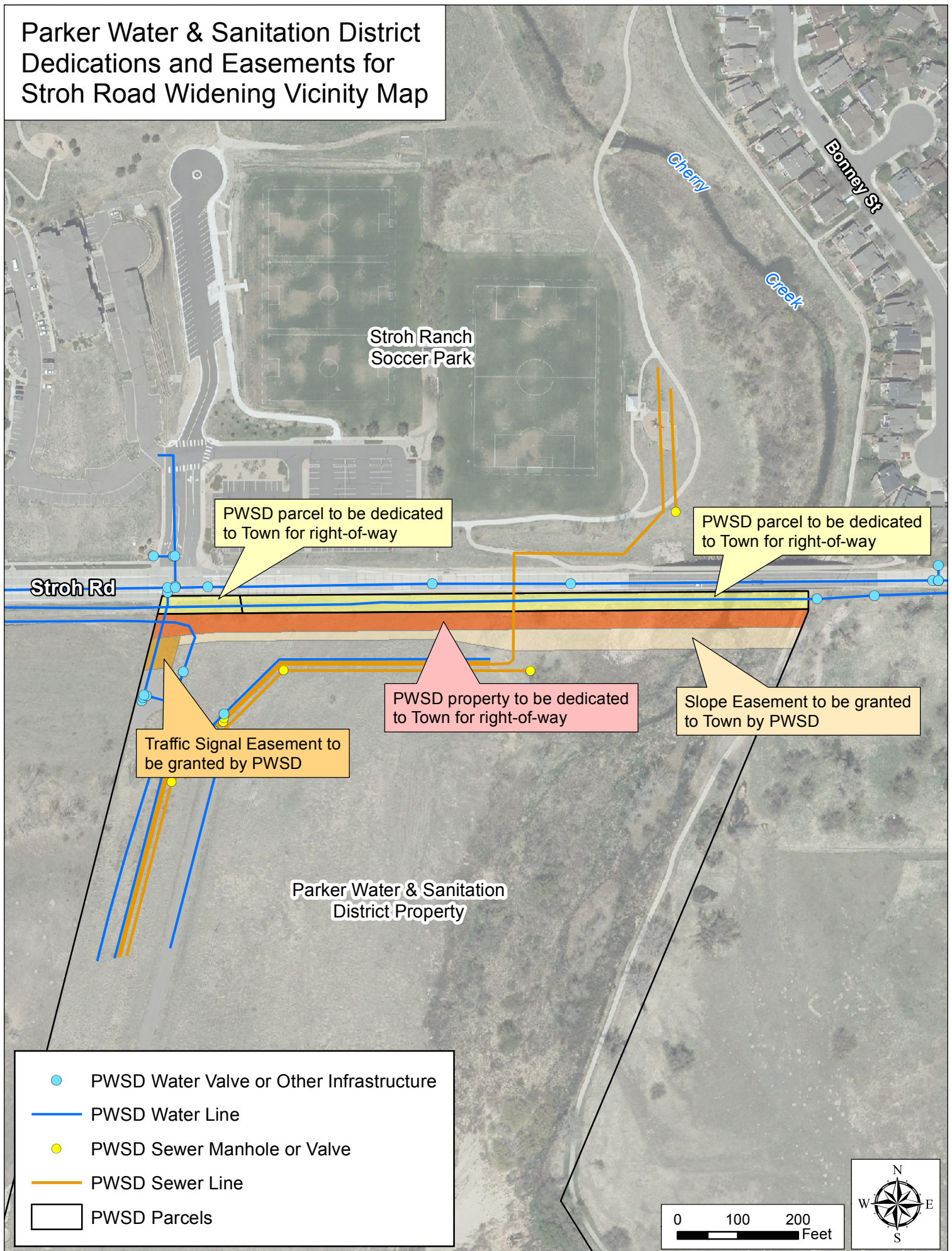
1. Vicinity Map-PWSD Dedications and Easements at Stroh Road Widening
2. Resolution No. 18-079
3. Resolution No. 18-080
4. Resolution No. 18-081
5. Resolution No. 18-082
6. Ordinance No. 1.520

RECOMMENDED MOTION

I move to approve Resolution Nos. 18-079, 18-080, 18-081, and 18-082.

I move to approve Ordinance No. 1.520 on second reading.

Parker Water & Sanitation District Dedications and Easements for Stroh Road Widening Vicinity Map



RESOLUTION NO. 18-079, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A TEMPORARY CONSTRUCTION EASEMENT FROM PARKER WATER AND SANITATION DISTRICT FOR STROH ROAD

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of a temporary construction easement from Parker Water and Sanitation District for Stroh Road;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of certain property interests from Parker Water and Sanitation District for Stroh Road, as provided in the Temporary Construction Easement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT AGREEMENT (the "Easement Agreement") is made this _____ day of _____, 2018, between PARKER WATER AND SANITATION DISTRICT, whose legal address is 18100 E. Woodman Drive, Parker, Colorado 80134 (the "Grantor"), and the TOWN OF PARKER, a Colorado home rule municipality, whose legal address is 20120 East Mainstreet, Parker, Colorado 80138 (the "Grantee").

THE GRANTOR, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the Grantee a Temporary Easement (the "Temporary Easement") for use during construction of roadway improvements, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement in and to, over, under and across the tract of land more particularly described on **Exhibit A**, attached hereto and by this reference made a part hereof (the "Easement Property").

1. Said Temporary Easement shall expire and be of no further force or effect twelve (12) months after the date the Grantee provides written notice of the commencement of this Temporary Easement to the Grantor which notice shall be provided within five (5) years of the execution of this Agreement. The Grantor also grants to the Grantee the option to extend this Temporary Easement for a period not to exceed one (1) year from the date of expiration hereof.

2. During the term of this Temporary Easement, the Grantor shall not erect or construct, or allow to be erected or constructed, any building or other structure which may interfere with Grantee's full enjoyment of the rights hereunder.

3. The parties hereto agree that neither has made nor authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise or consideration different from the terms herein contained shall be binding on either party, or its agents or employees hereto.

4. Grantor warrants that it has full and lawful authority to make the grant hereinabove contained and promises and agrees to defend Grantee in the exercise of its rights hereunder against any defect in Grantor's title to the land involved or Grantor's rights to make the grant hereinabove contained.

5. Whenever used herein, the singular number shall include the plural, the plural the singular; and the use of any gender shall be applicable to all genders. All of the covenants herein contained shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, personal representatives, successors and assigns.

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

**GRANTOR: PARKER WATER AND
SANITATION DISTRICT**

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

Maleia Good, Engineering Coordinator

GRANTEE: TOWN OF PARKER

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO LEGAL FORM:

James S. Maloney, Town Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THAT PARKER WATER AND SANITATION DISTRICT PARCEL OF LAND AS DESCRIBED IN THE FINAL RULE AND ORDER RECORDED AT RECEPTION NUMBER 2004124024 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTHWEST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS, INC 1999 LS 17666" IN A RANGE BOX AND AT THE NORTH QUARTER CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "2006 PLS 29761" IN A RANGE BOX, ASSUMED TO BEAR NORTH 89°33'32" EAST, A DISTANCE OF 2649.03 FEET.

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 3;

THENCE SOUTH 83°01'45" EAST, A DISTANCE OF 654.21 FEET TO THE WESTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AND THE **POINT OF BEGINNING**;

THENCE NORTH 84°29'58" EAST, A DISTANCE OF 117.29 FEET;

THENCE NORTH 89°35'09" EAST, A DISTANCE OF 373.27 FEET;

THENCE SOUTH 80°10'37" EAST, A DISTANCE OF 112.53 FEET;

THENCE NORTH 89°35'09" EAST, A DISTANCE OF 465.64 FEET TO THE EASTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND;

THENCE ALONG SAID EASTERLY BOUNDARY, SOUTH 22°54'01" WEST, A DISTANCE OF 54.45 FEET;

THENCE DEPARTING SAID EASTERLY BOUNDARY, SOUTH 89°35'09" WEST, A DISTANCE OF 448.57 FEET;

THENCE NORTH 80°10'37" WEST, A DISTANCE OF 112.53 FEET;

THENCE SOUTH 89°35'09" WEST, A DISTANCE OF 366.57 FEET;

THENCE SOUTH 84°29'58" WEST, A DISTANCE OF 132.99 FEET TO SAID WESTERLY BOUNDARY;

THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 14°12'56" EAST, A DISTANCE OF 53.11 FEET TO THE **POINT OF BEGINNING**.

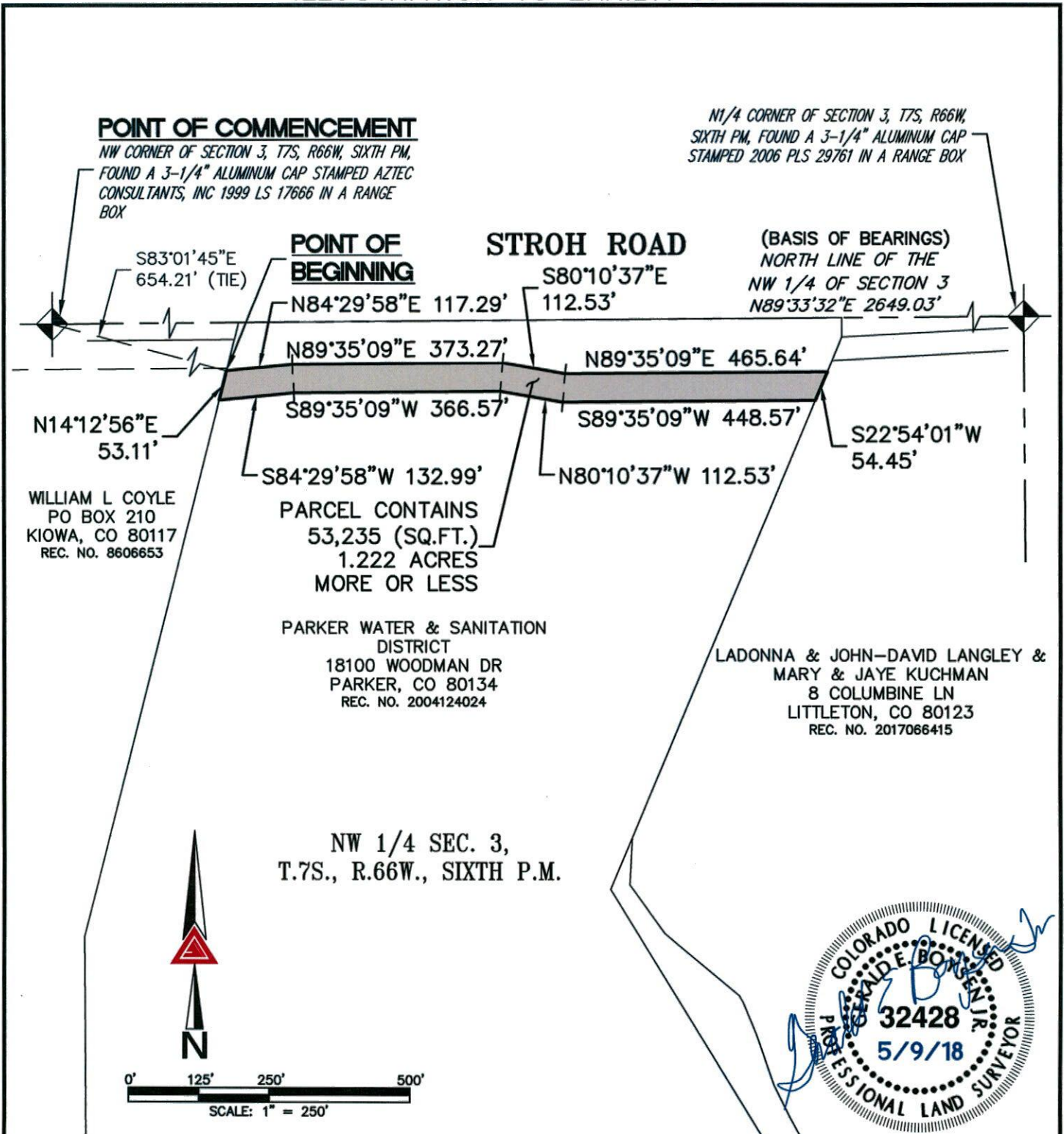
CONTAINING AN AREA OF 1.222 ACRES, (53,235 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



GERALD E. BOYSEN JR., PLS NO. 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122,
303-713-1898

ILLUSTRATION TO EXHIBIT A



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

PATH:
DWG NAME: 2018-05-03 Stroh Road Temporary Easement
DWG: CWB CHK: GEB
DATE: 5/3/2018
SCALE: 1" = 250'



AzTEC
CONSULTANTS, INC.

Q:\31918-02 - Stroh Road Legal Descriptions\DWG\EXHIBITS

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

TEMPORARY EASEMENT
NW 1/4 SEC. 3, T.7S., R.66W., SIXTH P.M.
DOUGLAS COUNTY, COLORADO

JOB NUMBER 31918-02

2 OF 2 SHEETS

RESOLUTION NO. 18-080, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF REAL PROPERTY FROM PARKER WATER AND SANITATION DISTRICT FOR STROH ROAD

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of certain real property from Parker Water and Sanitation District for Stroh Road;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of the property interests specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of real property from the Parker Water and Sanitation District for Stroh Road, as provided in the Special Warranty Deed attached as **Exhibit 1**, and incorporated by this reference.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

SPECIAL WARRANTY DEED

PARKER WATER AND SANITATION DISTRICT, a Colorado Special District, Grantor, whose street address is 18100 E. Woodman Driver, Parker, Colorado 80138, County of Douglas, State of Colorado, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby sells and conveys to the **TOWN OF PARKER**, a Colorado home rule municipality, whose street address is 20120 East Mainstreet, Parker, Colorado 80138, County of Douglas, State of Colorado, and its successors and assigns forever, the real property described in **Exhibit A**, attached hereto and made a part hereof, in the County of Douglas, State of Colorado, together with improvements, if any, and with all its appurtenances, if any, and **WARRANTS THE TITLE** against all persons claiming under Grantor, subject to those matters listed in **Exhibit B**, attached hereto and made a part hereof.

Signed this ____ day of _____, 2018.

**GRANTOR: PARKER WATER AND
SANITATION DISTRICT**

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

Maleia Good, Engineering Coordinator

STATE OF COLORADO)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by _____, as _____ of Parker Water and Sanitation District.

My commission expires: _____.

SEAL

Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THAT PARKER WATER AND SANITATION DISTRICT PARCEL OF LAND AS DESCRIBED IN THE FINAL RULE AND ORDER RECORDED AT RECEPTION NUMBER 2004124024 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTHWEST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS, INC 1999 LS 17666" IN A RANGE BOX AND AT THE NORTH QUARTER CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "2006 PLS 29761" IN A RANGE BOX, ASSUMED TO BEAR NORTH 89°33'32" EAST, A DISTANCE OF 2649.03 FEET.

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 3;

THENCE ALONG SAID NORTH LINE NORTH 89°33'32" EAST, A DISTANCE OF 670.81 FEET TO THE NORTHWESTERLY CORNER OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND, AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH LINE OF THE NORTH WEST QUARTER OF SECTION 3 AND ALONG THE NORTH LINE OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND, NORTH 89°33'32" EAST, A DISTANCE OF 1070.42 FEET TO THE EASTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND;

THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING TWO (2) COURSES;

- 1) SOUTH 00°26'28" EAST, A DISTANCE OF 34.21 FEET;
- 2) SOUTH 22°54'01" WEST, A DISTANCE OF 27.55 FEET;

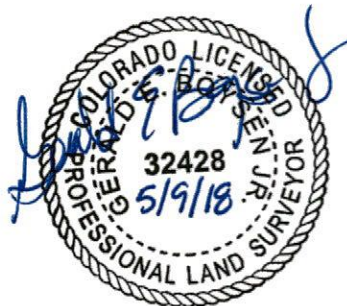
THENCE DEPARTING SAID EASTERLY BOUNDARY, SOUTH 89°35'09" WEST, A DISTANCE OF 965.40 FEET;

THENCE SOUTH 84°29'58" WEST, A DISTANCE OF 112.58 FEET TO THE WESTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND;

THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 14°12'56" EAST, A DISTANCE OF 71.30 FEET TO THE **POINT OF BEGINNING**.

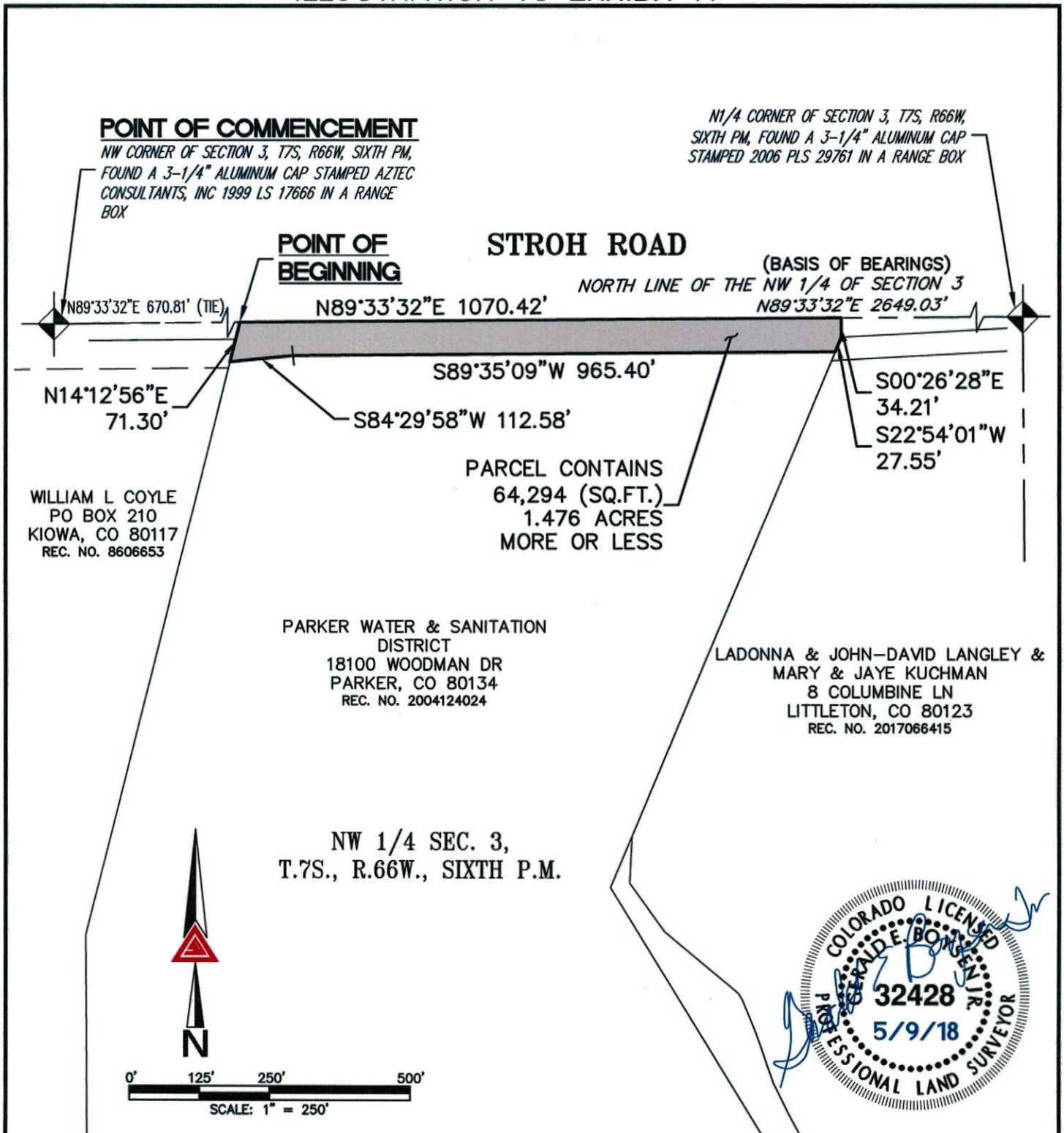
CONTAINING AN AREA OF 1.476 ACRES, (64,294 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



GERALD E. BOYSEN JR., PLS NO. 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122,
303-713-1898

ILLUSTRATION TO EXHIBIT A



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

PATH:
DWG NAME: 2018-05-03 Stroth Road ROW
DWG: CWB CHK: GEB
DATE: 5/3/2018
SCALE: 1" = 250'



AZTEC
CONSULTANTS, INC.

Q: 31918-02 - Stroth Road Legal Descriptions\DWG\EXHIBITS

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

ADDITIONAL RIGHT-OF-WAY
NW 1/4 SEC. 3, T.7S., R.66W., SIXTH P.M.
DOUGLAS COUNTY, COLORADO

JOB NUMBER 31918-02

2 OF 2 SHEETS

EXHIBIT B

PWSD Stroh Road Widening – Exceptions

1. Reservations of an undivided ½ interest in all oil, gas and other minerals as set forth in Warranty Deed recorded December 1, 1959, at Reception No. 106963.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document granted to: Rich and Co. Purpose: Pipeline Easement 30 feet in width. Recording Date: April 9, 1984. Recording No.: Book 515 at Page 1034.
3. Terms, conditions, provisions, agreements and obligations contained in the Agreement as set forth below: Recording Date: April 9, 1984. Recording No.: Book 515 at Page 1037.
4. Terms, conditions, provisions, agreements and obligations contained in the Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: September 16, 1985. Recording No.: Book 595 at Page 100.
5. Terms, conditions, provisions, agreements and obligations contained in the Permanent Roadway and Drainage Easement as set forth below: Recording Date: October 31, 1986. Recording No.: Book 676 at Page 284.
6. Terms, conditions, provisions, agreements and obligations contained in the Permanent Roadway and Drainage Easement as set forth below: 05/09/2018, 2:04 p.m. Title Report No.: N0017483-010-TO2-ES, Title Report Page 4, RPT00001 (DSI Doc 03/03/17). Recording Date: March 24, 1987. Recording No.: Book 707 at Page 994.
7. Any taxes or assessments by reason of the inclusion of the Land in the Cherry Creek Basin Authority, as evidenced in instrument set forth below: Recording Date: May 6, 1988. Recording No.: Book 790 at Page 718.
8. Terms, conditions, provisions, agreements and obligations contained in the Easement Deed as set forth below: Recording Date: June 30, 1988. Recording No.: Book 800 at Page 304.
9. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of the Water Court as set forth below: Recording Date: May 17, 1989. Recording No.: Book 854 at page 742.
10. Terms, conditions, provisions, agreements and obligations contained in the Easement Deed as set forth below: Recording Date: June 6, 1990. Recording No.: Book 915 at Page 280.
11. Terms, conditions, provisions, agreements and obligations contained in the Easement Deed as set forth below: Recording Date: September 27, 1991. Recording No.: Book 996 at Page 128.
12. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court as set forth below: Recording Date: July 13, 1995. Recording No.: Book 1274 at Page 460.

Note: Corrected Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court recorded November 1, 1995, in Book 1297 at Page 1494, and Revised Amended Findings of

Fact, Conclusions of Law, Judgment and Decree of Water Court, recorded June 10, 2005, at Reception No. 2005052596.

13. Terms, conditions, provisions, agreements and obligations contained in the Amended Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: February 5, 2001. Recording No.: Book 1959 at Page 1434.
14. Terms, conditions, provisions, agreements and obligations contained in the Amended Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: February 5, 2001. 05/09/2018, 2:04 p.m. Title Report No.: N0017483-010-TO2-ES Title Report Page 5 RPT00001 (DSI Doc 03/03/17). Recording No.: Book 1959 at Page 1447.
15. Terms, conditions, provisions, agreements and obligations contained in the Waste Well Construction and Operation Easement Agreement as set forth below: Recording Date: January 23, 2003. Recording No.: Reception No. 2003009171.
16. Terms, conditions, provisions, agreements and obligations contained in the License Agreement as set forth below: Recording Date: July 2, 2003. Recording No.: Reception No. 2003097866.
17. Terms, conditions, provisions, agreements and obligations contained in the Permanent Water Facility Easement as set forth below: Recording Date: March 4, 2005. Recording No.: Reception No. 2005019175.
18. Any taxes or assessments by reason of the inclusion of the Land in the Parker Water and Sanitation District, as evidenced in instrument set forth below: Recording Date: May 3, 2005. Recording No.: Reception No. 2005038822.
19. Terms, conditions, provisions, agreements and obligations contained in the Right-of-Way Easement to Intermountain Rural Electric Association as set forth below: Recording Date: September 12, 2005. Recording No.: Reception No. 2005086298.
20. Terms, conditions, provisions, agreements and obligations contained in the Right-of-Way Easement to Intermountain Rural Electric Association as set forth below: Recording Date: October 24, 2005. Recording No.: Reception No. 2005101883.
21. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court as set forth below: Recording Date: October 20, 2010. Recording No.: Reception No. 2010069158.
22. All rights to all mineral lands should any such be found to exist, not to be construed to include coal and iron land, as reserved in United States Patent, recorded March 19, 2014, at Reception No. D4022050, and any and all assignments thereof or interests therein. (Arapahoe County Records).
23. The effect of Certification of the Regional Transportation District (RTD) Current District Area Per Colorado Revised Statue Title 32, Article 9, recorded March 3, 2016, at Reception No. 2016012841.

RESOLUTION NO. 18-081, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A TRAFFIC SIGNAL EASEMENT FROM PARKER WATER AND SANITATION DISTRICT FOR STROH ROAD

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement for the purpose of constructing and operating a traffic signal across the easement property from Parker Water and Sanitation District for Stroh Road;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of certain property interests for the purpose of constructing and operating a traffic signal across the easement property, from Parker Water and Sanitation District for Stroh Road, as provided in the Traffic Signal Easement Agreement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

TRAFFIC SIGNAL EASEMENT AGREEMENT

This TRAFFIC SIGNAL EASEMENT AGREEMENT (the "Easement Agreement"), made this _____ day of _____, 2018, between PARKER WATER AND SANITATION DISTRICT, having an address at 18100 E. Woodman Drive, Parker, Colorado 80134 (the "Grantor") and the TOWN OF PARKER, a Colorado home rule municipality, having an address of 20120 East Mainstreet, Parker, Colorado 80138 (the "Grantee").

WHEREAS, the Grantee desires to acquire an easement for the purpose of a constructing and operating a traffic signal to regulate traffic at the intersection of Stroh Road and the Grantor's Access drive in the Town of Parker, on and through the property more particularly described and depicted in **Exhibit A** (the "Easement Property"), attached hereto and incorporated herein by this reference; and

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

NOW, THEREFORE, for and in consideration of the sum of ten dollars (\$10.00) paid by the Grantee to the Grantor, the covenants of the Grantee herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, and for and in consideration of the easement rights herein granted and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantee does hereby covenant and agree as follows:

1. Grant of Easement. The Grantor hereby grants to the Grantee an easement for a traffic control signal, including the maintenance and repair of such signal and appurtenances thereto, in, under, through, and across the property described in **Exhibit A**, which is attached hereto and incorporated herein by this reference. Subject to the other terms and conditions of this Easement Agreement, the Grantee shall also have the right to remove impediments to operation and maintenance of the Easement Property, such as trees, asphalt and sidewalks. The Grantee further agrees all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with the Grantor so as to minimize any disruption to the Grantor's property. Notwithstanding any other terms in this Agreement, the rights granted to Grantee herein shall be subordinate to Grantor's retained right to locate, reconstruct, operate, maintain, repair, remove, and abandon in place any existing utilities of Grantor located upon, over, under, across or through the Easement Property.

2. Unencumbered Title. The Grantor warrants that the Easement Property granted herein is granted free and clear of all liens and encumbrances.

3. Infringement and Correction. The Grantee is hereby given and granted possession of the above-described Easement Property, and the Grantor covenants and agrees that no structure, fixture, improvement, or other obstruction above or below ground that will interfere with the purposes aforesaid will be placed, erected, installed or permitted on or through the above-described Traffic Signal Easement. The Grantor further covenants and agrees that in the event the terms of this paragraph are violated by the Grantor, or any person acting by, through or on behalf of the Grantor, such violation will be corrected and eliminated within a reasonable time upon receipt of written notice of such violation from the Grantee, after which the Grantee shall have the right,

following a reasonable period of time, to correct or eliminate such violation and the Grantor shall promptly pay the actual costs thereof.

4. Operation and Maintenance. The operation and maintenance of the traffic signal on the Easement Property shall be the responsibility of the Grantee.

5. Obligations of the Town. The Grantee shall maintain the above-described easement in good condition at all times. All work performed by the Grantee on the property of the Grantor shall be done with care, and all damage to the Grantor's land and improvements, to the extent said improvements are constructed or installed in accordance with this Easement Agreement, shall be promptly paid for or repaired at the expense of the Grantee. The Grantee's obligation herein shall include the restoration of the land and improvements to their condition prior to the damage, if any.

6. Grantor Defined. The word "Grantor" as used herein, whenever the context requires or permits, shall include the heirs, personal representatives, beneficiaries, successors, grantees and assigns of the owners of the land through which the easement runs, or the respective owners from time to time of portions thereof. The burdens and benefits of this Easement Agreement shall be deemed covenants running with said easements and said land. Notwithstanding any contrary provision in this Easement Agreement, however, any obligation under this Easement Agreement which is to be performed by the owner of any land which is burdened by this Easement Agreement shall be enforceable only against the then owner of such land, and not against any such owner's predecessors in interest.

7. Covenants of Grantee. The Grantee hereby represents, covenants and warrants in favor of the Grantor, and its successors and assigns, as follows:

a. The Grantee shall protect the Easement Property, and the adjacent lands of the Grantor over which the Grantee has rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of the Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents.

b. The Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by the Grantor.

8. Retained Rights. The Grantor shall have all rights to the Easement Property not granted hereby.

9. Binding Effect. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the respective heirs, personal representatives, beneficiaries, successors, grantees and assigns of the parties hereto, and the burdens or benefits of the provisions of this Agreement shall be deemed covenants running with said easement.

10. Recordation. This Easement Agreement shall be recorded in the real estate records of the Douglas County Clerk and Recorder's Office.

11. Miscellaneous.

a. This easement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

b. This easement shall be of no force and effect until this easement is duly and validly executed by all parties hereto.

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

**GRANTOR: PARKER WATER AND
SANITATION DISTRICT**

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

Maleia Good, Engineering Coordinator

GRANTEE: TOWN OF PARKER

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO LEGAL FORM:

James S. Maloney, Town Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THAT PARKER WATER AND SANITATION DISTRICT PARCEL OF LAND AS DESCRIBED IN THE FINAL RULE AND ORDER RECORDED AT RECEPTION NUMBER 2004124024 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTHWEST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS, INC 1999 LS 17666" IN A RANGE BOX AND AT THE NORTH QUARTER CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "2006 PLS 29761" IN A RANGE BOX, ASSUMED TO BEAR NORTH 89°33'32" EAST, A DISTANCE OF 2649.03 FEET.

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 3;

THENCE SOUTH 84°24'32" EAST, A DISTANCE OF 656.41 FEET TO THE WESTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AND THE **POINT OF BEGINNING**;

THENCE NORTH 84°29'58" EAST, A DISTANCE OF 47.95 FEET;

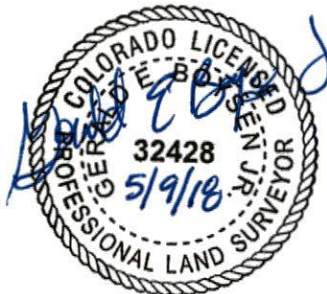
THENCE SOUTH 14°11'02" WEST, A DISTANCE OF 53.10 FEET;

THENCE SOUTH 84°29'58" WEST, A DISTANCE OF 47.98 FEET TO SAID WESTERLY BOUNDARY;

THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 14°12'56" EAST, A DISTANCE OF 53.11 FEET TO THE **POINT OF BEGINNING**.

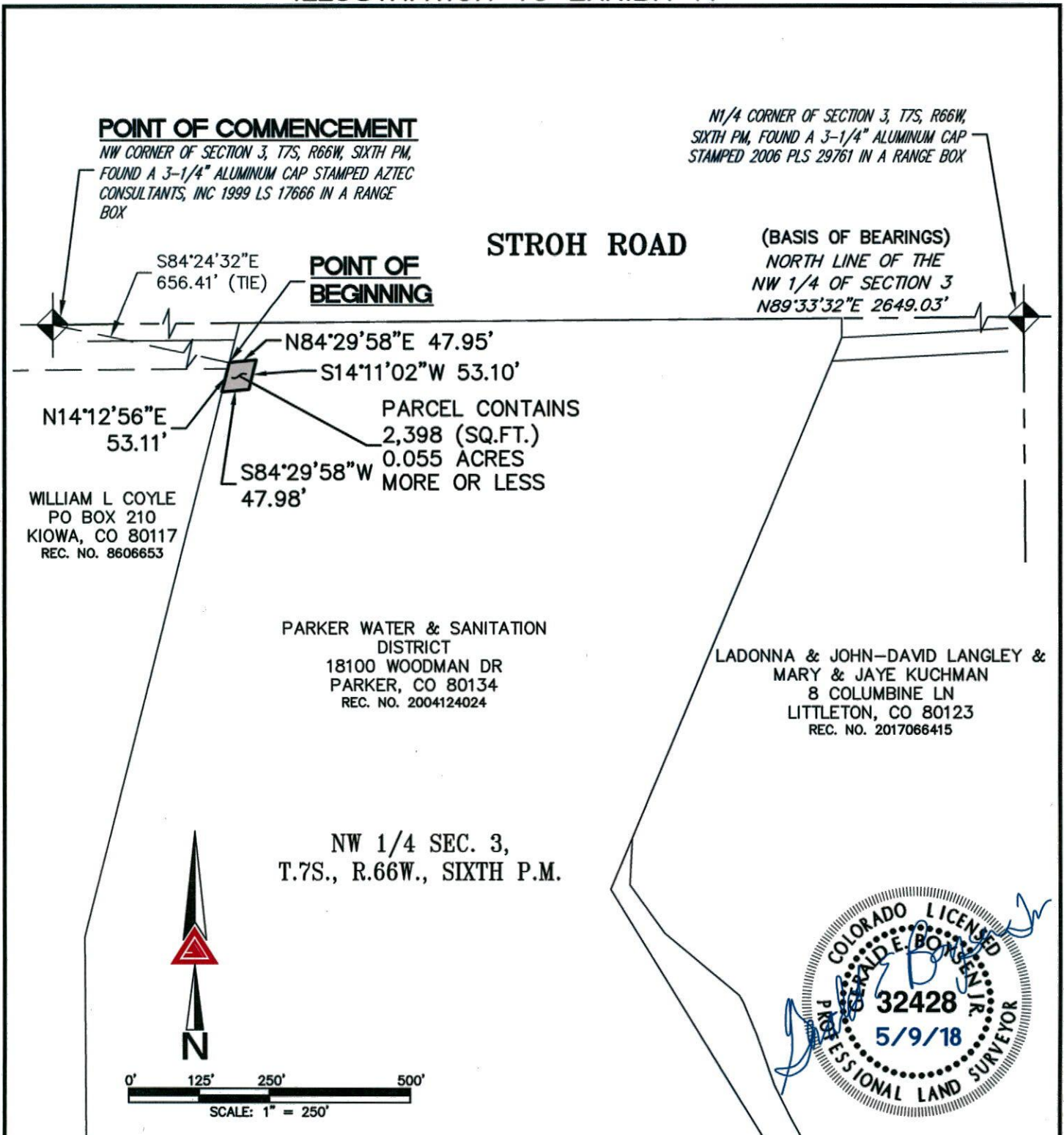
CONTAINING AN AREA OF 0.055 ACRES, (2,398 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



GERALD E. BOYSEN JR., PLS NO. 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122,
303-713-1898

ILLUSTRATION TO EXHIBIT A



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

PATH:
DWG NAME: 2018-05-03 Stroth Road Traffic Signal Easement
DWG: CWB CHK: GEB
DATE: 5/3/2018
SCALE: 1" = 250'



AZTEC
CONSULTANTS, INC.

Q:\31918-02 - Stroth Road Legal Descriptions\DWG\EXHIBITS

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TRAFFIC SIGNAL EASEMENT
NW 1/4 SEC. 3, T.7S., R.66W., SIXTH P.M.
DOUGLAS COUNTY, COLORADO

JOB NUMBER 31918-02

2 OF 2 SHEETS

RESOLUTION NO. 18-082, Series of 2018

TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF REAL PROPERTY FROM PARKER WATER AND SANITATION DISTRICT (SLOPE EASEMENT) FOR STROH ROAD

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of certain real property for a slope easement from Parker Water and Sanitation District;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of the property interests specified hereinbelow to the Town by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby accepts the conveyance of real property for a slope easement, from Parker Water and Sanitation District for Stroh Road, as provided in the Slope Easement attached as **Exhibit 1**, and incorporated by this reference.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

SLOPE EASEMENT AGREEMENT

THIS SLOPE EASEMENT AGREEMENT (the "Easement Agreement") is made this ____ day of _____, 2018, between PARKER WATER AND SANITATION DISTRICT, whose legal address is 18100 E. Woodman Drive, Parker, Colorado 80134 (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 real property more particularly described and depicted in **Exhibit A** (the "Easement Property"), attached hereto and incorporated herein by this reference.

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 Engineering/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.

Subject to those matters listed in **Exhibit B**, attached hereto and made a part hereof, Grantor for itself, its 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, it 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.

Grantor and Grantee agree that this easement may be released by Grantee upon the construction of an approved development on the Easement Property which provides the necessary adjacent support and protection of Stroh Road that is created by this Easement Agreement.

Notwithstanding any other terms in this Agreement, the rights granted to Grantee herein shall be subordinate to Grantor's retained right to locate, reconstruct, operate, maintain, repair, remove,

and abandon in place any existing utilities of Grantor located upon, over, under, across or through the Easement Property.

IN WITNESS WHEREOF, the Grantor has caused his name to be subscribed hereto, the day and year first written above.

**GRANTOR: PARKER WATER AND
SANITATION DISTRICT**

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

Maleia Good, Engineering Coordinator

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

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BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTHWEST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS, INC 1999 LS 17666" IN A RANGE BOX AND AT THE NORTH QUARTER CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "2006 PLS 29761" IN A RANGE BOX, ASSUMED TO BEAR NORTH 89°33'32" EAST, A DISTANCE OF 2649.03 FEET.

COMMENCING AT SAID NORTHWEST CORNER OF SECTION 3;

THENCE SOUTH 84°24'32" EAST, A DISTANCE OF 656.41 FEET TO THE WESTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AND THE **POINT OF BEGINNING**;

THENCE NORTH 84°29'58" EAST, A DISTANCE OF 112.58 FEET;

THENCE NORTH 89°35'09" EAST, A DISTANCE OF 965.40 FEET TO THE EASTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND;

THENCE ALONG SAID EASTERLY BOUNDARY, SOUTH 22°54'01" WEST, A DISTANCE OF 38.11 FEET;

THENCE DEPARTING SAID EASTERLY BOUNDARY, SOUTH 89°35'09" WEST, A DISTANCE OF 465.64 FEET;

THENCE NORTH 80°10'37" WEST, A DISTANCE OF 112.53 FEET;

THENCE SOUTH 89°35'09" WEST, A DISTANCE OF 373.27 FEET;

THENCE SOUTH 84°29'58" WEST, A DISTANCE OF 117.29 FEET TO SAID WESTERLY BOUNDARY;

THENCE ALONG SAID WESTERLY BOUNDARY NORTH 14°12'56" EAST, A DISTANCE OF 15.93 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.612 ACRES, (26,658 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

GERALD E. BOYSEN JR., PLS NO. 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122,
303-713-1898

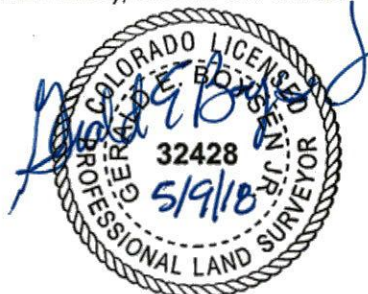
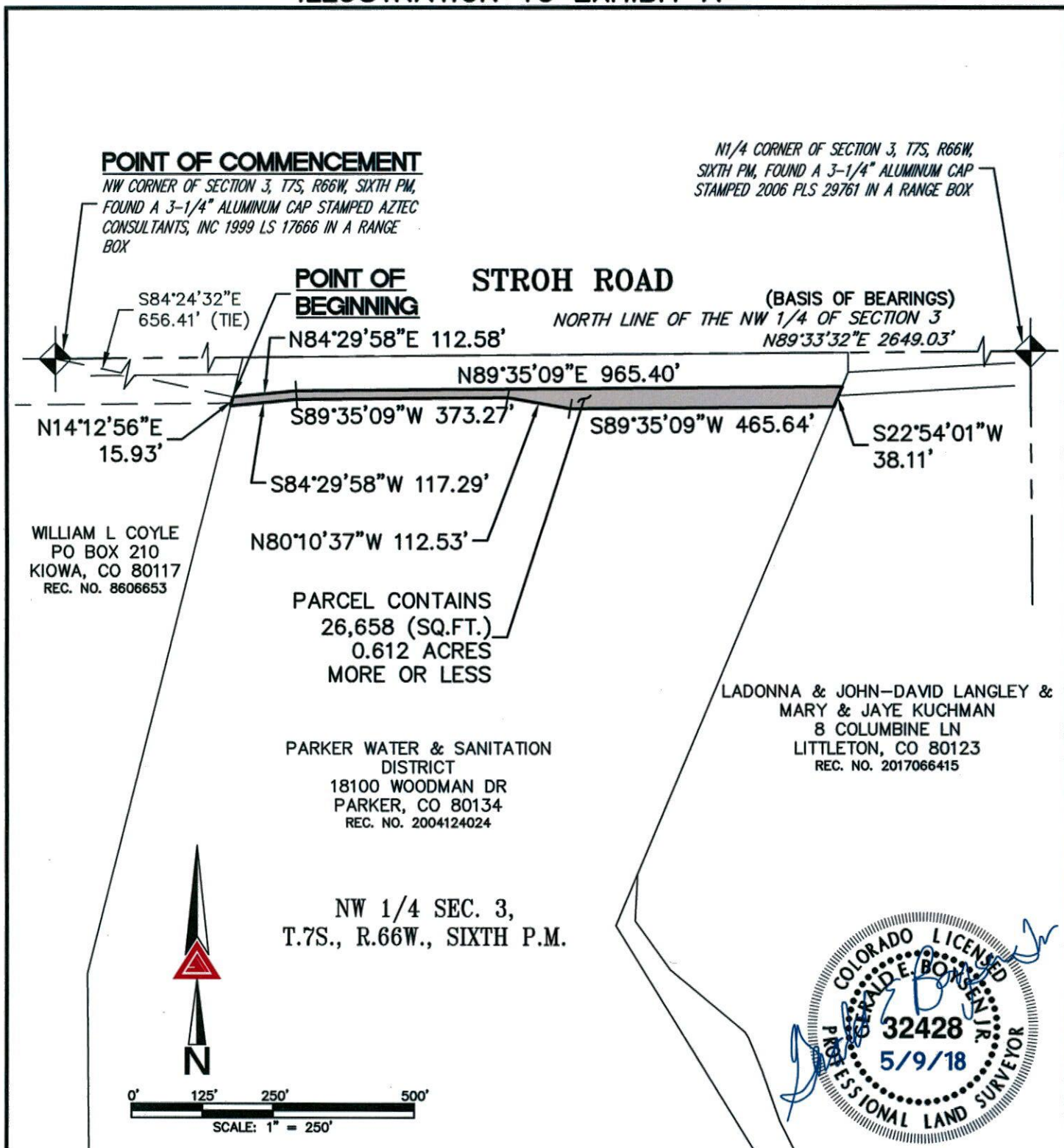


ILLUSTRATION TO EXHIBIT A



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PATH:
DWG NAME: 2018-05-03 Stroth Road Slope Easement
DWG: CWB CHK: GEB
DATE: 5/3/2018
SCALE: 1" = 250'



Aztec
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Q: 31918-02 - Stroth Road Legal Descriptions\DWG\EXHIBITS

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SLOPE EASEMENT
NW 1/4 SEC. 3, T.7S., R.66W., SIXTH P.M.
DOUGLAS COUNTY, COLORADO
JOB NUMBER 31918-02 2 OF 2 SHEETS

EXHIBIT B

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1. Reservations of an undivided ½ interest in all oil, gas and other minerals as set forth in Warranty Deed recorded December 1, 1959, at Reception No. 106963.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document granted to: Rich and Co. Purpose: Pipeline Easement 30 feet in width. Recording Date: April 9, 1984. Recording No.: Book 515 at Page 1034.
3. Terms, conditions, provisions, agreements and obligations contained in the Agreement as set forth below: Recording Date: April 9, 1984. Recording No.: Book 515 at Page 1037.
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13. Terms, conditions, provisions, agreements and obligations contained in the Amended Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: February 5, 2001. Recording No.: Book 1959 at Page 1434.
14. Terms, conditions, provisions, agreements and obligations contained in the Amended Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: February 5, 2001. 05/09/2018, 2:04 p.m. Title Report No.: N0017483-010-TO2-ES Title Report Page 5 RPT00001 (DSI Doc 03/03/17). Recording No.: Book 1959 at Page 1447.
15. Terms, conditions, provisions, agreements and obligations contained in the Waste Well Construction and Operation Easement Agreement as set forth below: Recording Date: January 23, 2003. Recording No.: Reception No. 2003009171.
16. Terms, conditions, provisions, agreements and obligations contained in the License Agreement as set forth below: Recording Date: July 2, 2003. Recording No.: Reception No. 2003097866.
17. Terms, conditions, provisions, agreements and obligations contained in the Permanent Water Facility Easement as set forth below: Recording Date: March 4, 2005. Recording No.: Reception No. 2005019175.
18. Any taxes or assessments by reason of the inclusion of the Land in the Parker Water and Sanitation District, as evidenced in instrument set forth below: Recording Date: May 3, 2005. Recording No.: Reception No. 2005038822.
19. Terms, conditions, provisions, agreements and obligations contained in the Right-of-Way Easement to Intermountain Rural Electric Association as set forth below: Recording Date: September 12, 2005. Recording No.: Reception No. 2005086298.
20. Terms, conditions, provisions, agreements and obligations contained in the Right-of-Way Easement to Intermountain Rural Electric Association as set forth below: Recording Date: October 24, 2005. Recording No.: Reception No. 2005101883.
21. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court as set forth below: Recording Date: October 20, 2010. Recording No.: Reception No. 2010069158.
22. All rights to all mineral lands should any such be found to exist, not to be construed to include coal and iron land, as reserved in United States Patent, recorded March 19, 2014, at Reception No. D4022050, and any and all assignments thereof or interests therein. (Arapahoe County Records).

23. The effect of Certification of the Regional Transportation District (RTD) Current District Area
Per Colorado Revised Statue Title 32, Article 9, recorded March 3, 2016, at Reception No.
2016012841.

ORDINANCE NO. 1.520, Series of 2018

TITLE: A BILL FOR AN ORDINANCE CONVEYING A 50-FOOT NONEXCLUSIVE EASEMENT TO PARKER WATER AND SANITATION DISTRICT FOR WATER AND SEWER LINES TO BE LOCATED ON STROH ROAD

WHEREAS, the Town Council of the Town of Parker desires to convey certain real property to Parker Water and Sanitation District for Stroh Road; and

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the subject Easement Agreement.

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 50-Foot Nonexclusive Easement Agreement by the Town of Parker conveying certain property to Parker Water and Sanitation District for Stroh Road, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Easement 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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

50-FOOT NONEXCLUSIVE EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT ("Agreement") is dated this ____ day of _____, 2018, by the TOWN OF PARKER ("Grantor"), with its principal office at 20120 E. Mainstreet, Parker, Colorado 80138, and the PARKER WATER AND SANITATION DISTRICT (hereafter referred to as "Grantee"), a Colorado special district and political subdivision having an address at 18100 E. Woodman Drive, Parker, Colorado 80134 (each a "Party" and collectively the "Parties").

WHEREAS, Grantee desires to install water and sewer pipelines and related facilities and appurtenances including fire hydrants (collectively, "Improvements") in or upon certain real property owned by Grantor and situated in Douglas County, Colorado, which real property is more particularly described and depicted in **Exhibits A-1** and **A-2**, which are attached hereto and incorporated herein (along with appurtenances thereto, the "Easement Property"); and

WHEREAS, Grantor is willing to grant an easement to Grantee in the Easement Property for the aforesaid purposes, subject to the terms and provisions hereof.

NOW THEREFORE, for good and valuable consideration to Grantor by Grantee, and for the additional consideration of the performance by the Parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance, repair, removal, and abandonment in place, of the Improvements as required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's exercise of Grantee's easement rights set forth herein, provided that Grantee shall use existing roadways to the extent available and shall clean, cure and correct, as may be reasonably necessary, any property located adjacent to the Easement Property owned or maintained by the Grantor that may be damaged by such ingress and egress activities in accordance with Section 2.A, *infra*.

2. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor and its successors and assigns as follows:

A. Grantee shall protect the Easement Property and the adjacent lands of Grantor over which Grantee has rights of ingress and egress from damage caused in whole or in part by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Grantee shall keep all of the Easement Property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials resulting from Grantee's activities. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands. Upon completion of any of its activities that disturb the surface of the Easement Property, Grantee shall, at its expense, restore the Easement Property to substantially the condition it was in immediately prior to the initiation

of such activities or subsequent restoration, except as otherwise provided herein or as necessarily modified to accommodate the Improvements. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense. Notwithstanding any provision herein, Grantee shall have no obligation to clean, cure, or correct any damage to any public or private improvements in or on the Easement Property, including but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements.

B. In all activities undertaken on property belonging to Grantor, Grantee or its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees shall conduct and construct all work in a good and workmanlike manner.

C. Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), pollutants, or contaminants, as defined by CERCLA or hazardous waste as defined by the Resource Conservation and Recovery Act ("RCRA"), including but not limited to asbestos, and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored, or deposited on, over, or beneath the Easement Property. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the Improvements shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

3. Grantor's Covenants.

A. Grantor covenants and agrees that during the term of this Agreement it shall not plant within or allow to grow into the Easement Property any trees, bushes or other planted material that would interfere with the Grantee's use of the Easement Property, and that it shall not construct any buildings or other improvements within, over or upon the Easement Property without the prior written permission of the Grantee, except that Grantor may install roadways, sidewalks, curbs, gutters, medians and median landscaping and irrigation, and trails on the Easement Property, without written permission, provided Grantor shall be responsible for repairing or replacing any public or private improvements damaged by Grantee's permitted activities in or on the Easement Property, including payment of the costs thereof.

B. To the fullest extent permitted by applicable law, subject to those matters listed in **Exhibit B**, which is attached hereto and made a part hereof:

- i. Grantor hereby warrants title to the easement herein granted and conveyed to Grantee;
- ii. Grantor warrants that that the Easement Property is free and clear of all liens and encumbrances; and
- iii. Grantor agrees to protect and defend the title of the Grantee to the Easement Property from and against all persons whomsoever.

C. Grantor warrants and guarantees that it has the power and authority to grant the easement created by this Agreement.

4. Retained Rights of Grantor.

A. Grantor reserves the right of ownership, use and occupancy of the Easement Property insofar as said ownership, use and occupancy do not impair the rights granted to Grantee pursuant to this Agreement. Grantee's rights hereunder are nonexclusive, and Grantor shall have the authority to grant other easements or rights to use the Easement Property, so long as it does not impair the rights granted to Grantee.

B. In the event that the construction of any other utilities, roadways, or other improvements upon, over, under or across the Easement Property or the violation of any of the warranties made by Grantor herein necessitates the relocation and/or encasement of the Improvements, then Grantor shall, at its sole cost and expense, timely perform or cause the performance of such relocation and/or encasement of the Improvements and shall provide a replacement easement for the relocation, if necessary, subject to Grantee's specifications. In the event Grantor does not relocate, encase the Improvements, and/or provide a new easement as required by Subsection B within a reasonable period of time, not to exceed ninety (90) days after notice thereof from Grantee, then Grantee may do so, at Grantor's expense.

5. Miscellaneous.

A. Subjacent and Lateral Support. Grantor and Grantee shall each have the right of subjacent and lateral support for the Easement Property; neither Grantor nor Grantee shall take any action that would impair the lateral or subjacent support for the Easement Property.

B. Binding Effect - Runs With Land. This Agreement shall extend to and be binding upon the successors and assigns of the respective Parties hereto. The rights and responsibilities set forth in this Agreement are intended to be covenants upon the Easement Property and are to run with the land.

C. Governing Law. The terms, covenants and provisions hereof shall be governed by and construed under the applicable laws of the State of Colorado, and exclusive venue for any action relating to this Agreement shall be with the District Court of Douglas County, Colorado.

D. Entire Agreement. This Agreement constitutes the entire agreement between the Parties hereto relating to the Easement and sets forth the rights, duties and obligations of each to the other as of this date. Any prior agreements, promises, negotiations or representations not expressly set forth in this Agreement are of no force and effect. This Agreement may not be modified, except by a writing executed by both Parties.

E. No Waiver. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other of the provisions of this Agreement, nor shall such waiver constitute a continuing waiver, unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.

F. Assignment. Grantee may assign or license all or a portion of its rights hereunder to another political subdivision of the State of Colorado, provided any assignee shall be bound by all terms and conditions set forth herein.

G. Severability. The invalidity or unenforceability of any portion or provision of this Agreement shall not affect the validity or enforceability of any other portion or provision. If any provision of this Agreement or the application thereof to any person, entity or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Agreement that can be given effect without the invalid provision or application, and to this end, the provisions of this Agreement and each and every provision thereof, are declared to be severable.

H. Counterpart Execution. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

I. No Third Party Beneficiary. The Parties enter into this Agreement for the sole benefit of the Parties, to the exclusion of any third-party, and no third-party beneficiary is intended or created by the execution of this Agreement.

J. Recording. This Agreement shall be recorded in the official records of the Douglas County Clerk and Recorder upon full execution.

IN WITNESS WHEREOF, the Parties hereto have executed this Easement by their respective duly authorized officers as of the date and year first above set forth.

[Remainder of page intentionally blank - signatures on following page]

GRANTOR:

Town of Parker, Colorado

By: _____
Mike Waid, Mayor

ATTEST:

By: _____
Carol Baumgartner, Town Clerk

GRANTEE:

Parker Water & Sanitation District

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

By: _____
Maleia Good

STATE OF **COLORADO**)
) ss.
COUNTY OF **DOUGLAS**)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Mike Waid, Mayor of the Town of Parker, Colorado.

My commission expires: _____

WITNESS my hand and official seal.

Notary Public

STATE OF **COLORADO**)
) ss.
COUNTY OF **DOUGLAS**)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Ron R. Redd, P.E., District Manager of the Parker Water and Sanitation District.

My commission expires: _____

WITNESS my hand and official seal.

Notary Public

EXHIBIT A-1

LEGAL DESCRIPTION

A PARCEL OF LAND 50.00 FEET WIDE, BEING A PART OF THAT PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AS DESCRIBED IN THE FINAL RULE AND ORDER RECORDED AT RECEPTION NUMBER 2004124024 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO, CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, LYING 25.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTH QUARTER CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "2006 PLS 29761" IN A RANGE BOX, AND AT THE NORTHWEST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS, INC 1999 LS 17666" IN A RANGE BOX AND ASSUMED TO BEAR SOUTH 89°33'32" WEST, A DISTANCE OF 2,649.03 FEET.

COMMENCING AT SAID NORTH QUARTER CORNER OF SECTION 3;

THENCE ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER, SOUTH 89°33'32" WEST, A DISTANCE OF 1,384.63 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AND THE **POINT OF BEGINNING**;

THENCE SOUTH 01°02'31" WEST A DISTANCE OF 59.30 FEET TO THE **POINT OF TERMINUS** FROM WHENCE SAID NORTH QUARTER CORNER BEARS NORTH 87°06'36" EAST, A DISTANCE OF 1,387.43 FEET;

THE SIDELINES OF THE ABOVE DESCRIBED PARCEL ARE TO BE PROLONGED OR SHORTENED TO TERMINATE AT SAID NORTHERLY BOUNDARY OF THE PARKER WATER & SANITATION DISTRICT PARCEL OF LAND THROUGH THE POINT OF BEGINNING AND A LINE BEARING SOUTH 89°35'09" WEST AND NORTH 89°35'09" EAST THROUGH THE POINT OF TERMINUS.

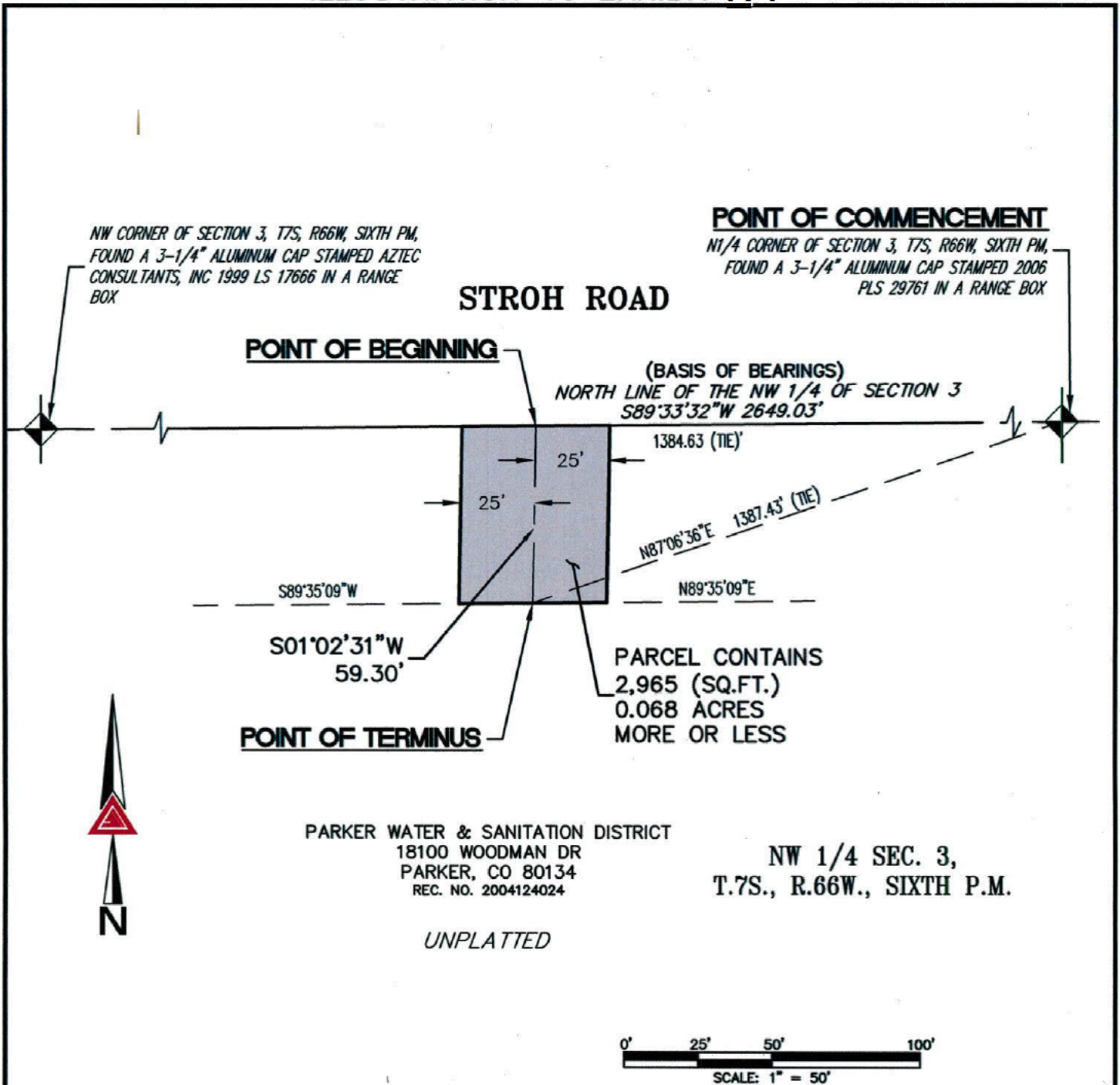
THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF 0.068 ACRES, (2,965 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



GERALD E. BOYSEN JR., PLS NO. 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122,
303-713-1898

ILLUSTRATION TO EXHIBIT A-1



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

PATH:
 DWG NAME: 2018-07-06 50' SANITARY SEWER EASEMENT
 DWG: DR CHK: GEB
 DATE: 7/6/2018
 SCALE: 1" = 50'



Aztec
 CONSULTANTS, INC.

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

Q:\24918-17 - Stroh Rd Widening - PWSD L&E\DWG\EXHIBITS

SANITARY SEWER EASEMENT
 NW 1/4 SEC. 3, T.7S., R.66W., SIXTH P.M.
 DOUGLAS COUNTY, COLORADO

JOB NUMBER 24918-17

2 OF 2 SHEETS

EXHIBIT A-2

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THAT PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AS DESCRIBED IN THE FINAL RULE AND ORDER RECORDED AT RECEPTION NUMBER 2004124024 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO, CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER IN SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTH QUARTER CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "2006 PLS 29761" IN A RANGE BOX, AND AT THE NORTHWEST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS, INC 1999 LS 17666" IN A RANGE BOX AND ASSUMED TO BEAR SOUTH 89°33'32" WEST, A DISTANCE OF 2,649.03 FEET.

COMMENCING AT SAID NORTH QUARTER CORNER OF SECTION 3;

THENCE ALONG SAID NORTH LINE SOUTH 89°33'32" WEST, A DISTANCE OF 907.80 FEET TO THE NORTHEAST CORNER OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND AND THE **POINT OF BEGINNING**;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 00°26'28" EAST, A DISTANCE OF 34.21 FEET;
- 2) SOUTH 22°54'01" WEST, A DISTANCE OF 17.20 FEET;

THENCE DEPARTING SAID EASTERLY BOUNDARY ALONG A LINE BEING FIFTY FEET (50') SOUTHERLY AND PARALLEL WITH THE NORTHERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND, SOUTH 89°33'32" WEST, A DISTANCE OF 1,025.00 FEET;

THENCE ALONG A LINE BEING FIFTY FEET (50') EASTERLY AND PARALLEL WITH THE WESTERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND, SOUTH 14°12'56" WEST, A DISTANCE OF 14.78 FEET;

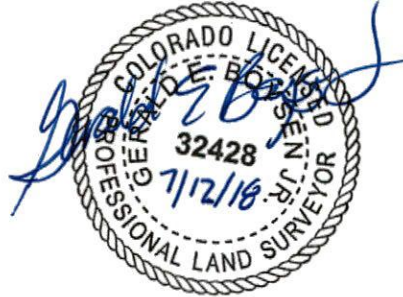
THENCE SOUTH 84°29'58" WEST, A DISTANCE OF 53.11 FEET TO SAID WESTERLY BOUNDARY OF THE PARKER WATER & SANITATION DISTRICT PARCEL OF LAND;

THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 14°12'56" EAST, A DISTANCE OF 71.30 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 3 AND THE NORTHWEST CORNER OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND;

THENCE ALONG SAID NORTH LINE AND THE NORTHERLY BOUNDARY OF SAID PARKER WATER & SANITATION DISTRICT PARCEL OF LAND, NORTH 89°33'32" EAST, A DISTANCE OF 1,070.42 FEET TO THE **POINT OF BEGINNING**.

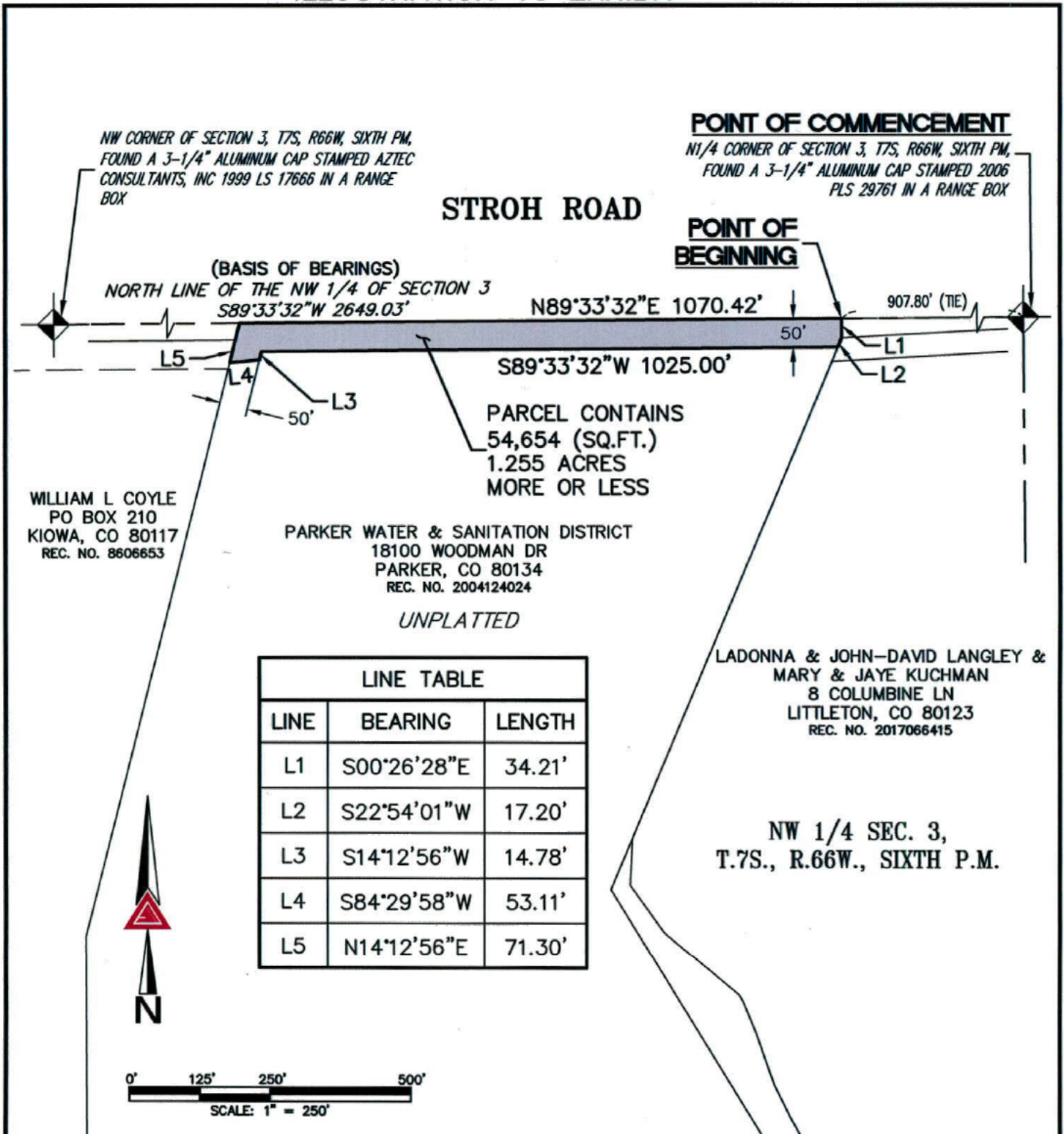
CONTAINING AN AREA OF 1.255 ACRES, (54,654 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



GERALD E. BOYSEN JR., PLS NO. 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122,
303-713-1898

ILLUSTRATION TO EXHIBIT A-2



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

PATH:
 DWG NAME: 2018-07-06 WATER EASEMENT
 DWG: DR CHK: GEB
 DATE: 7/6/2018
 SCALE: 1" = 250'



AZTEC
 CONSULTANTS, INC.

Q:\24918-17 - Stroth Rd Widening - PWS L&E\DWG\EXHIBITS

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

WATER EASEMENT
 NW 1/4 SEC. 3, T.7S., R.66W., SIXTH P.M.
 DOUGLAS COUNTY, COLORADO
 JOB NUMBER 24918-17 3 OF 3 SHEETS

EXHIBIT B

PWSD Stroh Road Widening – Exceptions

1. Reservations of an undivided ½ interest in all oil, gas and other minerals as set forth in Warranty Deed recorded December 1, 1959, at Reception No. 106963.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document granted to: Rich and Co. Purpose: Pipeline Easement 30 feet in width. Recording Date: April 9, 1984. Recording No.: Book 515 at Page 1034.
3. Terms, conditions, provisions, agreements and obligations contained in the Agreement as set forth below: Recording Date: April 9, 1984. Recording No.: Book 515 at Page 1037.
4. Terms, conditions, provisions, agreements and obligations contained in the Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: September 16, 1985. Recording No.: Book 595 at Page 100.
5. Terms, conditions, provisions, agreements and obligations contained in the Permanent Roadway and Drainage Easement as set forth below: Recording Date: October 31, 1986. Recording No.: Book 676 at Page 284.
6. Terms, conditions, provisions, agreements and obligations contained in the Permanent Roadway and Drainage Easement as set forth below: 05/09/2018, 2:04 p.m. Title Report No.: N0017483-010-TO2-ES, Title Report Page 4, RPT00001 (DSI Doc 03/03/17). Recording Date: March 24, 1987. Recording No.: Book 707 at Page 994.
7. Any taxes or assessments by reason of the inclusion of the Land in the Cherry Creek Basin Authority, as evidenced in instrument set forth below: Recording Date: May 6, 1988. Recording No.: Book 790 at Page 718.
8. Terms, conditions, provisions, agreements and obligations contained in the Easement Deed as set forth below: Recording Date: June 30, 1988. Recording No.: Book 800 at Page 304.
9. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of the Water Court as set forth below: Recording Date: May 17, 1989. Recording No.: Book 854 at page 742.
10. Terms, conditions, provisions, agreements and obligations contained in the Easement Deed as set forth below: Recording Date: June 6, 1990. Recording No.: Book 915 at Page 280.
11. Terms, conditions, provisions, agreements and obligations contained in the Easement Deed as set forth below: Recording Date: September 27, 1991. Recording No.: Book 996 at Page 128.
12. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court as set forth below: Recording Date: July 13, 1995. Recording No.: Book 1274 at Page 460.

Note: Corrected Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court recorded November 1, 1995, in Book 1297 at Page 1494, and Revised Amended Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court, recorded June 10, 2005, at Reception No. 2005052596.

13. Terms, conditions, provisions, agreements and obligations contained in the Amended Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: February 5, 2001. Recording No.: Book 1959 at Page 1434.
14. Terms, conditions, provisions, agreements and obligations contained in the Amended Findings and Ruling of the Referee and Decree of the Water Court as set forth below: Recording Date: February 5, 2001. 05/09/2018, 2:04 p.m. Title Report No.: N0017483-010-TO2-ES Title Report Page 5 RPT00001 (DSI Doc 03/03/17). Recording No.: Book 1959 at Page 1447.
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19. Terms, conditions, provisions, agreements and obligations contained in the Right-of-Way Easement to Intermountain Rural Electric Association as set forth below: Recording Date: September 12, 2005. Recording No.: Reception No. 2005086298.
20. Terms, conditions, provisions, agreements and obligations contained in the Right-of-Way Easement to Intermountain Rural Electric Association as set forth below: Recording Date: October 24, 2005. Recording No.: Reception No. 2005101883.
21. Terms, conditions, provisions, agreements and obligations contained in the Findings of Fact, Conclusions of Law, Judgment and Decree of Water Court as set forth below: Recording Date: October 20, 2010. Recording No.: Reception No. 2010069158.
22. All rights to all mineral lands should any such be found to exist, not to be construed to include coal and iron land, as reserved in United States Patent, recorded March 19, 2014, at Reception No. D4022050, and any and all assignments thereof or interests therein. (Arapahoe County Records).

23. The effect of Certification of the Regional Transportation District (RTD) Current District Area Per Colorado Revised Statue Title 32, Article 9, recorded March 3, 2016, at Reception No. 2016012841.