

**TOWN OF PARKER COUNCIL
MINUTES
APRIL 3, 2017**

Mayor Mike Waid called the meeting to order at 5:49 P.M. Councilmember Debbie Lewis was absent.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were four items. Under C.R.S. § 24-6-402(4)(e) there were two (2) items, the first was proposed South Metro Fire Rescue Authority cooperation agreement, and the second was proposed agreement between the Town and PAR (Parker Authority for Reinvestment) concerning real property owned by the Town and PAR on Mainstreet; under C.R.S. § 24-6-402(4)(b) there were two (2) items, the first was to receive legal advice on specific legal questions on Section 13.07.100 of the Parker Municipal Code concerning minor development plats for multiple-family and the second was to receive legal advice on specific legal questions on Section 10.01.070 of the Parker Municipal Code concerning the application of private covenants regulating parking on Town-owned street.

EXECUTIVE SESSION

Joshua Rivero moved and Amy Holland seconded to go into Executive Session 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.

Amy Holland moved and Josh Martin seconded to come out of Executive Session at 6:12 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

Dennis Houston, President and CEO of the Parker Area Chamber of Commerce, gave an update of Chamber events and activities. Mr. Houston advised that Heather Lindsay has been hired as office manager and visitor administrator. Ms. Lindsay was a former employee of the Chamber.

DOWNTOWN BUSINESS ALLIANCE UPDATES – None

PUBLIC COMMENTS – None

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

John Diak

- 1. Last Wednesday attended the Town’s Big Picture Meeting.
- 2. Attended the Jordan Road widening public meeting last Thursday. There were 20-30 people in attendance.

Renee Williams

- 1. Attended the Town’s Big Picture Meeting.
- 2. Attended the Parker Chamber Lunch and Learn.

Josh Rivero

Met today with the Douglas County Youth Initiative group regarding awards coming up in a few weeks which will be presented at the Board of County Commissioners meeting.

Amy Holland

- 1. Served on the D.C. Housing Partnership in Debbie Lewis’s absence.
- 2. Attended the Transportation Committee Meeting regarding RTD’s Call N Ride service.

Josh Martin

Attended the E-470 Foundation meeting for which they need applicants.

Mike Waid

- 1. The Big Picture Meeting
- 2. Had his hair dyed purple last Friday. This is for the “Shave the Mayor” fund raiser for St. Baldrick’s Foundation. Joshua Rivero and John Fussa will be shaving their head this year.

CONSENT AGENDA

A. *APPROVAL OF MINUTES*
March 20, 2017

B. *ORDINANCE NO. 3.324.1 – First Reading*
A Bill for an Ordinance to Amend Sections 13.09.020(d)(9) and 13.09.090 of the Parker Municipal Code Concerning Signs Displayed on Motor Vehicles and the Planned Sign Program

Department: Community Development, Bryce Matthews
Second Reading: April 17, 2017

C. *RESOLUTION NO. 17-023*
A Resolution to Allow a Partial Waiver of Sections 13.09.040(b)(1), 13.09.070(l), 13.09.080(d) and Schedule 13.09.080B of the Parker Municipal Code for Certain Businesses for Parker Days, Trick or Treat on Mainstreet and the Parker Christmas Carriage Parade

Department: Communication, Elise Penington

D. *CONTRACTS ABOVE \$100,000*

- (1) *2017 Townwide Chipseal and Slurry Seal Program (CIP-009)*
Amount: \$2,589,022.22
Contractor: A-1 Chipseal Company
Department: Public Works, John Mounier

- (2) *2017 Townwide Resurfacing Program (CIP 17-007) Contract Modification*
Amount: \$24,000.00
Contractor: Chavez Construction, Inc.
Department: Engineering, Chris Hudson

- (3) *Development Design Standards Rewrite*
Amount: \$129,990.00
Contractor: Urban Design Associates
Department: Community Development, Carolyn Washee-Freeland

- E. *ORDINANCE NO. 9.243.1 – First Reading*
A Bill for an Ordinance Approving the First Amendment to Intergovernmental Agreement
Between the Town of Parker, Colorado and the Overlook Metropolitan District
Department: Town Attorney, Jim Maloney
Second Reading: April 17, 2017

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

The motion was approved unanimously. .

TOWN ADMINISTRATOR

- **Reports**

Randy Young advised that the Parker Adventist Hospital Board thanked the Town for their recognition of the hospital first responders.

PUBLIC HEARINGS

LOT 2, BLOCK 1, PARKER HEIGHTS FILING NO. 1 PROPERTY (Alcorn/Keystone Project) – Annexation and Rezone

Applicant: Greg Armstrong, Armstrong Capital Development
Location: Generally located at the southeast corner of Parker Road and Lincoln Avenue
Department: Community Development, Ryan McGee

7:19 P.M.

The applicant proposed to annex and zone a lot for commercial use that is currently located within Douglas County and zoned for residential use. The property is immediately east of the Parker Keystone property that is the subject of a pending site plan application for retail commercial development.

The property is located within the Town’s Urban Growth Area (UGA) as set forth in the Intergovernmental Agreement (IGA) and Comprehensive Development Plan (CDP) between the Town and Douglas County. The IGA and CDP specify that parcels located within the UGA will be considered for annexation and zoning by the Town. The subject property has sufficient contiguity with the Town’s incorporated boundary to meet statutory annexation requirements.

The proposed rezoning to Modified Commercial is consistent with the Master Plan’s land use recommendation.

Applicant

Greg Armstrong and Don Casper were available for questions.

Public Comment – None

The Public Hearing was closed at 7:23 P.M.

- (1) **RESOLUTION NO. 17-024**
A Resolution to Set Forth Town Council’s Findings of Fact and Conclusions as to the Eligibility of Lot 2, Block 1, Parker Heights Filing No. 1 Property for Annexation into the Town of Parker

Joshua Rivero moved to approve Resolution No. 17-024.

Josh Martin seconded the motion.

The motion was approved unanimously.

- (2) **ORDINANCE NO. 2.251 – Second Reading**
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as Lot 2, Block 1, Parker Heights Filing No. 1 Property in Douglas County

Joshua Rivero moved to approve Ordinance No. 2.251 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

- (3) **ORDINANCE NO. 3.328 – Second Reading**
A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, Known as Lot 2, Block 1, Parker Heights Filing No. 1 Property to Modified Commercial District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

Joshua Rivero moved to approve Ordinance No. 3.328 on second reading.

Josh Martin seconded the motion.

The motion was approved unanimously.

(4) FIRST AMENDMENT TO THE ALCORN PROPERTY ANNEXATION AGREEMENT

Joshua Rivero moved to approve, based upon staff findings, the First Amendment to the Alcorn Property Annexation Agreement.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. OLDE TOWN AT PARKER – Planned Development/Sketch and Preliminary Plan/Annexation Agreement Amendment

Applicant:	PNE – Neutowne, LLC
Location:	Generally located east of Jordan Road between Todd Drive and Mainstreet
Department:	Community Development, Carolyn Parkinson

7:24 P.M.

The applicant proposed to amend the Olde Town at Parker Planned Development (PD) Guide to remove the multi-family component contemplated with the first amendment to the PD Guide, revise several residential land use types and reduce the overall permitted density. The applicant also asked for approval of a sketch and preliminary plan for Olde Town at Parker Filing 1B which proposes to subdivide the vacant eastern portion of the property into 126 single-family lots, 104 duplex lots and 13 tracts for open space, drainage and private alleys. The proposed changes to the PD Guide and sketch and preliminary plan will require a fourth amendment to the Olde Town Annexation Agreement. The amendment will revise the development phasing, associated payment obligations and the number and type of residential units that may be constructed on the property. Under the new concept, Olde Town at Parker would have a maximum of 493 dwelling units which is fewer than the 595 units currently allowed.

Applicant

Jared Carlon, Norris Design, 1101 Bannock St., Denver, thanked staff and advised he was here to answer questions. He advised that they will put in a pool, park areas, open space and trails. They had a neighborhood meeting in July and there was general support for the project. They also liked the new branding. They will change the name to “Creek” which is Spanish for trails and it is near Cherry Creek.

Mr. Carlon stated that they will put the fence back along their property.

Public Comment

- Brandy Wilks, E. Neutowne Parkway, stated she was not happy with condos behind her house, there was no safe way for her children to walk to school, and they have no street lights.

The Public Hearing was closed at 7:40 P.M.

The applicant advised that they will add sidewalks in all areas. The street light issues are more for the Town to address. They will make sure the fences are up and stay up and that

they will be building duplex housing and single family housing; there will not be condos or multi-family.

Jason Rogers stated that the street lights are under the purview of IREA to extend or add additional lighting.

Alex Mestdagh stated that there will be sidewalks on Motsenbocker; the applicant will pay their share of one-half to widen Motsenbocker in 2018 and it will include detached sidewalks.

(1) **ORDINANCE NO. 3.162.2 – Second Reading**
A Bill for an Ordinance to Amend the Olde Town at Parker Planned Development Guide and Plan and to Amend the Zoning Ordinance and Map to Conform Therewith

Amy Holland moved to approve Ordinance No. 3.162.2 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

(2) **SKETCH/PRELIMINARY PLAN**

Amy Holland moved to approve, based upon staff findings, the Sketch and Preliminary Plan for Olde Town at Parker Filing 1B with the six conditions contained in the staff report.

Renee Williams seconded the motion.

The motion was approved unanimously.

(3) **FOURTH AMENDMENT TO OLDE TOWN ANNEXATION AGREEMENT**

Amy Holland moved to approve, based upon staff findings, the Fourth Amendment to the Olde Town at Parker Annexation Agreement.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. **RESOLUTION NO. 17-025**
A Resolution to Approve the First Amendment to Service Plan for Overlook Metropolitan District

Department: Town Attorney, Jim Maloney

The District desires to amend the Service Plan to address the increase in the cost of public improvements associated with the Overlook project (the “Amendment”).

The Amendment proposes to (1) increase the Total Debt Issuance Limitation from \$5,180,750 to 7,130,000; (2) increase the estimated cost of the Public Improvements from \$8,260,588.09 to 10,056,439.98; (3) clarify that the Total Debt Issuance does not apply to refunding bonds issued to refund existing debt; and (4) update and replace the capital Plan and Financial Plan exhibits to the Service Plan. The increases are due largely to sewer costs, meter pits, and soft costs. The Amendment does not include any changes to the mill levy limitations contained in the Service Plan.

Paula Williams of McGeady Becher P.C. thanked Sam Light, Jim Maloney and staff.

Public Comment – None

The Public Hearing was closed at 7:50 P.M.

Josh Martin moved to approve Resolution No. 17-025.

John Diak seconded the motion.

The motion was approved unanimously.

D. PINE BLUFFS FILING 2 – Minor Development Plat/Subdivision Agreement/Street Vacation

Applicant:	Chris Bennish, Price Development Group
Location:	Generally located east of Parker Road, west of Pine Drive, between Village Inn and Parker United Methodist Church
Department:	Town Attorney, Jim Maloney

7:50 P.M.

On February 21, 2017, the Town Council approved a motion to continue Item 8C to July 17, 2017, for additional information and for further study, including, but not limited to, density calculations, traffic, access points, parking, fencing and schools, related to this application (the “continued public hearing”). Price Development Group (the “Applicant”) recently furnished the additional information requested by Town Council, which has been reviewed by Town staff, and has requested that the Town Council reschedule the continued public hearing from July 17, 2017 to May 1, 2017. The basis for the request is that the requested information has been provided, the criteria for the approval of the minor development plat for the property that was the subject of the public hearing has been satisfied (the “Project Property”), the continuance for such an extended period of time will impose a significant and unnecessary delay on the construction of the 255-unit, multi-family development project that was the subject of the public hearing (the “Project”) and the delay will have a negative impact on the refinancing of the Pine Bluffs Metropolitan District (the “District”).

Public Comment – None

Public Hearing was closed at 7:57 P.M.

(1) RESCIND THE TOWN COUNCIL MOTION THAT WAS MADE ON FEBRUARY 21, 2017, THAT CONTINUED THE PUBLIC HEARING TO JULY 17, 2017; AND

Joshua Rivero moved to rescind the Town Council motion that was made on February 21, 2017, that continued the public hearing for Item 8C to July 17, 2017.

Amy Holland seconded the motion.

The motion was approved unanimously.

(2) RESCHEDULE THE PUBLIC HEARING FROM JULY 17, 2017 TO MAY 1, 2017

Joshua Rivero moved to reschedule the public hearing for Item 8C from July 17, 2017, to May 1, 2017; provided that the continued public hearing is re-noticed as provided by the Parker Land Development Ordinance.

Amy Holland seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 1.496 – Second Reading

A Bill for an Ordinance Conveying Certain Real Property by Easement to Stonegate Village Metropolitan District for Salisbury Equestrian Park

Department: Engineering, Alex Mestdagh

This ordinance proposes to convey an easement to Stonegate Village Metropolitan District (SVMD) to allow for the installation of an underground waterline near the existing water facilities within Salisbury Park. This has been requested as a part of increased collaboration between the Town and SVMD, with no direct financial considerations. The SVMD has reciprocated by agreeing to include the Town’s Stormwater Utility fees in their billing for Town properties. If the easement is granted, SVMD will be responsible for the full restoration and re-vegetation of all disturbed areas.

Public Comment

Emily Baylor, Coreville Place

Josh Martin moved to approve Ordinance No. 1.496 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 7.01.3 – Second Reading

A Bill for an Ordinance to Repeal Chapter 5.03 of the Parker Municipal Code Concerning Amusement Devices and Arcades

Department: Town Attorney, Jim Maloney

The purpose of the ordinance, which was adopted in 1982, was to prohibit the sale of alcoholic beverages in arcades and regulate the hours of operation for arcades, which were patronized primarily by minors. The ordinance is archaic and has not been used for several years and, as such, should be repealed.

Public Comment – None

Amy Holland moved to approve Ordinance No. 7.01.3 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 9.264 – Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Town of Parker, Colorado and Cherry Creek South Metropolitan District Nos. 2 and 3 and Anthology West Metropolitan District Nos. 4-6

Department: Town Attorney, Jim Maloney

Under the service plan (the “Service Plan”) for the districts described below (the “Districts”), the Districts are required to approve and execute the intergovernmental agreement described below between the Districts and the Town (the “Intergovernmental Agreement”) following the first organizational meeting of the Districts. The Districts have approved and executed the Intergovernmental Agreement and the agreement is ready for consideration by Town Council.

Public Comment – None

John Diak moved to approve Ordinance No. 9.264 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:05 P.M.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor



PARKER
C O L O R A D O

Town Council Packet
