

**TOWN OF PARKER COUNCIL
MINUTES
MAY 1, 2017**

Mayor Mike Waid called the meeting to order at 5:39 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(e) there were two items, the first was a proposed South Metro Fire Rescue Authority cooperation agreement and the second was a proposed annexation of the commercial enclave property adjacent to Parker Road and Pine Lane; under C.R.S. § 24-6-402(4)(b) there was one (1) item to receive legal advice on specific legal questions on House Bill No. 1279 concerning construction defects.

EXECUTIVE SESSION

Josh Martin moved and Debbie Lewis 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.

Debbie Lewis moved and Josh Rivero seconded to come out of Executive Session at 6:30 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:03 P.M.

Boy Scouts from the audience led the Council and audience in the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Girl Scout Troop 1068

Representatives from Girl Scout Troop 1068 advised that to earn the Silver Award they have chosen to target allergy awareness. They gave Town Council an informative pamphlet which they prepared. They are slowly working on getting the pamphlet out to the public.

Memorial Day Ceremony

Steve Trevino invited Council and the audience to the 8th Annual Memorial Service of Remembrance at the Parker Cemetery to honor the 103 veterans who have been buried in the cemetery. There will be a flyover, presentation of the flag and songs by the Parker Chorale.

PARKER CHAMBER OF COMMERCE UPDATES – None

DOWNTOWN BUSINESS ALLIANCE UPDATES

Shelly Mango gave update on their recent activities. Fabulous First Friday Art Walk will begin this Friday from 4 p.m. to 7 p.m. at Vines.

PUBLIC COMMENTS – None

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

John Diak

1. Town Design Standards
2. DRCOG Ceremony – Parker won the Metro Vision Award
3. Arbor Day Celebration at Discovery Park

Debbie Lewis

1. DRCOG Ceremony
2. Douglas County Partnership meeting
3. Thanked Council, staff and general populace for the cards they sent her.

Renee Williams

1. DRCOG Ceremony
2. Urban Design Association meeting to look at Design standards
3. Parker Chamber of Commerce Lunch and Learn
4. Women in Business and Leadership
5. Douglas County Transit Meeting

Joshua Rivero

1. Shave the Mayor
2. Joshua's wife was sworn in as a U.S. Citizen. There were 60 new citizens from 31 different countries. His children led in the Pledge of Allegiance.

Amy Holland

1. DRCOG Event
2. Chamber of Commerce Monthly Board of Directors meeting
3. Business Retention visit with Sky Zone
4. Participated in the Design Standards meeting

Josh Martin

1. Design Standards meeting
2. E470 Annual Audit
3. Shave the Mayor Event

Mike Waid

1. Urban Design Standards meeting
2. Sagewood Middle School (wife at Sagewood)
3. Legend Teacher Appreciation Night provided by the LDS Church.
4. Donor Luncheon at the PACE Center
5. Home Stars Ribbon Cutting
6. Shave the Mayor

CONSENT AGENDA

A. APPROVAL OF MINUTES

April 17, 2017

B. ORDINANCE NO. 1.289.3 – First Reading

A Bill for an Ordinance to Approve the Third Amendment to Cooperation Agreement Between the Town of Parker, Colorado, and the Parker Authority for Reinvestment for Administrative Services

Department: Economic Development, Weldy Feazell

Second Reading: May 15, 2017

C. ORDINANCE NO. 8.28.4 – First Reading

A Bill for an Ordinance to Amend Chapter 4.03 of the Parker Municipal Code Concerning Sales and Use Tax

Department: Finance, Danielle Tuscher

Second Reading: May 15, 2017

D. ORDINANCE NO. 3.01.112 – First Reading

A Bill for an Ordinance to Amend Section 13.02.010, 13.04.210 and 13.04.215 of the Parker Municipal Code Concerning Temporary Structures and Uses, and Vendor Stands

Department: Community Development, Stacey Nerger

Economic Development, Weldy Feazell

Second Reading: May 15, 2017

E. ORDINANCE NO. 1.497 – First Reading

A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for a Waterline on Town-Owned Property South of Kinney Creek

Department: Engineering, Alex Mestdagh

Second Reading: May 15, 2017

F. ORDINANCE NO. 4.101.4 – First Reading

A Bill for an Ordinance to Amend Sections 11.16.010, 11.16.050 and 11.16.060 of the Parker Municipal Code Concerning the Parker Property Maintenance Code

Department: Town Attorney, Jim Maloney

Second Reading: May 15, 2017

G. CONTRACTS ABOVE \$100,000

- Chambers Road Median Landscaping Project (CIP 17-004)

Amount: \$339,745.02

Contractor: Terracare Associates

Department: Engineering, Tom Gill

- Town Radios for Public Works

Amount: \$182,218.53

Contractor: Colorado NASPO/WSCA Contract #72536YYY15M

Department: Public Works, Jim Gilbert

Josh Rivero moved and Amy Holland seconded to approve Consent Agenda Items 7A through 7G.

The motion was approved unanimously.

TOWN ADMINISTRATOR

• **Reports**

Randy Young advised that Parker Days is coming up and they are finalizing many details. They have a concert on June 8 which will feature Bret Michaels.

PUBLIC HEARINGS

A. LOT 4 MAINSTREET & PINE MARKETPLACE, 4TH AMENDMENT - Site Plan

Applicant:	Town of Parker
Location:	Northwest corner of Mainstreet and PACE Center Drive
Department:	Community Development, Ryan McGee

7:34 P.M.

The Town proposed a site plan to construct a temporary parking lot for up to 40 vehicles and grade the southeast portion of Lot 4, Mainstreet & Pine Marketplace 4th Amendment to accommodate seasonal uses that will activate the area and complement uses occurring at the adjacent Discovery Park.

The Land Development ordinance requires Planning Commission and Town Council public hearings to consider site plans for public facilities on Town-owned property.

The southeast corner of the site will be graded flat with a crusher fine surface of up to one-acre. The potential active uses for this area include food trucks, pop-up vendors and special events.

Public Comment – None

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

John Diak moved to approve the Lot 4 Mainstreet & Pine Marketplace 4th Amendment Site Plan based upon staff findings.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. LOT 1 KRUMP COMMERCIAL – Use by Special Review

Applicant:	MG Investments Firm LLC, Aleksey Minevich
Location:	10672 South Parker Road
Department:	Community Development, Ryan McGee

7:40 PM

The applicant seeks approval of a Use by Special Review application to legalize nonconforming use and make site plan improvements. The site plan proposal consists of

constructing two vehicle display areas, improving the landscaping and replacing the lighting elements within the existing freestanding light poles with LED light fixtures.

The applicant has submitted a site plan application that is being reviewed concurrently with this Use by Special Review request. The site plan proposes two vehicle display areas, landscaping improvements and replacement of existing lighting with LED fixtures. The parking lot will also be restriped to clearly identify fire access as well as employee and customer parking.

Applicant

Ryan Eichele and Alex Minevich were available for questions.

Public Comment – None

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

Joshua Rivero moved to approve the Lot 1 Krump Commercial Use by Special Review based upon staff findings, and with the four conditions contained in the staff report:

1. The use by Special Review and site plan materials submitted to the Community Development Department on March 8, 2017, and April 10, 2017, shall be the approved materials.
2. A building permit shall be required for interior tenant finishes and light fixture replacements.
3. This approval shall expire twelve (12) months after the date of approval unless a grading permit or building permit has been applied for. The Community Development Director, upon written request, may grant a ninety (90) day extension.
4. This approval does not include signage. A separate sign permit is required from the Community Development Department. The applicant shall also contact the Building Division regarding electrical and structural requirements associated with the sign permit.

Amy Holland seconded the motion.

The motion was approved unanimously.

C. PINE BLUFFS FILING 2 – Minor Development Plat

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 Community Development, Ryan McGee Engineering, Alex Mestdagh

7:46 P.M.

Town Attorney Jim Maloney gave the background on this item.

The applicant filed an application for a minor development plat to establish a 22-acre lot to be used for developing a 255 unit multi-family residential project, together with a request for the Town to vacate a portion of South Tallman Drive located within the property. The site plan for the property is currently under review and is being processed administratively. The property is generally located on the east side of Parker Road between Parker Square Drive and Pine Drive immediately north of the Parker United Methodist Church.

On February 21, 2017, Town Council held a Public Hearing on the application. Following the public hearing, Town Council approved a motion to continue the Public Hearing until 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 applicant furnished the additional information requested by Town Council, through correspondence dated March 17 and March 20, 2017, and requested through their legal counsel 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 has been satisfied, the continuance for such an extended period of time will impose a significant and unnecessary delay on the construction of the project and the delay will have a negative impact on the refinancing of the Pine Bluffs Metropolitan District. On April 4, 2017, the Town Council approved the applicant's request to reschedule the continued public hearing from July 17, 2017, to May 1, 2017.

Applicant

Buzz Koebel, 5291 E. Yale Ave., Denver, CO, gave a history of his company. He stated they did everything they were asked to do. They will be a partner with Price Development and will stay involved.

Chris Bennish, Price Development Group, Kansas City, stated that they provided the additional information asked for by Town Council.

Public Comment

Mayor Waid gave instructions for the public comment section.

The following individuals spoke for and against this item:

- Brian Couzins, 11477 Larkspur Drive
- Jeff Toborg, Crow Hill Drive
- Rick Melendez, Larkspur Drive
- Dave Sachleber, 11622 Larkspur Dr.
- Carol Porter, Larkspur Drive
- Cynthia Ready, Larkspur Drive
- Emily Ready, Larkspur Drive
- Nicki Greenhalgh (????)
- Theresa Greenhalgh, Crow Hill Road

- Steve Terry, Crow Hill Drive
- (???) Gates, Wilson Circle
- Dennis Gates, Wilson Circle
- Troy (???) Wilson Circle
- Katrina Glasgow, 11599 Wilson Circle
- Carl Glasgow, 11599 Wilson Circle
- Carl Glasgow, Jr., 11599 Wilson Circle
- Nathan Porter, Larkspur Drive
- Risa (???) Larkspur Drive
- Tina Sturman, Larkspur Drive
- Chris Stubbings, 11573 Wilson Circle
- Shannon Milkier, (???)
- Jamie (???) Crow Hill Drive
- Rob Tinnes, 11645 N. Donnelly Drive
- Brian Francis, Crow Hill Drive
- Jannelle (???) Wilson Circle
- Brian Staley, Larkspur Drive
- Todd Hendricks, (???)
- Alex Shaw, Crow Hill drive
- Annie Williams, Larkspur Drive
- (???) Napoleon, Larkspur Drive
- Christa Schmidt, Larkspur Drive
- (???????) Larkspur Drive
- Holly Glasgow, Wilson Circle
- Rick Sorenson, Larkspur Drive
- John Evans, 11647 Larkspur Drive

Public comment was closed at 10:01 P.M.

Josh Rivero moved to continue the meeting past 10:00 P.M.

Renee Williams seconded the motion.

The motion was approved unanimously.

Town Attorney Jim Maloney stated that Council was voting on a Minor Development Plat, a Subdivision Agreement and to vacate a portion of roadway located in the 22 acre lot. It was noted that Town Council was not voting on zoning.

Town Council then had a lengthy discussion.

(1) **MINOR DEVELOPMENT PLAT**

Josh Rivero moved to approve the Pine Bluffs Filing No. 2 Minor Development Plat, based upon staff findings, with the following conditions:

(a) Failure by the applicant to submit all required documentation, including applicable security, within 90 days shall render approval of the minor development plat null and void and result in the necessity for the resubmittal of a minor development plat, along with all required fees and documentation. The Planning Director may grant no more than one extension of time, of no more than 30 days, upon a written request by the applicant or staff for good cause being shown. An extension request, received prior to the extension of the 90 day submittal period shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the specified deadline, listing any changes in the character of the neighborhood, any changes in the Town Master Plan or this Title that have occurred since approval of the plat as these changes affect the plat and the anticipated time schedule for completing the platting process. A fee schedule is available from the Planning Department. Additional review of the plat may occur resulting in additional conditions as applicable.

(b) Approval of this minor development plat does not include signage. All signage for this site will be required to meet the Town of Parker Sign Code Chapter 13.09.010 and will require a separate sign permit application submittal.

(c) The site plan for the Project is consistent with the HOA Agreement, subject to the 2003 zoning for the Property.

(d) The site plan for the Project is approved prior to the recordation of the minor development plat and subdivision agreement and the effective date of Ordinance No. 1.495.

(e) The property owner shall provide park land in the amount required in Land Development Ordinance Section 13.07.140. The parkland locations and areas, including the provision of public access, will be depicted on an approved site plan.

Josh Martin seconded the motion.

The motion was approved unanimously.

(2) SUBDIVISION AGREEMENT

Josh Rivero moved to approve the Pine Bluffs Filing No. 2 Subdivision Agreement based upon staff findings.

Amy Holland seconded the motion.

The motion was approved unanimously.

**(3) ORDINANCE NO. 1.495 – Second Reading
A Bill for an Ordinance Vacating a Portion of South Tallman Drive Located Within Rampart Station Filing No. 1**

Josh Rivero moved to approve Ordinance No. 1.495 on second reading, with the following condition:

This ordinance will not go into effect until the Minor Development Plat for Pine Bluffs Filing No. 2 is recorded.

Renee Williams seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 9.265 – Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Service Agreement for Collection of Stormwater Management Fee By and Between the Town of Parker and Stonegate Village Metropolitan District

Department: Engineering, Jacob James

The Town of Parker has agreements with all water and sewer providers within the Town corporate limits to collect the Town’s Stormwater Utility Fee for residential properties that lie within the respective Districts with the only exception being Stonegate Village Metropolitan District. Currently, the Town sends bills to residences that are served by Stonegate Village Metropolitan District due to the fact an agreement has not been formalized to have Stonegate collect these fees on behalf of the Town.

The Town will reimburse Stonegate Village Metropolitan District for administrative costs associated with collecting the fees and forwarding the funds to the Town. The Town Stormwater Utility includes budget for reimbursement of administrative costs every year for the other water and sewer providers that provide this service. The reimbursement to Stonegate Village Metropolitan District is anticipated to be similar to the reimbursement costs of the Town of Parker’s Finance Department. Since there is no agreement, the Town currently bills single family residences within the Stonegate Village Metropolitan District twice a year. This agreement will allow these customers to pay a smaller amount monthly and eliminate a separate bill and payment to the Town of Parker.

Public Comment – None

Josh Martin moved to approve Ordinance No. 9.265 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 1.476.1 – Second Reading

A Bill for an Ordinance to Approve a First Amendment to Easement for Access and Other Use of Right-of-Way (Parker & Lincoln Development, LLC)

Department: Engineering, Tom Williams

This is for an amendment to an access easement to Parker & Lincoln Development, LLC for proposed access improvements within existing Town right-of-way. This access is necessary to

accommodate a proposed development project located at the southeast corner of Parker Road (State Highway 83) and Lincoln Avenue.

Since ingress can only be provided on Parker Road and the proposed development will require two points of access to meet Fire Code, the only alternative for secondary access is the existing signalized intersection on Lincoln Avenue, adjacent to the TSG Auto dealership. To accommodate the access to Lincoln Avenue, the Developer will need to construct an access road and modify the existing traffic signal and intersection. The access road, and the associated improvements, will need to be constructed within Lincoln Avenue right-of-way.

The Engineering Department has reviewed the Site Plan for the proposed access and has approved the locations within the existing excess right-of-way subject to this amendment to be easement agreement.

Public Comment – None

Josh Martin moved to approve Ordinance No. 1.476.1 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 1.477.1 – Second Reading

A Bill for an Ordinance to Approve a First Amendment to Easement for Vehicle Parking and Other Use of Right-of-Way (Parker & Lincoln Development, LLC)

Department: Engineering, Tom Williams

This is an amendment to a parking, landscaping and sign easement to Parker & Lincoln Development, LLC for proposed improvements within existing Town right-of-way. These improvements are necessary to accommodate a proposed development project located at the southeast corner of Parker Road (State Highway 83) and Lincoln Avenue.

Amy Holland moved to approve Ordinance No. 1.477.1 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

ORDINANCE NO. 9.266 – Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement to Provide Recreation Programming By and Between the Town of Parker, the Town of Castle Rock, and the Rueter-Hess Recreation Authority Concerning the Rueter-Hess Reservoir

**Department: Parks & Recreation, Jim Cleveland
 Town Administrator Office, Susan Saint Vincent**

The Parker Water and Sanitation District has granted a license to the Rueter-Hess Recreation Authority to promote public recreational activities at the reservoir. Due to the existing recreation staff at the Town of Parker and the Town of Castle Rock, both agencies have agreed to assist the Authority with the delivery of recreational offerings. The intergovernmental agreement is

intended to formalize the agreement between the Authority and the Towns of Parker and Castle Rock.

Public Comment – None

Josh Rivero moved to approve Ordinance No. 9.266 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 10:49 P.M.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor