



November 21, 2016
Regular City Council Meeting, 7:00 PM
City Council Chambers
13133 E. Arapahoe Road
Centennial, Colorado 80112
www.centennialco.gov

AGENDA

Meeting Protocols:

PLEASE TURN OFF CELL PHONES; BE RESPECTFUL AND TAKE PERSONAL CONVERSATIONS INTO THE LOBBY AREA.

The Centennial City Council Meetings are audio streamed live on the City's website. Please remember to mute the volume on your laptop computers and to turn off all cell phones as they may cause interference with the microphones and audio streaming.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment

The Public Comment section offers an opportunity for any citizen to express opinions or ask questions regarding City services, policies or other matters of community concern, and any agenda items that are not a part of a scheduled public hearing. Citizens will have three minutes for comments if they are speaking as an individual, or five minutes if speaking on behalf of a group or organization. These time limits were established to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak. An immediate response should not be expected, as issues are typically referred to City staff for follow-up or research and are then reported back to Council and the individual who initiated the comment or inquiry.

Written materials for presentation to Council may be submitted to the City Clerk as the speaker approaches the podium. The City's computer presentation equipment is not available for general public use, although applicants are permitted to display relevant illustrations and material useful in informing the Council and public of a project. The public may, however, use the document camera for visual presentation of materials, if desired.

5. Scheduled Presentations (None)
6. Consideration of Communications, Proclamations and Appointments (None)

CONSENT AGENDA

The Consent Agenda can be adopted by a simple motion. The Consent Agenda will be read aloud prior to a vote on the motion. Any Consent Agenda item may be removed from the Consent Agenda at the request of a Council Member for individual consideration.

7. Consideration of Ordinances on First Reading

Approval of any Ordinance on first reading by approving the consent agenda is intended only to set a public hearing for the Ordinance and does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the merits of the Ordinance.

8. Consideration of Resolutions

- a. RESOLUTION NO. 2016-R-77 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL, COLORADO, APPROVING A COMBINED COYOTE MANAGEMENT PLAN (Greer)
- b. RESOLUTION NO. 2016-R-81 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, REAPPOINTING THE PRESIDING MUNICIPAL JUDGE AND LOCAL LIQUOR LICENSING AUTHORITY HEARING OFFICER, AND APPROVING A PROFESSIONAL SERVICES AGREEMENT SETTING THE TERMS OF AND COMPENSATION FOR SERVICE (Juran)
- c. RESOLUTION NO. 2016-R-83 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO RATIFYING THE APPROVAL OF THE SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS SITE PLAN, CASE NO. LU-16-00169 (Holcomb)

9. Consideration of Other Items

- a. Minutes
 - i. Study Session November 14, 2016
 - ii. Regular Meeting November 14, 2016

DISCUSSION AGENDA

10. Consideration of Land Use Cases (None)

11. Consideration of Ordinances

- a. Public Hearings
 - i. ORDINANCE NO. 2016-O-17 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, REPEALING AND READOPTING SECTIONS 2-3-30 AND 2-3-50(A) OF THE CENTENNIAL MUNICIPAL CODE CONCERNING APPOINTMENT AND COMPENSATION OF MUNICIPAL JUDGES (Juran)
- 12. Consideration of Resolutions (None)
- 13. Consideration of Other Items

GENERAL BUSINESS

- 14. Other Matters as May Come Before Council
- 15. Reports
 - a. City Manager
 - b. City Attorney
 - c. City Clerk
 - d. Council Members
- 16. Mayor's Report and Comments
- 17. Executive Session
 - a. Executive Session Pursuant to C.R.S. §24-6-402(e) and (b) to Receive Legal Advice, Devise Negotiation Strategy, and Instruct Negotiators Concerning Consideration of an Economic Development Incentive Request and to Devise Negotiation Strategy and Instruct Negotiators Concerning Improvements Near I-25 and Dry Creek Road
- 18. Adjourn

Please call 303-754-3324 at least 48 hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting, or for any additional information.



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Interim City Manager
Andrew Firestine, AICP, Assistant City Manager

FROM: Steven Greer, Community Development Director

DATE OF MEETING: November 21, 2016

DATE OF SUBMITTAL: November 14, 2016

SUBJECT: Resolution No. 2016-R-77, A Resolution Approving a Combined
Coyote Management Plan 2016

1. Executive Summary:

Staff is presenting Resolution No. 2016-R-77 to combine the Coyote management policies as adopted in Resolution No. 2009-R-11 and a plan developed by a multijurisdictional stakeholder committee in 2009.

2. Discussion:

Per direction from City Council, staff has merged the Centennial Coyote Management Plan adopted by City Council Resolution No. 2009-R-11 with the plan developed by the multi-jurisdictional stakeholder committee in 2009. The purpose is to provide an update on Coyote management, education and recent discussions with our regional partners. As you know Coyote incidents have increased this year and many of our citizens have contacted Staff and Council Members with their concerns. This update is in response to these concerns and was done in addition to the following actions:

1. Community Development in cooperation with Animal Control, Communications and our GIS Division have developed an online reporting system on the City's website. This portal provides an opportunity to report Coyote encounters electronically as an alternative to calling the City or Police. Respondents can choose from a drop down menu the incident that applies and input basic contact data in case Animal Control needs to follow-up. Staff can then compile this data for internal purposes to identify trends, Coyote concentrations and the specific type of encounters.
2. Staff met with Andy Jennings (Director, South Suburban Parks and Recreation District) and Justin Olson (District Wildlife Manager, Colorado Parks and Wildlife) to discuss the situation and determine the next appropriate steps. Out of that conversation the following action items were agreed upon:
 - a. Install additional Colorado Parks and Wildlife Coyote education signs on City trails in coordination with SSPRD.

- b. Colorado Parks and Wildlife employees will volunteer to speak and answer questions at HOA meetings, community meetings or any other organized event.
- c. Colorado Parks and Wildlife trained volunteers will aggressively harass Coyotes within specific subdivisions consistent with the plan guidelines and based on the data collected by the City described above.
- d. Continue to coordinate with SSPRD and City Staff to monitor the situation and support our needs.

3. Recommendation:

Staff recommends City Council approve Resolution 2016-R-77 approving a combined Coyote Management Plan 2016.

4. Alternatives:

City Council may choose to approve or deny the resolution request.

5. Fiscal Impact:

None.

6. Next Steps:

If City Council approves Resolution 2016-R-77, Staff will implement the plan as appropriate.

7. Previous Actions:

In 2009, Council approved Resolution 2009-R-11 to create a written Coyote Management Plan to ensure that varied interests within the City were evaluated and considered when seeking to address conflicts with Coyotes.

8. Suggested Motion:

MOTION FOR APPROVAL: I MOVE TO APPROVE RESOLUTION NO. 2016-R-77, A RESOLUTION APPROVING A COMBINED COYOTE MANAGEMENT PLAN 2016

MOTION FOR DENIAL: I MOVE TO DENY RESOLUTION NO. 2016-R-77, A RESOLUTION APPROVING A COMBINED COYOTE MANAGEMENT PLAN 2016.

9. Attachments:

Attachment 1: Resolution 2016-R77

Attachment 2: Exhibit A - Coyote Management Plan 2016

**CITY OF CENTENNIAL,
COLORADO**

RESOLUTION NO. 2016-R-77

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL,
COLORADO, APPROVING A COMBINED COYOTE MANAGEMENT PLAN (2016)**

WHEREAS, the City of Centennial (“City”) is authorized to regulate and manage animals within the City pursuant to its home rule authority and by Title 31 of the Colorado Revised Statutes; and

WHEREAS, in 2009, the City Council, by approval of Resolution 2009-R-11, approved a written coyote management plan to ensure that varied interests within the City are evaluated and considered when seeking to address conflicts with coyotes; and

WHEREAS, Council has reviewed and supports a merged Centennial Coyote Management Plan (2016) which includes both coyote management policies as adopted by the City Council in approving Resolution No. 2009-R-11 and a plan developed by a multijurisdictional stakeholder committee in 2009.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Centennial, Colorado as follows:

Section 1. The City Council hereby approves and adopts the Coyote Management Plan (2016) in the form attached hereto as Exhibit A.

Section 2. This Resolution shall be effective immediately upon approval by the City Council and any prior resolutions addressing the same subject are hereby superseded.

ADOPTED by a vote of ___ in favor and ___ against this 21st day of November, 2016.

By: _____
Cathy A. Noon, Mayor

ATTEST:

Approved as to Form:

By: _____
City Clerk or Deputy City Clerk

By: _____
For City Attorney’s Office

EXHIBIT A
COYOTE MANAGEMENT PLAN (2016)

City of Centennial, CO Coyote Management Plan (2016)

Purpose

The purpose of this plan is to provide strategic actions that increase the community's knowledge and understanding of how to live with coyotes, and guidelines for responses to conflicts with coyotes. This plan seeks to give structure and definition to resolve human-coyote conflicts in a thoughtful, consistent and expedient manner. The plan also seeks to identify and achieve a balance between the importance of human safety and the native ecology of the region.

Strategic Plan

This plan includes (1) an education program that is ongoing and seasonally appropriate, (2) information about the rights and responsibilities of private property owners, (3) monitoring coyote activity, (4) implementing hazing programs appropriate for residents and staff to implement as a method to instill natural wildlife wariness, and (5) lethal control on private and public property as determined to be necessary for the public safety. This is not a static plan, but rather one that may be situational and strategic in nature.

Definitions

The following definitions will be used by the City in the process of obtaining information on which to base the decisions to implement different portions of the plan.

The following definitions are listed in "order of contact" between humans and coyotes:

1. *Observation*: The act of noticing or taking note of tracks, scat, and vocalizations.
2. *Sighting*: Visual observation of a coyote.
3. *Encounter*: An unexpected "direct meeting" between human and coyote that is without incident.
4. *Incident*: A conflict between a human and a coyote where a coyote exhibits the following behavior: approaches a human and growls, bares teeth, or lunges; injures or kills an attendant domestic animal. A human is not injured.
5. *Attack*: An aggressive action initiated by the coyote that involves physical contact with a human and/or a human is injured by a coyote.
 - a. *Provoked*: A provoked attack or incident is where the human involved encourages the coyote to engage. Examples include allowing a dog off-leash in an on-leash area; a dog on a leash longer than 6' in length or a human intentionally approaches a coyote natal den or feeds the coyote.

- b. An unprovoked attack or incident is where the human involved does not encourage the coyote to engage.
6. Domestic Animal Loss or Injury: When a coyote injures or kills a pet animal. This definition also includes “depredation” which is predation on domestic pets or livestock. Depredation is normal behavior in a coyote.
- a. *Unattended Domestic Animal Loss or Injury:* When a coyote injures or kills a pet animal that is unattended by a human. This category would also include pet loss or injury by a coyote of pets that are off-leash/extended leash in open space or left unattended in a back yard where coyote habitat is present.
 - b. *Attended Domestic Animal Loss or Injury:* When a coyote injures or kills a pet animal that is attended by a human. This category would also include pet loss or injury by a coyote of pets that are on leash with a 6’ leash and are not left unattended in a back yard where coyote habitat is present.
 - c. *Livestock Loss or Injury:* When a coyote injures or kills livestock.

These are descriptions of coyote behavior (listed as a continuum):

1. Nuisance Coyote: A nuisance coyote presents habituated, depredating and/or menacing behavior.
 - a. *Habituated Coyote:* A coyote that appears to frequently associate with humans or human related food sources, and exhibits little wariness of the presence of people.
 - b. *Depredating:* A coyote that is preying on pets or livestock.
 - c. *Menacing Coyote:* A coyote that exhibits aggravated abnormal behavior that does not qualify it as a dangerous coyote. This may include coyote incidents and/or encounters that were serious in nature or a coyote or group of coyotes that could potentially endanger public safety.
2. Dangerous Coyote: A coyote that has attacked a person, exhibits unprovoked aggressive behavior towards a human(s) and/or poses a significant threat to human safety.

General definitions:

1. Coexistence: To exist together at the same time. Communities understand that there are times and places for coyotes to be active and do not haze the coyotes during these times or at these places. Communities decide on community space, including parks and open spaces where coyotes are allowed to exist. Humans take an active role in keeping coyotes in their community wild by removing attractants,

taking responsibility for pet safety, hazing coyotes in neighborhood or community spaces (except for predetermined coyote appropriate areas); and learning about coyote ecology and behavior.

2. **Habitat:** Habitat is a place where a coyote lives and grows. Habitat includes food, water, and shelter.
3. **Hazing:** Hazing is a training method that employs immediate use of deterrents to move an animal out of an area or discourage an undesirable behavior or activity. Hazing techniques include loud noises, spraying water, bright lights, throwing non-edible objects toward the coyote, and shouting. Hazing can help maintain a coyote's fear of humans and deter them from neighborhood spaces such as backyards and play spaces. Hazing does not do damage to animals, humans or property. Hazing can be defined in three levels:
 - a. *Passive Hazing:* Passive Hazing occurs without the presence of a person and includes methods the homeowner or landowner can use to discourage the presence of the coyote on the property. This form of hazing may include sprinklers and lights operated by motion detectors, fence rollers, and electric fences.
 - b. *Active Hazing:* Active Hazing involves human intervention by both physical presence and action. The use of devices are designed to change the behavior of the habituated coyote can include noise making (air horns, whistles, rocks in cans), water squirted from hoses or water guns, rock throwing toward the coyote and verbal hazing.
 - c. *Aggressive Hazing:* Aggressive hazing techniques, e.g. paint balls, pepper balls, slingshots, etc., may be employed situationally and on substantiated cases only. Because of the safety issues associated with aggressive hazing techniques, the City will employ only highly skilled and trained experts to assist.

Coyote and Human Interactions and Responses

The following are descriptions of interactions between coyotes and humans that will be used in the process of making decisions to implement different portions of the plan.

Level 1: A coyote that has been involved in an investigated and documented Unprovoked Attack on a human being. Targeted lethal control may be employed within 72 hours of the Attack.

Level 2: A coyote that has been involved in an investigated and documented Provoked Attack or an Incident with no pet involved. Immediate intervention by the City occurs, including a neighborhood coyote-safety meeting within four days of the Attack/Incident in the neighborhood of the Attack/Incident. The City may also choose to employ targeted lethal control based on the investigation results showing a clear and continued threat to human health and safety.

Level 3: A coyote involved in an incident(s) and/or an attended Domestic Animal Loss. Citizens will be contacted and intervention action taken including education and hazing.

Evaluation of the success of these actions will occur throughout the following thirty (30) days to assess whether aggressive hazing is recommended.

Level 4: A coyote that appears to frequently associate with humans or human related food sources, and exhibits little wariness of the presence of people, including unattended domestic animal loss. Reports will be taken, citizens contacted, and plan components will be initiated starting with education, awareness and low-level hazing methods.

Coyote Education and Awareness

The first and ultimately best element of the program is an education and awareness plan. This element uses in-house resources, the City's website and newsletters, printed material, and an unscientific mechanism to record the coyote activity. The City will utilize educational materials from organizations that are knowledgeable in the areas of coyote ecology and behavior of coyotes and uses trained staff to facilitate the distribution of these educational materials as needed. The best resource for obtaining this information is found on the Colorado Parks and Wildlife website. The CPW website contains multiple brochures, flyers and Coyote information resources to protect pets, reduce Coyote conflicts in your neighborhood and instructions regarding human interactions.

Educational and awareness programs may be provided for schools, neighborhood and district meetings, as well as other opportunities as they arise. The City will systematically contact community and educational groups to schedule the distribution of the information either by presentation or printed materials (largely focusing on problem areas).

Information about excluding or removing areas of habitat from residential property, identifying the attractants and removing them, as well as descriptions of hazing methods and tools that may be used to discourage coyotes from areas close to residential areas may be provided.

Plan:

1. Obtain, with permission, educational materials from organizations that are knowledgeable in the area of coyote ecology and behavior.
2. Identify and organize staff that are available to provide the education and awareness materials to the residents.
3. Contact schools, community groups, homeowner organizations, libraries, medical centers, churches, recreation areas, and other groups where residents gather or obtain information.
4. Arrange with the organizations a time to distribute information concerning coyotes via presentation, printed materials, articles in newsletters, or other means.
5. Distribute the information.

6. Follow up with the organization within thirty (30) days after distribution for feedback and further distribution if requested or needed.
7. Continually update the information available on the website and through newsletters to address seasonal differences, e.g. mating season, etc.
8. Schedule additional distribution of information on a regular basis (monthly, quarterly, seasonally, etc.) to make sure that current information is available throughout the community.

Coyote Hazing Education Program

The City may implement a coyote hazing educational program for residents. This educational program may include the benefits of coyote hazing and demonstrate suggested techniques. This educational program may become available at any time when the interactions between the humans and coyotes change from observation and sightings to encounters and incidents.

The City implementation of educational programs may occur in conjunction with key stakeholders, including the Colorado Parks and Wildlife (CPW), Arapahoe County Sheriff's Office, parks and recreation districts, humane organizations, and community organizations/ schools. Hazing techniques are implemented to change the behaviors of habituated coyotes and include techniques that can be implemented by residents and people that are not trained law enforcement personnel, e.g. air horns or throwing rocks and sticks. This component of the plan includes only those techniques that can safely be used by residents and staff. The more aggressive techniques will only be implemented by trained personnel including paintball guns, slingshots and other projectile weapons/instruments.

Plan:

1. Incident tracking and creation of a centralized data base of reports.
2. Identify the geographical areas where the coyotes have become habituated. This requires receiving information through the coyote sighting reports of habituated coyotes.
3. Contact the landowners, e.g. homeowner associations, community groups, libraries, schools, churches, parks and recreation officials, etc., in the areas of those reports and work with the landowners to develop a plan.
4. Identify the groups and individuals that will assist with the distribution of information.
5. Provide written and verbal information to the landowners on the possible types and methods of hazing. The City may provide tools for use in the hazing process, e.g. air horns, instructions for making hazing tools (cans with rocks), etc.
6. Schedule staff to go to the identified areas, observe the coyote sightings and

demonstrate the hazing techniques to the residents, school officials, etc.

7. Maintain a regular schedule of hazing activities for a sustained period of time to achieve the desired change in the behavior of the coyotes for the highest possible long-term success.
8. Follow up after the coyote behavior has changed to see if further action is needed.
9. Contact adjacent landowners to the geographical areas where hazing techniques have been employed and inform them of the hazing activities. The adjacent landowners may choose to mimic the hazing activities, further encouraging the change in the behavior of the local coyote population. This effort may, on occasion, cross jurisdictional boundaries requiring coordinated efforts between the City and its neighbors.

Hazing Techniques and Parameters: The chart describes the activity, classification and suggested guidelines for response. These guidelines should be used in conjunction with training received by approved personnel.

| Animal Activity | Classification of interaction | Hazing Response |
|---|-------------------------------|--|
| Coyote(s) seen moving through an area (any time of day) | Sighting/ Not aggressive | <ul style="list-style-type: none"> • Examine location-if near to where people & pets will be moving, clap hands, shout, try and startle it to leave. • Stay aware of animal's location until out of sight. • Coyotes are creatures of habit and may use same path, same time on other days. • Report to City's website Coyote reporting tool |
| Coyote(s) moving along same path as people/pets | Sighting/ Not aggressive | <ul style="list-style-type: none"> • Don't ignore or avoid. • Make eye contact, yell, clap hands, use noise makers and encourage coyote to change path away from people/pets • Report to City's website Coyote reporting tool |
| Coyote(s) sniffing areas recently vacated by people/pet | Sighting/ Not aggressive | <ul style="list-style-type: none"> • Don't ignore or avoid. • Make eye contact, yell, clap hands, use noise makers and encourage coyote to move away from people/pets • Report to City's website Coyote reporting tool |

| Animal Activity | Classification of interaction | Hazing Response |
|--|--|--|
| Coyote(s) entering back yard w/ no pet present | Sighting/ Not aggressive | <ul style="list-style-type: none"> • Aggressively face coyote-yell, clap, noisemakers, move towards, spray with hose, gather other people and encourage coyote to leave yard. • DO NOT STOP until coyote has left. • Report to City’s website Coyote reporting tool |
| Coyote(s) following person/pet | Sighting/ Watch for signs of aggression | <ul style="list-style-type: none"> • Aggressively face coyote-yell, clap, noisemakers, move towards, gather other people and encourage coyote to change path away from people/pets. • DO NOT STOP until coyote has left. • Report to City’s website Coyote reporting tool |
| Coyote(s) entering back yard w/ pet present | Incident/ Expect aggression towards pet | <ul style="list-style-type: none"> • Get pet inside or pick up if possible. Aggressively face coyote-yell, clap, noisemakers, move towards, throw items, and spray with hose. • DO NOT STOP until coyote has left. • DO NOT INJURE COYOTE – can increase chance of attack. • Report incident to City’s website Coyote reporting tool |
| Coyote(s) “playing” w/pet | Incident/ Expect aggression towards pet | <ul style="list-style-type: none"> • DO NOT ALLOW. • Get pet inside or pick up if possible. • Aggressively face coyote-yell, clap, noisemakers, move towards, throw items, spray with hose. • DO NOT STOP until coyote has left. • DO NOT INJURE COYOTE – can increase chance of attack. • Report incident to City’s website Coyote reporting tool |

| Animal Activity | Classification of interaction | Hazing Response |
|---|--|---|
| Coyote(s) circling a person/pet | Incident/ Watch for signs of aggression | <ul style="list-style-type: none"> • Pick up pet if possible. • Aggressively face coyote-yell, clap, noisemakers, move towards other people, throw items. • Don't ignore and turn back to it. • DO NOT STOP until coyote has left. • DO NOT INJURE COYOTE – • can increase chance of attack. • Report incident to City's website Coyote reporting tool and Animal Services within 72 hours |
| Coyote(s) approaching, circling a child | Incident/ Watch for signs of aggression | <ul style="list-style-type: none"> • Pick up child immediately, yell, noisemakers, throw things, act aggressively. • DO NOT RUN AWAY OR IGNORE. • DO NOT STOP until coyote has left the area. • Report incident to City's website Coyote reporting tool and Animal Services within 72 hours |
| Coyote(s) biting pet | Incident/ Aggressive | <ul style="list-style-type: none"> • Yell, call for additional people, pick up pet if possible, use item to hit coyote, it is possible and common to be able to scare a coyote into dropping pet. • THERE IS DANGER OF GETTING BITTEN BY GETTING BETWEEN • ANIMAL AND PREY. • Report incident to City's website Coyote reporting tool, Animal Services and Colorado Parks and Wildlife within 72 hours |
| Coyote(s) biting person | Attack/ Aggressive | <ul style="list-style-type: none"> • Yell, call for help, punch, kick and fight, coyote will usually flee. • Seek medical attention as needed. • Report incident to City's website Coyote reporting tool, law enforcement, Animal Services and CPW within 72 hours |

Lethal Control Measures

The City may implement a program of lethal control when the interactions between humans and coyotes change from encounters and incidents to attacks or the coyote behavior changes from nuisance to dangerous. Information on the behavior of the coyotes will be obtained through the reports received by the City and in conjunction with the Colorado Division of Wildlife. Lethal control may be utilized when education and hazing have been employed and are not effective in changing the behavior of a habituated coyote

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and that coyote has become dangerous, or if a coyote poses an immediate danger to a human. The City recognizes that it may be difficult to identify the specific coyote that has become problematic and will take all reasonable measures to obtain information that is as accurate as possible so that any lethal control measures employed are aimed at the offending coyote and not used indiscriminately.

Private Property:

Property owners inside of the City may use lawful methods on their property to control nuisance wildlife. The State of Colorado prohibits the poisoning of animals for everything but undesirable pests defined in CRS Title 35. Intentionally placing poison where domestic pets and non-targeted animals or humans can access it is a violation of the statutes.

In November 1996, Colorado voters approved Amendment 14. This constitutional amendment created a "method of take" prohibition for wildlife with respect to the use of leghold and conibear type traps, snares and poisons. There were two exemptions written into the amendment - specific to the "method of take". One is for agricultural damage, and the other is to address human health and safety. A property owner must apply for the human health and safety exemption through Tri-County Health Department to lawfully use these specific methods.

Public Spaces:

The City is responsible for deciding whether to use lethal control for nuisance wildlife in public spaces. The City may request and consider direction from CPW concerning this decision and act in cooperation with the Arapahoe County Sheriff's Office to determine the best course of action.

Plan:

1. Obtain information from CPW, Arapahoe County Sheriff's Office, citizen reports, school district officials, or other authorities that can identify and document that a coyote's behavior is "dangerous".
2. Assess whether adequate education and hazing techniques have been employed, and if there are other options that are available.
3. Employ other options if those are viable solutions.
4. If lethal control is the only option, consider the advice of CPW and Arapahoe County Sheriff's Office concerning the proper method to be used, e.g. shooting or trapping. Advice will be based on the evidence provided and an evaluation of the geographical location in question, e.g. highly residential or open space.
5. Provide immediate communications to the surrounding residential and school properties advising them of the potential unsafe activity of the coyote(s).

6. In all cases the City would prefer to notify the residents and landowners of the lethal method to be used, unless adequate time is not available for that communication to occur.
7. If shooting is the recommended method, the City will secure the company or agency to shoot the coyote.
8. If trapping is recommended, the City will apply for a trapping exemption through Tri-County Health Department, and if the exemption is obtained, hire a private trapper to identify and trap the offending coyote(s). The City will require that the trapper posts clear signage and employ public safety measures to notify the residents and landowners.
 - a. City will keep a pre-approved list of qualified observers, trappers and shooters for use in the event lethal measures are necessary.
 - b. All required permits/applications with the Tri-County Health Department will be on file at the City in preparation of submitting to Tri-County in the event of an emergency situation.
9. Provide comprehensive follow up communications to the surrounding residential and school properties giving them the update and any additional information needed.
10. Once the offending coyote(s) has been removed, initiate an immediate and comprehensive education and awareness program in that area.
11. Follow up with residents and agencies in that area for several months to make sure that education and hazing techniques are being utilized.
12. Use staff and stakeholder groups as necessary for community outreach and education.

The tools for lethal control and their parameters for usage are:

1. *Shooting*: If shooting is the recommended method, a company or agency will be secured to shoot the coyote. In some cases law enforcement will be the recommended agency. An evaluation of the report and geographical location will be considerations when choosing this tool.

Pros:

- Potentially selective, if a specific coyote is shot after a verified attack on a person.
- Non-target species would not be in danger.
- More humane and expedient.

Cons:

- Public safety issue from firearms discharge in urban/suburban areas if you

- do not have a safe backstop.
- Requires well-trained shooters.

Pros/Cons:

- Expense would depend on who the shooter is, e.g. police officer, city employee, or contracted private individual.
- Humane to the coyote – humane if it is a quick, 1-shot kill, inhumane if animal is wounded and the coyote escapes or has prolonged death.

2. *Live Trap/Euthanasia:* Live traps are allowed without the need of an exemption permit. The offending coyote may not be relocated and must be euthanized as soon as possible after being trapped. Caution should always be used to make sure that domestic animals and/or children are not trapped. Signs must be posted and traps checked every three (3) hours to ensure public and domestic animal safety. If the non-target coyote is trapped, it may be released at the trap site and cannot be moved to another area for release. Care must be taken when releasing a non-target coyote from a life trap since the coyote may be frightened and may have been injured in this process. It is recommended and preferred that active traps are constantly monitored.

Pros:

- Allowed without special application process.
- Humane trap.

Cons:

- Methods of euthanasia may create a dangerous situation, e.g. shooting.
- Children or non-target animals can potentially be caught.
- Non-target coyotes may be caught.
- Expensive if following the recommendation that active traps are constantly monitored.

3. *Darting/Euthanasia:* If tranquilization by darting and subsequent euthanasia is the chosen tool, a company or agency will be secured to provide this service. In some cases the Arapahoe County Sheriff's Office and/or CPW will be the recommended agency. An evaluation of the report and the geographical location will be considerations when choosing this tool. A critical component of this tool is the safety of the public when considering whether this is a viable method, keeping in mind that tranquilizer agents do not take immediate effect and may create a dangerous situation in executing the darting and tracking/location of the tranquilized coyote.

Pros:

- Most selective option.
- Most humane option.

Cons:

- Logistic difficulties with domestic animals and humans in the area and location/access for performing euthanasia where the coyote may run after darted.

4. *Leg-hold Trapping*: If leg-hold trapping is recommended as a last resort, the City will apply for a trapping exemption through Tri-County Health Department, and if the exemption is obtained, hire a private trapper to trap the offending coyote(s). Identification of the offending coyote should be done as part of the investigation performed by a law enforcement agency. The trapper will be required to post clear signage and employ public safety measures to notify the residents and landowners. All required permits/applications with the Tri-County Health Department will be on file in preparation of submitting to Tri-County in the event of an emergency situation. The offending coyote may not be relocated and must be euthanized as soon as possible after being trapped. Caution should always be used to make sure that domestic animals and/or children are not trapped. Signs must be posted and traps checked every three (3) hours to ensure public and domestic animal safety. It is recommended and preferred that active traps are constantly monitored.

Pros:

- May be necessary if a human has been bitten by a coyote and shooting is not an option.

Cons:

- Not selective for the offending coyote.
 - Non-target animals could be trapped.
 - Considered a method that is not humane and requires application and approval by the Colorado Department of Health and the Colorado Division of Wildlife.
 - Expense is potentially the highest option due to the number of days and trap visits that may be required.
-



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Deputy City Manager

FROM: Maureen Juran, Deputy City Attorney

DATE OF MEETING: November 21, 2016

DATE OF SUBMITTAL: November 1, 2016

SUBJECT: Resolution No. 2016-R-81 – A Resolution Reappointing The Presiding Municipal Judge And Local Liquor Licensing Authority Hearing Officer, And Approving A Professional Services Agreement Setting The Terms Of And Compensation For Service

1. **Executive Summary:**

The Presiding Municipal Judge, Ford H. Wheatley, IV, was last appointed effective January 1, 2011, pursuant to an agreement with an initial two year term that automatically renews for additional two year terms unless action is taken not to renew the agreement. Council has indicated an interest in reviewing the Judge's performance and/or reviewing his contract but has determined that time constraints will not allow for that to occur in calendar year 2016. Thus, the Council is asked to consider Resolution 2016-R-81, which effectively terminates the current agreement and approves a new appointment and agreement with the Judge for appointment effective January 1, 2017, with an one year term (and subsequent automatic two year renewal terms unless action taken not to renew). This will allow the City to review the Judge's contract in late summer / early fall 2017 in more detail and determine what amendments, if any, should be made for any renewal term that might take effect beginning January 1, 2018.

2. **Discussion:**

The Judge serves both as the Presiding Municipal Judge and, currently under separate agreement, as the local liquor licensing authority hearing officer. Resolution 2016-R-81 approves a new one year appointment to both of these positions and a combined contract (to consolidate the duties and terms of both appointments) under the same substantive terms and conditions as the current agreements with the Judge except for the following:

1. The initial reappointment term is for one year (rather than two) to allow the City opportunity to review the Judge's performance in early summer / fall of 2017. Any renewal terms are two years, similar to the current agreement.

2. The Judge has not received any compensation adjustments since 2007. According to the Judge, compensation inflation has risen 1.8% annually since then. Factoring this inflation, in order for the value of the compensation to equate to what it was in 2007, it would need to rise by almost 20%. The Judge has requested a more modest adjustment, requesting a 10% increase over two years. Currently the Judge receives \$5500/month. For 2017, compensation in the proposed agreement would increase to \$5,775/month. Beginning in 2018, if renewed, (and until further amended by Council), compensation would increase to \$6050.00/month.
3. The proposed new contract allows reimbursement for the two annual Colorado Municipal Judges Association conferences expenses to be up to \$2000 annual aggregate rather than up to \$900 per conference (or \$1800 annually) because one conference tends to be more expensive than the other.

There is no compensation increase requested and there are no proposed changes to any other agreement terms governing the hearing officer appointment.

3. Recommendations:

Staff recommends Council approval of Resolution No. 2016-R-81, reappointing the Presiding Municipal Judge and Local Liquor Licensing Authority Hearing Officer, and approving a Professional Services Agreement setting the terms of and compensation for service.

4. Alternatives:

Council may choose to amend or deny Resolution No. 2016-R-81.

5. Fiscal Impact:

- a. If approved, there will be a 5% increase in municipal judge compensation for FY 2017 (\$3300 annually over FY 2016)
- b. If renewed for 2018, there will be an additional approximately 5% increase in municipal judge compensation for FY 2018 over FY 2017(\$6600 annually over FY 2016)
- c. There is potentially a \$200 fiscal impact to City funds for fiscal year 2017 as the aggregate expense allowance to attend the two annual Colorado Municipal Judges Association conferences expenses is increased to a \$2000 annual aggregate rather than \$900 per conference (or \$1800 annually).

6. Next Steps:

If Resolution No. 2016-R-81 is approved, the agreement will be executed for Presiding Municipal Judge and Hearing Officer Services for 2017.

7. Previous Actions:

None.

8. Suggested Motions:

APPROVAL:

I move to APPROVE Resolution No. 2016-R-81, reappointing the Presiding Municipal Judge and Local Liquor Licensing Authority Hearing Officer, and approving a Professional Services Agreement setting the terms of and compensation for service.

or

DENIAL:

I move to DENY Resolution No. 2016-R-81, reappointing the Presiding Municipal Judge and Local Liquor Licensing Authority Hearing Officer, and approving a Professional Services Agreement setting the terms of and compensation for service.

**CITY OF CENTENNIAL,
COLORADO**

RESOLUTION NO. 2016-R-81

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO, REAPPOINTING THE PRESIDING
MUNICIPAL JUDGE AND LOCAL LIQUOR LICENSING AUTHORITY
HEARING OFFICER, AND APPROVING A PROFESSIONAL SERVICES
AGREEMENT SETTING THE TERMS OF AND COMPENSATION FOR
SERVICE**

WHEREAS, the City is authorized by Section 13-10-105, C.R.S., Section 9.1(b) of the Home Rule Charter, and Section 2-3-30 of the Municipal Code to appoint a Presiding Municipal Judge to preside over the Municipal Court; and

WHEREAS, pursuant to Section 2-3-50 of the Municipal Code, the compensation of the Presiding Municipal Judge shall be fixed annually in such amount and on such other terms as set by resolution of the City Council, as amended from time to time; and

WHEREAS, Ford H. Wheatley, IV, was first appointed Presiding Municipal Judge pursuant to a Professional Services Agreement effective January 1, 2007, which agreement expired by its terms effective December 31, 2010; and

WHEREAS, Ford H. Wheatley, IV, was again appointed Presiding Municipal Judge pursuant to a Professional Services Agreement effective January 1, 2011 (“2011 Agreement”) which 2011 Agreement provides for automatic two year renewal terms unless notice of intent not to renew such agreement is provided at least sixty days before the completion of the initial or any renewal term under such 2011 Agreement; and

WHEREAS, the City, with the intent, but not the obligation, of adopting this resolution to reappoint Ford H. Wheatley, IV, pursuant to a new agreement for services, timely provided notice of intent not to renew the 2011 Agreement; and

WHEREAS, the Colorado Beer Code and the Colorado Liquor Code, Articles 46 and 47, respectively, of Title 12, C.R.S., assign certain duties, responsibilities and rights to a local licensing authority to oversee the issuance of beer and liquor licenses and to ensure compliance with such codes; and

WHEREAS, Sections 12-46-103(4) and 12-47-103(17), C.R.S., define a “local licensing authority” as the “governing body of a municipality....or any authority designated by ...municipal ordinance....;” and

WHEREAS, the City adopted Ordinance 2015-O-31, amending Section 6-4-110 of the Municipal Code, in order to more expeditiously, economically and efficiently address the duties, responsibilities and rights of a local licensing authority by providing that a sole hearing officer shall serve as the local licensing authority upon appointment by City Council by resolution; and

WHEREAS, the City Council, by Resolution 2016-R-03, appointed the Municipal Judge, Ford H. Wheatley, IV, as the hearing officer serving as the local licensing authority in accordance with Section 6-4-110(a) of the Municipal Code (“Hearing Officer”) which appointment is coterminous with his appointment as Presiding Municipal Judge (unless earlier removed); and

WHEREAS, the City Council desires to continue the appointment of Ford H. Wheatley, IV, as Presiding Municipal Judge and as Hearing Officer pursuant to the terms and conditions of a Professional Services Agreement (Continuing Services) in essentially the form as attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Centennial, Colorado as follows:

Section 1. Reappointment. The City Council hereby reappoints Ford H. Wheatley, IV, as Presiding Municipal Judge and as Hearing Officer effective January 1, 2017, subject to the terms and conditions of the Professional Services Agreement (Continuing Services) (“Agreement”) in substantially the form as attached as **Exhibit A**. In accordance with Section 13-10-105(1), C.R.S., Section 2-3-30 of the Municipal Code, and the Agreement, this reappointment is for a one (1) year term effective January 1, 2017, with automatic renewal for additional two (2) year term(s) unless affirmative action is taken by the City Council or Presiding Municipal Judge to not renew a term of appointment prior to the date of expiration of the initial or any renewal term.

Section 2. Approval of Agreement and Compensation. The City Council hereby approves the Agreement, and the compensation recited therein, in substantially the form as attached as **Exhibit A**; (b) authorizes the City Attorney, in consultation with the Deputy City Manager, to make such changes to the Agreement as may be needed to correct any nonmaterial errors or language that do not increase the obligations of the City; and (c) authorizes the Mayor to execute, on behalf of the City, the Agreement.

Section 3. Removal. In accordance with Section 13-10-105(1)(c), C.R.S., and Section 2-3-70 of the Municipal Code, removal of the Presiding Municipal Judge is only permitted for “cause” as defined in such statute or ordinances or any amendments thereto.

Section 4. Effective Date. This Resolution shall take effect upon its approval by the City Council.

ADOPTED by a vote of ___ in favor and ___ against this 21st day of November, 2016.

By: _____
Cathy A. Noon, Mayor

ATTEST:

Approved as to Form:

By: _____
City Clerk or Deputy City Clerk

By: _____
For City Attorney's Office

EXHIBIT A
Presiding Municipal Judge
Local Liquor Licensing Authority Hearing Officer
Professional Services Agreement (Continuing Services)

**CITY OF CENTENNIAL
PRESIDING MUNICIPAL JUDGE
LOCAL LIQUOR LICENSING AUTHORITY HEARING OFFICER
PROFESSIONAL SERVICES AGREEMENT
(CONTINUING SERVICES)**

THIS AGREEMENT (“Agreement”) is made this ___ day of November, 2016, by and between **FORD H. WHEATLEY, IV** (the “Presiding Municipal Judge” and/or “Hearing Officer”) and the **CITY OF CENTENNIAL, COLORADO**, a home rule municipal corporation of the State of Colorado (the “City”). The City and the Presiding Municipal Judge are referred to in this Agreement as the “Parties.”

RECITALS AND REPRESENTATIONS

WHEREAS, the City is authorized by Section 13-10-105, C.R.S., Section 9.1(b) of the Home Rule Charter, and Section 2-3-30 of the Municipal Code to appoint a Presiding Municipal Judge to preside over the Municipal Court; and

WHEREAS, pursuant to Section 2-3-50 of the Municipal Code, the compensation of the Presiding Municipal Judge shall be a fixed annual amount as set forth in an agreement entered into between the City and the Presiding Municipal Judge or by resolution of the City Council, as amended from time to time; and

WHEREAS, the City entered into a Professional Services Agreement with the Presiding Municipal Judge effective January 1, 2011, (“Prior Agreement”) which agreement was for a two year term with an automatic renewal for additional two year terms unless affirmative action was taken by the City Council to not renew prior to the date of expiration of the initial or any subsequent term, and no such affirmative action was taken; and

WHEREAS, the City desires to continue the service and appointment of the Presiding Municipal Judge beyond December 31, 2016, subject to the terms and conditions set forth herein; and

WHEREAS, the Presiding Municipal Judge desires to accept the appointment under the terms and conditions set forth herein; and

WHEREAS, by Resolution 2016-R-03, the City Council also approved an agreement and appointed the Presiding Municipal Judge to serve as the City’s local liquor licensing authority hearing officer in accordance with Section 6-4-110(a) of the Municipal Code, such appointment to be coterminous with the appointment at Presiding Municipal Judge; and

WHEREAS, the City desires to continue the service and appointment of the Presiding Municipal Judge beyond December 31, 2016, to serve as the City’s local liquor licensing authority hearing officer in accordance with Section 6-4-110(a) of the Municipal Code subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual undertakings set forth in this Agreement, the City and the Presiding Municipal Judge agree as follows:

- 1. TERMINATION AND REPLACEMENT OF PRIOR AGREEMENTS.** The Parties agree that the Prior Agreement for appointment as Presiding Municipal Judge effective

January 1, 2011, is terminated and that the agreement approved January 11, 2016, for appointment as the local liquor licensing authority hearing officer is also terminated, both agreements being replaced hereby. The parties further agree that the City complied with the notice provisions for non-renewal set forth in paragraph 3 of the Prior Agreement.

2. **REAPPOINTMENT AS PRESIDING MUNICIPAL JUDGE.** Pursuant to Resolution 2016-R-__ adopted by the City Council contemporaneously with the approval of this Agreement, Ford H. Wheatley, IV, is reappointed to continue to serve as the Presiding Municipal Judge for the City's Municipal Court effective January 1, 2017.
3. **DUTIES OF PRESIDING MUNICIPAL JUDGE.** The Presiding Municipal Judge will perform essentially the duties set forth in the attached **Exhibit A**. The Presiding Municipal Judge is expected to preside over all City-scheduled court sessions of the Centennial Municipal Court and adjudicate all cases presented with the exception of periods of leave or emergency temporary absence, sickness, disqualification or other inability to act. The Parties' expectation is that Assistant Municipal Judges will not be routinely needed or scheduled. The Presiding Municipal Judge shall comply with the Colorado Rules of Municipal Court Procedure, the constitutions and applicable laws of the United States and the State of Colorado, and the ordinances, resolutions and regulations of the City. The Presiding Municipal Judge is to use the full range of his judicial discretion in conducting the sessions over which he presides, subject to applicable law. The City will not instruct the Presiding Municipal Judge as to how to conduct court sessions or how to adjudicate the cases that come before him. The Presiding Municipal Judge will consult with the City as needed, including attending meetings as requested, to support the City in the ongoing development and administration of the Municipal Court.
4. **TERM OF REAPPOINTMENT OF PRESIDING MUNICIPAL JUDGE.** In accordance with Section 13-10-105(1), C.R.S., and Section 2-3-30 of the Municipal Code, this subsequent term reappointment is for a one (1) year term ("Reappointment Term") with automatic additional and unlimited renewal terms of two (2) year duration ("Renewal Term") unless affirmative action is taken by either party to not renew prior to sixty (60) days before the date of expiration of the Reappointment Term or any Renewal Term.
5. **REMOVAL AS PRESIDING MUNICIPAL JUDGE.** In accordance with Section 13-10-105(2), C.R.S., and Section 2-3-70 of the Municipal Code, removal is only permitted for "cause" as defined in such statute or ordinances or any amendments thereto. The Parties acknowledge that, in addition to any other circumstances constituting cause within the meaning of state law, breach of this Agreement shall constitute sufficient cause for removal.
6. **HEARING OFFICER / APPOINTMENT AND TERM.** Pursuant to Resolution 2016-R-__ adopted by the City Council contemporaneously with the approval of this Agreement, Ford H. Wheatley, IV, is reappointed to serve as the Hearing Officer serving as the local licensing authority in accordance with Section 6-4-110(a) of the Centennial Municipal Code. The appointment of Ford H. Wheatley IV as Hearing Officer hereunder shall be continuous until terminated on the earlier of (a) his removal from the appointment as hearing officer with or without cause by a vote of six members of the City Council present at a meeting at which the issue of removal is presented, or (b) his removal or termination of his appointment as the Presiding Municipal Judge of the City's Municipal Court. Removal under subsection (a) of the paragraph will not operate automatically to

terminate the term of appointment as Presiding Municipal Judge, such term being governed by paragraphs 4 and 5 hereof.

7. **HEARING OFFICER DUTIES.** The Hearing Officer will perform the duties of the local liquor licensing authority under state and local law. The Hearing Officer is expected to preside over all City-scheduled quasi-judicial public hearings on applications for new licenses and allegations of violations of the State Liquor Code and Beer Code, in addition to all matters as may be referred to the local liquor licensing authority by City staff responsible for administration of the state and local liquor and beer laws.
8. **HEARING OFFICER SCHEDULE.** Unless otherwise agreed to by the parties, the City shall at all times schedule hearings and meetings of the local liquor licensing authority on the same dates as docket dates for the City's Municipal Court and will endeavor to schedule meeting times to allow the Hearing Officer to perform the duties assigned under this Agreement before or at the conclusion of such municipal court sessions.
9. **HEARING OFFICER AVOIDANCE OF CONFLICTS.** The Hearing Officer shall not have any financial interest in the operation of any business located or operating in the City that holds a license pursuant to C.R.S. § 12-46-101, et seq., or C.R.S. § 12-47-101, et seq. A person shall be deemed to have such an interest if the person or a member of his or her immediate family has such an interest. Ownership of stock solely for investment purposes in a corporation whose stock is publicly traded shall not be deemed a disqualifying interest.
10. **INDEPENDENT CONTRACTOR.** The Presiding Municipal Judge/Hearing Officer shall be an independent contractor within the meaning of Colorado law. The Presiding Municipal Judge/Hearing Officer shall not be considered an employee of the City for purposes of any law. Except as specifically set forth in this Agreement, the City shall not be obligated to secure and shall not provide any benefits of any kind or type to or for the Presiding Municipal Judge/Hearing Officer, including but not limited to disability insurance, errors and omissions insurance, vacation or sick leave, or retirement contributions. Nothing contained herein shall be construed so as to limit the right of the Presiding Municipal Judge/Hearing Officer to engage in other employment or independent contractor positions, whether in the legal field or otherwise, provided that such employment or position does not create a conflict of interest with the performance of the Presiding Municipal Judge's/Hearing Officer's duties to the City of Centennial or result in the need for a modification of the City's Municipal Court schedule to accommodate the Presiding Municipal Judge's/Hearing Officer's proposed schedule. Notwithstanding the foregoing, if the City wishes to expand or change the current court sessions, it will endeavor to coordinate the new schedule with the Presiding Municipal Judge's/Hearing Officer's availability; however the City shall make the final decision concerning the dates and times of the Municipal Court sessions.
11. **COMPENSATION.**
 - a. **PRESIDING MUNICIPAL JUDGE.** In exchange for services provided as Presiding Municipal Judge, for the Reappointment Term, the Presiding Municipal Judge shall be entitled to annual compensation of \$69,300 payable at the lump sum rate for services hereunder of \$5,775 each month in regular intervals consistent with the normal accounts payable practices of the City. For any Renewal Term, the Presiding Municipal Judge shall be entitled to annual compensation of \$72,600 payable at the lump sum rate for services hereunder of \$6,050 each month consistent with the normal accounts payable practices of the City. The annual compensation amount is based on average monthly

expected hours of service of approximately 37 hours per calendar month. If either: (1) hours of service is expected to increase consistently above an average of 37 hours a month due to the addition of additional or expanded court sessions to be handled by the Presiding Municipal Judge; or (2) hours of service is greater than 45 hours for 2 or more consecutive months, then the City and Presiding Municipal Judge will negotiate in good faith for a reasonable increase in compensation. Prior to September 1 of any Renewal Term of appointment, the Presiding Municipal Judge may request in writing an increase in compensation for the next following term of appointment. Requests for increases in compensation shall be considered by the City Council as part of the Council's discretionary and legislative budget process and, if approved by the Council as part of its budget approval process, shall be considered an effective amendment of this Agreement without further written instrument.

- b. **HEARING OFFICER.** In exchange for services provided as Hearing Officer, the Hearing Officer shall be entitled to compensation on a time and materials basis at a rate of \$250.00 per hour (payable in ¼ hour increments) for time spent in preparation and attending hearings payable each month in regular intervals consistent with the normal accounts payable practices of the City. Prior to September 1 of any calendar year in which this Agreement is in effect, the Hearing Officer may request in writing an increase in hourly rate for the next following calendar year. Requests for increases in compensation shall be considered by the City Council as part of the Council's discretionary and legislative budget process and, if approved by the Council as part of its budget approval process, shall be considered an effective amendment of this Agreement without further written instrument.

12. **ALLOWABLE ABSENCE.**

- a. **AS PRESIDING MUNICIPAL JUDGE.** The Presiding Municipal Judge shall be entitled to allowable absence from service as the Presiding Municipal Judge of not greater than twelve (12) court sessions per calendar year. Allowable absence shall be taken in accordance with the provisions of this Agreement. Allowable absence from service is intended to permit or allow for reasonable annual vacation periods, attendance at conferences and other events, and for unanticipated or unforeseen absence due to illness or emergency. Unused allowable absence in any calendar year shall not be accrued and carried over from year to year, shall not be compensable, and will be forfeited upon the end of each calendar year. Allowable absences are based on any day of scheduled court sessions missed and not on any hourly or other basis. An allowable absence from a portion of a court session at which an Assistant Judge is scheduled for coverage shall constitute a full day of allowable absence regardless of the Presiding Judge's attendance at a portion of the session. The City's decision to cancel or vacate a court session due to an allowable absence of the Presiding Judge and/or inability of the City to schedule coverage through an Assistant Judge shall constitute a day of allowable absence. Except in emergency circumstances, the Presiding Municipal Judge shall consult with the Municipal Court Administrator and Assistant Judge(s) in reasonable advance of the date of such allowable absence to ensure coverage of the Municipal Court's docket before scheduling and taking any allowable absence. For any allowable absences from presiding greater than twelve (12) court sessions in a calendar year, the Presiding Municipal Judge shall promptly notify the City Manager. At the City's option and discretion, the Presiding Judge's allowable absence in excess of twelve (12) days in any calendar year may be permitted subject to a reduction in the compensation of the Presiding Judge in amount equal to the costs incurred by the City to cover such court sessions through an Assistant Judge.

- b. **AS HEARING OFFICER.** If the Hearing Officer is on allowable absence from service as the Presiding Municipal Judge in accordance with this Agreement, City liquor licensing administrative staff will endeavor to schedule any local liquor licensing authority meetings to accommodate such allowable absence. Except in emergency circumstances, the Hearing Officer shall consult with the City liquor licensing administrative staff in reasonable advance of the date of such allowable absence to ensure coverage of the liquor licensing authority before scheduling and taking any leave.
13. **REIMBURSABLE EXPENSES AND COSTS.** The Presiding Municipal Judge/Hearing Officer shall not be entitled to reimbursement for any personal expenses, including but not limited to vehicle mileage expenses, associated with attendance at sessions of the Municipal Court or to attend to local liquor licensing authority matters. The City will either pay or reimburse the Presiding Municipal Judge for the annual cost of his membership in the Colorado Municipal Judge's Association. The City will either pay or reimburse the Presiding Municipal Judge for the cost of the registration fee for the twice-annual conferences of the Colorado Municipal Judge's Association along with reasonable and customary costs for actual costs for attendance to include lodging, meals, parking and vehicle travel mileage reimbursement provided that all such payments or reimbursements for such conferences does not exceed Two Thousand Dollars (\$2,000.00) annually.
14. **ARTICLE X, SECTION 20.** The City is subject to Article X, § 20 of the Colorado Constitution ("TABOR"). The appointments and compensation recited in this Agreement do not create a multi-fiscal year direct or indirect debt or obligation within the meaning of TABOR and all payment obligations of the City are conditioned upon the continuing availability of funds beyond the term of the City's current fiscal period ending upon the next succeeding December 31. Upon the failure to appropriate such funds, the appointment made hereunder shall be terminated.
15. **PRESIDING MUNICIPAL JUDGE/HEARING OFFICER TO BE INSURED PARTY.** Notwithstanding the fact that the Presiding Municipal Judge/Hearing Officer acts as and is compensated as an independent contractor, pursuant to the Colorado Governmental immunity Act, Section 24-10-101, C.R.S., *et seq.*, the Presiding Municipal Judge/Hearing Officer is considered an appointed official of the City entitled to any and all benefits of law pertaining to judicial or governmental immunity and to coverage by the City's insurance applicable to persons holding such a position. The City hereby declares the Presiding Municipal Judge/Hearing Officer to be a municipal official of the City of Centennial for purposes of including the Presiding Municipal Judge/Hearing Officer as an insured official subject to the City's insurance coverage for claims against the Presiding Municipal Judge/Hearing Officer arising out of injuries sustained from an act or omission of such Presiding Municipal Judge/Hearing Officer occurring during the performance of his duties and within the scope of his duties, except where such act or omission is found by the court to be willful and wanton. The City has consulted with its insurance administrator, the Colorado Intergovernmental Risk Sharing Agency, and the City has determined that the Presiding Municipal Judge/Hearing Officer will be an insured municipal official within the City's policy of insurance.
16. **APPOINTMENTS SUBJECT TO PROVISIONS OF MUNICIPAL CODE.** The performance of the Presiding Municipal Judge/Hearing Officer shall be at all times subject to this Agreement and the provisions of the Municipal Code of the City of Centennial, as such may be amended..

17. **ENTIRE AGREEMENT.** This Agreement and any City ordinance or state statute governing the conduct and/or terms of the appointment of Presiding Municipal Judges or hearing officers to hear local liquor licensing matters shall constitute the entire agreement between the Parties and is binding upon and inures to the benefit of the Presiding Municipal Judge's/Hearing Officer's heirs at laws and executors.
18. **SEVERABILITY.** If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable, shall not be affected, and shall remain in full force and effect.
19. **AMENDMENTS.** The terms and conditions of this Agreement may be modified only by written amendment executed by the Presiding Municipal Judge/Hearing Officer and the City.
20. **GOVERNING LAW AND VENUE.** This Agreement shall be governed by and interpreted according to the law of the State of Colorado. Venue for any action arising under this Agreement shall be in the appropriate court for Arapahoe County, Colorado.
21. **NO WAIVER.** A waiver by any party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.
22. **NO WAIVER OF GOVERNMENTAL IMMUNITY.** Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the City, its officials, employees, contractors, or agents, or any other person acting on behalf of the City and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10, Part 1 of the Colorado Revised Statutes.
23. **PARAGRAPH CAPTIONS.** The captions of the paragraphs are set forth only for the convenience and reference of the Parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.
24. **OATH REMAINS EFFECTIVE.** The Presiding Municipal Judge has previously undertaken an oath of affirmation that he will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the laws of the City, and will faithfully perform the duties of office. The Parties recognize and agree that such oath remains effective and valid for purposes of performance of the services described in this Agreement, although the City may at its election require a new oath of office by the Presiding Municipal Judge.

IN WITNESS WHEREOF, the City has caused this Agreement to be signed and executed on its behalf by the Mayor and the Presiding Municipal Judge/Hearing Officer has signed and executed this Agreement, both in duplicate, as of the day and year first above written.

CITY OF CENTENNIAL

**PRESIDING JUDGE/
HEARING OFFICER**

By: _____
Cathy A. Noon, Mayor

Ford H. Wheatley, IV

ATTEST:

By: _____
City Clerk or Deputy City Clerk

Approved as to form:

By: _____
for City Attorney's Office

DEPARTMENT OF ORIGINATION: Municipal Court

FINANCE DEPARTMENT REVIEW:

Finance has reviewed this agreement and the funds:

- ⊗ *are appropriated and available for this agreement.*
- ⊗ *are not available for this agreement.*
- ⊗ *Other:* _____

By: _____

Budgeted Item/Account: _____

DEPARTMENT/POSITION RESPONSIBLE FOR ADMINISTRATION OF CONTRACT:
Municipal Court

**EXHIBIT A
PRESIDING MUNICIPAL JUDGE
SERVICES TO BE PROVIDED**

- Attend all court dates for arraignment and trials.
- Appoint a court clerk from amongst City-hired court staff to assist in managing the docket in the courtroom on a daily basis.
- Coordinate with the administrator of the municipal court appointed by the City Manager, whose responsibilities include oversight of court staff and of all operational aspects of the municipal court, including establishing the necessary standards and procedures for the operation of the court.
- Conduct arraignments, trials, hearings, sentencings and case dispositions. Issue written and/or oral findings and judgments when necessary.
- Manage the courtroom on a daily basis to ensure efficiency, orderliness and justice.
- Enforce the ordinances of the City as adopted by the City Council.
- Explain the laws and legal system to defendants. Ensure that all defendants understand their rights and, if applicable, knowingly waive their rights.
- Evaluate evidence, testimony, and legal pleadings.
- Interpret and apply appropriate ordinances, municipal code provisions and/or regulations.
- Impose fines and penalties as prescribed by the municipal code or ordinances. Assess and oversee collection of penalties.
- Order and enforce contempt, failure to appear, abatement of nuisance, and other requirements of the municipal code or ordinances.
- Issue inspection orders and search warrants, and enforce municipal subpoenas in accordance with applicable laws.
- Administer oaths of office.



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Interim City Manager
Steven Greer, Director of Community Development

FROM: Derek Holcomb, AICP, Deputy Director of Community Development

DATE OF MEETING: November 21, 2016

DATE OF SUBMITTAL: November 10, 2016

SUBJECT: Resolution No. 2016-R-83: Ratification of Planning and Zoning
Commission Approval of the South Suburban Golf Course
Improvements Site Plan (Case No. LU-16-00169)

DISTRICT/LOCATION: District 3 – goo.gl/S8UiPI (Google Map)

1. **Executive Summary:**

Staff has completed all necessary reviews to determine that land use case No. LU-16-00169, South Suburban Golf Course Improvements Site Plan (the “Site Plan”), complies with all applicable provisions of the Land Development Code (the “LDC”) regarding proposed development within the City of Centennial. The Planning and Zoning Commission will hold a public hearing for the item on November 16, 2016 and an update on the Commission’s approval will be provided to Council at its November 21, 2016 meeting.

Per Section 12-13-201 of the LDC, all Planning and Zoning Commission approvals must be ratified by the City Council. Staff recommends ratification of the application on the November 21, 2016 City Council Consent Agenda.

2. **Discussion:**

In accordance with Sections 12-13-201(F)(1) and 12-14-204 of the LDC, the Planning and Zoning Commission’s approval of the Site Plan must be ratified by the City Council. This staff report provides a summary of the Site Plan, a copy of which is attached for reference.

Staff recommends ratification of the Planning and Zoning Commission’s approval of the Site Plan at City Council’s November 21, 2016 meeting, by consideration and approval of Resolution No. 2016-R-83 on the Consent Agenda. A copy of Resolution No. 2016-R-83 is attached to this staff report and is incorporated herein by reference.

Project Summary

Applicant: South Suburban Parks and Recreation District

Project Description: Site plan for an expansion to the existing golf course club house and reconstruction of existing accessory buildings.
Project Location: Located at 7900 S. Colorado Blvd., northeast of the S. Colorado Blvd. and E. County Line Rd. intersection.

Planning and Zoning Commission Decision

The Planning and Zoning Commission will hold a public hearing for the item on November 16, 2016 and an update on the Commission's approval will be provided to Council at its November 21, 2016 meeting.

Review Details

South Suburban Parks and Recreation District proposes to construct an expansion to the existing golf course club house and to reconstruct existing accessory buildings to the north side of the club house. There are other associated parking lot and cart path improvements included with the expansion. The site is located at 7900 S. Colorado Blvd., northeast of the S. Colorado Blvd. and E. County Line Rd. intersection (the "Subject Property"). The Subject Property is approximately 207.35 acres in size and is currently zoned Public Open Space and Recreation (OSR). The area included within the development is approximately one acre in size and more than 200 feet from adjacent properties.

Upon review of the South Suburban Golf Course Improvements Site Plan and finding that the application met all of the applicable technical requirements and approval standards for a site plan set forth in the LDC, Staff recommended approval of the application to the Planning and Zoning Commission at the Commission's November 16, 2016 meeting. Following the public hearing conducted on the Site Plan, the Planning and Zoning Commission's decision on the application (Case No. LU-16-00169) will be shared with City Council at its November 21, 2016 meeting.

Ratification by City Council – Procedure

Section 12-14-312(D) of the LDC establishes the applicable ratification procedures applicable to City Council's consideration of the Planning and Zoning Commission's approval of the Site Plan:

- a. The City Council may ratify the Planning and Zoning Commission's conditional approval of the Site Plan upon approval of the consent agenda; or
- b. The City Council may remove the ratification of the Site Plan from the consent agenda. If the Site Plan is removed from the consent agenda, the City Council is required to: (a) ratify the Site Plan by majority vote; or (b) schedule the Site Plan for a public hearing in accordance with Section 12-14-312(D)(3) of the LDC, if a majority of City Council members do not vote to ratify the Site Plan.

3. Recommendations:

Staff recommends that the City Council approve Resolution No. 2016-R-83 on the November 21, 2016 Consent Agenda.

4. Alternatives:

- a. The City Council may ratify the Planning and Zoning Commission's approval of the site plan upon approval of the consent agenda; or
- b. The City Council may remove the ratification of the site plan from the consent agenda. If the site plan is removed from the consent agenda, the City Council is required to: (a) ratify the site plan by majority vote; or (b) schedule the site plan for a public hearing in accordance with Section 12-14-312(D)(3) of the LDC, if a majority of City Council members do not vote to ratify the site plan.

5. Fiscal Impact:

Ratification of the South Suburban Golf Course Improvements Site Plan will have no direct fiscal impact on the City.

6. Next Steps:

If ratified by City Council, the Applicant is required to meet all the conditions listed in Resolution and submit final mylars of the site plan to the Community Development Department for recordation within 60 days of Council ratification.

7. Previous Actions:

The Planning and Zoning Commission will hold a public hearing for the item on November 16, 2016 and an update on the Commission's approval will be provided to Council at its November 21, 2016 meeting. Planning and Zoning Commission November 16, 2016 Hearing Minutes will be provided to the Council at its November 21, 2016 meeting.

8. Suggested Motions:

Approval of the consent agenda will effect approval of Resolution No. 2016-R-83 and ratify the South Suburban Golf Course Improvements Site Plan. If the site plan is removed from the consent agenda, the City Council may ratify the site plan by majority vote with the following motion:

"I MOVE TO APPROVE RESOLUTION NO. 2016-R-83, A RESOLUTION RATIFYING THE APPROVAL OF THE SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS SITE PLAN, CASE NO. LU-16-00169."

- Attachment 1: South Suburban Golf Course Improvements Site Plan, LU-16-00169
- Attachment 2: Planning and Zoning Commission Staff Report dated November 9, 2016
- Attachment 3: Planning and Zoning Commission Resolution approving the Site Plan (2016-PZ-R-29)
- Attachment 4: Resolution No. 2016-R-83

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



*THIS MAP IS PROVIDED BY GOOGLE EARTH PRO AND IS USED FOR PROJECT REFERENCE ONLY. IT IS TO BE USED ONLY FOR PURPOSES PERMITTED BY ANY APPLICABLE LAW AND THE TERMS OF THE LICENSE AGREEMENT BETWEEN MARTIN/MARTIN, INC. AND GOOGLE. THIS MAP MAY NOT BE COPIED OR MODIFIED.

VICINITY MAP
SCALE 1"=2,000'

STANDARD NOTES

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDERS(S) OF THE SITE PLAN KNOWN AS SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS SITE PLAN, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:

EMERGENCY ACCESS

EMERGENCY ACCESS IS GRANTED HEREWITH OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.

DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE

THE OWNERS OF THIS PLAN, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNERS ASSOCIATION OR OTHER ENTITY OTHER THAN THE CITY OF CENTENNIAL, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E.: CROSS ACCESS EASEMENTS, DRAINAGE EASEMENTS, ETC.

PRIVATE STREET MAINTENANCE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE PRIVATE ROADWAYS SHOWN ON THIS PLAN ARE NOT IN CONFORMANCE WITH THE CITY OF CENTENNIAL ROADWAY DESIGN AND CONSTRUCTION STANDARDS AND WILL NOT BE MAINTAINED BY THE CITY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION. THE OWNERS, DEVELOPERS, AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE CITY ACCEPTS RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE LIABILITY

IT IS THE POLICY OF THE CITY OF CENTENNIAL AND SEMSWA THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED BY OWNER. THE CITY OF CENTENNIAL AND SEMSWA REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 31, ARTICLE 23, BUT CANNOT, ON BEHALF OF SOUTH SUBURBAN PARK AND RECREATION DISTRICT, GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE SOUTH SUBURBAN PARK AND RECREATION DISTRICT AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF THE CITY OF CENTENNIAL AND SEMSWA THAT APPROVAL OF THE FINAL PLAT AND/OR SITE PLAN DOES NOT IMPLY APPROVAL OF OWNER'S DRAINAGE DESIGN.

LANDSCAPE MAINTENANCE

THE OWNERS OF THIS PLAN, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN THE CITY OF CENTENNIAL IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN THE CITY OF CENTENNIAL, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.

PUBLIC IMPROVEMENTS

AFTER SITE PLAN APPROVAL, ISSUANCE OF DEVELOPMENT ORDERS OR PERMITS SHALL BE SUBJECT TO THE REQUIREMENTS OF SECTION 12-14-207 OF THE 2011 LAND DEVELOPMENT CODE, REQUIRING A PUBLIC IMPROVEMENT AGREEMENT IN A FORM APPROVED BY THE CITY ATTORNEY AND EXECUTED BY THE CITY MANAGER OR HIS OR HER DESIGNEE. THE PUBLIC IMPROVEMENT AGREEMENT SHALL REQUIRE THE APPLICANT TO SUBMIT FINANCIAL SECURITY FOR THE REQUIRED PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE PROVISIONS OF THE PUBLIC IMPROVEMENT AGREEMENT AND IN AN AMOUNT AND FORM SUFFICIENT TO ADEQUATELY ENSURE TIMELY COMPLETION OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE CITY'S ADOPTED CODES, ORDINANCES, REGULATIONS AND STANDARDS. FINANCIAL SECURITY SHALL BE PROVIDED TO THE CITY PRIOR TO AND AS A CONDITION OF THE ISSUANCE OF A DEVELOPMENT ORDER OR PERMIT.

SPECIFIC NOTES

SIGHT TRIANGLE MAINTENANCE (PER SECTION 12-11-208)
IN ACCORDANCE WITH SECTION 12-11-208 OF THE CITY LAND DEVELOPMENT CODE, THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS BETWEEN A HEIGHT OF THREE FEET (3') AND EIGHT FEET (8') ABOVE THE ELEVATION OF THE STREET CENTERLINE WITHIN SAID SIGHT TRIANGLE.

STREET LIGHTING

ALL LOTS ARE SUBJECT TO AND BOUND BY TARIFFS WHICH ARE NOW AND MAY IN THE FUTURE BE FILED WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO RELATING TO STREET LIGHTING IN THIS PLAN, TOGETHER WITH RATES, RULES, AND REGULATIONS THEREIN PROVIDED AND SUBJECT TO ALL FUTURE AMENDMENTS AND CHANGES THERETO. THE OWNER OR OWNERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL PAY AS BILLED, A PORTION OF THE COST OF PUBLIC STREET LIGHTING IN THE PLAN IN ACCORDING TO APPLICABLE RATES, RULES, AND REGULATIONS, INCLUDING FUTURE AMENDMENTS AND CHANGES ON FILE WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO.

| DEVELOPMENT STANDARDS | REQUIRED | PROPOSED LU-16-00169 |
|-----------------------------------|-------------------------------|--------------------------|
| ZONING | OPEN SPACE AND REC | OPEN SPACE AND REC |
| PARCEL AREA AND LOT WIDTH | N/A | TRACT A & B - 207.354 AC |
| PERMITTED USES | OUTDOOR RECREATION, OTHERS | GOLF COURSE AND PARK |
| MAX BUILDING HEIGHT | 35 FT | 21 FT |
| MINIMUM BUILDING SETBACKS | 1 FT PER FT OF BLDG HEIGHT | VARY, GREATER THAN 35 FT |
| MINIMUM PARKING SETBACKS | N/A | - |
| MAX BLDG COVERAGE (IF APPLICABLE) | N/A | - |
| PARKING RATIOS | * SEE BELOW | 203 SPACES PROVIDED |
| ADA PARKING | 7 (BASED ON 201 TO 300 TOTAL) | 8 PROVIDED (2 VAN) |
| BICYCLE PARKING | 1 PER 15 VEHICLE SPACES | 14 BICYCLE SPACES |
| LOADING ZONE (IF REQUIRED) | - | N/A |
| LIGHTING ZONE/MAX POLE HEIGHT | LZ1 | - |
| LANDSCAPE SURFACE RATIO | NOT SPECIFIED IN CODE | N/A |

* 9 SPACES PER HOLE PLUS EMPLOYEE PARKING AT MAX. SHIFT/PARKING FOR RESTAURANT IS 1 PER 250 SF.

CASE NUMBER: LU-16-00169

CERTIFICATE OF OWNERSHIP

I, ROB HANNA, EXECUTIVE DIRECTOR, HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS THE SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS SITE PLAN, PS-16-00134.

OWNER OF RECORD OR AUTHORIZED AGENT

STATE OF _____ } S.S.
COUNTY OF _____ }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY _____

AS (Title) OF _____ AN AUTHORIZED SIGNATORY.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

ADDRESS _____
CITY _____ STATE _____ ZIP CODE _____

PLANNING AND ZONING COMMISSION APPROVAL

APPROVED BY THE CITY OF CENTENNIAL PLANNING AND ZONING COMMISSION ON THIS ____ DAY OF _____ A.D., 20__.

CHAIRPERSON: _____

ATTEST: _____

CITY COUNCIL RATIFICATION

RATIFIED BY THE CITY OF CENTENNIAL CITY COUNCIL, THIS ____ DAY OF _____ A.D., 20__.

MAYOR: _____

ATTEST: _____

RECORDER'S CERTIFICATE

THIS PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY

AT _____ (A.M./P.M.) ON THE ____ DAY OF _____ A.D., 20__

IN BOOK _____, PAGE _____, MAP _____

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

BY _____ DEPUTY

AMENDMENT HISTORY

NONE

| Sheet List Table | |
|------------------|--------------------------|
| Sheet Number | Sheet Title |
| 01 | COVER |
| 02 | BOUNDARY MAP |
| 03 | EXISTING CONDITIONS PLAN |
| 04 | DEMOLITION PLAN |
| 05 | SITE PLAN |
| 06 | GRADING PLAN |
| 07 | UTILITY PLAN |
| 08 | DETAILS |
| 09 | LANDSCAPE PLAN |
| 10 | LANDSCAPE DETAILS |
| 11 | LANDSCAPE DETAILS |
| 12 | CLUBHOUSE ELEVATIONS |
| 13 | CLUBHOUSE ELEVATIONS |
| 14 | CART BARN ELEVATIONS |
| 15 | SITE PHOTOMETRIC PLAN |
| 16 | LIGHTING SPECIFICATIONS |
| 17 | SHELTER ADDITIONS |
| 18 | SHELTER DETAILS |

| | |
|-----------|-------------|
| REVISIONS | DESCRIPTION |
| NO. | DATE |
| 1 | 2015/07/02 |
| 2 | 2015/07/02 |
| 3 | 2015/07/02 |
| 4 | 2015/07/02 |
| 5 | 2015/07/02 |
| 6 | 2015/07/02 |
| 7 | 2015/07/02 |
| 8 | 2015/07/02 |
| 9 | 2015/07/02 |
| 10 | 2015/07/02 |
| 11 | 2015/07/02 |
| 12 | 2015/07/02 |
| 13 | 2015/07/02 |
| 14 | 2015/07/02 |
| 15 | 2015/07/02 |
| 16 | 2015/07/02 |
| 17 | 2015/07/02 |
| 18 | 2015/07/02 |

| | |
|----------|--------------|
| DRAWN | E. BERNHAL |
| CHECKED | B. MULLIS |
| DESIGNED | C. MACPHEE |
| FILENAME | 01_COVER.dwg |

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
COVER**



3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

JOB NO. 2015.017.020

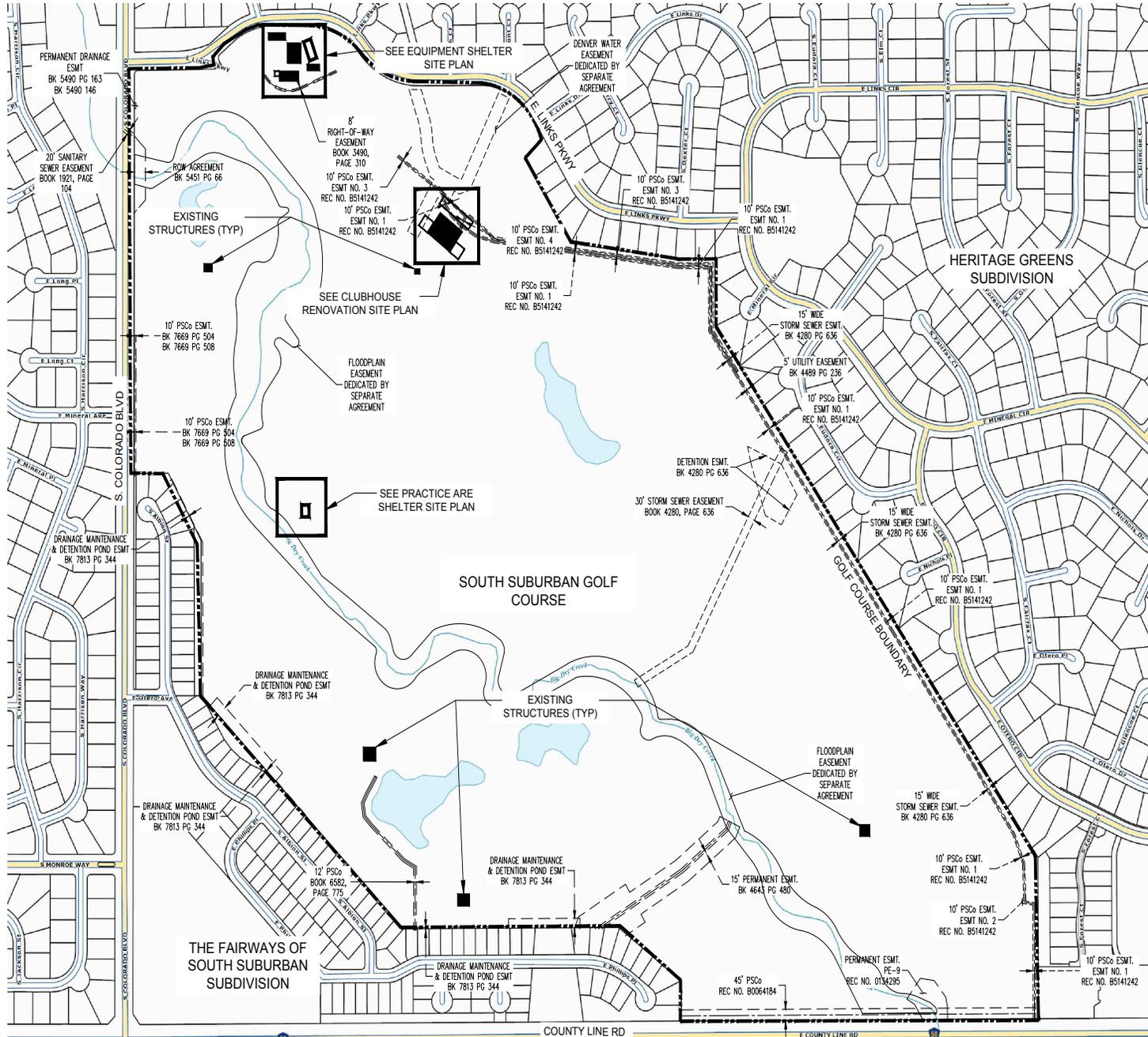
SCALE

DATE: SEPTEMBER 07, 2016

SHEETS 18 SHEET 01

SITE PLAN SOUTH SUBURBAN GOLF COURSE

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
BOUNDARY MAP**

6631 S UNIVERSITY BLVD
CENTENNIAL, CO 80121
303-798-5131

JOB NO. 2015.017.020

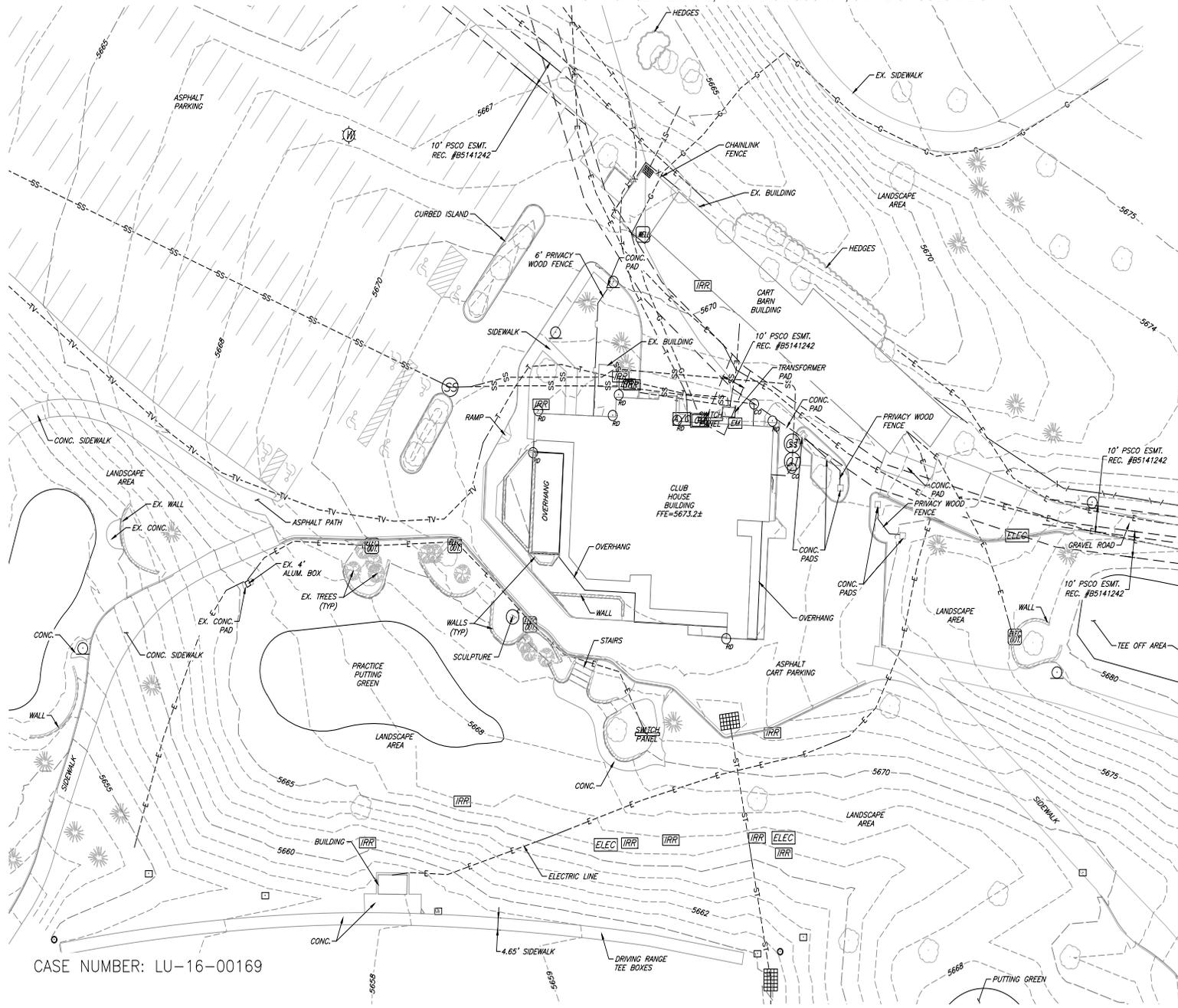
SCALE 1" = 200'

DATE JULY 06, 2016

SHEETS 18 SHEET 02

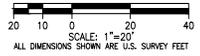
SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- EASEMENT
- RETAINING WALL
- CURB & GUTTER
- 5750 CONTOURS
- ST--- STORM SEWER
- RD--- ROOF DRAIN
- STORM MANHOLE
- STORM INLET
- FLARED END SECTION
- SANITARY SEWER
- SANITARY MANHOLE
- CLEAN OUT
- W--- WATER LINE
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- IRRIGATION CONTROL
- OVERHEAD ELECTRIC
- E--- ELECTRIC LINE
- LIGHT POLE
- POWER POLE
- ELECTRIC METER
- TELEPHONE LINE
- TELEPHONE PEDESTAL
- CABLE TV
- GAS LINE
- MONITOR WELL
- SIGN
- DECIDUOUS TREE
- EVERGREEN TREE
- BUSH/SHRUB
- HANDICAP RAMPS
- DESCRIPTIONS



UNCC Know what's below.
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CALL 811 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE OR EXCAVATE FOR
MARKING OF UNDERGROUND MEMBER UTILITIES

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CASE NUMBER: LU-16-00169

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |

| | |
|----------|-------------|
| DRAWN | E. BERNAL |
| CHECKED | B. MULLIS |
| DESIGNED | C. MACPHEE |
| FILENAME | 03_EXST.dwg |

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
EXISTING CONDITIONS PLAN**



3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

JOB NO. 2015.017.020

DATE: SEPTEMBER 07, 2016

SHEETS 18 OF 03

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO

LEGEND

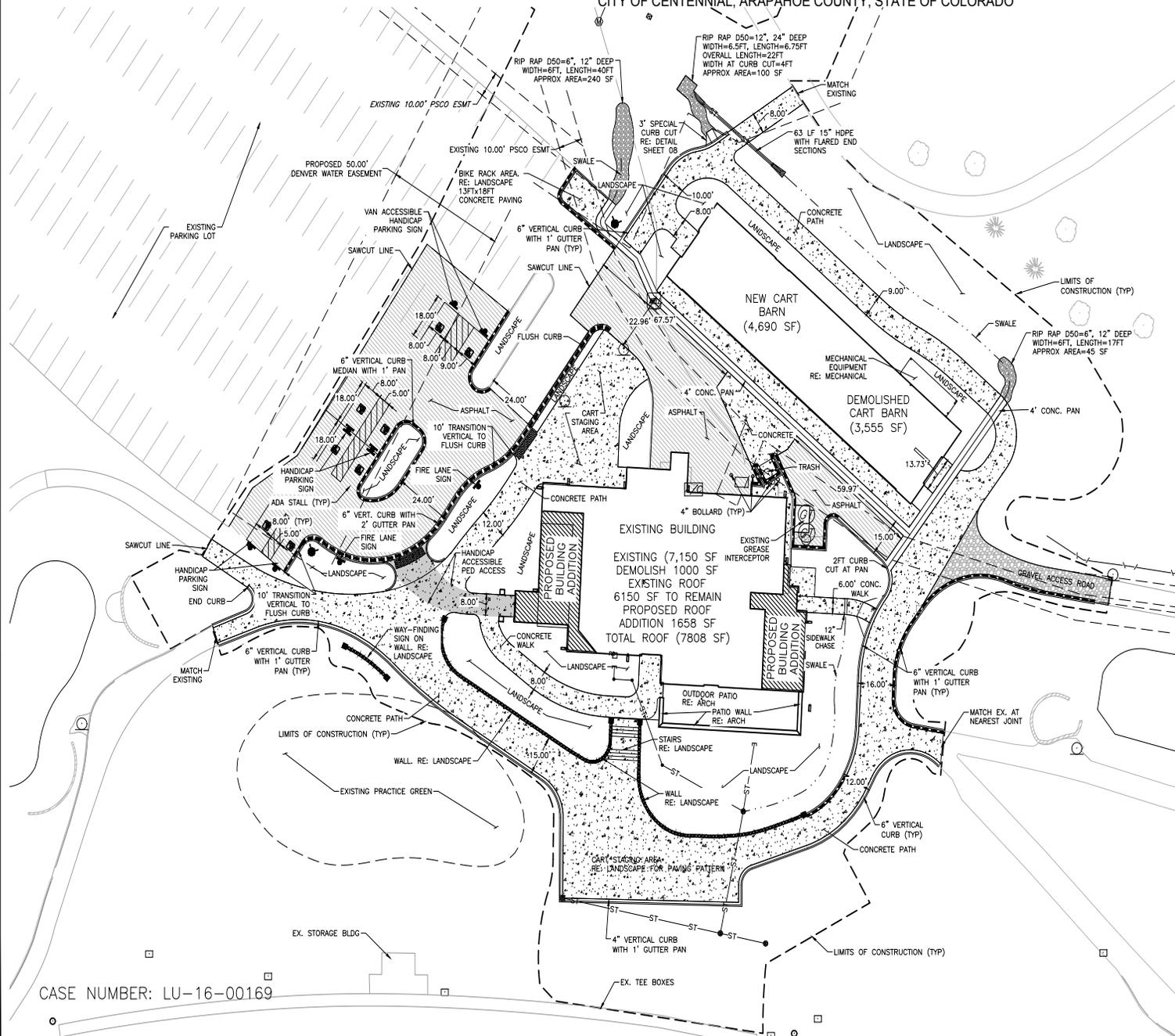
| | | | |
|--|--------------------------------|--|--------------------------------|
| | EXISTING | | PROPOSED |
| | PROPERTY LINE | | RIGHT-OF-WAY LINE |
| | SECTION LINE | | EASEMENT |
| | CURB & GUTTER | | VERTICAL CURB & GUTTER (SPILL) |
| | VERTICAL CURB & GUTTER (CATCH) | | VERTICAL CURB & GUTTER (CATCH) |
| | GRAVEL DRIVE LANES | | ASPHALT DRIVE LANES |
| | CONCRETE/SIDEWALK | | SWALE |
| | HANDICAP RAMPS | | SIGN |
| | DRIVE | | DRIVE |

| BUILDING SETBACK DISTANCES (FT) | | |
|---------------------------------|-----------|-----------|
| | CLUBHOUSE | CART BARN |
| NORTH | 530 | 414 |
| SOUTH | 2534 | 2610 |
| WEST | 444 | 320 |
| EAST | 1345 | 1340 |

SITE PLAN NOTES:

THE CLUBHOUSE MINOR ADDITION INCLUDES ADDING A NEW MAIN ENTRANCE ON THE WEST SIDE OF THE BUILDING, A NEW DINING ADDITION ON THE EAST SIDE OF THE BUILDING, AND SOME EXTERIOR ENHANCEMENTS. CLUBHOUSE GROSS SQUARE FOOTAGE IS 7764 S.F. WITH ADDITION AREAS COMPRISING 1660 S.F. OF THE TOTAL AREA. THE MAXIMUM HEIGHT OF THE BUILDING IS 21'-0" ABOVE FINISH FLOOR WHICH IS AN EXISTING PART OF THE STRUCTURE. SEE SHEETS 6 AND 7 FOR BUILDING ELEVATIONS.

THE CART BARN STORAGE BUILDING INCLUDES REMOVING THE EXISTING 3800 S.F. CART BARN BUILDING AND REPLACING IT WITH A 4624 S.F. CART BARN BUILDING IN APPROXIMATELY THE SAME LOCATION. MAXIMUM HEIGHT OF THE CART BARN IS 19'-6" ABOVE FINISH FLOOR. SEE SHEET 8 FOR ELEVATIONS.



CALL 811 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR MARKING OF UNDERGROUND MEMBER UTILITIES

MARTIN/MARTIN ASSUMES NO RESPONSIBILITY FOR UTILITY LOCATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTORS RESPONSIBILITY TO FIELD VERIFY THE SIZE, MATERIAL, HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS: SITE PLAN



3457 RINGSBY COURT,
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(303) 455 - 1366

JOB NO. 2015.017.020

DATE: SEPTEMBER 07, 2016

SHEETS 18 OF 05

CASE NUMBER: LU-16-00169

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO

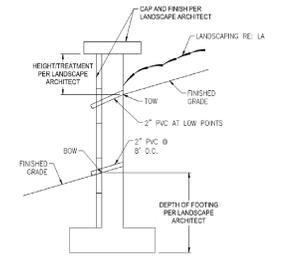
| EXISTING | | PROPOSED | |
|----------|------------------------|----------|------------------------|
| | PROPERTY LINE | | PROPERTY LINE |
| | RIGHT-OF-WAY LINE | | RIGHT-OF-WAY LINE |
| | SECTION LINE | | SECTION LINE |
| | LIMITS OF CONSTRUCTION | | LIMITS OF CONSTRUCTION |
| | EASEMENT | | EASEMENT |
| | RETAINING WALL | | RETAINING WALL |
| | CURB & GUTTER | | CURB & GUTTER |
| | CONTOURS | | CONTOURS |
| | STORM SEWER | | STORM SEWER |
| | STORM MANHOLE | | STORM MANHOLE |
| | ROOF DRAIN | | ROOF DRAIN |
| | INLET | | INLET |
| | FLARED END SECTION | | FLARED END SECTION |
| | SIGN | | SIGN |
| | GRADING ARROW | | GRADING ARROW |
| | DECIDUOUS TREE | | DECIDUOUS TREE |
| | EVERGREEN TREE | | EVERGREEN TREE |
| | BUSH/SHRUB | | BUSH/SHRUB |
| | DRIVE | | DRIVE |
| | SPOT ELEVATIONS | | SPOT ELEVATIONS |

GENERAL NOTES:

- ALL ELEVATIONS ARE TO FLOWLINE OR EDGE OF WALK UNLESS NOTED OTHERWISE.
- SEE SWALE DIMENSIONS TABLE ON SHEET 08.

ABBREVIATIONS:

TOW=TOP OF WALL [FINISHED GRADE AT TOP OF WALL],
 BOT=BOTTOM OF WALL [FINISHED GRADE AT BOTTOM OF WALL],
 HP=HIGH POINT, LP=LOW POINT, FL=FLOW LINE, FFE=FINISHED FLOOR ELEV., TBC=TOP BACK OF CURB, WALK=SIDEWALK

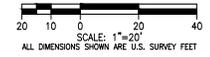
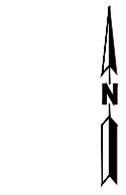
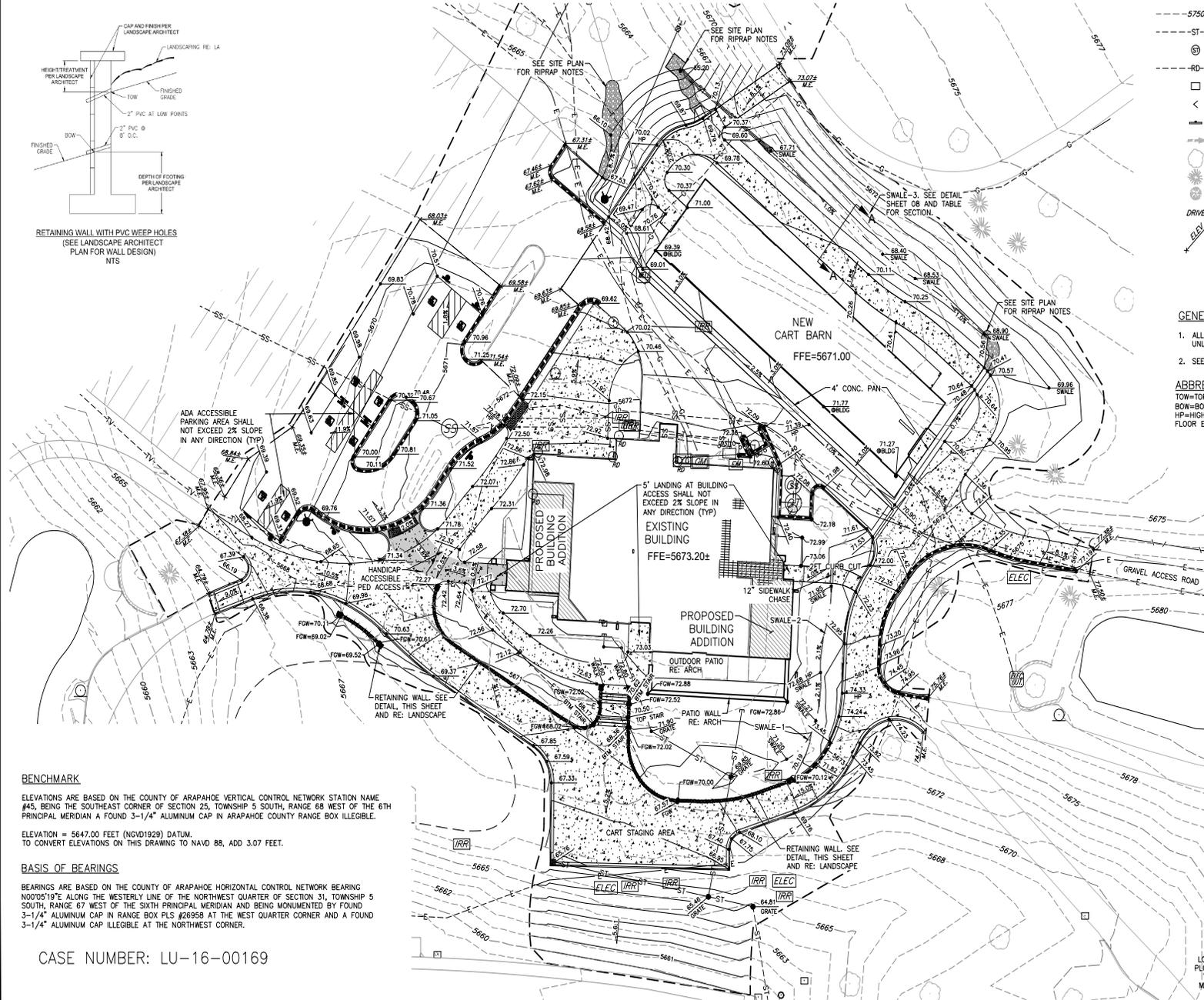


RETAINING WALL WITH PVC WEEP HOLES
(SEE LANDSCAPE ARCHITECT PLAN FOR WALL DESIGN) NTS

BENCHMARK
 ELEVATIONS ARE BASED ON THE COUNTY OF ARAPAHOE VERTICAL CONTROL NETWORK STATION NAME #45, BEING THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN A FOUND 3-1/4" ALUMINUM CAP IN ARAPAHOE COUNTY RANGE BOX ILLEGIBLE.
 ELEVATION = 5647.00 FEET (NGVD1929) DATUM.
 TO CONVERT ELEVATIONS ON THIS DRAWING TO NAVD 88, ADD 3.07 FEET.

BASIS OF BEARINGS
 BEARINGS ARE BASED ON THE COUNTY OF ARAPAHOE HORIZONTAL CONTROL NETWORK BEARING N00°05'19"E ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND BEING MONUMENTED BY FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #26958 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP ILLEGIBLE AT THE NORTHWEST CORNER.

CASE NUMBER: LU-16-00169



UNCC Know what's below.
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 CALL 811 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR MARKING OF UNDERGROUND MEMBER UTILITIES

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| NO. | DATE | DESCRIPTION |
|-----|----------|-------------------------------------|
| 1 | 11/21/16 | 2ND SUBMITTAL TO CITY OF CENTENNIAL |
| 2 | 11/21/16 | 3RD SUBMITTAL TO CITY OF CENTENNIAL |
| 3 | 11/21/16 | 4TH SUBMITTAL TO CITY OF CENTENNIAL |

| | |
|----------|-------------|
| DRAWN | E. BERNAL |
| CHECKED | B. MULLIS |
| DESIGNED | C. MACPHEE |
| FILENAME | 06_GRAD.dwg |

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
 SITE PLAN
 GRADING PLAN**



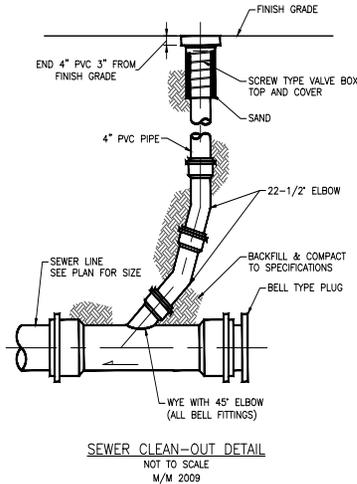
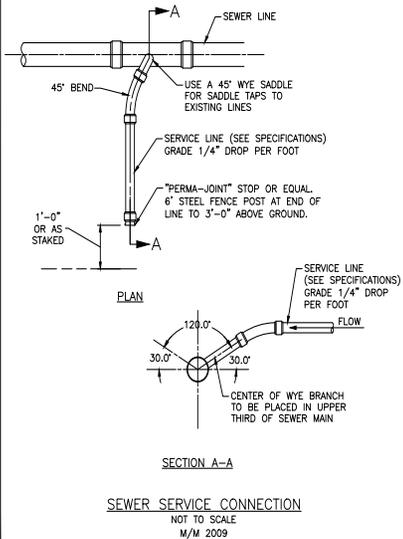
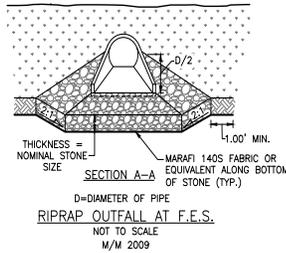
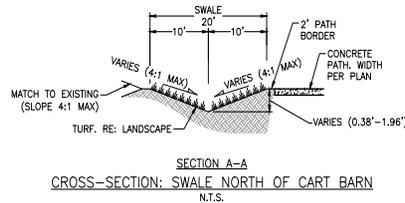
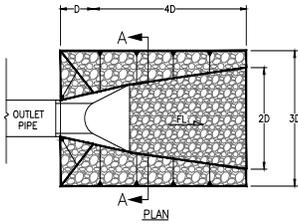
3457 RINGSBY COURT,
 UNIT 200
 DENVER, CO 80216
 (303) 455 - 1366

| | |
|--------------|--------------------|
| JOB NO. | 2015.017.020 |
| SCALE | |
| DATE | SEPTEMBER 07, 2016 |
| SHEETS | 18 |
| TOTAL SHEETS | 06 |

REQUIRED SWALE AND CONVEYANCE ELEMENT SIZE TABLE

| CONVEYANCE DESCRIPTION | CHANNEL SLOPE | LENGTH (FT) | WIDTH (FT) | RIGHT SIDE SLOPE | LEFT SIDE SLOPE | DEPTH (FT) |
|------------------------|---------------|-------------|-------------------|------------------|-----------------|-------------------|
| SWALE-1 | 2.2% | 65 | 4 | 4:1 | 4:1 | 0.50 |
| SWALE-2 | 2.2% | 35 | 4 | 4:1 | 4:1 | 0.50 |
| SIDEWALK CHASE | 2.0% | 6 | 1 | N/A | N/A | 0.50 |
| SWALE-3 | 1.0% | 150 | 9.02 ¹ | 4:1 | 4:1 | 1.13 ² |
| PAN-1 | 0.7% | 115 | 9.79 ¹ | 12:1 | 12:1 | 0.29 ² |
| PAN-2 | 2.0% | 140 | 8.41 ¹ | 12:1 | 12:1 | 0.22 ² |

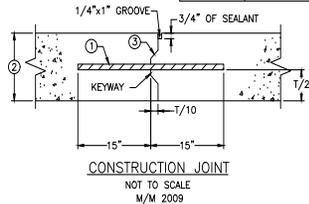
- MINIMUM WIDTH THAT IS NECESSARY TO CONVEY 100-YR FLOW. NOTE THAT THIS SWALE-3 IS MUCH WIDER THAN NEEDED AND THAT PAN-1 AND PAN-2 CAN CONVEY THE 100-YR FLOW PAST CART BARN SAFELY.
- MINIMUM DEPTH THAT IS NECESSARY TO CONVEY 100-YR FLOW.



NOTES:

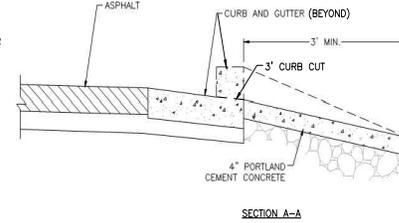
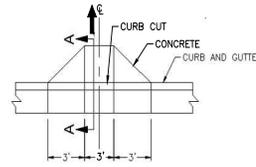
- DEFORMED TIE BARS. SEE TABLE
- (T) THICKNESS OF PAVEMENT. SEE TYPICAL PAVEMENT SECTION.
- KEYWAY IS OPTIONAL.

| TIEBARS | | | |
|-------------------------|--------------|------------|-------------|
| PAVEMENT THICKNESS, IN. | DIAMETER IN. | LENGTH IN. | SPACING IN. |
| 5 | 1/2 | 30 | 30 |
| 6 | 1/2 | 30 | 30 |
| 7 | 1/2 | 30 | 30 |
| 8 | 1/2 | 30 | 30 |
| 9 | 5/8 | 30 | 30 |
| 10 | 5/8 | 30 | 30 |

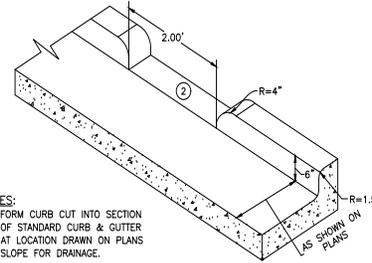


SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



SPECIAL CURB CUT DETAIL
NOT TO SCALE

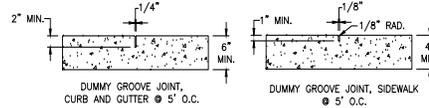


- NOTES:**
- FORM CURB CUT INTO SECTION OF STANDARD CURB & GUTTER AT LOCATION DRAWN ON PLANS
 - SLOPE FOR DRAINAGE.

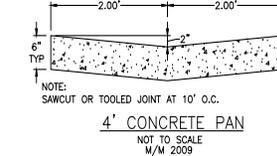
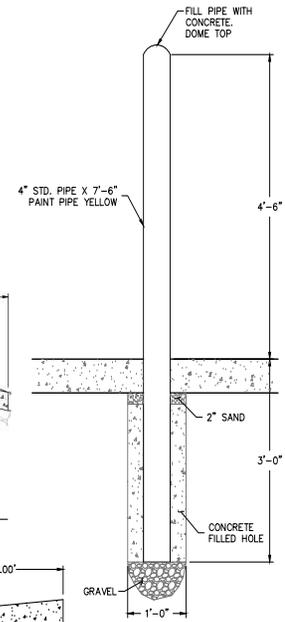
CURB CUT DETAIL
NOT TO SCALE
M/M 2009

NOTES:

- UNLESS OTHERWISE APPROVED, CONSTRUCT COMBINATION CURB, GUTTER, AND SIDEWALK IN 10' MONOLITHIC SECTIONS WITH CONTRACTION JOINTS BETWEEN SECTIONS.
- CONSTRUCT SIDEWALK IN 100' TO 120' MONOLITHIC SECTIONS. PROVIDE EXPANSION JOINTS EVERY 100' TO 120'. INSTALL EXPANSION JOINT MATERIAL BETWEEN NEW SIDEWALK AND EXISTING CONCRETE SLABS, POLES, FIRE HYDRANTS, BUILDINGS, ETC. SET EXPANSION JOINT MATERIAL VERTICAL AND WITH THE TOP EDGE BELOW FINISHED SURFACE OF CONCRETE.

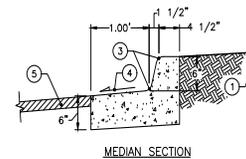
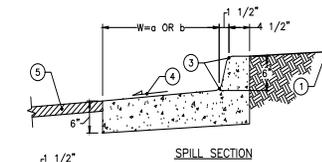
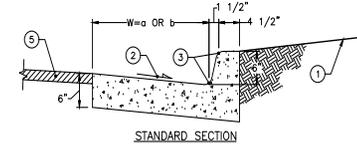


CONTRACTION JOINTS



NOTES:

- BACKFILL, SEE DETAIL OF CUT/FILL SLOPE
- SLOPE AT 1" PER FOOT
- 1 1/2" RADIUS TYPICAL
- SLOPE AT 1/2" PER FOOT.
- PAVEMENT, SEE TYPICAL PAVEMENT SECTION
- W : a=1.00'
b=2.00'



6 INCH VERTICAL CURB AND GUTTER
NOT TO SCALE
M/M 2009

| NO. | DATE | DESCRIPTION |
|-----|----------|-------------------------------------|
| 1 | 11/21/16 | 2ND SUBMITTAL TO CITY OF CENTENNIAL |
| 2 | 11/21/16 | 3RD SUBMITTAL TO CITY OF CENTENNIAL |
| 3 | 11/21/16 | 4TH SUBMITTAL TO CITY OF CENTENNIAL |

| | |
|-------------|----------------|
| DESIGNED BY | E. BERNHAL |
| CHECKED BY | B. MULLIS |
| DESIGNED BY | C. MACPHEE |
| FILENAME | 08_DETAILS.dwg |

SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS: SITE PLAN DETAILS



3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

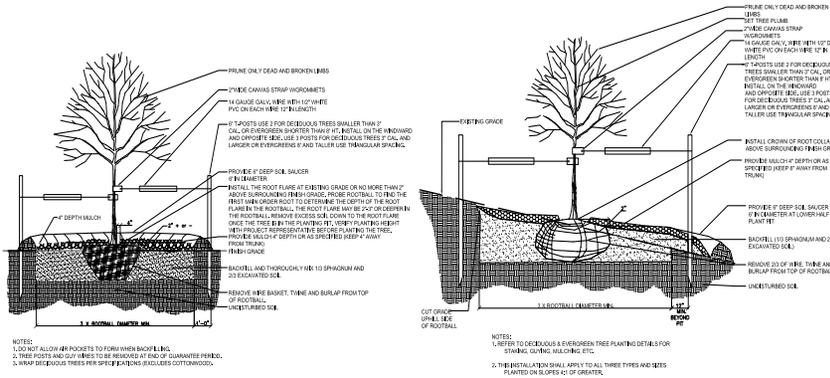
JOB NO. 2015.017.020
SCALE

DATE: SEPTEMBER 07, 2016

SHEETS 18 OF 08

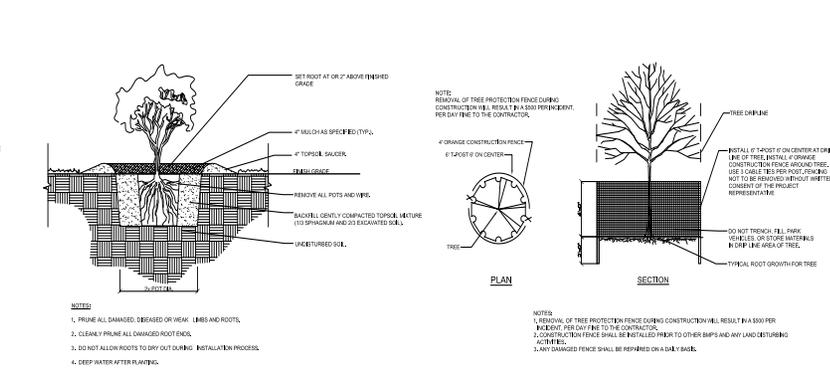
SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



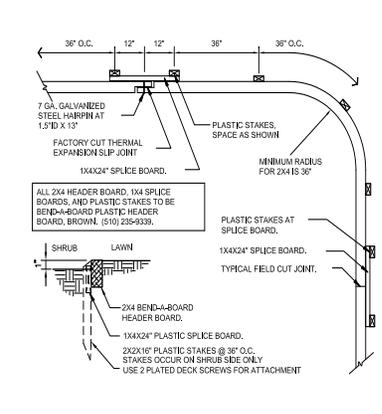
1 SSPR-DECIDUOUS-EVERGREEN TREE PLANTING
N.T.S. 329343.19-15

2 SSPR-TREE PLANTING ON SLOPE
N.T.S. 329343.19-16

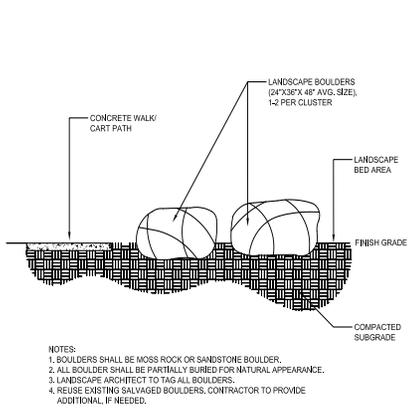


3 SSPR-SHRUB PLANTING
N.T.S. 329333.13-10

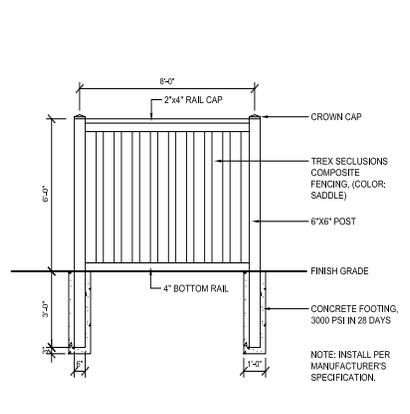
4 TREE PROTECTION
N.T.S. 02-01



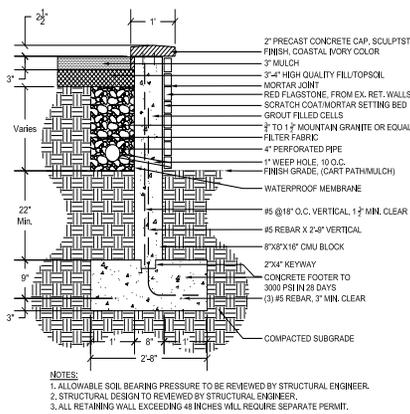
5 BEND-A-BOARD PLASTIC 2X4 EDGING
1" = 1'-0" 329413.16-13



6 LANDSCAPE BOLDERS
N.T.S. 321516-02



7 6' COMPOSITE PRIVACY FENCE
3/8" = 1'-0" S-FENC-04



8 CMU/STONE VENEER RETAINING WALL
3/4" = 1'-0" 042276.23-01

| | | | |
|----------|----|------|--------------------------------|
| DATE | BY | CHKD | DESCRIPTION |
| 11/21/16 | GR | GR | ISSUED FOR PERMIT |
| 11/21/16 | GR | GR | REVISED PER CITY OF CENTENNIAL |
| 11/21/16 | GR | GR | REVISED PER CITY OF CENTENNIAL |
| 11/21/16 | GR | GR | REVISED PER CITY OF CENTENNIAL |

| | |
|----------|----|
| DESIGN | GR |
| CHECKED | GR |
| DESIGNED | GR |

PLDWG 16-08-17C_LSP.DWG

SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS
LANDSCAPE DETAILS

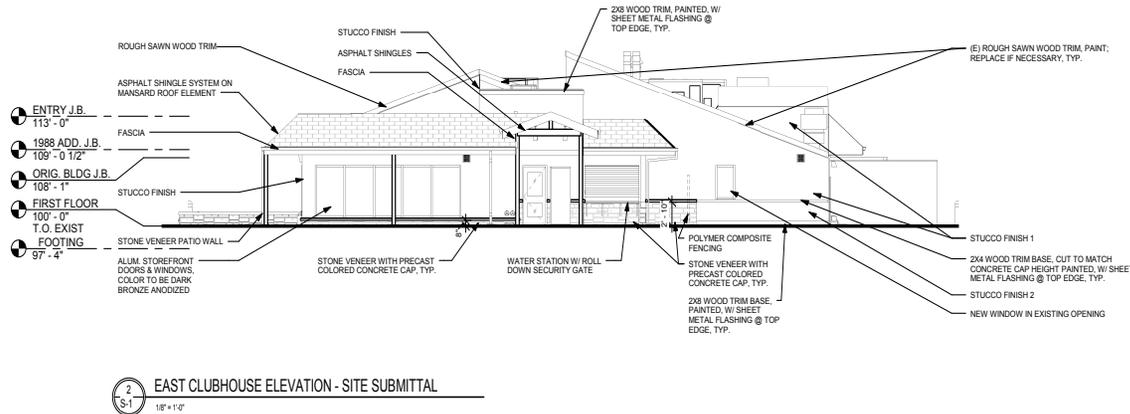
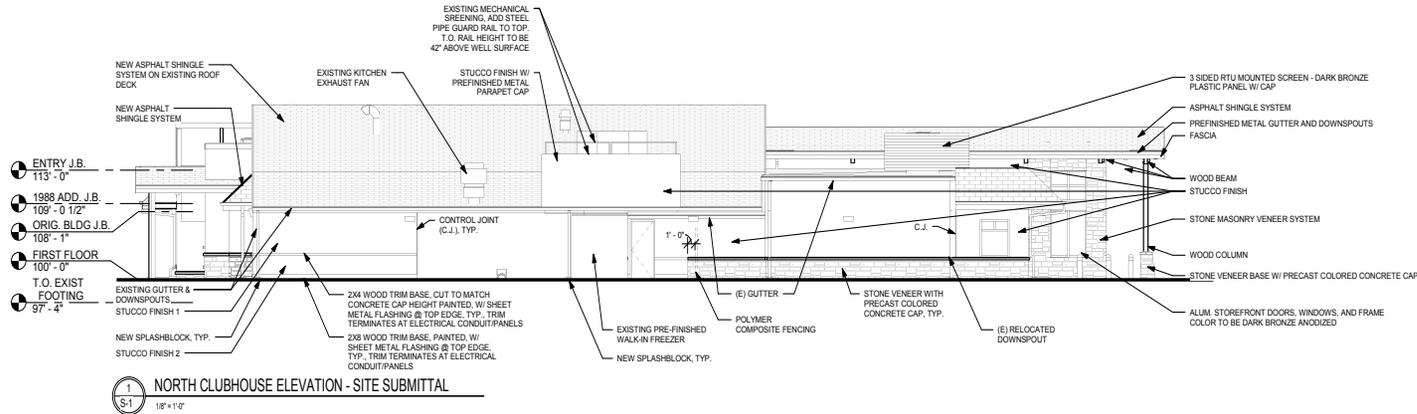
bs
**BARKER
RINKER
SEACAT
ARCHITECTURE**

3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

| | |
|---------|---------------|
| JOB NO. | 2015.07.1020 |
| SCALE | 1:30 |
| DATE | JULY 06, 2016 |
| SHEET | 18 |
| SHEET | 10 |

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



MATERIAL FINISH COLOR CHART:

| MATERIAL | FINISH COLOR |
|------------------------------------|----------------------|
| STUCCO 1 | TAN |
| STUCCO 2 | LIGHT BROWN |
| WOOD TRIM / FASCIA | MEDIUM BROWN (PAINT) |
| WOOD BEAMS | MEDIUM BROWN (STAIN) |
| ASPHALT SHINGLES | BROWN / GREY MIX |
| STONE VENEER | RED / PINK FLAGSTONE |
| PRECAST CONCRETE COLUMN / WALL CAP | OFF WHITE |
| ALUMINUM DOOR & WINDOW FRAMES | DARK BRONZE |
| GLAZING | CLEAR |

CASE NUMBER: LU-16-00169

| REV | DATE | DESCRIPTION |
|-----|----------|-------------------------------------|
| 1 | 06/17/16 | 2ND SUBMITTAL TO CITY OF CENTENNIAL |
| 2 | 07/17/16 | 3RD SUBMITTAL TO CITY OF CENTENNIAL |
| 3 | 07/27/16 | 4TH SUBMITTAL TO CITY OF CENTENNIAL |

| | |
|----------|-----|
| DRAWN | LMJ |
| CHECKED | BC |
| DESIGNED | DH |
| FILENAME | |

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
CLUBHOUSE ELEVATIONS**



3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

JOB NO. 2015.017.020

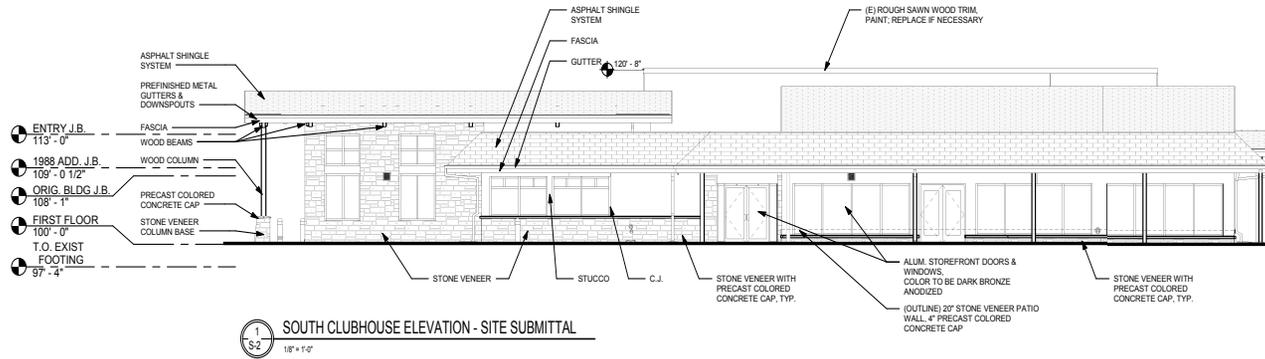
SCALE

DATE JULY 06, 2016

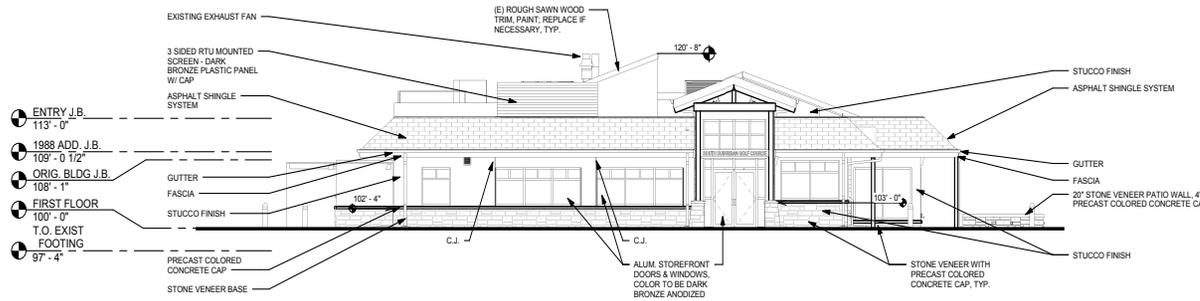
| | |
|--------|-------|
| SHEETS | SHEET |
| 18 | 12 |

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



1 SOUTH CLUBHOUSE ELEVATION - SITE SUBMITTAL
1/8" = 1'-0"



2 WEST CLUBHOUSE ELEVATION - SITE SUBMITTAL
1/8" = 1'-0"

| REV | DATE | DESCRIPTION |
|-----|----------|-------------------------------------|
| LM | 07/16 | 2ND SUBMITTAL TO CITY OF CENTENNIAL |
| LM | 10/17/16 | 3RD SUBMITTAL TO CITY OF CENTENNIAL |
| LM | 12/12/16 | 4TH SUBMITTAL TO CITY OF CENTENNIAL |

DRAWN: LMJ
 CHECKED: BC
 DESIGNED: DH
 FLEWOME

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
CLUBHOUSE ELEVATIONS**



**BARKER
RINKER
SEACAT**
 ARCHITECTURE

3457 RINGSBY COURT,
 UNIT 200
 DENVER, CO 80216
 (303) 455 - 1366

JOB NO. 2015.017.020

SCALE

DATE JULY 06, 2016

SHEETS 18
 SHEET 13

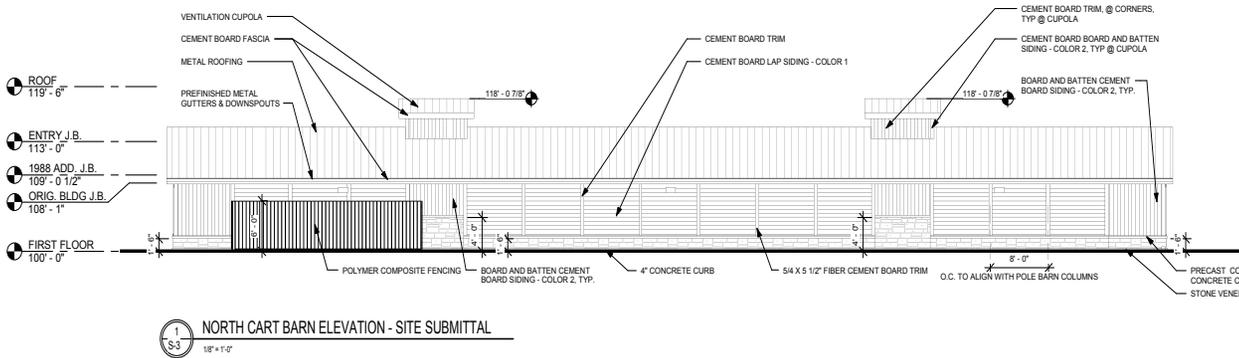
MATERIAL FINISH COLOR CHART:

| MATERIAL | FINISH COLOR |
|------------------------------------|----------------------|
| STUCCO 1 | TAN |
| STUCCO 2 | LIGHT BROWN |
| WOOD TRIM / FASCIA | MEDIUM BROWN (PAINT) |
| WOOD BEAMS | MEDIUM BROWN (STAIN) |
| ASPHALT SHINGLES | BROWN / GREY MIX |
| STONE VENEER | RED / PINK FLAGSTONE |
| PRECAST CONCRETE COLUMN / WALL CAP | OFF WHITE |
| ALUMINUM DOOR & WINDOW FRAMES | DARK BRONZE |
| GLAZING | CLEAR |

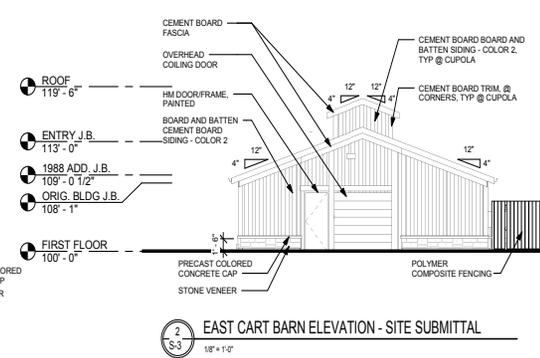
CASE NUMBER: LU-16-00169

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

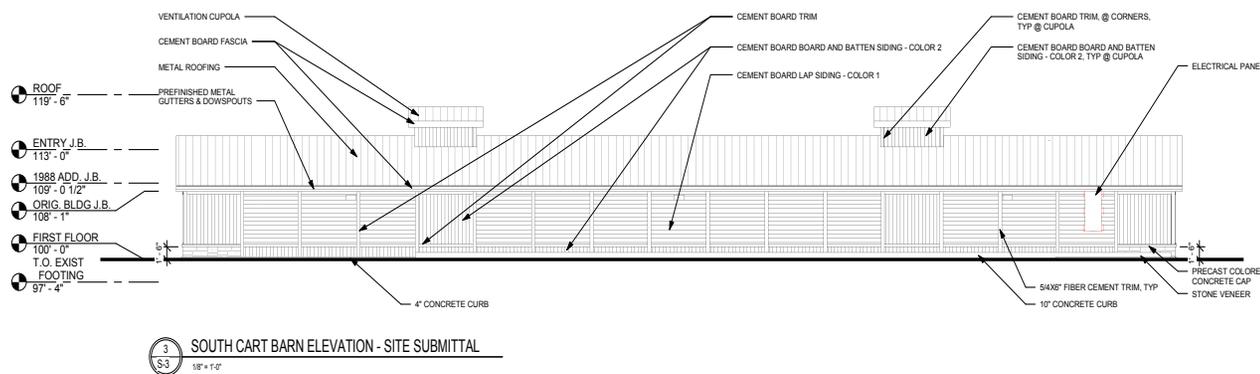
A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



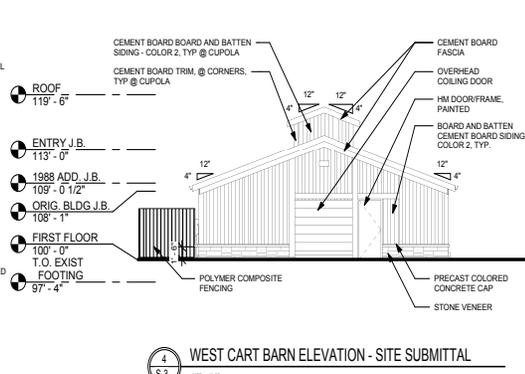
1 NORTH CART BARN ELEVATION - SITE SUBMITTAL
1/8" = 1'-0"



2 EAST CART BARN ELEVATION - SITE SUBMITTAL
1/8" = 1'-0"



3 SOUTH CART BARN ELEVATION - SITE SUBMITTAL
1/8" = 1'-0"



4 WEST CART BARN ELEVATION - SITE SUBMITTAL
1/8" = 1'-0"

NOTE: FENCING WILL REQUIRE A SEPARATE PERMIT.

| REV | DATE | DESCRIPTION |
|-----|----------|-------------------------------------|
| LM | 07/16 | 2ND SUBMITTAL TO CITY OF CENTENNIAL |
| LM | 10/17/16 | 3RD SUBMITTAL TO CITY OF CENTENNIAL |
| LM | 12/12/16 | 4TH SUBMITTAL TO CITY OF CENTENNIAL |

| | |
|----------|-----|
| DESIGN | LMJ |
| CHECKED | BC |
| DESIGNED | DH |
| FILENAME | |

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
CART BARN ELEVATIONS**



**BARKER
RINKER
SEACAT
ARCHITECTURE**

3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

JOB NO. 2015.017.020

SCALE

DATE JULY 06, 2016

| | |
|-----------|-----------|
| SHEETS | SHEET |
| 18 | 14 |

MATERIAL FINISH COLOR CHART:

| MATERIAL | FINISH COLOR |
|---------------------------|----------------------|
| CEMENT BOARD SIDING 1 | TAN |
| CEMENT BOARD SIDING 2 | MEDIUM BROWN |
| CEMENT BOARD TRIM | DARK BROWN |
| WOOD TRIM / FASCIA | DARK BROWN |
| METAL ROOFING | DARK BROWN |
| STONE VENEER | RED / PINK FLAGSTONE |
| PRECAST CONCRETE WALL CAP | OFF WHITE |
| METAL DOOR & FRAMES | MEDIUM BROWN |

SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO

| GENERAL NOTES | |
|---------------|--|
| A. | ALL ILLUMINANCE VALUES WERE CALCULATED USING A LIGHT LOSS FACTOR OF 1.0. |
| B. | NORTH PROPERTY LINE TO BE REMOVED PER FLAT DOCUMENT. |
| C. | FIXTURE TYPE EPI AND E52 (GROUND-MOUNTED ACCENT LANDSCAPE FLOOR LIGHTS, AIMED UPWARDS) ARE SHOWN FOR REFERENCE ONLY AND WERE NOT INCLUDED IN PHOTOMETRIC CALCULATIONS. |
| D. | ALL SITE LIGHTING FIXTURES TO BE CONTROLLED VIA ASTRONOMICAL TIMECLOCK WITH PHOTOCELL TO ALLOW LIGHTS TO BE TURNED ON ONLY DURING NON-DAYLIGHT HOURS. |
| E. | ILLUMINANCE VALUES SHOWN ARE AT GRADE AND ARE INITIAL OUTPUT USING A LIGHT LOSS FACTOR OF 1.0. |
| F. | ILLUMINANCE VALUES SHOWN HERE REPRESENT LIGHTING FROM LUMINAIRES SHOWN EXPLICITLY IN THIS DRAWING. |
| G. | ALL LIGHT FIXTURE SOURCES SHALL BE FULL CUTOFF (NOT EMITTING LIGHT ABOVE 90 DEG FROM NADIR) - WITH THE EXCEPTION OF GROUND-MOUNTED ACCENT LANDSCAPE FLOOR LIGHTS WHICH WILL BE LOCATED, AIMED AND SHIELDED TO MINIMIZE LIGHT SPILL INTO THE NIGHT SKY. |
| H. | ALL FREE-STANDING SITE MOUNTED FIXTURES SHALL BE LESS THAN 4'-0" OVERALL HEIGHT. |
| I. | ALL OUTDOOR FIXTURES WILL BE SPECIFIED AND ORIENTED TO LIMIT GLARE ONTO ADJACENT PROPERTIES AND RIGHTS-OF-WAY. |
| J. | FRONT ENTRANCE LIGHTING LEVELS WILL NOT EXCEED 8 FOOTCANDLES. |
| K. | ALL PROVISIONS WITHIN LAND DEVELOPMENT CODE "SITE PLAN CHECKLIST" HAVE BEEN COMPLETED AS APPLICABLE TO THIS PROPERTY. |
| L. | REFER TO THE FOLLOWING DRAWING SHEETS FOR PHYSICAL APPEARANCES AND CHARACTERISTICS OF SPECIFIED LIGHTING FIXTURES. |
| M. | ANY PROPOSED LIGHT FIXTURES INSTALLED ON PRIVATE PROPERTY, ADJACENT TO THE PUBLIC RIGHT-OF-WAY, SHALL BE ORIENTED IN SUCH A MANNER OR LIMITED IN LUMEN OUTPUT TO PREVENT GLARE PROBLEMS AND SHALL NOT EXCEED NATIONAL ILLUMINATING STANDARDS FOR DISABILITY GLARE. |

| POINT ILLUMINANCE SUMMARY: | | | | | | |
|----------------------------|----------------|------------|------------|---------|---------|---------|
| AREA | AVERAGE (FOOT) | MAX (FOOT) | MIN (FOOT) | MAX/MIN | AVERAGE | MIN/MIN |
| OVERALL | 0.3 | 20.0 | 0.0 | N/A | N/A | N/A |
| BUILDING ENTRANCE | 0.1 | 1.5 | 0.0 | 2.21 | 1.81 | |
| STAIRS | 1.2 | 4.2 | 0.3 | 14.01 | 4.01 | |
| PEDESTRIAN WALKWAYS | 0.9 | 2.1 | 0.1 | 21.01 | 9.01 | |
| PATIO | 1.6 | 2.0 | 1.2 | 17.1 | 18.1 | |

| EXTERIOR LIGHTING POWER COMPLIANCE | | | | | | | | | |
|--|-------------------|--------------|-----------|---------|-----------------|---------------------------|--------------------------------|--|--|
| APPLICABLE ENERGY CODES: OPTION 1: IEC - 2015 INTERNATIONAL ENERGY CONSERVATION CODE (2015 IECC) | | | | | | | | | |
| OPTION 2: CENTENNIAL LAND DEVELOPMENT CODE (AMENDED 2015) SECTION 12-4-704 | | | | | | | | | |
| APPLICABLE EXTERIOR LIGHTING ZONE: 2 RESIDENTIAL ZONING, NEIGHBORHOOD BUSINESS LIMITED NIGHTTIME USE & RESIDENTIAL MIXED-USE AREAS | | | | | | | | | |
| CHOSEN COMPLIANCE PATH: OPTION 1 (2015 IECC) - MORE STRINGENT THAN OPTION 2 (CENTENNIAL LDC SEC. 12-4-704) | | | | | | | | | |
| AREA / SURFACE CATEGORY | UNIT | ALLOWED | TRAILABLE | ALLOWED | TOTAL | TOTALS & COMPLIANCE CHECK | | | |
| QUANTITY | TYPE | WATTS / UNIT | VATTAGE1 | WATTS | CONN. LOAD (VA) | | | | |
| PARKING AREAS & DRIVE AISLES | SQUARE FT | 0.06 | YES | 17 | 425 | TRADEABLE | | | |
| BUILDING MAIN ENTRY | LINEAR FT OF 3000 | 20.00 | YES | 100 | 44 | TRADEABLE | | | |
| BUILDING OTHER ENTRY | LINEAR FT OF 3000 | 20.00 | YES | 600 | 136 | TRADEABLE | | | |
| WALKWAYS 7 TO 10 FT WIDE | LINEAR FT | 0.70 | YES | 31 | 259 | TRADEABLE | | | |
| STAIRWAYS | SQUARE FT | 1.00 | YES | 180 | 85 | TRADEABLE | | | |
| ENTRY CANOPY | SQUARE FT | 0.25 | YES | 68 | 210 | TRADEABLE | | | |
| WALKWAYS (8 FT WIDE) PLAZAS | SQUARE FT | 0.14 | YES | 98 | 303 | TRADEABLE | | | |
| SUPPLEMENTAL | N/A | N/A | YES | 600 | | ADJST. ALLOWANCE | | | |
| | | | | 1779 | | TOTAL | | | |
| | | | | 1536 | | YES | COMPLIES W/ 2015 IECC? | | |
| | | | | 1536 | | YES | COMPLIES W/ LDC SEC. 12-4-704? | | |

| LIGHTING FIXTURE SCHEDULE | | | | | | | | | |
|---------------------------|--|------------------|--|---------|------|---------|----------|----------------------|--------------------------------------|
| TYPE | DESCRIPTION | MANUFACTURER | CATALOG NUMBER | VOLTAGE | LAMP | MAX QTY | MAX HPTS | MOUNTING INFORMATION | NOTES |
| EPI | RECESSED CANOPY DOWNLIGHT | PRISCALITE | LF4LED04-4LFEDS4B00HT-B04 | 120 | 1 | 4 | LED | 34 | CANOPY RECESSED RFD |
| EPI | HALL-MOUNTED FLOODLIGHT HIGH ILLUMINATION | THE LIGHTING | DH-52ED-50V-HV-SLV | 120 | 1 | 12 | LED | 12 | SURFACE RECESSED RFD |
| E51 | DECORATIVE BOLLARD PLANT TOP | BEACON | BE042-42-AC-24B-95-9K-UNV-100-95-PL-10FT | 120 | 1 | 95 | LED | 55 | SURFACE GROUND 42" HALL RECESSED RFD |
| E52 | GROUND MOUNTED FLOODLIGHT LANDSCAPE ILLUMINATION | TERON LIGHTING | LV090-L123-1230K-SHPEZ | 120 | 1 | 123 | LED | 123 | SURFACE GROUND RFD |
| EPI | EXTERIOR PENDANT | CONTECH LIGHTING | CY16-130K-MVD-PX-MCLR-BZ / C9600-BZ | 120 | 1 | 10 | LED | 10 | CANOPY RECESSED RFD |
| E51 | RECESSED STEP LIGHT | BEGA | 2292-0R2 | 120 | 1 | 141 | LED | 141 | RECESSED HALL BOF |
| E52 | RECESSED STEP LIGHT | LIBL | STRAC01-02-HO-LERSON | 120 | 1 | 3 | LED | 3 | RECESSED HALL BOF |
| E54 | 2FT LINEAR ARCHITECTURAL HALL-MOUNT FIXTURE | TERON LIGHTING | V0124-L102-120-0L-TER00-(STANDARD FINISH)30K | 120 | 1 | 20 | LED | 20 | SURFACE 20" HALL BOF |
| E52 | EXTERIOR WALL PACK | SPALDING | TRP-30L3K-C85-3-U-03 | 120 | 1 | 34 | LED | 34 | SURFACE HALL BOF |

ABBREVIATIONS: BOF - BOTTOM OF FIXTURE, RFD - RECESSED FIXTURE DEPTH ORN - OVERALL FIXTURE HEIGHT

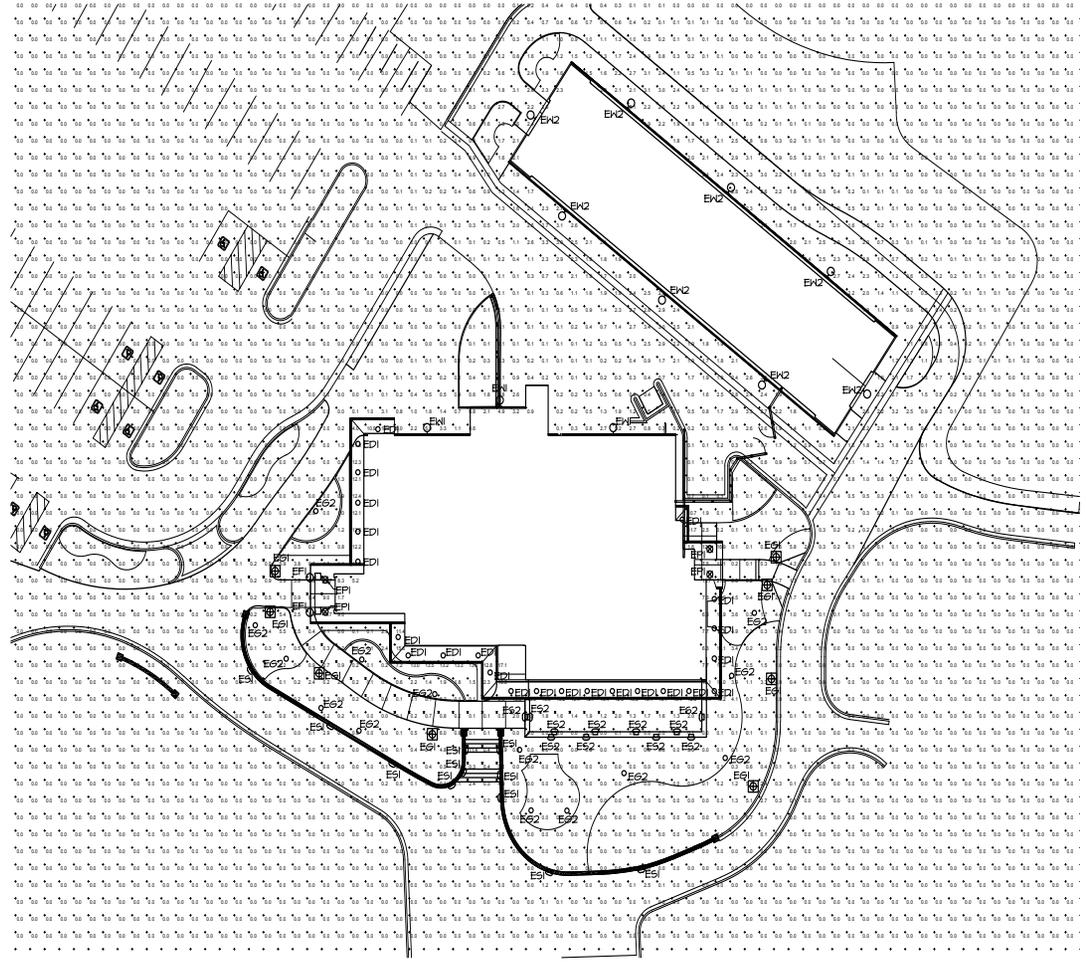
GENERAL NOTES

A. ALL FLUORESCENT LAMPS TO BE 3500K COLOR TEMPERATURE AND A MINIMUM OF 62CRI, UNLESS NOTED OTHERWISE.

B. ALL REFLECTOR LAMPS TO BE PROVIDED AS WIDE FLOOD DISTRIBUTION UNLESS NOTED OTHERWISE.

C. ALL FLUORESCENT LUMINAIRES THAT UTILIZE COBALT-BLENDED LAMPS AND COBALT BALLASTS THAT CAN BE SERVICED IN PLACE SHALL HAVE A DISCONNECTING MEANS AS DESCRIBED IN NEC 410.30(B).

D. PROVIDE LUMINAIRES SHOWN AS SHADED WITH EMERGENCY BATTERY BALLASTS. EMERGENCY LUMINAIRES SHALL SEND UN-SWITCHED POWER TO THE SPICE AND OPERATED AUTOMATICALLY UPON LOSS OF NORMAL POWER. ALL SHADED LUMINAIRES WITH 2FT AND 4FT LAMPS SHALL HAVE ONE (1) 40 WATT RATED, TWO LAMP, 1400 LUMEN EMERGENCY BALLAST. ALL SHADED LUMINAIRES WITH COMPACT FLUORESCENT LAMPS SHALL HAVE A FACTORY INSTALLED 40 WATT EMERGENCY BALLAST. ALL EMERGENCY LUMINAIRES SHALL HAVE REMOTE TEST SWITCHES AND VISIBLE INDICATING LIGHTS. CONNECT THE EMERGENCY BATTERY BALLAST TO THE UN-SWITCHED LEGS OF THE LIGHTING CIRCUIT INDICATED.



1 | PHOTOMETRIC SITE PLAN
SHEET 15 | SCALE: 1"=20'-0"

| NO. | DATE | DESCRIPTION |
|-----|----------|-------------------------------------|
| 1 | 8/7/16 | 2ND SUBMITTAL TO CITY OF CENTENNIAL |
| 2 | 11/17/16 | 3RD SUBMITTAL TO CITY OF CENTENNIAL |

| | |
|-------------|-----|
| DESIGNED BY | RY |
| CHECKED BY | PKO |
| DESIGNED BY | PKO |
| FILED NAME | |

SOUTH SUBURBAN GOLF COURSE
IMPROVEMENTS
SITE PHOTOMETRIC PLAN



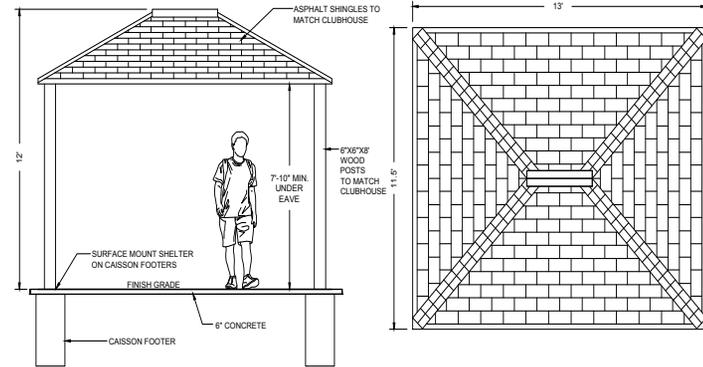
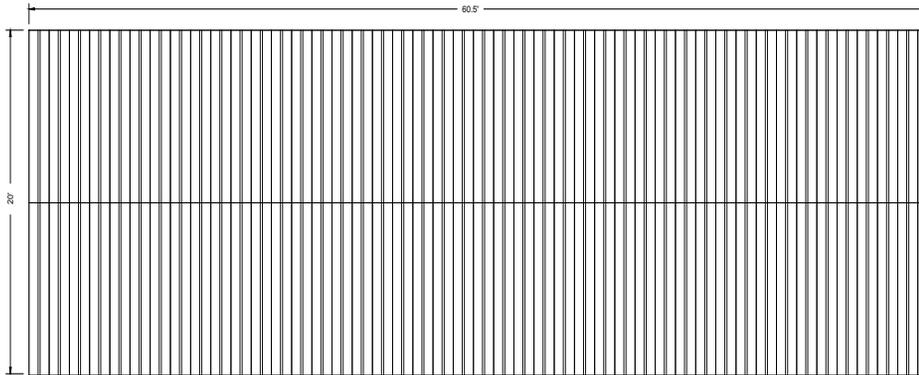
3457 RINGSBY COURT,
UNIT 200
DENVER, CO 80216
(303) 455 - 1366

JOB NO. 2015.07.0210
SCALE AS INDICATED
DATE July 6, 2016
SHEETS 18 OF 15

AEDSIGN
Integrated Lighting and Electrical Solutions
1905 W. 38th Street #300 | Denver, CO 80202 | 303.296.3034
aedesign.com

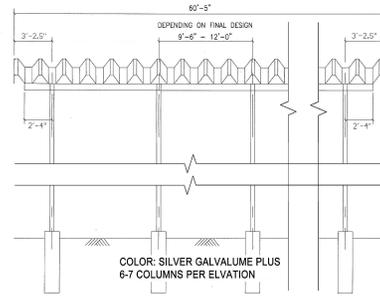
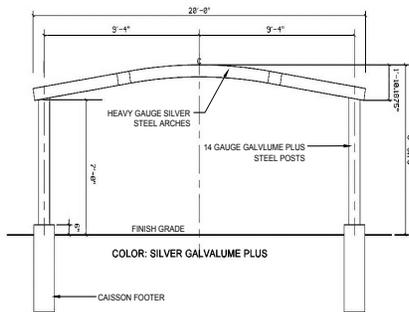
SITE PLAN SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS

A PART OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN
CITY OF CENTENNIAL, ARAPAHOE COUNTY, STATE OF COLORADO



NORTH & SOUTH ELEVATION

EAST & WEST ELEVATION

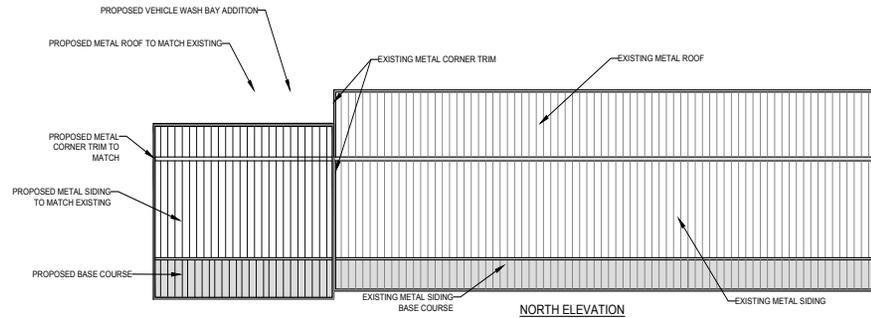


1 EQUIPMENT SHELTER DETAIL

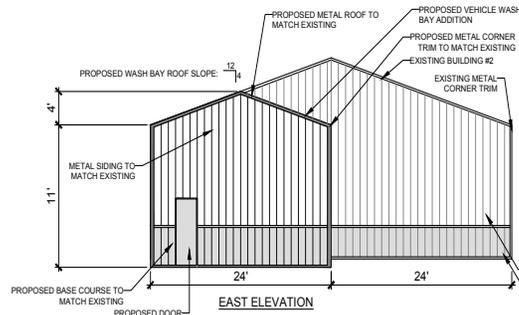
D4 Not to scale

2 PRACTICE AREA SHELTER DETAIL

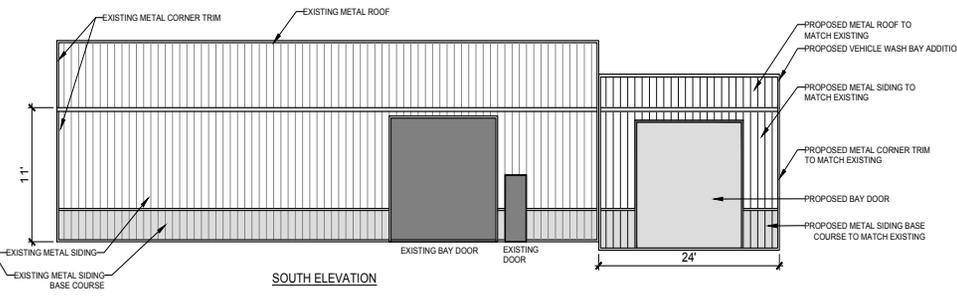
D4 Not to scale



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

3 VEHICLE WASH BAY

D4 Not to scale

| | |
|----------|-------------------------------|
| DATE | DESCRIPTION |
| 11/21/16 | REVISED TO CITY OF CENTENNIAL |
| 11/21/16 | REVISED TO CITY OF CENTENNIAL |
| 11/21/16 | REVISED TO CITY OF CENTENNIAL |
| 11/21/16 | REVISED TO CITY OF CENTENNIAL |

| | |
|----------|--------------|
| OWNER | SPW |
| CHECKED | MRT |
| DESIGNED | MRT |
| FILENAME | 1516-SSPC-SP |

**SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS:
SITE PLAN
SHELTER DETAILS**

6631 S UNIVERSITY BLVD
CENTENNIAL, CO 80121
303-798-5131

JOB NO. 2015.017.020
SCALE NONE

DATE JULY 06, 2016

SHEETS 18 SHEET 18



Staff Report

TO: Planning and Zoning Commission

FROM: Derek Holcomb, AICP, Deputy Director of Community Development

DATE OF MEETING: November 16, 2016

DATE OF SUBMITTAL: November 9, 2016

SUBJECT: South Suburban Golf Course Improvements Site Plan (LU-16-00169)

DISTRICT/LOCATION: District 3 – 7900 S. Colorado Blvd. (goo.gl/S8UiPI)

1. **Executive Summary:**

South Suburban Parks and Recreation District (SSPRD) proposes to construct an expansion to the existing golf course club house and to reconstruct existing accessory buildings to the north side of the club house. There are other associated parking lot and cart path improvements included with the expansion. The site is located at 7900 S. Colorado Blvd., northeast of the S. Colorado Blvd. and E. County Line Rd. intersection (the “Subject Property”). The Subject Property is approximately 207.35 acres in size and is currently zoned Public Open Space and Recreation (OSR). The area included within the development is approximately one acre in size.

2. **Discussion:**

The OSR zone district is intended to allow for the improvement of existing recreational buildings and associated accessory uses and structures. The expansion to the existing golf course club house and reconstruction of existing accessory buildings complies with the intent of the approved zoning. A current zoning map for the Subject Property is attached to this report.

Approval authority for site plans is predicated on the size of the parcel of land proposed for development and the proposed building height. City Council approves applications that are within 500 feet of a residentially zoned property that also include a parcel greater than ten acres in size, or a building greater than 30 feet in height, or both. The Director of Community Development (the “Director”) approves (with ratification by Planning and Zoning Commission) applications that are more than 500 feet from a residentially zoned property and which also contain a parcel less than five acres in size or propose buildings no more than 30 feet in height, or both. The Planning and Zoning Commission approves (with ratification by City Council) all other applications that are not decided upon by either the City Council or the Director.

The South Suburban Golf Course Improvements Site Plan is located within 500 feet of a residentially zoned parcel, the area of impact to the parcel is less than ten acres, and the Site Plan will not include a structure greater than 30 feet in height. Therefore, the Planning and Zoning Commission will consider approval of the Site Plan, with ratification by the Council.

A development criteria comparison chart is contained below to demonstrate the Site Plan application's compliance with the underlying development standards for the NC_{MF} zone district.

Development Criteria Comparison Chart

| DEVELOPMENT STANDARDS | REQUIRED | PROPOSED LU-16-00169 |
|-----------------------------------|-------------------------------|--------------------------|
| ZONING | OPEN SPACE AND REC | OPEN SPACE AND REC |
| PARCEL AREA AND LOT WIDTH | N/A | TRACT A & B - 207.354 AC |
| PERMITTED USES | OUTDOOR RECREATION, OTHERS | GOLF COURSE AND PARK |
| MAX BUILDING HEIGHT | 35 FT | 21 FT |
| MINIMUM BUILDING SETBACKS | 1 FT PER FT OF BLDG HEIGHT | VARY, GREATER THAN 35 FT |
| MINIMUM PARKING SETBACKS | N/A | - |
| MAX BLDG COVERAGE (IF APPLICABLE) | N/A | - |
| PARKING RATIOS | * SEE BELOW | 203 SPACES PROVIDED |
| ADA PARKING | 7 (BASED ON 201 TO 300 TOTAL) | 8 PROVIDED (2 VAN) |
| BICYCLE PARKING | 1 PER 15 VEHICLE SPACES | 14 BICYCLE SPACES |
| LOADING ZONE (IF REQUIRED) | - | N/A |
| LIGHTING ZONE/MAX POLE HEIGHT | LZ1 | - |
| LANDSCAPE SURFACE RATIO | NOT SPECIFIED IN CODE | N/A |

* 9 SPACES PER HOLE PLUS EMPLOYEE PARKING AT MAX. SHIFT/PARKING FOR RESTAURANT IS 1 PER 250 SF.

As required under Table 12-14-311 of the Land Development Code (LDC), the public hearing before Planning and Zoning Commission was properly noticed, including posted notice on the property and mailed notice to adjacent property owners at least 14 days prior to the public hearing. Therefore, the Planning and Zoning Commission has jurisdiction to make a recommendation on the Site Plan application.

Criteria for Approval – Site Plan

The Planning and Zoning Commission must consider evidence presented at the public hearing and evaluate the proposed site plan application according to the following criteria set forth in Section 12-14-602(D), *Approval Standards* (site plans) and listed below.

12-14-602(D)(1) *Site plans shall be used to implement physical design objectives of adopted Sub-Area Plans in a manner that is consistent with the standards of this LDC.*

The Subject Property is subject to the Comprehensive Plan, which contains the following goals applicable to the proposed application:

- Parks, Trails, Open Space and Recreation #1- Protect and Promote Parks, Trails, Recreation and Open Space

“Encourage special districts that provide parks, trails, recreation and open space facilities to coordinate and implement their master plans with the City of Centennial goals and objectives.”

The proposed improvements to the South Suburban Golf Course furthers components of and does not contradict the Comprehensive Plan.

12-14-602(D)(2) *The proposed site plan shall be designed to minimize impacts on the reasonable development expectations or the use and enjoyment of adjacent land or the public interest, consistent with the applicable standards of this LDC.*

The OSR zone district allows for a clubhouse and accessory buildings within the existing golf course development. All work is proposed more than 200 feet from adjacent properties.

12-14-602(D)(3) *The proposed site plan shall not materially and adversely affect the public health or safety through interpretations of the standards of this LDC that do not give full effect to other provisions that would be protective to health and safety if applied.*

The Site Plan amendment complies with all standards of the OSR zone district, including access, building height, setbacks, landscaping, parking and lighting requirements. The Site Plan will not have an adverse impact on the health and safety of the public or any adjacent properties.

12-14-602(D)(4) *The proposed site plan recognizes the limits of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.*

As part of the outside referral process, Staff referred the application to Public Service Company of Colorado (Xcel), Southeast Englewood Water District (SEWD) and Southgate Water and Sanitation District ("Southgate"). Xcel responded with no objections, and Southgate stated no objection to the proposed use but provided information for the Applicant's review prior to construction. The City requires approval from Southgate prior to release of building permits. SEWD did not respond to the referral request.

A Drainage Letter of Compliance was submitted with the Site Plan for review. The Drainage Letter of Compliance meets the requirements of the City as outlined in the February 2007 City of Centennial Stormwater Management Manual. The Southeast Metro Stormwater Authority (SEMSWA) has reviewed and will approve the drainage conformance letter and associated drainage features. The City requires approved plans from SEMSWA prior to plan approval and release of building permits.

12-14-602(D)(5) *The proposed site plan provides for compatibility between the proposed development, surrounding land uses (existing or planned), and the natural environment.*

The Site Plan amendment complies with all applicable LDC standards. The buildings will be screened from adjacent sites by existing fencing and mature vegetation.

12-14-602(D)(6) *The proposed site plan provides for efficient and adequate provision of public services and solid waste removal.*

As part of the outside referral process, Staff referred the application to the Littleton Fire Protection District (LFPD). LFPD did not respond to the referral request. The City requires approval from LFPD prior to release of building permits.

12-14-602(D)(7) *The proposed site plan protects public health and safety against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.*

The proposed development will protect the public health and safety against natural and man-made hazards by providing adequate access for emergency rescue services, a reaffirmed compliant stormwater management system, and adequate visual screening on the Subject Property. The proposed improvements will have no impact on traffic noise, water pollution, airport hazards or flooding.

12-14-602(D)(8) *The proposed site plan provides for accessibility within the proposed development and appropriate connectivity or buffering or both between the development and existing adjacent uses.*

The Site Plan will provide connectivity within the community via the existing private drive that runs throughout the Subject Property. No additional connectivity is practical as this is an existing property and the adjacent properties have already been developed.

12-14-602(D)(9) *The proposed site plan minimizes disruptions to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.*

There are no relevant topographical elements or vegetation that warrant preservation. The Applicant will remove and replace landscaping as needed, as shown on the Site Plan.

12-14-602(D)(10) *If the site plan includes buildings that are more than 30 feet in height and the parcel proposed for development abuts existing residential development with existing views of the mountains, then the site plan shall distribute the mass of the buildings that are taller than 30 feet in a manner that allows for sight lines to the mountains from the residential development.*

Not applicable. The Site Plan does not propose a new building greater than 30 feet in height. While the subject property does abut a residential zone district, the new construction is more than 200 feet from the district boundary and will not disrupt mountain views.

Agency/Public Comments

Staff sent a total of 13 referral requests to outside agencies and community groups; three entities responded with comments. The remainder had no comments or did not respond to the request. All agency and public comments received, as well as the Applicant’s responses (if necessary), are attached to this report. A summary of comments and Staff responses is provided below:

| ENTITY | COMMENTS | | | |
|------------------|------------------------|-------------|-------------|------------------|
| | Response with comments | No Comments | No Response | Staff’s Response |
| COMMUNITY GROUPS | | | | |

| ENTITY | COMMENTS | | | |
|---|--|-------------|-------------|--|
| | Response with comments | No Comments | No Response | Staff's Response |
| CenCON | Recommend that the visible structures be painted green or beige. | | | The visible structures will be a combinations of tan and brown colors. |
| Fairways at South Suburban HOA | | | X | |
| Heritage Greens Association | | | X | |
| Highlands 460 Civic Association | | | X | |
| AGENCIES | | | | |
| Arapahoe County Planning | | X | | |
| Arapahoe County Engineering | | | X | |
| Arapahoe Sheriff Community Resource Unit | | | X | |
| Arapahoe Sheriff Public Safety Bureau | | X | | |
| Littleton Fire Protection District | | | X | |
| Southeast Englewood Water District | | | X | |
| Southgate Water and Sanitation District | General comments related to service and proposed improvements. | | | Noted. Comments forwarded to Applicant. |
| Urban Drainage and Flood Control District | | X | | |
| Xcel Energy | The developer is responsible for contacting the Utility Notification Center to verify location of utilities prior to construction. | | | Noted. Comments forwarded to Applicant. |

Community Meeting:

Per Section 12-14-304, *Threshold Review*, a community meeting not was required.

3. Recommendation:

Staff recommends that the Planning and Zoning Commission approve the Site Plan application.

4. Alternatives:

As this is a quasi-judicial action, Planning and Zoning Commission has the following alternatives:

1. Deny the Site Plan application; or
2. Continue the public hearing for additional information.

5. Fiscal Impact:

Approval or denial of this application will have no direct fiscal impact to the City.

6. Next Steps:

The item will be scheduled for ratification by the City Council at a future meeting. If ratified by City Council, the Applicant is required to submit final mylars of the Site Plan to the Community Development Department for recordation within 60 days of approval.

7. Previous Actions:

None.

8. Suggested Motions:

SUGGESTED MOTION FOR APPROVAL:

I MOVE TO APPROVE RESOLUTION 2016-PZ-R-29, A RESOLUTION OF THE CITY OF CENTENNIAL PLANNING AND ZONING COMMISSION APPROVING THE SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS SITE PLAN (CASE NO. LU-16-00169), BASED ON THE FINDING THAT THE SITE PLAN APPLICATION MEETS ALL APPLICABLE CRITERIA FOR APPROVAL SET FORTH IN SECTION 12-14-602(D) OF THE LAND DEVELOPMENT CODE, AS SUMMARIZED IN THE STAFF REPORT AND RECOMMENDATION DATED NOVEMBER 9, 2016.

SUGGESTED MOTION FOR DENIAL:*

I MOVE TO DENY RESOLUTION 2016-PZ-R-29, A RESOLUTION OF THE CITY OF CENTENNIAL PLANNING AND ZONING COMMISSION APPROVING THE SOUTH SUBURBAN GOLF COURSE IMPROVEMENTS SITE PLAN (CASE NO. LU-16-00169), BASED ON THE FOLLOWING FINDINGS OF FACT:

1. THE REQUEST DOES NOT MEET ALL OF THE CRITERIA OF APPROVAL SET FORTH IN §12-14-602(D) OF THE LAND DEVELOPMENT CODE INCLUDING BUT NOT LIMITED TO:

* Staff recommends that the Commission consult with the City Attorney prior to making a motion. If the motion to deny the Site Plan Application is approved by the Commission, the City Attorney will prepare a resolution setting forth the specific findings and conclusions of the Commission, which will be presented to the Planning and Zoning Commission for approval on the consent agenda at the next regular meeting of the Commission.

- | | |
|---------------|--|
| Attachment 1: | Zoning Map |
| Attachment 2: | Applicant's Letter of Intent |
| Attachment 3: | South Suburban Golf Course Improvements Site Plan, LU-16-00169 |
| Attachment 4: | External Referral Comments Received |
| Attachment 5: | Resolution No. 2016-PZ-R-29 |

CITY OF CENTENNIAL, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION 2016-PZ-R-29

**A RESOLUTION OF THE CITY OF CENTENNIAL PLANNING AND
ZONING COMMISSION APPROVING THE SOUTH SUBURBAN GOLF
COURSE IMPROVEMENTS SITE PLAN (CASE NO. LU-16-00169)**

WHEREAS, pursuant to the Home Rule Charter of the City of Centennial (“City”) and Article 23, Title 31 of the Colorado Revised Statutes, the City has authority to regulate the development of land, streets and utilities within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, through the City of Centennial 2011 Land Development Code (“LDC”), site plans are approved by the City Council, the Planning and Zoning Commission or the Director of Community Development (“Director”); and

WHEREAS, Melissa Reese-Thacker (the “Applicant”) on behalf of South Suburban Metropolitan Recreation and Park District (d/b/a South Suburban Park and Recreation District) (the “Owner”) submitted an application for a site plan designated as the South Suburban Golf Course Improvements Site Plan (“Site Plan”) to install two shelters, make a minor addition to the existing club house, and replace/expand the existing cart barn storage building at the South Suburban Golf Course, encompassing a total disturbed area of less than ten acres, on certain property located at 7900 South Colorado Boulevard in the City of Centennial, County of Arapahoe, State of Colorado, which property consists of 207.35 acres, more or less, and is described with particularity in the Site Plan (the “Property”); and

WHEREAS, the Site Plan qualifies for Planning and Zoning Commission approval, which approval must be ratified by City Council in accordance with the applicable provisions of the LDC; and

WHEREAS, the Property is governed by the zoning requirements of the Open Space and Recreation (OSR) zoning district under the LDC; and

WHEREAS, the Planning and Zoning Commission conducted a duly noticed public hearing on November 16, 2016 to consider the Site Plan; and

WHEREAS, the administrative record for this case includes, but is not limited to, the City of Centennial Land Development Code, City of Centennial Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff report presented to Planning and Zoning Commission, the application and all other submittals of the Applicant or the Owner, the Site Plan, and the tape recording and minutes of the Planning and Zoning Commission meeting at which the Site Plan was considered.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF CENTENNIAL, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as findings of the Planning and

Zoning Commission.

Section 2. The Planning Commission hereby approves the South Suburban Golf Course Improvements Site Plan, Case No. LU-16-00169, based on a determination that all applicable standards of the LDC have been met.

Section 3. Approval of the Site Plan shall be and is subject to the following conditions of approval:

- a. The Applicant and Owner shall resolve and correct any technical issues as directed by City staff prior to recordation of the Site Plan mylar; and
- b. The Applicant and Owner shall pay any and all remaining fees and costs incurred by the City and its consultants in review and processing of the application in full prior to recordation of the Site Plan mylar.

Section 4. The Community Development Department is authorized to make any changes to the mylar form of the approved Site Plan as may be needed to conform the Site Plan to the form and content requirements of the LDC in effect at the time the Site Plan is submitted for signature(s) and to make such other changes that are expressly authorized or required pursuant to this Resolution.

Section 5. Effective Date. This Resolution shall take effect upon its approval by the City of Centennial Planning and Zoning Commission.

ADOPTED by a vote of ___ in favor and ___ against this 16th day of November, 2016.

**PLANNING AND ZONING
COMMISSION FOR THE CITY OF
CENTENNIAL, COLORADO**

Andrea Suhaka, Chairperson

ATTEST:

Approved As To Form:

Secretary
Planning and Zoning Commission

By:_____
For City Attorney's Office

**CITY OF CENTENNIAL,
COLORADO**

RESOLUTION NO. 2016-R-83

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CENTENNIAL, COLORADO RATIFYING THE
APPROVAL OF THE SOUTH SUBURBAN GOLF COURSE
IMPROVEMENTS SITE PLAN, CASE NO. LU-16-00169**

WHEREAS, Melissa Reese-Thacker on behalf of South Suburban Metropolitan Recreation and Park District (d/b/a South Suburban Park and Recreation District) (collectively “Applicant”), has submitted an application for a site plan designated as the South Suburban Golf Course Improvements Site Plan, Case No. LU-16-00169 (“Site Plan”) to install two shelters, make a minor addition to the existing club house, and replace/expand the existing cart barn storage building at the South Suburban Golf Course; and

WHEREAS, the subject property is located at 7900 South Colorado Boulevard in the City of Centennial, County of Arapahoe, State of Colorado, which property consists of 207.35 acres, more or less, and is described with particularity in the Site Plan (the “Property”); and

WHEREAS, the Property is governed by the zoning requirements of the Public Open Space and Recreation (OSR) zoning district under the Land Development Code (the “LDC”); and

WHEREAS, the Planning and Zoning Commission approved the Site Plan following the conclusion of a duly noticed public hearing conducted on November 16, 2016, and recommended that City Council proceed to ratify the approval of the Site Plan in accordance with the requirements of the LDC, subject to the conditions set forth in the Planning and Zoning Commission’s resolution approving the Site Plan (Resolution No. 2016-PZ-R-29); and

WHEREAS, the conditions of approval are set forth in Section 1 of this Resolution below; and

WHEREAS, the administrative record for this case includes, but is not limited to, the LDC, City of Centennial Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff files and reports of the Community Development Department case managers and the City’s consultants for this case, the Site Plan application and accompanying maps, reports, studies and all other submittals of the Applicant, any and all submittals by members of the public, and the tape recordings and minutes of the Planning and Zoning Commission and City Council meetings at which this application was considered; and

WHEREAS, the City Council has determined that the Site Plan meets all applicable requirements of the LDC and advances the public health, safety, convenience and general welfare of the residents of the City, subject to the conditions of approval as hereinafter delineated; and

WHEREAS, pursuant to and in accordance with the procedure set forth in Section 12-14-312(D) of the LDC, the City Council desires to ratify the approval of the Site Plan by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Centennial, Colorado as follows:

Section 1. The City Council hereby ratifies the decision of the Planning and Zoning Commission in Case No. LU-16-00169, approving the South Suburban Golf Course Improvements Site Plan, subject to the following conditions of ratification:

- a. The Applicant shall resolve and correct any technical issues as directed by City staff prior to recordation of the Site Plan mylar; and
- b. The Applicant shall pay any and all remaining fees and costs incurred by the City and its consultants in review and processing of the application in full prior to recordation of the Site Plan mylar.

Section 2. The Community Development Department is authorized to make any changes to the mylar form of the approved Site Plan as may be needed to conform the Site Plan to the form and content requirements of the LDC in effect at the time the Site Plan is submitted for signature(s) and to make such other changes that are expressly authorized or required pursuant to this Resolution.

Section 3. This resolution shall be effective immediately upon approval by the City Council.

ADOPTED by a vote of ___ in favor and ___ against this 21st day of November, 2016.

By: _____
Cathy A. Noon, Mayor

ATTEST:

Approved as to Form:

By: _____
City Clerk or Deputy City Clerk

By: _____
For City Attorney's Office



**PLANNING AND ZONING COMMISSION
REGULAR MEETING**

**November 16, 2016, 6:00 PM
13133 E. ARAPAHOE ROAD**

MINUTES

1. CALL TO ORDER

The meeting was called to order at 6:03 PM.

2. ROLL CALL

Those present were: Chair Suhaka
Commissioner Bailey
Commissioner Beatty
Commissioner Cohen
Commissioner Hart
Commissioner Sims
Commissioner Sutherland

Those absent were: Commissioner Griffis
Commissioner Urtz

Also present were: Steven Greer, Director of Community Development
Jill Hassman, Assistant City Attorney
Michael Gradis, Planner II
Lisa Gajowski, Recording Secretary

a. Alternate Selection for Voting Purposes

Commissioner Beatty was appointed a voting member in the absence of Commissioners Griffis and Urtz.

3. CONSENT AGENDA

Commissioner Bailey moved approval of the CONSENT AGENDA. Commissioner Sutherland seconded the motion.

With Commissioners Bailey, Beatty, Cohen, Hart, Sims, Sutherland, and Chair Suhaka, voting AYE, and (None) voting NAY; the motion was approved by a vote of seven (7) AYE and none (0) NAY.

a. Consideration of Resolutions

b. Consideration of Other Items

c. Approval of Minutes

a. November 9, 2016 Planning and Zoning Commission Meeting Minutes

4. LAND USE APPLICATIONS/PUBLIC HEARINGS

a. Resolution No. 2016-PZ-R-28, Willow Bend Parking Lot Site Plan Approval (Case No. LU-16-00143) Continued from November 9, 2016

Michael Gradis, Planner II presented and answered questions from the Commissioners.

Rebecca McCline of CDOT answered questions from the Commissioners.

Chair Suhaka opened the Public Hearing to take comments on the position of the wall.

There being no one present wishing to speak Chair Suhaka closed the Public Hearing.

Commissioner Cohen moved to approve Resolution 2016-PZ-R-28, a resolution of the City of Centennial Planning and Zoning Commission approving the Willow Bend Parking Lot Site Plan (Case No. LU-16-00143). Commissioner Beatty seconded the motion.

With Commissioners Bailey, Beatty, Cohen, Hart, Sims, Sutherland, and Chair Suhaka, voting AYE, and (None) voting NAY; the motion was approved by a vote of seven (7) AYE and none (0) NAY.

b. South Suburban Golf Course Site Plan, LU-16-00169

Commissioner Bailey stated he is a resident of Heritage Green which abuts the golf course but he has no conflict of interest and can be impartial on this case.

Steve Greer, Director of Community Development presented and answered questions from the Commissioners.

Melissa Reese-Thacker (title) of SSPRD presented and answered questions from the Commissioners.

David Hamil of Martin and Martin Engineers answered questions from the Commissioners.

Chair Suhaka opened the public hearing.

There being no one present wishing to speak Chair Suhaka closed the public hearing.

Commissioner Bailey moved to approve Resolution 2016-PZ-R-29, a resolution of the City of Centennial Planning and Zoning Commission approving the South Suburban Golf Course Improvements Site Plan (Case No. LU-16-00169). Commissioner Beatty seconded the motion.

With Commissioners Bailey, Beatty, Cohen, Hart, Sims, Sutherland, and Chair Suhaka, voting AYE, and (None) voting NAY; the motion was approved by a vote of seven (7) AYE and none (0) NAY.

5. UPDATES

Michael Gradis, Planner II presented an overview of site plan review.

6. LONG RANGE AGENDA

7. ADJOURNMENT

The meeting adjourned at 8:18 PM.

Respectfully submitted,

Lisa Gajowski

Lisa Gajowski, Recording Secretary

DRAFT



**MINUTES OF THE
CENTENNIAL CITY COUNCIL
Study Session**

6:00 PM

Monday, November 14, 2016

A Study Session of the City Council was held on this date in the City Council Chambers at 13133 E. Arapahoe Road, Centennial, Colorado. A full and timely notice of this meeting had been posted and a quorum was present.

A. Call to Order

Mayor Noon called the meeting to order at 6:03 PM.

B. Roll Call

Those present were:

- Mayor Noon
- Council Member Turley
- Council Member Moon
- Council Member Piko
- Council Member Lucas
- Council Member Truhlar
- Council Member Gotto
- Council Member Whelan
- Council Member Penaloza

Those absent were: None

Also present were:

- Elisha Thomas, Interim City Manager
- Bob Widner, City Attorney
- Andy Firestine, Assistant City Manager
- Eric Eddy, assistant to the City Manager
- Jill Hassman, Assistant City Attorney
- Steve Greer, Community Development Director
- Tamara Gregory, Code Compliance Manager
- Sherri Chadwick, Communications Director
- Craig Faessler, Program Manager
- Tim Scott, Fiber Infrastructure Director
- Neil Marciniak, Economic Development Manager
- Barbara Setterlind, City Manager
- Ebony Vivens, Deputy city Manager

C. Nuisances: Stockpiling and Inoperable Vehicles - Discussion; 6:05 PM

Steve Greer, Community Development Director, presented. Council was to move forward with some additional Council direction.

D. Fiber Steering Committee Update; 7:50 PM

Eric Eddy, Assistant City Manager, Jill Hassman, Assistant City Attorney and Tim Scott, Fiber Executive, presented. Consensus to bring back for further discussion on December 5, 2016.

E. Adjourn

There being no further business to discuss, the Study Session was adjourned at 9:32 PM

Respectfully Submitted,

Barbara Setterlind, City Clerk



**MINUTES OF THE
CENTENNIAL CITY COUNCIL
Regular City Council Meeting**

7:00 PM

Monday, November 14, 2016

A Regular Meeting of the City Council was held on this date in the City Council Chambers at 13133 E. Arapahoe Road, Centennial, Colorado. A full and timely notice of this meeting had been posted and a quorum was present.

1. Call to Order

Mayor Noon called the meeting to order at 9:52 PM.

2. Roll Call

Those present were:

- Mayor Noon
- Council Member Moon
- Council Member Piko
- Council Member Lucas
- Council Member Turley
- Council Member Truhlar
- Council Member Gotto
- Council Member Whelan
- Council Member Penalosa

Those absent were: None

Also present were:

- Elisha Thomas, Interim City Manager
- Bob Widner, City Attorney
- Andy Firestine, Assistant City Manager
- Eric Eddy, Assistant to the City Manager
- Jill Hassman, Assistant City Attorney
- Sherri Chadwick, Communications Director
- Neil Marciniak, Economic Development Manager
- Barbara Setterlind, City Clerk
- Ebony Vivens, Deputy City Clerk

3. Pledge of Allegiance

Mayor Noon led the Pledge of Allegiance.

4. Public Comment; 9:52 PM

Reed Roberts 6484 S. Abilene St, needed more time before being able to support the LDC Arapahoe Rd Corridor changes.

Jill Meakins, 6483 S. Abilene St, did not support the LDC Amendments.

Andrea Suhaka, 6864 S. Ulster Cir, did not support car dealerships on Arapahoe Rd.

5. Scheduled Presentations (None)

6. Consideration of Communications, Proclamations and Appointments(None)

CONSENT AGENDA

Council Member Whelan moved approval of CONSENT AGENDA. Council Member Turley seconded the motion.

With Mayor Noon, Council Member Moon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penaloza voting AYE, and (None) voting NAY; Absent: 0. THE MOTION Passed.

7. Consideration of Ordinances on First Reading

- a. **ORDINANCE NO. 2016-O-17 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, REPEALING AND READOPTING SECTIONS 2-3-30 AND 2-3-50(A) OF THE CENTENNIAL MUNICIPAL CODE CONCERNING APPOINTMENT AND COMPENSATION OF MUNICIPAL JUDGES**

8. Consideration of Resolutions

- a. **RESOLUTION NO. 2016-R-67 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF CENTENNIAL APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFE BUILT INC. FOR BUILDING SERVICE**

9. Consideration of Other Items

a. **Minutes**

- i. **Study Session November 7, 2016**
ii. **Regular Meeting November 7, 2016**

DISCUSSION AGENDA

10. Consideration of Land Use Cases

11. Consideration of Ordinances

a. **Public Hearings; 9:58 PM**

- i. **ORDINANCE NO. 2016 O-11 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR *Discussion Continued from***

November 7, 2016

Andy Firestine, Assistant City Manager, presented

Council Member Whelan moved to Approve ORDINANCE NO. 2016 O-11 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO THE CENTRAL ARAPAHOE ROAD CORRIDOR Council Member Turley seconded the motion.

With Council Member Moon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Gotto an Council Member Whelan voting AYE, and Mayor Noon Council Member Truhlar, Council Member Penalzoza voting NAY; Absent: 0. THE MOTION Passed.

12. Consideration of Resolutions

a. Public Hearings

- i. RESOLUTION NO. 2016-R-72 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING THE 2016 BUDGET AND APPROVING A SUPPLEMENTAL APPROPRIATION FOR THE GENERAL FUND -- This Public Hearing has been Cancelled**

b. General; 10:25 PM

- i. RESOLUTION NO. 2016-R-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, APPROVING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH TEAM PLAYER PRODUCTIONS, INC.**

Sherri Chadwick, Communications Director, presented

Council Member Whelan moved to Approve RESOLUTION NO. 2016-R-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, APPROVING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH TEAM PLAYER PRODUCTIONS, INC. Council Member Truhlar seconded the motion.

With Mayor Noon, Council Member Moon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penalzoza voting AYE, and (None) voting NAY; Absent: 0. THE MOTION Passed.

13. Consideration of Other Items (None)

GENERAL BUSINESS

14. Other Matters as May Come Before Council; 10:28 PM

Council Member Piko inquired if Council Members would be attending the Monday morning Mayor's meeting. Mayor Noon stated Jody would send out a calendar survey for those

interested.

Mayor Noon gave a brief update on the City Manager recruiting

15. Reports

a. City Manager; 10:33 PM

Elisha Thomas, Interim City Manager, gave a brief update

b. City Attorney; 10:36 PM

Bob Weidner, City Attorney, made a brief report

c. City Clerk (None)

d. Council Members ; 10:38 PM

Council Members Gotto, Piko and Whelan made brief reports.

16. Mayor's Report and Comments

17. Executive Session

Council Member Whelan to go into Executive Session Pursuant to CRS Section 24-6-402(4)(b) and (e) for the Purpose of Receiving Legal Advice and to Instruct Negotiators on Matters Concerning the Construction of Public Improvement . Mayor Noon seconded the motion.

With Mayor Noon, Council Member Moon, Council Member Piko, Council Member Lucas, Council Member Turley, Council Member Truhlar, Council Member Gotto, Council Member Whelan, Council Member Penalosa voting AYE, and (None) voting NAY; Absent: 0. THE MOTION Passed.

18. Adjourn

There being no further business to discuss, the Regular Meeting was adjourned at 11:00 PM.

Respectfully submitted,

Barbara Setterlind, City Clerk



Staff Report

TO: Honorable Mayor Noon and Members of City Council

THROUGH: Elisha Thomas, Deputy City Manager

FROM: Maureen Juran, Deputy City Attorney

DATE OF MEETING: November 21, 2016

DATE OF SUBMITTAL: November 1, 2016

SUBJECT: Second Reading: Ordinance 2016-O-17 – Repealing and Readopting Sections 2-3-30 and 2-3-50(a) of the Centennial Municipal Code Concerning Appointment and Compensation of the Presiding Municipal Judge

1. Executive Summary:

Proposed Ordinance 2016-O-17 is before City Council for second reading, public hearing and final action. The proposed ordinance repeals and readopts two provisions of the Municipal Code governing the appointment and the compensation of the presiding municipal judge.

2. Discussion:

(a) The current Code requires that the presiding judge be appointed for a term of not less than two years, but is vague about what the period must be for a reappointment term. State statute also contemplates that a municipal judge shall be appointed for a “specified term of not less than two years and ... may be reappointed for a subsequent term” but is unclear whether the subsequent reappointment term must also be a minimum of two years or a different period. The proposed ordinance clarifies that any subsequent reappointment term can be for such length as Council determines to be appropriate. As a matter of local concern, the City, as a home rule city, has the authority to adopt such a clarifying provision.

(b) The current Code provides that the compensation of the presiding municipal judge shall be a fixed annual *salary* payable on a periodic basis in conformity with the City's regular *payroll* practices. The relationship of the current presiding municipal judge is that of an independent contractor, not an employee. The current compensation language in the Code is indicative of a compensation methodology used for employees. The City may someday choose to make the municipal judge an employee or it may continue the independent contractor relationship. Regardless of how the City approaches this issue in the future, as a housekeeping measure, the proposed ordinance changes the Code provisions so as to not indicate an employment relationship.

3. Recommendations:

Staff recommends Council approval of Ordinance 2016-O-17 on second reading following public hearing.

4. Alternatives:

Council may choose to amend or deny Ordinance 2016-O-17 following second reading and public hearing.

5. Fiscal Impact:

There is no anticipated fiscal impact to City funds.

6. Next Steps:

If Ordinance 2016-O-17 is approved, the City Clerk will work with the codifiers of the City Code to update these Code provisions.

7. Previous Actions:

Ordinance 2016-O-17 was approved on first reading on November 14, 2016, as part of the consent agenda.

8. Suggested Motions:

APPROVAL:

I move to APPROVE Ordinance 2016-O-17, Repealing and Readopting Sections 2-3-30 and 2-3-50(a) of the Centennial Municipal Code Concerning Appointment and Compensation of the Presiding Municipal Judge [with the following amendments....].

or

DENIAL:

I move to DENY Ordinance 2016-O-17, Repealing and Readopting Sections 2-3-30 and 2-3-50(a) of the Centennial Municipal Code Concerning Appointment and Compensation of the Presiding Municipal Judge.

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2016-O-17

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, REPEALING AND READOPTING SECTIONS 2-3-30 AND 2-3-
50(A) OF THE CENTENNIAL MUNICIPAL CODE CONCERNING
APPOINTMENT AND COMPENSATION OF MUNICIPAL JUDGES**

WHEREAS, the City of Centennial (the “City”) is a Colorado home rule municipality organized pursuant to Article 20 of the Colorado Constitution; and

WHEREAS, Section 13-10-105, C.R.S., provides that, unless otherwise provided in the charter of a home rule city, the municipal court shall be presided over by a municipal judge who shall be appointed by the governing body for a specified term of not less than two years and who may be reappointed for a subsequent term; and

WHEREAS, the state statute does not define a minimum period for any subsequent term of appointment of a municipal judge; and

WHEREAS, the City’s home rule charter is silent on the length of any term of appointment of a municipal judge; and

WHEREAS, Section 2-3-30 of the Centennial Municipal Code provides that the City Council shall appoint the Presiding Municipal Judge for a term of not less than two (2) years but is silent on the length of any subsequent term; and

WHEREAS, the City Council desires to amend Section 2-3-30 to clarify that the term of any subsequent appointment following an initial two year appointment term is discretionary with the City Council; and

WHEREAS, Section 2-3-50(a) of the Centennial Municipal Code, governing the compensation of the presiding municipal judge, provides that the compensation of the presiding municipal judge shall be a fixed annual salary payable in conformity with the City’s payroll practices; and

WHEREAS, the City Council desires to amend Section 2-3-50(a) to allow for flexibility in the methodology used to compensate the presiding municipal judge in recognition that the relationship between the City and such person can be, and currently is, an independent contractor, and not an employment, relationship.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTENNIAL, COLORADO:**

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Repeal and Replacement of Section 2-3-30. Section 2-3-30 of the Centennial Municipal Code is hereby repealed and replaced to read as follows in its entirety:

Sec. 2-3-30. - Appointment of Municipal Judges.

The City Council, by resolution, shall appoint the Presiding Municipal Judge to preside over the Municipal Court for an initial term of not less than two (2) years and, in its discretion, for subsequent term(s), the length of which shall be determined by the City Council. One or more Assistant Municipal Judge(s) may be appointed by the City Council for a term as necessary to transact the business of the Court. Upon a vacancy in the position of the Presiding Municipal Judge, the City Council can appoint a new Presiding Municipal Judge for the remainder of the unexpired term.

Section 3. Repeal and Replacement of Section 2-3-50(a). Section 2-3-50(a) of the Centennial Municipal Code is hereby repealed and replaced to read as follows in its entirety (Section 2-3-50(b) not being affected by this repeal and replacement):

Sec. 2-3-50. - Compensation of Judges.

- (a) The compensation of the Presiding Municipal Judge shall be in such amount and on such other terms as set by agreement entered into between the City and the Presiding Municipal Judge or by resolution of the City Council, as amended from time to time.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 14th DAY OF NOVEMBER, 2016.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of November 14, 2016 and ordered published one time by title only in *The Villager* newspaper on _____, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 21st DAY OF NOVEMBER, 2016, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of November 21, 2016, and ordered published by title only, one time by *The Villager* newspaper on _____, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk