

**MINUTES OF A REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF LONE TREE
HELD
June 17, 2014**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, June 17, 2014, at 7:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

Attendance

In attendance were:

James D. Gunning, Mayor
Jacqueline Millet, Mayor Pro Tem
Harold Anderson, Council Member
Kim Monson, Council Member
Susan Squyer, Council Member

Also in attendance were:

Seth Hoffman, City Manager
Jennifer Pettinger, City Clerk
Steve Hebert, Deputy City Manager
Jeff Holwell, Economic Development Director
Chief Jeffery Streeter, Lone Tree Police Department
Kristin Baumgartner, Finance Director
Kelly First, Community Development Director
Lisa Rigsby Peterson, Lone Tree Arts Center Director
Neil Rutledge, Assistant City Attorney, White, Bear and Ankele, P.C.
John Cotten, Public Works Director, TST, Inc.

Call to Order

Mayor Gunning called the meeting to order at 7:01 p.m., and observed that a quorum was present.

Pledge of Allegiance

Mayor Gunning led those assembled in reciting the Pledge of Allegiance.

Amendments to the Agenda

There were no amendments to the agenda.

Conflict of Interest

There was no conflict of interest.

Public Comment

Bill Robertson, 9278 E. Aspen Hill Circle, complimented Cmdr. Ron Pinson for the presentation he gave at the Living and Aging Well meeting. He also stated he was impressed with the Morningstar Star presentation at the meeting and encouraged Council to approve the project.

Announcements

Mayor Gunning announced upcoming events.

Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which consisted of:

- *Minutes of the June 3, 2014 Regular Meeting*
- *Claims for the period of May 26 – June 9, 2014*
- *Treasurer's Report for April 2014*

Council Member Squyer moved, Council Member Anderson seconded, to approve the Consent Agenda. The motion passed with a vote of 5-0.

Community Development

Sky Ridge Medical Center SIP 10th Amendment (MOB3) #SP14-05R

Kelly First, Community Development Director, introduced the item and Kevin Pasewalk, Davis Partnership Architects. Mr. Pasewalk spoke about the project and answered questions from Council. Diane Cookson, Sky Ridge Medical Center Vice President, also answered questions from Council.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve the Site Improvement Plan (SIP) Amendment #SP14-05R, amending #SP00-40 to add a third medical office building for Sky Ridge Medical Center with the one condition as noted in the staff report. The motion passed with a vote of 5-0.

Public Works

Approval of Fehr and Peers Consultant Contract for the Community Wide Complete Streets Plan

John Cotten, Public Works Director, introduced the item.

Council Member Squyer moved, Council Member Anderson seconded, to approve the contract with Fehr and Peers in the amount of \$89,954.00 for the City of Lone Tree Community Wide Complete Streets Plan and authorize the Public Works Director to execute the contract documents. The motion passed with a vote of 5-0.

Approval of Change Order #1 for Noraa Concrete Construction Corp Contract for Lincoln Bridge Repair

John Cotten, Public Works Director, introduced the item.

Council Member Anderson moved, Council Member Monson seconded, to approve Change Order #1 with Noraa Concrete Construction Corporation in the amount of \$133,517.30 for the City of Lone Tree Lincoln Avenue (westbound) over I-25 Improvements and authorize the Public Works Director to execute the Change Order documents. The motion passed with a vote of 5-0.

Administrative Matters

Public Hearing: Hotel and Restaurant Liquor License Application for Perry's Steakhouse of Colorado, LLC d/b/a Perry's Steakhouse & Grille (8433 Park Meadows Center Drive, Suite D154)

Mayor Gunning opened the public hearing at 7:35 p.m.

Jennifer Pettinger, City Clerk, introduced the item and Brian Proffitt, applicant's counsel and Michael Thompson, Assistant Manager.

Mayor Gunning opened the public hearing for comment at 7:41 p.m.

There was no public comment.

The public hearing was closed at 7:41 p.m.

Council Member Monson moved, Council Member Squyer seconded, to approve a new Hotel and Restaurant Liquor License for Perry's Steakhouse of Colorado, LLC d/b/a Perry's Steakhouse & Grille located at 8433 Park Meadows Center Drive, Suite D154 with the amended red-line and conditional upon the applicant obtaining all necessary department approvals. The motion passed with a vote of 5-0.

Acceptance of 2013 Comprehensive Annual Financial Report (CAFR)

Kristin Baumgartner, Finance Director, introduced the item and Eric Barnes, Independent Auditor. Mr. Barnes spoke about the CAFR.

Council Member Anderson moved, Council Member Squyer seconded, to accept

the 2013 Comprehensive Annual Financial Report (CAFR). The motion passed with a vote of 5-0.

Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 7:57 p.m.

Respectfully submitted,

Jennifer Pettinger, CMC, City Clerk



CITY OF LONE TREE
STAFF REPORT

FINAL STAFF REPORT

TO: Mayor Gunning and City Council
FROM: Kelly First, Community Development Director
DATE: June 19, 2014
SUBJECT: Sky Ridge Medical Center, SIP 10th Amendment #SP14-05R

Owner:
HCA – HealthONE, LLC
d/b/a Sky Ridge Medical Center
10101 RidgeGate Parkway
Lone Tree, CO 80124

Representative:
Kevin Pasewalk
Davis Partnership Architects
2301 Blake Street Suite 100
Denver, CO 80205

Planning Commission Meeting Date: May 27, 2014
City Council Hearing Date: June 17, 2014

A. CITY COUNCIL ACTION:

The City Council unanimously approved the SIP with the condition that the SIP is subject to final approval by the City of Lone Tree Public Works Department.

END

**FINDINGS AND REPORT TO STATE LICENSING AUTHORITY BY THE
CITY COUNCIL OF LONE TREE ACTING AS THE
LOCAL LICENSING AUTHORITY ON THE APPLICATION FOR A
HOTEL & RESTAURANT LIQUOR LICENSE**

Perry's Steakhouse of Colorado, LLC d/b/a Perry's Steakhouse & Grille

A public hearing was held by the City Council of Lone Tree, State of Colorado, acting as Local Licensing Authority at approximately 7:00 p.m. on Tuesday, June 17, 2014 at 8527 Lone Tree Parkway, Lone Tree, Colorado, on the application of Perry's Steakhouse of Colorado, LLC d/b/a Perry's Steakhouse & Grille, 8433 Park Meadows Center Drive, Suite D154, Lone Tree, Colorado 80124.

At said hearing, the following Members of the Council were present:

Mayor James D. Gunning
Mayor Pro Tem Jackie Millet
Council Member Harold Anderson
Council Member Kim Monson
Council Member Susan Squyer

Also present were:

Seth Hoffman, City Manager
Jennifer Pettinger, City Clerk
Brian Proffitt, Applicant's Attorney
Michael Thompson, Assistant Manager
Carol Johnson, Petitioner

The Honorable Mayor James D. Gunning presided. The hearing was duly convened to consider the Application and conduct a public hearing thereon.

City Clerk, Jennifer Pettinger noted that the City Council was in receipt of a packet of information which contained copies of: the license application, individual history record, Lone Tree business license, State of Colorado Certificate of Good Standing, organization documents which include the articles of organization and the action of members and managers in lieu of organizational meeting, red-lined drawing of the premises, lease agreement, affidavit of posting and publication and petition results. She noted the applicant has requested to amend their red-line drawing of the premises which has also been provided to Council. She also noted staff has reviewed all the documents. She directed the information be made a part of the record.

City Clerk, Jennifer Pettinger gave a brief presentation concerning the application and provided evidence of posting to the Council. Ms. Pettinger introduced Brian Proffitt, Applicant's

Attorney and Michael Thompson, Assistant Manager. Mr. Proffitt and Mr. Thompson spoke about the application.

The petitions supporting the application were reviewed and found to be in accordance with and in conformity with the City of Lone Tree Liquor and Fermented Malt Beverage Regulations and were accepted into evidence by the Authority.

Mayor Gunning opened the hearing for public testimony. No one came forward.

Following a brief discussion by the City Council, the hearing was closed to public testimony.

The City Council, acting as the Local Licensing Authority, having fully considered the application and testimony submitted by the Applicant, and the other evidence adduced at the hearing, NOW FINDS as follows:

Perry's Steakhouse of Colorado, LLC d/b/a Perry's Steakhouse & Grille
Findings and Report to the State

1. The public hearing held with respect to said Application on June 17, 2014, was duly convened and the Council has jurisdiction to consider the Application as the Local Licensing Authority.
2. Applicant seeks approval of an application for a Hotel & Restaurant Liquor License at 8433 Park Meadows Center Drive, D154, Lone Tree, Colorado 80124. The Application was submitted on a form prescribed by the State Licensing Authority pursuant to statute, and said application appears to be complete in all material respects. The required fees accompanied the application.
3. The Council has reviewed the Individual History Records of the owners and the managers. Council finds that the Applicant has satisfied the requirements of the Colorado Liquor Code and Regulations with respect to character, record, and reputation.
4. The Applicant has evidenced possession of the subject property through a 10 year lease agreement entered into on April 19, 2013, the lease will expire 10 years after the opening date.
5. The premise was posted in accordance with the law, for a period of not less than ten consecutive days prior to the date of said public hearing on the application, and published notice was accomplished by publication in a newspaper of general circulation in Douglas County.
6. Petitions containing 163 valid signatures in favor of and 0 valid signatures in opposition to the issuance of the license were presented to and considered by the Council.
7. No one appeared in opposition.

The City Council, acting as the Local Licensing Authority, having considered and weighed the foregoing, as well as the facts and evidence adduced by the Council's investigation, expressions of opinion as to the needs and desires of the inhabitants of the neighborhood contained in the aforementioned Petitions and all other facts, data and testimony, NOW FINDS that the Applicant has demonstrated, with respect to the application, that the needs and desires of the neighborhood are not adequately being served at this time.

Accordingly, the City Council hereby affirms its approval of the application of Perry's Steakhouse of Colorado, LLC d/b/a Perry's Steakhouse & Grille, 8433 Park Meadows Center Drive, Suite D154, Lone Tree, Colorado 80124.

The City Council hereby authorizes and directs the Liquor Licensing Administrator to submit the necessary report and approved application to the State Licensing Authority in accordance with the law.

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF LONE TREE,
COLORADO, acting as Local Licensing Authority.**

CITY OF LONE TREE:

By: /s/
Jennifer Pettinger
Liquor License Administrator

Date: June 17, 2014