

## RECORD OF PROCEEDINGS

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Minutes of the  
Parks, Trails & Recreation Commission of the  
City of City of Cherry Hills Village, Colorado  
Held on Thursday, January 10, 2019 at 5:30 p.m.  
at the Village Center

### **PARKS, TRAILS AND RECREATION COMMISSION REGULAR MEETING**

Chair Robert Eber called the meeting to order at 5:30 p.m.

#### **ROLL CALL**

Chair Robert Eber, Commissioners Fred Wolfe, Peter Sutherland, Aron Grodinsky, Kate Murphy, Stephanie Dahl, Councilor Gallagher, and Mayor-Elect Stewart were in attendance. Also present were City Manager Jim Thorsen, Emily Black, Parks and Recreation Coordinator, Jeff Roberts, Parks Operation Supervisor, and Pamela Broyles, Administrative Assistant.

#### **PLEDGE OF ALLEGIANCE**

The PTRC conducted the Pledge of Allegiance.

#### **AUDIENCE PARTICIPATION PERIOD**

There was no audience participation.

#### **CONSENT AGENDA**

Commissioner Peter Sutherland moved, seconded by Commissioner Aron Grodinsky to approve the following items on the Consent Agenda:

1. Approval of Minutes – December 13<sup>th</sup>, 2018

The motion passed unanimously.

#### **ITEMS REMOVED FROM CONSENT AGENDA**

None

#### **UNFINISHED BUSINESS**

None

#### **NEW BUSINESS**

##### **a. Memorial Bench Donation for Caroline Mieville Clute**

Parks Operation Supervisor Jeff Roberts introduced a request for a memorial bench donation to be located in Dahlia Hollow Park in memory of Caroline Mieville Clute. There is a bench on the north side of Dahlia Hollow Park and the request is to add a plaque to the existing bench.

Mr. and Mrs. Clute were present to support the bench dedication in memory of their daughter. Mr. Clute shared that they have lived in Cherry Hills Village since 1989. Caroline grew up in Cherry Hills Village and attended Cherry Hills Village Elementary School. Mr. Clute expressed that they appreciate the opportunity to memorialize their

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daughter Caroline. He shared what a wonderful person Caroline was and the positive influence she had on all who knew her.

The Commission expressed their condolence to the Clute family.

Commissioner Peter Sutherland moved, seconded by Commissioner Kate Murphy to recommend to City Council approval of a plaque in memory of Caroline Mieville Clute that says "Love You Forever" to be placed on an existing bench in Dahlia Hollow Park.

The motion passed unanimously.

Commissioner Wolfe suggested that bridges across the High Line Canal could be considered as a memorial option in the future since space is becoming limited in Parks.

### **b. Waiver for John Meade Park Development**

Parks and Recreation Coordinator Emily Black explained that Community Development Director Rachel Granrath was very sick, so she would be presenting the floodplain waiver and rezoning application in Ms. Granrath's place. Ms. Black reviewed the staff memo with the Commission. She explained that the park design was completed by experts in floodplain management consistent with federal regulations and the health, safety, and welfare of the public. Ms. Black emphasized that FEMA's requirements are satisfied, but the City's municipal code requires a floodplain waiver to be approved by City Council. She noted that this is a section of code being reviewed as part of the ongoing Code Modernization process.

Commissioner Wolfe asked if FEMA had to approve the waiver. Ms. Black clarified that only City Council has to approve the waiver.

Commissioner Wolfe asked if a change to the existing 100-year floodplain has to be approved by FEMA. Ms. Black replied yes, but that this waiver is not to change the floodplain, but rather to construct the benches, boardwalk, etc. within the park. She continued that this was an internal process entirely separate from FEMA's approval of the park.

Commissioner Wolfe asked about the final decision for the playground features for the park. Ms. Black explained the Commission's decision from the last meeting was to maintain the prefabricated hollow log in the existing plan, and to also install cottonwood timbers that would be secured to the ground. She continued that there are two family-sized hammocks and an observation tower with a "shaky bridge" leading to it. Commissioner Wolfe asked if these logs posed a possible hazard or obstruction in a flood. Ms. Black replied that they did not pose any more of a hazard than trees or natural features, and that FEMA does not review any of the smaller park elements because they are not considered hazards.

Chair Eber stated for the newer commissioners that PTRC had known there would be some park elements within the floodplain, but they would be secured and in case of a flood event the park could be closed. He continued that PTRC had been aware of this and it was not a new item, and that if the City is comfortable with the items there from a liability standpoint, it should not be a concern.

Ms. Black explained there was never any conflict between elements that the City or PTRC wanted in the park and what RESPEC thought was safe.

City Manager Thorsen explained that this floodplain was not a creek or river, but is a "sheet flow" floodplain. The benches and park elements do not affect flood heights,

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which is why FEMA is not concerned with these items; it is only the City code that requires this process.

Chair Eber asked for any other comments, and hearing none noted that the agenda item was for informational purposes only. Ms. Black agreed and stated staff would update PTRC as the process moves forward to City Council in conjunction with the rezoning application.

**c. Rezone John Meade Park and Alan Hutto Memorial Commons (*Public Hearing*)**

Parks and Recreation Coordinator Black reviewed the staff memo with the Commission, including the rezoning application materials. She noted the next steps for the rezoning application, which will go before the Planning and Zoning Commission on Tuesday, January 22<sup>nd</sup> for a public hearing and will then have two more public hearings before City Council (dates to be determined). She explained that staff is recommending the approval of the proposed rezoning of 120 Meade Lane, also known as John Meade Park and Alan Hutto Memorial Commons, from R-1, C-1, and O-1 to O-2.

Chair Eber reminded the Commission that this was a quasi-judicial item and asked for any Commissioners with conflicts to disclose them. He asked if the area zoned C-1 (the City Hall building) was the only area of C-1 in the Village. City Manager Thorsen stated he believed there may be another area of C-1 within the Village.

Chair Eber asked if this obviates the need to have C-1 as a zoning category, given that O-2 zoning allows government buildings. Ms. Black replied no, and that that discussion was likely outside the scope of this application.

Chair Eber asked if the police and fire building would also change to O-2. Ms. Black replied no, and showed on the map (Exhibit B) that the City Hall and police and fire building would remain zoned C-1, but everything within the park would change to O-2.

Chair Eber asked if the City Hall building is considered within the boundaries of John Meade Park. Ms. Black stated that City Hall is not considered part of the park.

Commissioner Wolfe stated that staff had done a good job of outlining the application, and Ms. Black stated the credit was to Community Development Director Granrath.

Chair Eber opened the public hearing at 6:50pm.

Garret Francis, 2605 Cherryridge Road, stated he sees that O-2 zoning allows for a lot of different facilities, and asked if that would affect flood mitigation. He continued that there is a concrete drainage ditch next to his house that is overgrown. He asked if additional facilities with foundations would impede the ground's ability to soak up water.

Chair Eber explained the Commission would take public comment, and then he would close the public comment and ask staff to address the public's questions.

Alice Abrams, 105 Meade Lane, asked if she could get a copy of the uses allowed under O-2 zoning. She asked whether it was the City or Arapahoe County who determines that; City Manager Thorsen indicated that it was the City. Ms. Abrams stated she would like to know how the allowable uses under O-2 were decided, as compared to O-1, since O-2 includes many more uses.

Chair Eber closed the public hearing at 6:55pm and asked staff to address the comments made during the public hearing.

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City Manager Thorsen stated he was familiar with the area Mr. Francis was referring to. Mr. Thorsen explained the park has been designed to not increase or decrease the floodplain at all. He continued that any flow that originally came from that site (the area close to Mr. Francis' house) would continue to flow from that site to the park. He stated that the drainage within that area would not change.

Chair Eber asked staff to speak about the waiver discussed earlier in the meeting and whether the specific items planned for the park could cause flooding issues.

City Manager Thorsen stated the area of the park in a flood zone is a "sheet flow" flood zone, meaning the overflow moves through the city and continues north. He explained the shelter at John Meade Park and City Hall itself are outside of the floodplain and will not impact anything within the floodplain. He continued that the only items within the floodplain are benches, playground equipment, etc., but because it is a sheet flow, those items do not affect the floodplain in that area.

Ms. Black stated to address concern about the uses allowed under O-2 zoning, the buildable area consists of two "islands" where the City is building the park shelter and City Hall. She continued that no other buildings can be constructed in John Meade Park outside of the area where the park shelter is planned, because everything else is within the floodplain. Ms. Black explained that though O-2 zoning may allow certain uses, most are not possible since buildings can't be constructed in the floodplain. She concluded that O-2 zoning would allow the playground to be constructed, which is not a use permitted in O-1.

City Manager Thorsen explained City Council recently approved the new O-2 zoning to accommodate all the uses planned for Quincy Farm, and there had previously been no zoning category appropriate for that type of property. He stated it is also appropriate for John Meade Park, since it allows for the playground features.

Chair Eber recalled that O-2 zoning would allow for all the elements of the park, but that O-1 zoning would require going through the expanded use permit process to build or later change playground features. He stated it was that flexibility that leads him to believe the O-2 zoning is appropriate for the property, and that having to go through expanded use processes for the park was not an appropriate use of city resources.

Commissioner Wolfe pointed out that the uses in O-1 and O-2 are the same to a certain point. He stated to respond to Ms. Abrams' question about what could be built in O-2, and noted the uses were for Quincy Farm.

Ms. Black explained O-2 zoning was not created to be specific to Quincy Farm. She explained the City did not have a similar zoning category before that allowed historic preservation, libraries, active park space, and so on, and that the O-2 zoning was created to allow the City to accommodate these uses that are typical in other cities.

Ms. Dahl asked for confirmation that the areas that could be built on were highlighted in the map for the floodplain waiver.

Ms. Black affirmed that that was correct and that floodplain area would not change drastically in the future to increase buildable area.

Chair Eber asked that the floodplain waiver map from the prior agenda item be included in the record for the rezoning application since it had been referenced.

Commissioner Murphy asked if the park would enhance or address the drainage away from property.

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Ms. Black explained a condition of building the park is that it cannot send more water onto other properties. She stated that all the water that is historically within the park must stay on that property and cannot affect others.

Chair Eber stated perhaps the drainage culvert mentioned earlier is a separate maintenance issue that should be addressed, but that the park is not to cause backups onto neighboring properties.

City Manager Thorsen stated he believes the drainage culvert was designed by the Army Corps of Engineers and flows onto city property, and the park should not affect it. He stated the maintenance of that structure is a private property issue.

Chair Eber reopened the public hearing at 7:11pm.

Garret Francis, 2605 Cherryridge Road, stated he walks his children to Cherry Hills Village Elementary almost every day, and has noticed that after heavy rains, there is existing flooding over the paths. He specifically noted the areas to the south of the east pond, and stated it creates a hazard because it's not clear where the edge of the pond is. He stated he is concerned about a 50- or 100-year flood event.

Chair Eber closed the public hearing at 7:13pm. He asked staff to provide history of the "no net change" means and whether the project is designed to move water better through the existing floodplain.

City Manager Thorsen stated there will be changes to the grading and trails, and that the project involved cleaning out the existing cattails, which would provide a little extra volume. He stated Mr. Francis was correct that there were marsh areas of the park that naturally collect more water and have been for years. He stated the design may improve that somewhat, but for the 100-year floodplain, the city requires no net change and zero effect, so the project does not increase or decrease any of the flood zone. He explained there will not be any impact to the larger area at all. City Manager Thorsen stated it will have to be seen whether some of the changes help with the minor problems, but it just all depends on the amount of rain.

Chair Eber asked if by moving from the cattail monoculture to the redesign the water will move through more effectively.

City Manager Thorsen stated the land area was very flat, and the engineer for the park wanted to ensure water kept moving through the system, both for the health of the ecosystem and to help with flooding. City Manager Thorsen continued it is graded to keep the water moving, but there is very little grade to work with.

Chair Eber asked if the edges of the ponds versus the pathways would be more defined.

City Manager Thorsen stated the cattails would be removed, which would define the boundaries of the wetlands, and the trail system would be redesigned.

Commissioner Wolfe asked if there would be a bridge. Parks and Recreation Coordinator Black showed on the map locations of footbridges and the boardwalk across the wetlands.

Commissioner Wolfe asked the height of the boardwalks. Ms. Black stated they were less than 36 inches from the ground; they are low enough that no edge is required on them. Commissioner Wolfe asked if there was a railing. Ms. Black replied that there was not a railing on the boardwalks, but that there would be a railing on one side of each of the fishing piers so that people could lean if they wanted or sit on the other side.

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Chair Eber asked for other comments. No Commissioners had further comments.

Commissioner Grodinsky moved, seconded by Commissioner Dahl, to recommend City Council approval of the proposed rezoning of 120 Meade Lane, also known as John Meade Park and Alan Hutto Memorial Commons, from R-1, C-1, and O-1 to O-2. The motion passed unanimously.

### **REPORTS**

#### **a. PTRC Chair Report**

Chair Eber reported that there are several projects on the agenda for 2019. Once City Council approves the floodplain waiver for John Meade Park the Commission can begin working on implementing a park plan.

Chair Eber thanked Commissioner Dahl and City staff for their work on the Winter Celebration. He commented that the event is a great way for the Community to come together.

Chair Eber recognized City Staff for their work on the new City Hall. He acknowledged that the new facility will be a great addition for the entire community.

Chair Eber announced that he was approached about the idea of having an off-road trail along the north side of Mansfield Avenue between Colorado Boulevard and Dahlia Street. He questioned if the trail is part of the traffic calming issues that are currently being discussed. Chair Eber noted that the south side of Mansfield Avenue has already been allocated to a combined bicycle and pedestrian trail. There is a safety concern with people using this trail and the traffic speeds along Mansfield Avenue.

Commissioner Wolfe suggested that more research should be done before considering a new trail along Mansfield Avenue. He is concerned that the trail would create a lot of work and very few people would use it.

Commissioner Wolfe suggested adding a trail off Colorado Boulevard going west to the High Line Canal. A bridge could be added to access the High Line Canal Trail.

Councilor Gallagher inquired about the history of the trail off Colorado Boulevard that Commissioner Wolfe referred to. He questioned if there might be an opportunity to get an easement for the trail.

Parks and Recreation Coordinator Emily Black commented that one of the issues with a trail on the north side of Mansfield Avenue is the width of the right-of-way and the extensive private landscaping where the trail would go. She agreed that a trail would be worth exploring for connection reasons once the traffic study is complete.

City Manager Jim Thorsen commented that speed evaluations are still being studied and staff will come back to the public to provide further recommendations to address traffic issues. He asked the PTRC table their discussions on the Mansfield Trail until the study is complete.

The Commission asked if the reduced speed limit has helped.

Mr. Thorsen responded that it has helped, but people are still speeding 5-10 mph over the speed limit.

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### **b. Commission Members Report**

Commissioner Dahl reported that the Winter Celebration was a successful event. She thanked staff for their work on the event.

Commissioner Wolfe reminded the Commission that he will be presenting the new Trail Signing Project at the City Council meeting on February 5<sup>th</sup>.

### **c. City Council Report**

Councilor Gallagher commended Parks Operation Supervisor Jeff Roberts for his assistance with the Caroline Mieville Clute bench dedication in Dahlia Hollow Park.

Councilor Gallagher recognized former Mayor Christman and Councilor Hoellen for the incredible work they did for the Community while on City Council. Councilor Gallagher welcomed Mayor Russell Stewart and Councilor Afshin Safavi to City Council.

### **d. Staff Report**

#### **(i) Crown Castle Proposal**

Parks and Recreation Coordinator Emily Black updated the Commission on the Crown Castle proposal to move the communication equipment out of John Meade park and into City Park located at on the northeast corner of Quincy and University. She reported that Crown Castle has not submitted a formal application at this time. The proposal will come before the Parks Commission before any decisions are made.

City Manager Jim Thorsen stated that the footprint of City Park is approximately 90 square feet. He confirmed that the agreement would include a lease and the goal is to get four carriers added to the cell tower to improve cell service in the City.

Mr. Thorsen explained that cell service in the City is poor due to the small population. Carriers generally place lines and telecommunication equipment in high density areas to maximize their revenue.

#### **(ii) Maven Properties Trail Lawsuit**

City Manager Jim Thorsen reported that the City was sued by Maven Properties for a trail that centered in the Cantitoe Subdivision off Pond Road. The question was whether the easements and land dedications for trails in the Cantitoe Subdivision were public or private. The City lost the first court hearing and decided not to appeal. Both parties agreed to vacate certain migrant trail connections and acquire full rights to the trail that goes from Holly to Dahlia.

#### **(iii) High Line Canal Conservancy Open Houses**

Parks and Recreation Coordinator Emily Black reported that the High Line Canal Conservancy is having two open houses for its framework plan. The massive document goes mile by mile along the High Line Canal Trail identifying suggested locations for benches and signs and suggestions for the design of those signs. The open houses are scheduled for January 23<sup>rd</sup> and January 24<sup>th</sup>. The same event just two different days.

Ms. Black thanked the Commission for their help at the Winter Celebration. She received positive feedback from the community on the event.

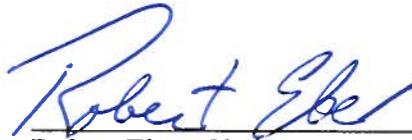
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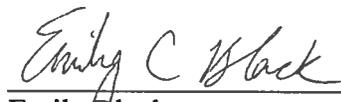
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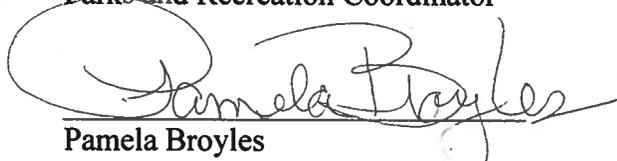
Jim invited the Commission to an open house at the new City Center and reported that staff will move into the building by the end of February. Mr. Thorsen was happy to report that the project is on time and under budget.

**ADJOURNMENT**

The meeting adjourned at 7:23 p.m. The next PTRC meeting is scheduled for February 14th at 5:30 p.m.

  
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Robert Eber, Chairman

  
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Emily Black  
Parks and Recreation Coordinator

  
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Pamela Broyles  
Administrative Assistant