

**CHERRY HILLS VILLAGE**  
**COLORADO**

2450 E. Quincy Avenue  
Cherry Hills Village, CO 80113  
www.cherryhillsvillage.com

Village Center  
Telephone 303-789-2541  
FAX 303-761-9386

**City Council Agenda**  
Tuesday, August 1, 2017

5:00 p.m. – Study Session – Preliminary Design for City Hall

6:30 p.m. – Regular Meeting

1. Call to Order
2. Roll Call of Members
3. Pledge of Allegiance
4. Presentation of Certified Public Manager Certification to Human Resources Analyst Kathryn Ducharme
5. Audience Participation Period (limit 5 minutes per speaker)
6. Consent Agenda
  - a. Approval of Minutes – July 18, 2017
7. Items Removed From Consent Agenda
8. Unfinished Business
  - a. Council Bill 7, Series 2017; Adding a New Division 6 to Article III of Chapter 17 of the Municipal Code Concerning Subdivision Plat Renaming Procedures (*second and final reading*)
9. New Business
10. Reports
  - a. Mayor
  - b. Members of City Council
  - c. Reports from Members of City Boards and Commissions
  - d. City Manager and Staff
  - e. City Attorney
11. Adjournment

Notice: Agenda is subject to change.  
If you will need special assistance in order to attend any of the City's public meetings, please notify the City of Cherry Hills Village at 303-789-2541, 48 hours in advance.

















Minutes of the  
City Council of the City of Cherry Hills Village, Colorado  
Held on Tuesday, July 18, 2017 at 6:30 p.m.  
At the Village Center

The City Council held a study session regarding expanded use permits at 5:30 p.m.

The City Council held a study session regarding the City's traffic analysis at 6:03 p.m.

Mayor Laura Christman called the meeting to order at 6:38 p.m.

**ROLL CALL**

Mayor Laura Christman, Councilors Randy Weil, Earl Hoellen, Al Blum, Mike Gallagher, Dan Sheldon, and Katy Brown were present on roll call. Also present were City Manager Jim Thorsen, Deputy City Manager and Public Works Director Jay Goldie, City Attorney Linda Michow, Police Chief Michelle Tovrea, Community Development Director Rachel Hodgson, Parks, Trails and Recreation Administrator Ryan Berninzoni, Special Projects Coordinator Emily Black and City Clerk Laura Smith.

Absent: none

**PLEDGE OF ALLEGIANCE**

The Council conducted the pledge of allegiance.

**35 YEAR RECOGNITION AWARD FOR PUBLIC WORKS PROJECT AND RIGHT-OF-WAY MANAGER RALPH MASON**

Deputy City Manager/Director Goldie thanked Public Works Project and Right-of-Way Manager Ralph Mason for 35 years of service. He had served as a maintenance worker, equipment operator, heavy equipment operator, crew chief, superintendent, and right-of-way manager. He was an ambassador of the City and always reflected a positive image to residents. He demonstrated honesty, enthusiasm and optimism. The City was grateful for his incredible dedication and loyalty. Deputy City Manager/Director Goldie presented a commemorative award for his service.

Public Works Project and Right-of-Way Manager Mason thanked past and current Council's for their support.

**AUDIENCE PARTICIPATION PERIOD**

Harriet LaMair, 16 Cherry Lane Drive, reported that the High Line Canal Conservancy (HLCC) thanked the Council for their contribution to the vision plan. She noted the HLCC was now trying to increase its membership. She explained that Denver Water had allowed yard signs to be placed on their side of the High Line Canal. She added

that the success of the vision plan was leading to plans to improve connectivity, and that in addition to the planned underpass at Colorado and Hampden, Aurora was planning a crossing for 1-70 and Douglas County was planning a crossing for Santa Fe. She indicated that the HLCC was partnering with the Denver Botanic Gardens for a botanical inventory of the Canal. She noted that the next stage would be a framework for a five to ten year implementation schedule, and long term issues included management and finance. She added that tree trimming would begin this fall as part of tree preservation efforts.

### **CONSENT AGENDA**

Mayor Pro Tem Hoellen moved, seconded by Councilor Gallagher to approve the following items on the Consent Agenda:

- a. Approval of Minutes – June 20, 2017

The motion passed unanimously.

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

None

### **UNFINISHED BUSINESS**

Public Hearing - Council Bill 3, Series 2017; A Bill for an Ordinance of the City of Cherry Hills Village Repealing and Re-enacting Articles I through VIII of Chapter 18 of the Cherry Hills Village Municipal Code (second and final reading, public hearing)

Director Granrath presented Council Bill 3, Series 2017 on second and final reading. She stated that the most notable change with the proposed council bill was an increase in plan review fees. She explained that this was due to the increased fees in Colorado Code Consulting's new contract which Council had approved in April. She noted that staff was notifying contractors of the effective date of the ordinance. She explained that there had been no changes since first reading. She noted that notice of tonight's hearing was published in the June 8, 2017 and June 22, 2017 editions of the Villager Newspaper and was posted on the Village Center notice board and Village website. Staff had not received any public comments regarding this council bill.

Mayor Christman opened the Public Hearing at 6:56 p.m.

Hearing no comments, the Public Hearing was closed at 6:57 p.m.

Councilor Brown moved, seconded by Councilor Blum to approve Council Bill 3, Series 2017 on second and final reading; repealing and re-enacting Articles I through VIII of Chapter 18 of the Cherry Hills Village Municipal Code, concerning Building Regulations; adopting by reference, with certain amendments, 2015 International Building Code,

### Cherry Hills Land Preserve Fundraising Proposal

Special Projects Coordinator Black explained that the Cherry Hills Land Preserve (CHLP) proposed to raise funds at their upcoming community Barn Party for two projects planned for Quincy Farm. The projects were an internal, closed-loop nature trail, and a set of pollinator and Plant Select gardens located adjacent to the Anderson House. Each project was estimated to cost \$10,000. CHLP was seeking the support of City Council to include these two projects for Quincy Farm in their fundraising and outreach for the Barn Party event, including the use of the City's name and logo. The City Manager would approve all print ads and advertising that included the City's name or logo prior to its release. Once the money was raised and funds were available, the City would enter into a Memorandum of Understanding (MOU) with CHLP outlining the stipulations of the proposed donation. Accepted funds would be deposited into the Catherine H. Anderson Land Donation Fund, an account created specifically for this donation. The funds would be used to offset design and construction costs for these specific projects. Funds for these projects was available in the City's budget, and whatever portion was offset by the CHLP fundraising could be allocated to different high-priority maintenance projects for Quincy Farm, such as exterior paint and tree maintenance. The Quincy Farm Committee (QFC) met this morning and indicated support for the fundraising.

Councilor Brown asked if the grass in front of the proposed gardens would be improved.

Special Projects Coordinator Black replied that staff would be installing new irrigation to improve the grass.

Councilor Weil asked about ongoing maintenance costs and responsibilities with the proposed projects.

Special Projects Coordinator Black replied that the planned gardens would involve less maintenance in the long run than the current landscaping in those areas.

City Manager Thorsen added that City staff would be responsible for the maintenance, along with volunteers.

Councilor Gallagher asked for more information about the proposed trail.

Special Projects Coordinator Black explained that the current plan for the proposed trail was a short grass prairie trail, with the grass of the trail shorter than that of the prairie, bordered by a two-rail split rail fence on either side. She noted that Colorado Open Lands had approved this plan as conforming to the requirement in the conservation easement of limited public access. She indicated that the trail would look natural, meander, and include educational nature signage.

Mayor Pro Tem Hoellen stated that both parties' definition of a given term had to be met with any agreement.

Councilor Brown noted that the fence would be an ongoing maintenance commitment.

Special Projects Coordinator Black indicated that the design was not final, but that the City would prefer a fence as well in order to keep the public on the trail.

Councilor Brown questioned the visual impact of the fence breaking up the open space area.

Special Projects Coordinator Black noted that most of the proposed trail would follow an existing fence line.

Mayor Christman suggested that some areas of the trail be wider to allow for benches.

City Manager Thorsen added that this issue would be brought back to Council when staff presented the MOU.

Councilor Gallagher applauded this collaboration between public and private entities. He noted that the proposed projects would enhance public lands and were consistent with the Master Plan.

Quincy Farm Committee Chair Russell Stewart noted that Colorado Open Lands had ultimate approval of these kinds of projects as the conservation easement on the property was very strict. He indicated that Colorado Open Lands had rejected the idea of connecting the High Line Canal to Quincy through Quincy Farm, but they had determined that the proposed nature trail was consistent with the conservation easement.

Councilor Brown asked about access for the nature trail.

Chair Stewart replied that visitors could access the trail via the driveway from Quincy Avenue. He noted that there was limited parking on the property and that bikes were not allowed.

Councilor Brown asked about the tenant who still lived on the property.

Chair Stewart replied that was on a separate portion of the property from where the nature trail was proposed. He added that Kent Denver's recent summer camp on this portion of the property had gone well.

City Manager Thorsen added that the times and days of public access to Quincy Farm were still being decided.

Councilor Brown indicated her appreciation of CHLP's generous offer, but expressed concern that the City ensure the funds were not being raised for a project that the public could not use.

Chair Stewart replied that the conservation easement specified that the property was meant to be used by the public, and that how the property was used was the charge of the QFC.

Councilor Brown moved, seconded by Mayor Pro Tem Hoellen to support the Cherry Hills Land Preserve and their efforts to raise funds for the enhancement and improvement of Quincy Farm and authorize the Cherry Hills Land Preserve to use the City's name and its logo in their fundraising effort for the 2017 Barn Party. The City Manager must approve all print ads and advertising that includes the City of Cherry Hills Village's name or logo prior to its release.

The motion passed unanimously.

## **REPORTS**

### **Mayor's Report**

Mayor Christman reported that she had received a response letter from the FAA which had not provided any new information. She noted that Centennial Airport was developing a strategy with technical experts and legal counsel. She added that many Front Range mayors were involved, but many others wanted more information before becoming involved. She indicated that they were using Freedom of Information Act requests to try to collect the missing information. She explained that she was in contact with the mayors of Laguna Beach and Newport Beach, both of which were in litigation with the FAA, and that she was flying out at her own expense the Laguna Beach mayor to talk to Front Range mayors about their experience. She suggested that once they had the proper information they would contact Colorado's federal elected officials. She noted that Governor Hickenlooper had written a letter to the FAA at the request of Boulder County.

Mayor Christman reported that there would not be a transportation funding measure on the November ballot, and that municipalities were discussing the possible necessity of addressing transportation issues with local funding.

Mayor Christman reported that the CHLP Barn Party was September 16<sup>th</sup>.

### **Members of City Council**

Councilor Blum had no report.

Councilor Sheldon noted that the Community Development Department's monthly report showed that only one new single family resident permit had been issued so far this year. He added that a high number of remodel projects prevented revenue from being lower. He indicated that he had asked Director Granrath to look into the cost of a

comprehensive update of the Municipal Code instead of the piecemeal changes that the City had been doing.

Councilor Brown reported that the annual summer movie night would be held August 19<sup>th</sup> and the Public Art Commission's annual event would be held September 27<sup>th</sup>. She noted that the Public Art Commission was looking into hiring a part-time curator to help the Commission establish a thematic approach to their sculpture-on-loan program.

Mayor Pro Tem Hoellen had no report.

Councilor Gallagher reported that the neighborhood Fourth of July parade had been successful. He indicated that the plans for the John Meade Park redevelopment were about 70% complete and would be brought to Council in the fall. He added that the August PTRC meeting would be a collaborative meeting including Council, City Boards, Commissions and Committees, and community organizations such as CHLP and HLCC.

Councilor Weil had no report.

### **Members of City Boards and Commissions**

None

### **City Manager & Staff**

City Manager Thorsen congratulated Public Works Project and Right-of-Way Manager Mason for his outstanding service to the City. He recognized the collaboration between QFC and CHLP on their fundraising project for Quincy Farm. He reported that a South Metro Fire Rescue memorial service would take place at Denver First Church on Friday July 21<sup>st</sup> from 11am to 1pm, and that the procession leaving the Church would likely cause traffic delays.

Deputy City Manager/Director Goldie reported that chip seal would be performed next week and staff had sent notices to affected residents. He indicated that after this project all of the City's streets would be under chip seal. He noted that staff would be bringing a new contract for concrete services with a new contractor for Council's consideration at the next meeting.

### **City Attorney**

City Attorney Michow noted that the city of Thornton had lost an appeal in Adams County District Court regarding litigation with Top Golf.

**ADJOURNMENT**

The meeting adjourned at 8:09 p.m.

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Laura Christman, Mayor

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Laura Smith, City Clerk

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ITEM: 8a

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**MEMORANDUM**

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF CITY COUNCIL

**FROM:** RACHEL GRANRATH, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** COUNCIL BILL 7, SERIES 2017; A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE ADDING A NEW DIVISION 6 TO ARTICLE III OF CHAPTER 17 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE CONCERNING SUBDIVISION PLAT RENAMING PROCEDURES (SECOND AND FINAL READING)

**DATE:** AUGUST 1, 2017

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**ISSUE:**

Should the City Council approve Council Bill 7, Series 2017 on second and final reading, adding a new Division 6 to Article III of Chapter 17 concerning subdivision plat renaming procedures?

**DISCUSSION:**

The City has received inquiries about the process for renaming a subdivision plat. The municipal code currently does not address the process for renaming a subdivision plat. Reasons for which a subdivision plat may be renamed include:

- (1) confusion in the name of a subdivision caused by similarly named subdivisions located nearby;
- (2) inappropriate names of subdivision plats;
- (3) errors in filing numbers of sequential plats.

In order to address these circumstances, Council Bill 7, Series 2017 provides a process to allow property owners to request a change in the name of their subdivision. The process includes a requirement to submit a petition signed by at least 51% of the lot owners within the subdivision indicating their consent to change the name. Upon submission of a complete application, the City would schedule a public hearing before City Council to consider the request. The public hearing would be noticed through newspaper publication and posting of signs at entrances to the subdivision, in specific locations determined by the Community Development Director. Council could approve the application via adoption of a resolution. The resolution, along with an exhibit identifying all of the affected lots, property owners, legal descriptions and County Assessor's tax



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identification number, would then be recorded in the Arapahoe County Clerk and Recorder's Office.

On first reading City Council requested a couple amendments to the Council Bill, which are included in Exhibit A. The following revisions are included:

- The petition of at least 51% of property owners shall include signatures from all recorded owners of a lot in order to count said property towards the 51% requirement
- Recording fees to be held by the City in a non-interest-bearing escrow account will be required as part of the application. The Escrow fee will be determined by City staff based on the number of lots involved in the proposed subdivision name change and the current recording fees imposed by Arapahoe County. The application fee will be determined by resolution of the City Council.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Subdivision Plat Renaming Procedures addition of Division 6 to Article III of Chapter 17.

**RECOMMENDED MOTION:**

"I move to approve Council Bill 7, Series 2017 on second and final reading; adding a new Division 6 to Article III of Chapter 17 of the Cherry Hills Village Municipal Code concerning Subdivision Plat Renaming Procedures."

**EXHIBITS:**

Exhibit A: Council Bill 7, Series 2017

COUNCIL BILL 7  
SERIES OF 2017

INTRODUCED BY: \_\_\_\_\_  
SECONDED BY: \_\_\_\_\_

**A BILL FOR AN ORDINANCE  
OF THE CITY OF CHERRY HILLS VILLAGE  
ADDING A NEW DIVISION 6 TO ARTICLE III OF CHAPTER 17  
OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE  
CONCERNING SUBDIVISION PLAT RENAMING PROCEDURES**

**WHEREAS**, the City of Cherry Hills Village (“City”) is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and Article 23, Title 31 of the Colorado Revised Statutes, the City has authority to regulate the development and subdivision of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

**WHEREAS**, the City has adopted subdivision regulations codified in Chapter 17 of the Municipal Code; and

**WHEREAS**, the City has determined that it is necessary to add a process for changing the names of platted subdivisions as none currently exists; and

**WHEREAS**, the City Council finds the regulations set forth in this ordinance further the health, safety and welfare of the community and are in furtherance of the City’s police powers.

**NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:**

**Section 1.** Article III, titled Subdivision Procedures of Chapter 17 of the Cherry Hills Village Municipal Code, is hereby amended to add a new Division 6 to read in full as follows:

**ARTICLE III – SUBDIVISION PROCEDURES**

**Division 6. Subdivision Renaming Process.**

**Sec. 17-3-510. Purpose, intent.**

The purpose and intent of this Section is to create a process for a subdivision name change.

**Sec. 17-3-520. Process.**

(a) Application. A request to obtain City Council approval of a subdivision name change may be initiated by the property owners within the subdivision as provided in this Article. The applicant must submit a written application and petition on forms provided by the city, which application shall contain at a minimum the following information:

- (1) Existing subdivision name;
- (2) Proposed subdivision name;
- (3) Reason for request to change subdivision name;