

Minutes of the Parks, Trails & Recreation Commission
City of Cherry Hills Village, Colorado
Thursday, March 12, 2015
at the Village Center

Commission members in attendance: Bill Lucas, Robert Eber, Joshua DiCarlo, Rob Ganger, Nina Itin, John Kokish and Councilor Mike Gallagher. Employees present: Ryan Berninzoni, Parks, Trails and Recreation Administrator, Matt Krebsbach, Parks Crew Chief, Pamela Broyles, Administrative Assistant.

Absent: Colleen Dougherty

CALL TO ORDER

Chair Bill Lucas called the John Meade Park study session to order at 5:30 p.m.

STUDY SESSION – JOHN MEADE PARK

Design Concepts

THK Associates presented three design concepts for John Meade Park to the Parks, Trails and Recreation Commission (PTRC). The project is a long term vision that will be completed in phases. The Commission discussed parking, paved trails versus crusher fine trails and the process for placing structures in the floodplain.

Project Schedule

The next Public Input meeting is scheduled for April 9th at St. Mary Academy.

The PTRC will meet on Monday, March 23, 2015 at 8:00 a.m. with THK Associates at the Village Center.

PARKS, TRAILS AND RECREATION COMMISSION (PTRC) MEETING

CALL TO ORDER

Chair Bill Lucas called the PTRC meeting to order at 6:30 p.m.

APPROVAL OF THE FEBRUARY 12, 2015 MINUTES

Mr. Rob Ganger moved to approve the February 12, 2015 minutes as presented. Ms. Nina Itin seconded the motion and the motion passed unanimously.

AUDIENCE PARTICIPATION

There was no audience participation

BLUE HILLS SUBDIVISION PROPOSAL – ROB ZUCCARO

Mr. Rob Zuccaro, Community Development Director, presented an application for a minor subdivision located on the north side of East Kenyon Avenue between South Ogden Street and South Corona Street. The request is to subdivide an approximately 2.2 acre parcel into two, 1.1 acre residential lots. The subject property is zoned R-3 and is currently vacant. The PTRC is being asked to recommend to City Council that the 7.5% land dedication be made as cash in lieu. The applicant presented a sketch plat to the PTRC on June 13, 2013 and requested preliminary feedback on the land dedication requirement prior to making a formal application. The general consensus of the PTRC at that time was to recommend cash in lieu of land as there are no trail connection opportunities or view corridors. Based on appraisals from August 22, 2013, the value of each proposed lot are \$506,000 and \$508,000 totaling \$1,014,000. Based on this appraisal price the 7.5% cash in lieu dedication would be \$76,050. Staff has informed the applicant that current appraisals are required to determine the final dedication amount.

Mr. Zuccaro informed the Commission that the applicant is currently in a quiet title lawsuit over the property and has requested that the subdivision review continue pending the outcome of the lawsuit. Because of the unknown timeframe for the lawsuit, the applicant has requested that the final appraisals not be submitted until after the lawsuit is settled.

Mr. Kokish had questions about the timeframe of the lawsuit and expressed concern that making a decision on the land dedication might be premature at this point.

Mr. Zuccaro reported that staff has reviewed the City ordinance and feels the applicant has provided all of the requested information to continue the review. He confirmed that the City would not execute or record the subdivision plat until the title is clean and the lawsuit is settled in favor of the current owner.

Mr. Kokish expressed concern that a recommendation for approval could have some effect on the legal status of the case. He recommended tabling the recommendation until the lawsuit is over.

Mr. Zuccaro suggested that if the Commission has concerns he can have the City Attorney review their concerns before proceeding with a recommendation. If the Commission has concerns that the lawsuit could impact their recommendation on the land dedication then it would be appropriate to make a continuance.

Mr. Lucas reported that the Commission would only be making a recommendation on the 7.5 % land dedication. He agreed that the request may be premature, but he does not believe PTRC's decision will affect the case.

Mr. Parker Semler, the applicant and owner of the Blue Hill Land Company, addressed the Commission regarding their concerns. He stated that he acquired the parcel in 2003 and has been paying taxes on the vacant land throughout that time. He said a lawsuit has been filed that arises out of a series of transactions that started in 1994. He said the Speer brothers sold the property in question in 1994 for \$110,000. The lawsuit is in District Court and they are seeking a judicial declaration that the Speer brothers were incompetent in 1994 and did not have the legal capacity to sell the property. A trial date has been set for December 2015. Mr. Semler is asking for approval to move forward so he does not have to start from scratch when the lawsuit is resolved.

Mr. Robert Eber moved, seconded by Ms. Nina Itin to recommend approval of the 7.5% land dedication for the proposed Blue Hill Subdivision to be made as cash in lieu of land dedication with the following two conditions:

1. PTRC's acceptance of an appraisal current within three months of full execution and recordation of the plat shall be provided to the City and that the final dedication amount shall be based on such appraisal.
2. Blue Hill Land Company's successful resolution of current and any future litigation such that it provides clean title of its ownership of the parcel.

The motion carried with 5 ayes and 1 nay.

SUBCOMMITTEE DISCUSSIONS

a. Summary Sheet

Trail Enhancement Update

Mr. DiCarlo reported that the High Line Canal tunnel that goes under Belleview was recently vandalized. He suggested that security cameras should be placed in that area as there has also been an issue with graffiti.

Mr. Berninzoni reported that the tunnel lights were broken and the total damage was approximately \$6,000. The City has filed an insurance claim. The Police have no witnesses or suspects. Mr. Berninzoni agreed to place temporary cameras at the site.

Special Events Update

The annual movie night is scheduled for Saturday evening August 22nd. The car show will be September 13th or September 20th depending on the Bronco's schedule that comes out in April. The Holiday Tree Lighting event is scheduled for Friday, December 11th.

Open Space Update

Mr. Zuccaro is working on changes to the ordinance to address fencing restrictions. He will present to the PTRC at the May 2015 meeting.

Ms. Itin stressed that the Commission needs to take a strong stand on what they want to recommend for fencing restrictions to protect the rural sense of the community. She noted that some communities are thinking aggressively about what the worst case scenario would be in 25 years and what codes need to be established to prevent that from happening.

Ms. Itin will talk with Mr. Zuccaro in advance to express the concerns and recommendation of the PTRC to establish restrictions on fencing and walls throughout the Community.

Mr. DiCarlo emphasized the importance of establishing criteria for the PTRC when considering land dedications. The criterion needs to support the master plan and protect view corridors. This would also be beneficial for the developers so they know the expectations. It is important for future PTRC members to know the guidelines and what to advocate for. He believes establishing criteria should be a priority because there are potential land dedications that the Commission could be deciding in the near future.

Chair Lucas will discuss these issues with Mr. Zuccaro. The PTRC will coordinate with the Planning and Zoning Commission (P&Z) to address zoning issues.

Chair Lucas added that the PTRC will also address these issues at the end of the year when reviewing the Master Plan.

Communications/Crier Article

Mr. Eber is working to get information on the City's website before being printed in the next Village Crier.

b. Parks, Trails and Recreation Enhancement

There was nothing to report on this subject.

PTRC CHAIR REPORT

Report to City Council

Chair Lucas reported that City Council does not want 90 Meade Lane included in the plans for John Meade Park. He asked the Commission to think about how John Meade Park can serve the entire community.

Upcoming PTRC Projects

There was nothing to report on this subject.

REPORTS

a. Parks Division Maintenance Log

Mr. Berninzoni reported that all trees have been reserved from the annual Tree Planting Program.

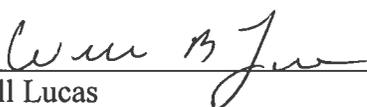
b. City Council Report

There was nothing to report on this subject.

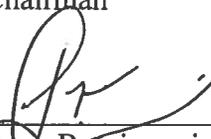
ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

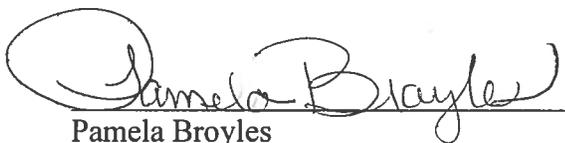
The next scheduled PTRC meeting is April 9, 2015.



Bill Lucas
Chairman



Ryan Berninzoni
Parks, Trails and Recreation Administrator



Pamela Broyles
Administrative Clerk