

Minutes of the  
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado  
Held on Tuesday, June 8, 2010 at 6:30 p.m.  
At the Village Center

**CALL TO ORDER**

Chairman Ira Plotkin called the meeting to order at 6:30 p.m.

**ROLL CALL**

Present at the meeting were the following Planning and Zoning Commissioners:  
Chairman, Ira Plotkin; Commissioner Joe Poche; Commissioner Jim Rubin; Commissioner  
Peter Savoie and Commissioner Ann Kerr

Also present at the meeting were the following staff members: Mr. Rob Zuccaro,  
Community Development Director; Ms. Laurel Landsman, Community Development  
Clerk; and Ms. Joan Fritsche, Attorney for the City of Cherry Hills Village, Colorado.

Absent were Vice Chair Laura Christman and Commissioner Jacque McIntyre.

**APPROVAL OF MINUTES**

Commissioner Kerr made a motion, seconded by Commissioner Savoie to accept the April  
13, 2010 minutes as written. The motion passed unanimously.

Commissioner Kerr made a motion, seconded by Commissioner Rubin to accept the April  
27, 2010 minutes as written. The motion passed unanimously

**AGENDA ITEMS**

*Proposed Ordinance Amendment Creating an Administrative Review Procedure for  
Dredging Ponds in the Floodplain*

Mr. Zuccaro said staff is presenting for review and recommendation to City Council, a  
proposal for an ordinance amendment creating an administrative review procedure for  
dredging ponds in the floodplain. It is modeled after the administrative review procedures  
for bank stabilization that was adopted by the City last year.

Mr. Zuccaro stated that applicants are currently required to obtain a Floodplain  
Development Permit under Article XVII of the Zoning Ordinance for dredging a pond.  
The process for obtaining the permit includes public hearings before both the Planning and  
Zoning Commission and the City Council and can be burdensome to the applicant because  
of the nature of the public hearing process.

Mr. Zuccaro said that the purpose of the ordinance was to streamline the process by  
removing the public hearing requirements. He continued by summarizing the proposed  
submittal requirements.

Mr. Zuccaro said that if there were neighbors who were in opposition to the proposed  
dredging and staff felt it should be, the matter could be brought before the City Council at  
a public meeting.

Commissioner Savoie asked if there had been a problem with the procedure in the past and  
if there were many properties that would be affected by the proposed amendment.

Mr. Zuccaro said the number of properties that are within the floodplain are noted on the map included with the staff memorandum. He said there were twenty five ponds in the floodplain.

Chairman Plotkin asked if someone had approached the City about the requirements. Mr. Zuccaro said that an applicant who didn't want to go through the public hearing process brought this matter to staff's attention.

Chairman Plotkin asked if there were any other questions or comments.

Commissioner Rubin asked if it were true that if only one neighbor protests than it had to go through a public hearing.

Mr. Zuccaro said no, that was in the early drafts of the bank stabilization proposal and is not language that is included in the currently proposed amendment.

Chairman Plotkin said if there were no other questions or comments he would entertain a motion at this time.

Commissioner Rubin made a motion, seconded by Commissioner Poche to recommend to the City Council approval of the proposed amendments to the City's Floodplain Management Regulations as outlined in Exhibit A to the staff memorandum dated June 8, 2010 for the purpose of adopting administrative review procedures for dredging ponds that are located in the floodplain.

The motion passed unanimously.

#### Annual Master Plan Review

Mr. Zuccaro began the Annual Master Plan Review by saying that in an effort to focus the discussion of the items, staff recommends addressing the following based on priorities identified from last year's review:

- 1) Two Short Term priorities – Re-zoning floodplain into open space and Burial of aboveground utility lines;
- 2) Whether to re-categorize any “Medium” or “Long Term” priorities as “Short Term;”
- 3) Possibility of changing the Land Use/Development strategy related to commercial land use because of the property tax decrease; and
- 4) Discuss whether any policies should be changed, added or deleted. Staff does not recommend adding any new policies.

#### *Number 1 - Burial of aboveground utility lines and Rezoning Floodplain into Open Space*

The Commissioners discussed funding for burial of aboveground utility lines.

Mr. Zuccaro said that there is a small fund for burial of aboveground utility lines. He said that new subdivisions are required to bury their lines. He suggested that research into new funding sources could be performed.

Commissioner Kerr said that Greenwood Village used a graduated assessment based on how close the homes were to the buried lines.

Commissioner Savoie asked if this is a priority the Commission wants to focus on.

Chairman Plotkin said that under the survey taken last year, residents thought burying power lines was a very important priority. He said it was important to determine the costs

of burying the lines, how much money is currently available to put into burying lines and how much money would have to be found from other sources for burying the lines.

Chairman Plotkin asked if staff could put together information about the burying of power lines and move it to an "immediate priority."

Chairman Plotkin asked if staff would also perform research regarding homeowners rezoning floodplain to open space; what that would entail and if there are any tax benefits that might encourage people to rezone their floodplain.

*Number 2 – Moving items from "Medium" and "Long Term" to "Short Term"*

Chairman Plotkin said that if you eliminate all the items that are being addressed by other bodies, that leaves very few items to review. He suggested that the University and Quincy signalization be moved to a higher priority (as part of "traffic flow" and "integrating pedestrian walkways" items).

Chairman Plotkin suggested that the issue at the University and Quincy intersection is the four way red. He likes the "No turn on red when pedestrians are present" sign better.

Mr. Zuccaro said that CDOT said that they didn't feel that the intersection was safe enough to change the sign.

Chairman Plotkin suggested moving traffic flow from "Medium" to "Short Term" priority along with integrating pedestrian walkways.

Commissioner Savoie said maybe the police could come to a meeting and talk about where they are with the photo red light for University and Hampden.

The Commissioners discussed how much more safely intersections operate with a photo red light system present.

Commissioners said that traffic eastbound on Quincy do not see pedestrians at the pedestrian crosswalk on the Highline Canal if the pedestrian doesn't hit the crosswalk button. In looking at integrating pedestrian walkways, this is one that should be reviewed.

*Number 3 – Change in Land Use/Development Strategy Related to Commercial Development*

The Commissioners discussed the possibility of recommending land use changes to address the issue of decreasing property taxes that is expected in the near future.

Chairman Plotkin said he thought it would be helpful to have discussions of mixed use, PUD's, and commercial development for certain properties. Some Commissioners agreed saying that the time will come when zoning changes will be inevitable for mixed uses/commercial and it is important to be ready.

Chairman Plotkin asked what was happening with the items recommended by the RDSC.

Mr. Zuccaro said that a landscape preservation ordinance and green building ordinance are being considered by the City. The landscape preservation ordinance will be reviewed by the Commission, but the green building ordinance is not zoning related and will not be reviewed by the Commission. A bulk plane study is being performed by a planning firm to make zone district by zone district and neighborhood by neighborhood recommendations. After the study is completed there would be a review of ordinances by the Commission. One of the Residential Development Standards Committee recommendations is a neighborhood review prior to building permit that is non-binding but hopefully will resolve some of the issues prior to building.

**RECORD OF PROCEEDINGS**

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The landscape ordinance includes replacement of trees under certain circumstances and at a certain ratio (RDSC recommendation). The landscape preservation ordinance may be coming to the Commission for review soon.

Chairman Plotkin asked if there were any discussion items; there were none.

Chairman Plotkin asked Mr. Zuccaro if there were any reports for the Commission.

**REPORTS**

Mr. Zuccaro said there were no reports at this time.

The next regularly scheduled meeting of the Commission is June 22, 2010.

**ADJOURNMENT**

A motion was made by Commissioner Rubin and seconded by Commissioner Savoie to adjourn the meeting at 7:44 p.m.

The motion passed unanimously.

The meeting adjourned at 7:44 p.m.



Ira Plotkin, Chairman



Laurel Landsman, Community Development Clerk