

**RECORD OF PROCEEDINGS**

---

Minutes of the  
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado  
Held on Tuesday, August 24, 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; Vice Chair Laura Christman; Commissioner Joe Poche; Commissioner Jacque McIntyre; Commissioner Peter Savoie; and Commissioner Ann Kerr.

Also present at the meeting were the following staff members: Mr. Rob Zuccaro, Community Development Director; and Ms. Laurel Landsman, Community Development Clerk.

Absent was Commissioner Jim Rubin.

**APPROVAL OF MINUTES**

Commissioner Kerr made a motion, seconded by Commissioner Poche, to accept the August 10, 2010 minutes as written. The motion passed unanimously.

**AGENDA ITEMS*****Proposed Ordinance Creating Standards for the Preservation of Established Trees***

Mr. Zuccaro presented the revised draft of the proposed ordinance for review and recommendation based on the input received from the Commission at the August 10, 2010 meeting.

Chairman Plotkin asked for any comments and discussion of the revised draft ordinance. He said that the ordinance is consistent and clearly states that the trees addressed are those within the setbacks.

Vice Chair Christman said that she had gone over the previous meeting minutes and requested some clarification.

Chairman Plotkin went over some of the points discussed at the last meeting and said that they had decided not to include any language pertaining to trees within the building envelope. He said the Commission acted with a view toward addressing the privacy and screening issues of the homeowners who attended and spoke at the last meeting.

Vice Chair Christman asked if this meant that if someone removed a large tree from within the building envelope that they would not be required to replace that tree.

Chairman Plotkin said yes under the current draft they would not be required to replace the tree.

Mr. Zuccaro asked if the Commission wanted to reconsider adding a provision in the ordinance to require owners to replace or relocate a tree if there is an established tree in the building envelope that is removed.

Commissioner Savoie suggested that it might be time to put the planting of trees per 40 lineal foot of foundation requirement back on the table as well. He said that without the requirement for a minimum number of replacement trees and the tree requirement inside the building envelope, you have a different issue and the character of the ordinance has changed. Commissioner Savoie asked if Mr. Zuccaro would talk more about the lineal foundation requirement that had been removed.

Mr. Zuccaro said that the old language required that a minimum number of trees be planted based on the length of the foundation even if there were no trees on that side of the property to start with.

Chairman Plotkin said that the requirement to plant new trees where no trees had been present caused the language to be removed.

Commissioner Kerr agreed and said she did not think the City should mandate planting trees where no trees had been previously.

Commissioner Poche said that the owners should not rely on the presence of their neighbor's trees but should plant trees on their own property for screening and privacy.

Commissioner Savoie asked if tree replacement sites would be reviewed as part of the tree plan review.

Mr. Zuccaro said yes and stated that the requirement for planting replacement trees generally where the tree was removed, as the current ordinance language allows, would give owners some flexibility.

Commissioner Kerr said she thought the preservation of trees should be dealt with separately from a minimum landscape requirement.

Vice Chair Christman asked if the Commissioners would be open to considering a minimum landscape requirement.

Chairman Plotkin said he would be interested in seeing a draft of a minimum landscape ordinance that was separate from the preservation ordinance.

The Commissioners agreed that the tree preservation ordinance should address trees removed anywhere on a property, including the building envelope, as long as there was flexibility to work with the lot owner on tree placement.

Commissioner McIntyre asked if the minimum landscape requirements would ever come before the Commission.

Mr. Zuccaro said that the Commission could direct staff to do research about landscaping that could be brought back to the Commission.

Commissioner Savoie suggested that a landscape professional be consulted as part of the research.

Chairman Plotkin directed staff to begin research for a study session regarding minimum landscape requirements.

*Recommended motion:*

Vice Chair Christman made a motion, seconded by Commissioner Kerr, to recommend to City Council approval of the proposed ordinance provided in Exhibit A to the staff memorandum dated August 24, 2010 establishing requirements for the preservation of

established trees during new development and major redevelopment with the language changes discussed.

Chairman Plotkin – Yes  
Vice Chair Christman – Yes  
Commissioner Kerr - Yes  
Commissioner McIntyre – No  
Commissioner Poche – Yes  
Commissioner Savoie - Yes

The motion passed with five affirmative votes.  
Commissioner McIntyre voted no because she thinks the ordinance should contain minimum landscaping requirements.

### **REPORTS**

Mr. Zuccaro went over the term limits of the Commissioners.

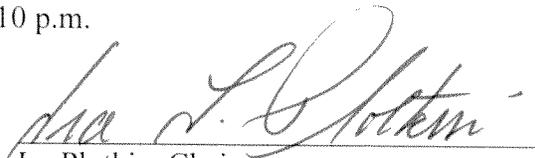
The next regularly scheduled meeting of the Commission is September 14, 2010.

### **ADJOURNMENT**

A motion was made by Vice Chair Christman, seconded by Commissioner Kerr, to adjourn the meeting at 7:10 p.m.

The motion passed unanimously.

The meeting adjourned at 7:10 p.m.

  
Ira Plotkin, Chairman

  
Laurel Landsman, Community Development Clerk