Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, January 25, 2011 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 Ann Kerr; and Commissioner Jim Rubin.

Also present at the meeting were the following staff members: Rob Zuccaro, Community Development Director; David Foster, Deputy City Attorney; and Jessica Sager, Municipal Court Clerk.

Absent were Commissioners Jacque McIntyre and Peter Savoie.

APPROVAL OF MINUTES

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

AGENDA ITEMS

Calkins Trust Property (5100 E. Quincy Avenue) Sketch Plat Review

Mr. Zuccaro presented the proposed sketch plat for review. He explained this is the first of three steps for review of the subdivision. During the first step the Parks Trails and Recreation Commission (PTRC) and the Planning and Zoning Commission (P&Z) would review the sketch plat to determine if it is consistent with the standards of the Master Plan, the municipal code and other City policies. During the second step, the applicant will provide a more detailed application and the PTRC and P&Z will hold public hearings to review the preliminary plat. Both Commissions will make formal recommendations to City Council. The final stage of the review process requires PTRC and P&Z to review the final plat and make a recommendation to City Council. City Council will review the plat and can approve, deny or approve conditionally the final plat.

He stated the Calkins property is 17.9 acres. Mr. Zuccaro indicated that there is currently one residence on the property, but the majority of the property is vacant and undeveloped. He stated the applicant is proposing a subdivision that would create 7 residential lots that would range in gross area from 2.5 to 3.2 acres. They are proposing 1.3 acres of open space trail easements along the west and south boundary of the subdivision. The City Subdivision Regulations require a land dedication of 7.5 percent of the area of the land being subdivided to be used for parks, trails or open space. The dedication requirement may be met through dedication of land, an easement or cash-in-lieu or a combination thereof. The proposed 1.3 acres would meet the 7.5 percent requirement.

Mr. Zuccaro stated the property is zoned R1 and in the R1 zone district the standard setbacks for the residences are 75 feet from the front of each lot and 50 feet from the sides and rear. He also stated that the applicant is proposing building envelopes that are more restrictive than current City code to preserve internal view corridors.

He stated PTRC reviewed the sketch plat at their meeting, on January 13, 2011, and provided the applicant with comments and recommendations on the open space and trails along with view corridors.

He stated staff is concerned with the safety of the proposed access driveways that cross proposed and existing off-street trails on Dahlia Street and Quincy Avenue; specifically with Lot 1, Lot 2 and Lot 7. The driveways do not maintain adequate sight distance to see oncoming bicyclists, pedestrian or equestrian traffic and there is nothing in the code that restricts line of sight. Staff is recommending that alternative access be considered such as line of sight restrictions to ensure adequate safety of the driveways.

Commissioner Christman asked Mr. Zuccaro to clarify the land dedication process.

Mr. Zuccaro answered that it is up to the developer to propose the initial dedication, whether it is a cash payment in lieu, land dedication or a combination of both. He stated that ultimately it is up to City Council to approve the dedication.

Keith Neale
Koelbel and Company
5291 East Yale Avenue
Denver, CO

Mr. Neale addressed the Commission and noted that his firm is representing the Calkins family to plat the property at 5100 East Quincy. He reported that Mr. George Calkins currently resides on the property and has owned it since 1956. Mr. Neale explained that the current proposal is in conformance with the Master Plan, R1 zoning and the subdivision would be similar in style and type to subdivisions currently located in Cherry Hills Village. He stated they have met with adjoining neighbors and that they have significant support of those neighbors. He said they are receptive to a triangle setback on Quincy Avenue and those restrictions can be easily met. He stated they reviewed several different scenarios regarding access, but didn't want to build a lot of roads inside the subdivision.

Jeffrey Vogel
Vogel and Associates
475 West 12th Avenue, Suite E
Denver, CO 80204

Mr. Vogel advised the Commission that he is the land planner for the project and that they spent a lot of time on the property and developed an extensive community outreach program. He indicated that they met with adjacent property owners and stake holders to better understand their concerns. For instance, the Arapahoe Tennis Club requested that they not put a home right next to the club and asked them to consider an open space buffer. Mr. Vogel stated they reviewed the drainage ditch patterns on the property and the mountain views from Quincy Avenue. He reported that vegetation is sparse on the property and the property is mainly used for agricultural purposes.

Mr. Vogel presented a map that showed the proposed trail connections. He stated some of the neighbors have been using the south side of the Calkins property to get to the Highline Canal and the Arapahoe Tennis Club. He said they are planning on incorporating the Quincy Avenue trail into the project. He pointed out the neighbors to the north can access the Highline Canal by using a trail near Dahlia Street. He said they wanted to make sure there was connectivity throughout the subdivision.

Mr. Vogel reported that their plans meet the R1 zone restrictions, the required setbacks and building heights and they are not requesting any variances at this time. He stated that

home site configurations were developed based on views and drainage patterns. Mr. Vogel showed the Commission a diagram of the proposed 7 home sites. He advised them that the proposed subdivision would include a view corridor to the south and southwest ranging from 180 feet to 245 feet wide in this direction. He then presented a diagram that showed images of what the mountain views would look like in a worse case scenario.

He indicated that their intent is to maintain the rural character by having private driveways to each one of the units instead of new roads interior to the subdivision. He pointed out that the land plan took into consideration the rural character, smart energy, good solar orientation on all homes, and natural drought strategies.

Mr. Vogel advised they don't want to put up a large wall to formalize the subdivision. With the restricted building envelopes, it would preserve the visual open space, maintain the natural drainage way and also maintain rural nature. He stated they do not have an issued with creating a site triangle and concluded his presentation.

Commissioner Rubin asked if PTRC was concerned with the land dedication easement and asked where the easement would be located.

Mr. Vogel answered PTRC recommended a trail that would go down the center of the project. He was not in favor of this trail because it would be too close to the trail along Quincy Avenue and would be problematic for drainage.

Chairman Plotkin asked if Lot 3 would need to screen the south side of their property from the proposed trail.

Mr. Vogel answered that some screening may be necessary.

Commissioner Christman asked Mr. Vogel if they intended to install a 6 foot fence along Quincy Avenue.

Mr. Zuccaro stated the Municipal Code allows for a 6 foot solid fence along Quincy Avenue with design guidelines.

Commissioner Christman stated that a 6 foot fence would restrict the view corridor; as a person less than 6 feet tall would not be able to see over the fence.

Mr. Neale answered that they have not made any determination on constructing a fence along Quincy Avenue.

Commissioner Christman asked if the road that is currently on the property would remain a private road.

Mr. Vogel stated that Mr. Calkins has an access easement, but does not own the road.

Commissioner Christman remarked that the proposed trail is not a public trail since it would dead end and serves no public purpose. She doesn't agree that it would create connectivity.

Commissioner Poche stated that they are several trails in Cherry Hills Village that dead end.

Mr. Vogel answered that it would provide connectivity for the neighbors to the south.

Commissioner Christman asked if the applicant would include the building envelope restrictions on the subdivision plat.

Mr. Neale answered that all restrictions would be recorded on the plat.

Commissioner Poche inquired if the properties would be able to construct an accessory structure with the proposed building envelopes.

Mr. Neale answered that issue came up in the PTRC meeting. They hadn't considered that option so it is something they would need to look at.

Commissioner Christman stated that, in her opinion, the applicant hasn't addressed a true public space that would benefit all residents of the community. She said she doesn't see anything along the Quincy corridor that would benefit the public and there isn't anything in the development that would benefit the whole City.

Mr. Neale stated that Cherry Hills Village has a history of dead end trails. They have added public connectivity through Dahlia and there is a whole neighborhood of people that would be able to access the trail. He also stated they have spent a lot of time pushing the building envelopes back so they could maintain the view corridor. He said they were open to recommendations and creative ideas when it comes to constructing a fence.

Commissioner Kerr said that she appreciates the applicant's due diligence and that there is a balance to preserving the view corridor as much as possible with special attention to the Quincy corridor and the developer's interests. She said there may be an alternative to the trail that provides a benefit to the public, but the current construction does not provide this benefit.

Commissioner Christman reiterated that the public wouldn't be able to see the view corridors that are proposed internal to the subdivision and suggested that the applicant consider trail connections that would take advantage of the corridors.

Commissioner Poche suggested staggering the houses along Quincy Avenue to create more of a buffer and more of a view corridor.

Commissioner Christman suggested expanding the trail so it would go around the entire subdivision.

Commissioner Rubin stated the proposed trail is moot since it doesn't connect to anything and is not sure it is a benefit.

Commissioner Poche stated a benefit of the proposal is the applicant is only adding one access point across the Quincy trail.

REPORTS

Mr. Zuccaro reported that the City has hired Winter & Company to assist in drafting an ordinance for the bulk plane issue. Staff will be presenting the bulk plane recommendations to the P&Z at an upcoming meeting and then staff can start the public outreach process.

ADJOURNMENT

A motion was made by Commissioner Christman seconded by Commissioner Poche to adjourn the meeting.

The motion passed unanimously.

The meeting adjourned at 7:26 p.m.

Ira Plotkin, Chairman

Jessica Sager, Municipal Court Clerk