

Minutes of the  
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado  
Held on Tuesday, September 9, 2014 at 6:30 p.m.  
At the Village Center

**CALL TO ORDER**

Chair Christman called the meeting to order at 6:31 p.m.

**ROLL CALL**

Present at the meeting were the following Planning and Zoning Commissioners: Chair Laura Christman, Vice Chair Peter Savoie, Commissioner Steve Szymanski, Commissioner Al Blum, and Commissioner David Wyman.

Present at the meeting were the following staff members: Robert Zuccaro, Community Development Director; Marcus McAskin, Deputy City Attorney; Emily Kropf, Special Projects Coordinator; and Cesarina Dancy, Community Development Clerk.

Absent from the meeting were Commissioner Jim Rubin and Commissioner Peter Niederman.

**APPROVAL OF MINUTES**

Commissioner Szymanski made a motion, which was seconded by Commissioner Wyman, to accept the August 12, 2014 minutes as written. The motion passed unanimously.

Ryan Kauffman, representative from Sprint, thanked the Commission for all of their work in regards to the BMW Golf Tournament. He displayed a photo of the COW (cell on wheels) which was used during the tournament. He stated that the tower was used for 2800 calls on the busiest day, and had 365,000 hits on the 4G network for data per day. He stated there were 130,000 hits on older networks per day for data. He stated that the Sprint COW was used by many, and he hoped they would be included with the initial special event permit if another event arises.

**AGENDA ITEMS**

- a. *Proposed Amendment to Municipal Code Sec. 16-20-10 Establishing Expanded Use Review Criteria*

Ms. Kropf stated that staff is presenting for consideration a proposed amendment to Municipal Code Section 16-20-10; establishing general review criteria for the expanded use permit process. She stated that the Commission was asked to discuss options for adding general criteria to the review process to ensure that development is regulated and the character of the City is maintained. Currently, there are no other standards to base decisions on other than technical zoning criteria. She continued that the Commission held a study session on July 22<sup>nd</sup> and reviewed a draft ordinance on August 12<sup>th</sup>. She stated that based on the Commission's feedback, the draft ordinance has been revised and is attached as Exhibit A.

Ms. Kropf stated that Staff has since removed the review standard that the proposed use will not be detrimental to the public health, safety and welfare. She stated that Staff found that this requirement is adequately addressed in Section 16-1-20.

Ms. Kropf stated that lighting and noise were added to the last review standard, which discusses adverse impacts on adjacent properties. She continued that the other new provisions that deal with an increase or modification to a previously approved use and the two-year expiration period have not been changed.

Chair Christman stated that there were no variations from what the Commission had previously discussed.

Vice Chair Savoie asked what was the motivation behind the ordinance.

Mr. Zuccaro replied that the City Attorney suggested it as a way to make determinations by the Commission more legally defensible.

Vice Chair Savoie asked if City Council has seen the ordinance yet.

Mr. Zuccaro replied no.

Commissioner Blum made a motion, which was seconded by Commissioner Szymanski, to recommend to City Council approval of the proposed amendment to Municipal Code Section 16-20-10 as provided in Exhibit A of the September 9, 2014 staff memorandum, establishing review criteria for expanded use permit requests.

The motion passed unanimously.

Chair Christman asked when the proposal would be presented to City Council.

Mr. Zuccaro replied the October 2014 meeting.

b. Proposed Amendment to Municipal Code Sec. 16-16-10(d) Concerning Off-Street Parking Surface Requirements

Mr. Zuccaro stated that Staff is presenting for consideration and recommendation to the City Council an ordinance allowing the City Manager or City Council to approve up to 30% of the required parking serving a public, semipublic, commercial, or other nonresidential uses to be natural, non-hardened surfaces.

Mr. Zuccaro stated that this draft amendment is in response to a request by the Planning and Zoning Commission at the August 12, 2014 meeting to allow parking requirements to be counted in vacant fields. He continued that by allowing a certain amount of the required parking to take place on natural surfaces, the intent is to provide an incentive to preserve natural undeveloped areas and the semi-rural character of the Village.

Mr. Zuccaro provided the example of Denver First Church of the Nazarene, who recently had a development request. This request included 221 non-paved parking spaces. However, the applicant would have had to request variances to the hard-surfacing, striping, landscaping, and lighting requirements. He continued to say that ultimately the applicant developed a hard-surface parking lot of 265 spaces.

Mr. Zuccaro stated some pros for allowing parking to take place in undeveloped fields: promoting preservation of natural open spaces; helps to preserve the semi-rural character of the Village; less impervious pavement may improve water quality and reduce the need for drainage detention and other drainage infrastructure; eliminates the need for costly infrastructure that may be seldom used.

Mr. Zuccaro stated some cons for allowing parking to take place in undeveloped fields: hard-surfaced parking may be used more effectively and safely in all weather conditions and plowed more easily; heavy emergency response vehicles may have trouble accessing the parking areas, especially when the surfaces are wet; overflow parking may be more likely on surrounding neighborhood streets during wet conditions; safety features such as striping and lighting cannot be installed.

Mr. Zuccaro stated that a good example was the recent BMW golf tournament, when field parking had to be abandoned due to heavy rains.

Commissioner Blum stated that tracking mud into the streets is also an issue.

Mr. Zuccaro replied that these non-hardened surfaces would likely not be able to be utilized when wet. He continued to say that construction sites require vehicle tracking pads to help eliminate tracking of debris into the street.

Commissioner Blum asked if a tracking pad requirement could be added as a condition.

Mr. Zuccaro replied that the aesthetics of a tracking pad may not be desirable.

Chair Christman stated that the unpaved surfaces would only likely be used a few times per year.

Commissioner Wyman stated that the Commission could require applicants to have an alternate paved surface in case of bad weather.

Mr. Zuccaro stated that provision may be too complicated for the Code.

Commissioner Wyman stated there should be restrictions on the number of times per year an unpaved surface could be used, as it will put dust on the streets and into the air, even in good weather.

Chair Christman stated the surfaces would also have to be maintained and any damages repaired.

Vice Chair Savoie stated that there is a material which can be laid over a natural surface which would still allow grass to grow through but it acts as a hard surface material.

Chair Christman asked if anyone had used this type of surface for parking purposes.

Mr. Zuccaro replied that only asphalt has been previously used.

The Commission engaged in a discussion regarding the current parking reduction allowance of 40% and discussed whether an increase or decrease in this allowance would be beneficial, particularly regarding using an unpaved surface as a percentage of allowed parking.

Deputy City Attorney McAskin stated that the Commission could recommend that any parking reduction request above 50% would require review by the City, at which point the City could approve, or approve with conditions.

Mr. Zuccaro stated that the parking reduction requirement could be changed to 50% with the addition of new criteria which would require the applicant to submit plans to the City which include language on mitigation of any impact. He continued to say that he and Deputy City Attorney McAskin would revise the language and the Commission could discuss again at a later date.

Mr. Zuccaro stated that he would be speaking with the PTRC on September 11, 2014 regarding the Commission's recommendations regarding the Master Plan and that he would report back with what the PTRC determined.

Chair Christman asked about the possible ordinance regarding lighting on sport courts.

Mr. Zuccaro replied that it would be a priority.

Commissioner Blum made a motion, which was seconded by Vice Chair Savoie, to adjourn the meeting.

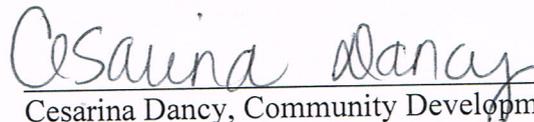
The motion passed unanimously.

**ADJOURNMENT**

The meeting was adjourned at 7:33 p.m.



Laura Christman, Chair



Cesarina Dancy, Community Development Clerk