Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, October 14, 2014 at 6:30 p.m.
At the Village Center

CALL TO ORDER

Chair Christman called the meeting to order at 6:30 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, Commissioner Jim Rubin, Commissioner David Wyman, and Commissioner Peter Niederman.

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.

APPROVAL OF MINUTES

Commissioner Blum made a motion, which was seconded by Commissioner Wyman, to accept the September 9, 2014 minutes as written. The motion passed unanimously.

AGENDA ITEMS

a. *Proposed Addition of Municipal Code Section 16-16-200 to Establish Utility Line Undergrounding Requirements for New Development and Major Additions.*

Ms. Kropf stated that staff is presenting for consideration and recommendation to the City Council a proposed addition of Municipal Code Section 16-16-200 requiring the burial of new utilities and existing overhead utilities in conjunction with the development of new homes and institutional structures or the addition of 50% or more of the existing square footage.

Ms. Kropf stated the currently the code only requires burial of utilities for new subdivisions. This proposed amendment would extend this requirement to service lines for new homes, institutional structures, and major additions.

Ms. Kropf added that an amendment to the subdivision code was also drafted requiring existing utilities to be placed underground when property is subdivided, but that the P and Z does not make recommendations on subdivision ordinance ammendments.

Vice Chair Savoie asked if the lines in front of homes would have to be buried in addition to the lines from the street to the house.

Ms. Kropf replied that only the lines directly to the home would need to be buried. She continued to say that the lines in front of the homes often serve multiple homes.

Commissioner Niederman asked what was the threshold for a remodel or addition to have to bury lines.

Ms. Kropf replied that an addition of 50% or more of existing square footage was the threshold.

Vice Chair Savoie asked if this was always an option for homeowners but not a requirement.

Ms. Kropf replied yes.

Chair Christman asked how this idea began.

Ms. Kropf replied that it has always been the requirement for new subdivisions and that the utilities undergrounding committee has recommended the new standard.

Commissioner Wyman stated that public utility companies typically will only bury utilities in excess of 600 feet.

Commissioner Blum asked if a church was going to have an addition of 50% or more would they be required to bury the lines.

Ms. Kropf replied yes.

Vice Chair Savoie asked if there was a City Council liaison on the Undergrounding Committee.

Ms. Kropf replied that both Alex Brown and Russell Stewart are on the committee.

Vice Chair Savoie made a motion, which was approved by Commissioner Szymanski to recommend approval of the addition of Municipal Code Section 16-16-200 as proposed in Exhibit A of the October 14, 2014 staff memorandum establishing utility line undergrounding requirements for new development and major additions.

The motion passed unanimously.

b. *Proposed Amendment to Municipal Code Sec. 16-16-10(d)(2)Concerning Off-Street Parking Surface Requirements*

Mr. Zuccaro stated that Staff is presenting for consideration and recommendation to the City Council an ordinance increasing the allowed parking reduction amount from 40% to 50% and allowing limited parking serving a public, semipublic, commercial, or other nonresidential uses to be natural, non-hardened surfaces.

Mr. Zuccaro stated that this draft amendment is being revisited from the Planning and Zoning Commission meeting on September 9, 2014.

Commissioner Blum asked if there were standards in the City Code for vehicle tracking control.

Mr. Zuccaro replied that yes there are adopted standards for both sizes of materials and dimensions of the tracking pads.

Commissioner Wyman asked about enforcement of regulations. He continued to say that the golf tournament construction was supposed to be removed two weeks after the tournament and it is still in the City.

Mr. Zuccaro replied that the organizers of the golf tournament are within the dates set forth in their major event agreement.

Vice Chair Savoie asked if violations would be complaint based or patrol based.

Mr. Zuccaro replied that since this provision would mostly apply to special events, the City would be aware in advance. He continued to say that maintenance would be indicated as part of the development agreement.

Commissioner Wyman stated that he was concerned about potential for loopholes or favoritism.

Mr. Zuccaro replied that strict criteria can be drafted as part of the ordinance if that was preferred by the Commission.

Chair Christman stated that the Colorado Supreme Court has criteria which do not allow any favoritism of a religious institution over a non-religious institution and vice versa.

Commissioner Rubin stated that he liked how the ordinance is written. He continued to say that likes having the option to use non-paved surfaces.

Vice Chair Savoie asked if there were 1000 spaces required how many would need to be paved.

Mr. Zuccaro replied that currently the requirement would be 600. He continued to say that under the new proposal 500 paved spaces would be required.

Commissioner Rubin made a motion, which was seconded by Commissioner Niederman, to recommend to City Council approval of the proposed amendment to Municipal Code Section 16-16-10 as provided in Exhibit A of the October 14, 2014 staff memorandum, increasing the allowed parking reduction amount from 40% to 50% and allowing limited parking serving a public, semipublic, commercial, or other nonresidential uses to be natural, non-hardened surfaces.

The following votes were recorded:

Chair Christman	yes
Vice Chair Savoie	yes
Commissioner Blum	yes
Commissioner Szymanski	yes
Commissioner Rubin	yes
Commissioner Wyman	no
Commissioner Niederman	yes

The motion passed with a vote of 6-1.

c. *Proposed Amendment to Municipal Code Section 16-16-50 Concerning Recreational Use Lighting Approval Procedures for Nonprofit Institutions, Private Clubs, Public Recreational Facilities and Nonprofit Recreational Facilities.*

Mr. Zuccaro stated that staff is presenting for consideration and recommendation to City Council an amendment to Municipal Code 16-16-50(b)(5) to clarify that existing recreational light standards are applicable only to residential accessory uses.

Mr. Zuccaro stated that the current code is not clear. He continued to say that the current code applies to residential properties only and the proposed changes will require all non-residential uses apply for an Expanded Use Permit in order to add recreational lighting.

Mr. Zuccaro stated that in his memo, the paddle courts of the Arapahoe Tennis Club are listed as the only non-residential structure with recreational lighting. He continued to say that Chair Christman notified him that the Village Club also has a paddle courts with lighting.

Vice Chair Savoie asked if any of the other clubs or facilities have asked for recreational lighting.

Mr. Zuccaro replied that both the ATC and Kent have requested recreational lighting in the past.

Commissioner Wyman asked what 1800 lumens is the equivalent of in a standard bulb.

Mr. Zuccaro replied that a 100 watt bulb is equal to 1400 lumens but that he wasn't sure what 1800 lumens is equivalent to.

Commissioner Blum asked if there were any other existing recreational lights in the City.

Mr. Zuccaro replied that there were several private residences with recreational lighting in the City.

Commissioner Szymanski made a motion, which was seconded by Commissioner Blum, to recommend to City Council approval of the proposed amendment to Municipal Code 16-16-50(b)(5), as provided in Exhibit A of the October 14, 2014 staff memorandum, clarifying that recreational use lighting for nonprofit institutions, private clubs, public recreational facilities, and nonprofit recreational facilities are subject to approval procedures for Expanded Use Permits under Article XX of the Zoning Ordinance and that the existing recreational use light standards are applicable only to residential accessory uses.

The motion passed unanimously.

REPORTS

a. Bulk Plane/ FAR Study Committee

Ms. Kropf stated that the purpose of this report it to establish a project committee for evaluation of the bulk plane and floor area ratio (FAR) that were adopted in 2011. She continued that City Council approved a project committee to explore the impact of the regulations on new construction and additions.

Ms. Kropf stated that the committee will be made up of two City Council Members, all available RDSC members, and 2 Planning and Zoning Commissioners. She stated that City Council is seeking volunteers from the Commission.

Vice Chair Savoie asked how many times would the committee meet, and had the fees for Winter and Company been budgeted.

Ms. Kropf replied that the number of meetings had not been set and that Winter and Company had been hired and budgeted for.

Mr. Zuccaro stated that this committee would not be as intensive as the RDSC and would probably meet between four and six times. He continued to say that anyone interested could email Ms. Kropf or himself.

b. Master Plan Update Project

Mr. Zuccaro stated that staff has had discussions with both P&Z and PTRC to gather input on a possible scope of work to update the Village Master Plan. He continued to say that P&Z and the PTRC agreed on all items except that the PTRC would like an updated survey to be completed; P&Z did not.

Commissioner Szymanski asked what the response rate of the previous survey was.

Mr. Zuccaro replied that he did not have the exact figures but that it did meet the threshold to be statistically valid.

Chair Christman stated that she believes a survey to be a waste of time, money and effort.

Commissioner Szymanski stated that a public meeting where a survey was available could be a way to gather more responses.
Chair Christman stated that she would like to see what has been implemented from the Master Plan and see what still needed to be addressed.

Commissioner Niederman asked was there any areas thought to be lacking in the Master Plan.

Mr. Zuccaro replied that he was not aware of any areas of concern.

Mr. Zuccaro stated that in the past the Commissioners were able to view a matrix regarding the plan and then base questions off of that matrix.

Commissioner Szymanski stated that a joint meeting with members of all commissions involved with the Master Plan would be beneficial.

Mr. Zuccaro replied that is what staff was envisioning on this project.

Chair Niederman asked if there was any update on moving the Public Works facility off site.

Mr. Zuccaro replied that the City has a memorandum of understanding with Denver Water. Denver Water cannot commit to the City until their current expansion is complete. He continued to say that it was likely three years away.

Vice Chair Savoie asked if the memorandum was approved by City Council.

Mr. Zuccaro replied yes.

Commissioner Szymanski asked if there were any plans to update the Village Center.

Mr. Zuccaro replied that there is a conceptual plan in place but the timing for moving forward would be up to City Council.

Commissioner Niederman asked if any money had been reserved for this project.

Mr. Zuccaro replied that City Council has not made any concrete decisions.

Commissioner Niederman stated that would unlock open space.

Mr. Zuccaro replied that there is a parks consultant for Meade Park who is drafting plans based on Public Works moving offsite.

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

The motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 7:31 p.m.

Laura Christman, Chair

Cesarina Dancy, Community Development Clerk