

## RECORD OF PROCEEDINGS

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Minutes of the  
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado  
Held on Tuesday, March 8, 2016 at 6:30 p.m.  
At the Village Center

### **CALL TO ORDER**

Commissioner Blum called the meeting to order at 6:32 p.m.

### **ROLL CALL**

Present at the meeting were the following Planning and Zoning Commissioners: Commissioner Al Blum, Commissioner David Wyman, Commissioner Dori Kaplan, Commissioner Mike LaMair, and Commissioner Bill Lucas.

Present at the meeting were the following staff members: Rob Zuccaro, Community Development Director; and Cesarina Dancy, Community Development Clerk.

### **ELECTION OF VICE CHAIR**

Commissioner Lucas made a motion, which was seconded by Commissioner LaMair, to elect Commissioner Blum as Vice-Chair.

The motion passed unanimously.

### **APPROVAL OF MINUTES**

Commissioner Lucas made a motion, which was seconded by Commissioner Kaplan, to approve the January 12, 2016 minutes as written.

The motion passed unanimously.

### **AGENDA ITEMS**

a. *Preliminary Application Review- Request by Kent Denver for Outdoor Stadium Lights*

Mr. Zuccaro stated that Kent Denver School is requesting a preliminary review of a proposal to install outdoor stadium lighting. He stated that this is an opportunity for the applicant to receive feedback from the Commission before moving forward with a formal application. He continued to say that if the applicant moves forward with an expanded use permit application, the Commission would review the application at a public hearing, and if approved, City Council would also review at a public hearing.

Mr. Zuccaro displayed a vicinity map of the Kent Denver property and indicated the location of the main athletic field. He stated that the applicant is proposing four light poles, each including multiple lights and 70 feet in height.

Mr. Zuccaro stated that there are no standards in the code for institutional recreational lighting, only for residential recreational lighting that is in excess of 12 feet in height. He continued to say that institutional recreational lighting would be subject to the expanded use criteria, and that while some of the criteria would be relevant, some would not.

## RECORD OF PROCEEDINGS

---

Jerry Walker, representative of Kent Denver School, stated that the school is very interested in the opinions and feedback of the Commission. He stated that the school was established in 1922, and has been in the current location since the 1960s. He stated that this proposal has been considered many times, but they have been reluctant to apply.

Mr. Walker stated that the main reason for this request is that fall sports are running out of time for both practices and games, as they run out of light. He continued to say that many JV games are cut short as it becomes too dark to safely play.

Mr. Walker stated that the need for the lighting is on a limited basis depending on the time of year. He continued to say that the school is very open to working out arrangements regarding the hours the lights would be allowed to be in operation.

Mr. Walker stated that the entire campus is moving toward LED lighting and that proposed lights would be LED as well. He stated that these lights are low wattage and would not require any additional power from Xcel. He stated with the type of lights proposed, the light bleed is reduced to zero at the property lines.

Mr. Walker stated that the lights are needed for a few months in the fall and a few months in the spring. He stated the school would be able to extend practice times with more lighting and would not have to cut games short. He continued to say that most activities are completed by 7 pm, with a possibility of later end times around 10 pm on Friday and Saturday nights. He continued to say that there are no Sunday activities currently or planned for the future.

Mr. Walker stated that there are no changes proposed to any activities or schedules. He stated that the lighting on the field would be exclusive for the use of the school, not for any other organizations which sometimes use the facilities.

Mr. Walker stated that the school is very interested to know the feedback of the Commission. He stated that the next step would be to talk to the neighbors about the proposal.

Commissioner Kaplan asked how many neighbors the school has.

Mr. Walker displayed a site map of the area and stated there are 54 neighbors.

Commissioner LaMair stated that his daughter attends Kent Denver School. He asked how many games are cut short in the current situation and do they continue the games to a later date.

Mr. Walker replied that he would have to verify with the athletic department but he would guess about 6 games per year are cancelled. He continued to say that these games are not made up at a later date.

Commissioner LaMair asked how many practices get cut short.

Mr. Walker replied that all practices get cut short because of the limited time. He stated that all teams have shortened practice times in order to let all teams practice.

## RECORD OF PROCEEDINGS

---

Commissioner Wyman asked if the dominant use of the lighting would be in the fall.

Mr. Walker replied yes.

Vice Chair Blum asked about the other fields on the campus.

Mr. Walker replied that the middle school field is not large enough for the varsity and junior varsity sports, has no seating and is closer to the neighbors.

Commissioner Wyman asked if there was a built in reflector and how much diffusion there would be.

Mr. Walker replied that there is a lumen map in the packet and that reflectors or shields could be looked at as an option.

Commissioner Wyman asked if the poles could be used to provide cell service.

Mr. Walker replied that they would be open to that but that he was not sure if the poles were suitable to support that currently.

Commissioner Wyman asked if there are any FAA requirements with the poles being so tall.

Mr. Walker replied that he was not sure.

Vice Chair Blum asked how do the lights comply with the semi-rural character of the City.

Mr. Zuccaro replied that has not been analyzed yet.

Vice Chair Blum stated that standard 7 refers to adverse impacts on adjacent properties.

Mr. Zuccaro replied that the applicant will need to provide mitigation. He stated that some possibilities include landscaping, back shielding and restrictions on time.

Commissioner Wyman asked if games currently played on Saturday afternoon would be moved to Friday night.

Mr. Walker replied yes. He stated that there would not be an increase in the total number of games played, but that the games times would just be redistributed.

Commissioner LaMair stated that from a land use standpoint the field is ideally situated as it is in the center of the campus and is at a far distance from the neighbors. He continued to say that almost every small rural town in Colorado has Friday night football.

Commissioner Lucas stated that Kent Denver School is considered to be a great neighbor He continued to say that the proposal is a positive change that would complement the rural environment of the City.

## RECORD OF PROCEEDINGS

---

Vice Chair Blum asked what the start times of the games on the weekend nights would be.

Mr. Walker replied that some games cannot start until between 6-8 pm in order to give all the teams time to arrive. He stated that most playoff games do not start until 7 pm.

Commissioner LaMair stated that potential objections could be the height of the poles. He stated that Kent should consider the vantage points of the surrounding properties and how spot elevations could be impacted.

Vice Chair Blum stated that the drawings of the lights appear innocuous.

Mr. Walker stated that the LED lights have less structure and that the black or bronze poles are not as noticeable.

Commissioner Kaplan asked if an environmental study has been completed.

Mr. Zuccaro replied that the code does not specify that as a requirement.

Mr. Walker stated that he was aware that ATC had a similar application previously that was denied and did the Commission have any information that would be useful.

Commissioner Wyman stated that the ATC was much closer to the affected neighbors.

Commissioner LaMair stated that the ATC was proposing a different kind of activity.

Vice Chair Blum asked what is the timing of the project was.

Mr. Walker replied that the field is set to be resurfaced in July and they would like to add the lighting at that time.

Vice Chair Blum asked how long the installation would take.

Mr. Walker replied that it would be a few weeks total, including time for concrete to set and making the electric adjustments.

Commissioner LaMair stated that the visual impact of the poles could be mitigated by using different finishes and suggested their consultant look at the options.

Mr. Walker thanked the Commission for their feedback.

*b. Proposed Amendments to Municipal Code Section 16-16-180 Concerning Bulk Plane Measurement Standards*

Mr. Zuccaro stated that Staff is presenting for review and recommendation to City Council amendments to Municipal Code Section 16-16-180 updating the City's residential bulk plane measurement standards.

## RECORD OF PROCEEDINGS

---

Mr. Zuccaro stated that the current bulk plane standards were adopted in 2011. He continued to say that the intent of the standards is to preserve views and an open feel in traditional neighborhoods, preserve sunlight, and to promote privacy.

Mr. Zuccaro displayed a graphic illustrating the bulk plane and how it promotes the massing of the structures towards the center of the lot.

Mr. Zuccaro stated that the City Council convened a group in 2014 and 2015 to review the standards and make recommendations on any changes to make the standards more effective. He continued to say that the study group had two changes to the current methods for measuring bulk plane: to include additional points for measuring the bulk plane rather than just two points where the front and rear areas of the bulk plane meet and to allow a “floating” front area that could float as far back as 100 feet from the rear setback line in the R-1 and R-2 zone districts in order to provide more flexibility and accommodate traditional rural development where the residential structures are more likely to be placed towards the rear of the lot.

Commissioner LaMair asked who were the members of the committee.

Mr. Zuccaro replied that the committee consisted of the original members of the RDSC, two City Council liaisons, and two Planning and Zoning Commissioners.

Commissioner LaMair asked if there were any architects or builders involved.

Mr. Zuccaro replied that architects and builders who have worked in the City were contacted and invited to participate in surveys and discussions but that very little input was received from them.

Commissioner Kaplan asked if the changes will allow homes to be larger.

Mr. Zuccaro replied that it could allow for homes to be larger in different areas of the lot than what is currently allowed.

Commissioner Lucas asked why R-3 zone district was excluded as it is close in size to R-2.

Mr. Zuccaro replied that R-3 has a traditional residential layout with houses towards the front of the lots as in the part of the City known as old Cherry Hills, whereas in R-1 and R-2, homes tend to be pushed toward the back of the lot.

Commissioner Lucas asked if the bulk plane eliminates shading onto other properties.

Mr. Zuccaro replied that the bulk plane is not designed to eliminate shading but it does limit it in many situations.

Vice Chair Blum stated that it is a complicated concept, and that the consensus of the committee was to move forward with the recommendations. He asked if there were any specific examples of starting height below natural grade.

Mr. Zuccaro replied yes. He continued to say that the property south of the Anderson property was granted a variance for a garage addition as their starting point was 10-12 feet below natural grade.

Commissioner LaMair asked if Andy Nielsen was on the original RDSC committee.

Mr. Zuccaro replied that he was not one of the architects who participated in the study.

## RECORD OF PROCEEDINGS

---

Commissioner Wyman asked if the bulk plane affects mostly two story homes or ranch style homes as well.

Mr. Zuccaro replied that most ranch style homes are not impacted by the bulk plane.

Commissioner LaMair stated that he would like to consult with Mr. Nielsen prior to moving forward.

Vice Chair Blum stated that this agenda item would be tabled until the next meeting.

### ADJOURNMENT

Commissioner Lucas made a motion, which was seconded by Commissioner Blum to adjourn. The motion passed unanimously.

The meeting was adjourned at 7:52 p.m.

  
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Peter Savete, Chairman

  
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Cesarina Dancy, Community Development Clerk