



# City of Greenwood Village

6060 South Quebec Street  
Greenwood Village, CO  
80111

## Minutes - Final

### Planning and Zoning Commission

#### **HEARING IMPAIRED APPARATUS AVAILABLE**

**PLEASE TURN OFF ALL CELLULAR PHONES AND/OR AUDIBLE PAGERS  
ALL BOARD, COMMISSION AND COUNCIL MEETINGS ARE DIGITALLY  
RECORDED**

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Tuesday, January 2, 2018

7:00 PM

Council Chambers

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#### REGULAR MEETING

##### 1. Call to Order

##### 2. Roll Call

**Present:** 4 - Brian Anderson, Brian Strandes, Henny Lasley and Steve Goldman

**Absent:** 3 - Jon Ekoniak, Elizabeth Barnacle and Glenn Malloy

##### 3. Election of Officers

*Interim Chairman Anderson advised the Commission that he is no longer the Chair of the Commission as it is a new year. He made a motion to continue to conduct the meeting. All were in favor. It was the consensus of the Commissioners, noting the absence of several members, to delay to Election of Officers to the January 16, 2018, Planning and Zoning Commission Meeting.*

##### 4. Approval of Minutes

**Commission Member Strandes moved, seconded by Commission Member Lasley; to approve the minutes, as submitted. The motion carried by the following vote:**

**Yes:** 4 - Commission Member Anderson, Commission Member Strandes, Commission Member Lasley and Commission Member Goldman

[ID# 17-313](#) December 5, 2017 Minutes

##### 5. Public Comment

##### 6. Public Hearings

Case No. 17-38-PSP; 9231 E. Arapahoe Road; Best Western Plus; Planned Sign Program

**Commission Member Strandes moved, seconded by Commission Member Goldman;**

**to Continue Case No. 17-38-PSP; 9231 E. Arapahoe Road; Best Western Plus; Planned Sign Program to February 6, 2018. The motion carried by the following vote:**

**Yes:** 4 - Commission Member Anderson, Commission Member Strandes, Commission Member Lasley and Commission Member Goldman

[Case No. 17-43-ASDP](#) Case No. 17-43-ASDP; 8121 E. Arapahoe Road; Greenwood Retail Plaza Amended Site Development Plan

*Staff Presentation:*

*Bill Flanigan, Planner I, presented the case which was a request for an Amended Site Development Plan (ASDP) at 8121 E. Arapahoe Road, also known as Chuy's. Planner Flanigan provided an overview of the site, including current conditions, noting that the site is zoned Mixed Commercial (M-C) and was built in 1992.*

*Planner Flanigan noted the request consists of modifying façade materials, rebuilding the entry tower, removing the existing enclosed patio and building a new open patio, new landscaping, constructing a new accessible route to the sidewalk on Arapahoe Road, and installing new ground and wall signage.*

*Planner Flanigan provided a description of the proposed façade noting the new landscaping with metal elements along the doorway, and patterned tile along the roof line. He reviewed the renderings of the proposed sign locations which were included in the application.*

*Planner Flanigan noted the applicant is proposing a site plan with a reduction of three parking spaces; however, this reduction still accommodates the parking requirement for the Site Development Plan. He noted changes to the parking lot light fixtures will be made by updating the lamps to LED lighting.*

*Planner Flanigan briefly reviewed the proposed landscaping as part of the ASDP, which will include new improvements such as the addition of flowering shrubs including Juniper bushes, decorative grasses, and a new tree at the island adjacent to the access route.*

*Planner Flanigan reviewed the applicant's request in more detail, noting the proposal includes three building signs on the north, east and west sides of the building. He stated these signs provide strong visibility from Arapahoe Road, and are also visible within the shopping center. Planner Flanigan noted the new signs will help guide customers to their destination upon arrival. He noted there will also be a monument sign at the west end of the*

site near the Arapahoe Road entrance. Planner Flanigan stated the monument signage will have a brick/masonry foundation that matches the building, including the Chuy's logo. He stated the signage will be constructed with aluminum pan channel letters and halo illumination with color overlay to create depth. Planner Flanigan reviewed the signage dimensions and locations, noting the signs are a maximum of 33% larger (Sign B) than some of the neighboring restaurant's signs. Planner Flanigan stated that although the signs are larger than neighboring signs, they are well within the 100 square-foot maximum allowed area per the Land Development Code (LDC).

*Signage Details:*

*Sign A: A 58 square foot, south facing sign on the tower over the entrance of the building.*

*Sign B: A 61.1 square foot, east facing sign on the tower over the entrance of the building.*

*Sign C: A 43.3 square foot, west facing sign on the side of the building.*

*Approval Criteria:*

*Planner Flanigan reviewed the approval criteria and noted staff finds in the affirmative that the proposed development:*

*- Conforms with the Comprehensive Plan as it would provide improved on-site conditions, create a high-quality appearance, and is likely to enhance the sales tax base.*

*- Is compatible with surrounding land uses which primarily consist of retail and office uses, and adequately mitigates any adverse impacts on traffic, view corridors, noise, property values and the provision of public services.*

*- Conforms to the development criteria, excluding the number of uninterrupted parking spaces in a single bay. Staff finds the existing parking lot does not conform to this standard listed in the LDC. The proposal would result in improved conformance by the addition of a new landscaped island along the south frontage of the site.*

*Planner Flanigan noted staff finds that the proposed development is in conformance with Section 16-21-20 of the LDC. He stated staff finds that the proposed site lighting would meet functional and security needs, and that the proposed landscaping would reduce the visual impact of the parking area and improve the site's open space. Additionally, the new accessible route to Arapahoe Road improves accessibility across the site.*

*Commission Questions/Responses:*

*A member of the Commission had concerns regarding the number, size, and lighting of some of the signs. He noted the former tenant, "Elephant Bar," had only two signs, none of which exceeded 3-feet in height. The Commission Member inquired as to how some of the signs would be illuminated in comparison to other Chuy's locations. The Commission member asked if the patterned tile near the roof line of the building would be considered part of the square footage for the signage. Planner Flanigan noted staff found the tile was not identifiable enough to be considered brand signage.*

*A Commission member asked why there was not a request for "To-Go" signage near the restaurant's front door. Shaun Coe, 1850 Bassett Street, Denver, CO, applicant and representative for Chuy's, stated the Chuy's business model includes food runners and dedicated to-go employees which allowed them to forgo such signage.*

*A Commission member was concerned with outdoor speakers creating a noise nuisance. Mr. Coe stated the restaurant always has music playing on their speakers, yet it is never above a disruptive decibel level. Joy McGee, Planning Manager, explained that there are nuisance regulations listed in the LDC that are enforced if neighboring businesses or residents have complaints about the noise level.*

*A Commission member inquired as to whether the size of the signage was similar to the majority of Chuy's signs. Bill Pounds, Architect for Chuy's, stated the proposed signs were generally similar to those at other Chuy's establishments. Mr. Pounds did not have exact figures but stated he believes the signs are comparable to most other Chuy's locations.*

*A Commission member asked for clarification of the monument sign, and inquired why the verbiage "Fine Tex- Mex" was left off of the monument sign. Planner Flanigan noted that the applicant only wishes to retain the Chuy's logo and branding for the monument sign.*

*Public Comments:*

*Matthew Weiner, 5962 South Akron Way, asked if the current proposal is for the same Chuy's franchise located in Greenwood Village from 10 years ago. Mr. Pounds responded that it is not.*

*Interim Chairman Anderson closed the public hearing at 7:48 p.m.*

*Commission Deliberation:*

*Interim Chairman Anderson permitted each Commission Member to comment upon the application noting that the City works with applicants to meet their needs while keeping the best interests of the City and it's residents at the forefront of their recommendations.*

*A Commission member noted that while he still has some concerns about the signs, he agrees with staff recommendations. Another Commission member stated he prefers the sign sizes to be reduced, but also agrees with staff's recommendation. A Commission member stated he is concerned over the signage on the tower which is approximately 30% greater than the sign at the neighboring location. He stated it is not compatible with the area surrounding the location and would favor a reduced sign size on the entry tower. The Commission member stated he is not in agreement with staff's recommendation.*

*Joy McGee, Planning Manager, clarified to the Commission that the request is a minor amendment which will not be heard by City Council.*

**Commission Member Strandes moved, seconded by Commission Member Lasley; to approve Case No. 17-43-ASDP; 8121 E. Arapahoe Road; Greenwood Retail Plaza Amended Site Development Plan; based on the review criteria and findings in the staff report, dated January 2, 2018. The motion carried by the following vote:**

**Yes:** 3 - Commission Member Anderson, Commission Member Strandes and Commission Member Lasley

**No:** 1 - Commission Member Goldman

**7. New Business****8. Discussion Items**

*Joy McGee advised that the Commissioners should use their City of Greenwood Village provided email address. This is due to any correspondence from personal emails usage being open to a CORA (Colorado Open Records Act) request.*

*Joy McGee notified the Commission that City Council appointed four members from City Council to form a Comprehensive Plan Committee. She noted the members are Council members Lantz, Presley, Keber, and Dougherty.*

*Joy McGee notified the Commission that City Council would need to reappoint Commissioner Burns term before he could continue to be an active, voting member on the*

*Commission.*

*Commission member Lasley thanked staff and the City for actions taken against falsified signatures at the December 5, 2017 Planning and Zoning Commission meeting.*

**9. Adjournment**

*Commission Member Strandes moved, seconded by Commission Member Lasley; that the meeting be adjourned. All members were in favor.*

*There being no further business, the meeting was adjourned at 8:13 p.m.*