

Planning and Zoning Board Minutes
October 15, 2009
6:00 p.m.

Council Liaison: Lisa Poppaw	Staff Liaison: Steve Dush
Chair: Brigitte Schmidt	Phone: (H) 224-9418

Chair Schmidt called the meeting to order at 6:00 p.m.

Roll Call: Carpenter, Lingle, Rollins, Schmidt, Smith, and Stockover
Excused Absence: Campana
Staff Present: Dush, Eckman, McArdle, Shepard, and Sanchez-Sprague

Agenda Review. Director Dush reviewed the agenda.

Citizen participation:
None

Consent Agenda:

Chair Schmidt asked members of the audience and the Board if they'd like to pull any items from the consent agenda. Member Smith asked that item # 2, 1504 Remington Street Renovations, Site Advisory Review, # 33-09 be pulled and moved to the discussion agenda.

1. Minutes from the September 17, 2009 Planning & Zoning Hearing

Member Lingle moved to approve the consent agenda which includes item # 1 September 17, 2009 Planning and Zoning Board Hearing minutes. Member Stockover seconded the motion. The motion was approved 6:0.

Discussion Items:

2. 1504 Remington Street Renovations, Site Advisory Review, # 33-09
3. Christ Center Community Church Rezoning, # 29-09

Project: 1504 Remington Street Renovations, Site Advisory Review, # 33-09

Project Description: This is a request for a Site Plan Advisory Review for the 1504 Remington Street Renovation. The applicant intends to renovate the basement and first floor of an old fraternity house, located on the southeast corner of Remington Street and East Lake Street. The building has been vacant since at least April of 2008, when the City Building Department posted a Condemnation Notice on the building declaring it to be uninhabitable. The proposed uses will entail social gatherings such as retreats, dinners, fund raisers and seminars for Colorado State University and other associated users. Events will be limited to the basement and first floors; future use of the upper levels is not known at this time. Parking will not be provided onsite, users will be encouraged to park on campus and use the tunnel

through the gardens to access the site. The site is in the Neighborhood Conservation Low Density (NCL) zone district.

Recommendation: Staff recommends approval with one condition

Hearing Testimony, Written Comments and Other Evidence

Planner Emma McArdle presented the following information in the staff report. The request is a Site Plan Advisory Review submitted to the Planning and Zoning Board, pursuant to State Statute Section 31-23-209, which permits the City to review and comment on the proposal with respect to its *location, character and extent*. The request is not a Project Development Plan or Subdivision. The proposal complies with the East Side Neighborhood Plan and the land use is in compliance with the Neighborhood Conservation Low Density zone district. The project complies with the applicable standards in Article Three and Four of the Land Use Code (LUC), with the exception of a sidewalk along East Lake Street.

Staff recommends that the Planning and Zoning Board advise the Colorado State University Board of Governors that the *location, character and extent* of the proposed, 1504 Remington Street Renovation, #33-09, is appropriate and conforms to the elements relative to the adopted master plan (City Plan) of the City, with the following condition. When the building is renovated fully, in Phase 2, which includes the 2nd floor, a 4.5' sidewalk shall be included running the length of East Lake Street along the north property line of the site.

Brian Chase with CSU Facilities Management did not have a presentation but said he's available for questions.

Board Questions:

Member Smith said his specific concern is the pedestrian accessibility along East Lake Street. He understands this is a site plan advisory item, but if this were for an applicant that would go through the full process, would we have required the sidewalk be installed at this point. Director Dush said every application is evaluated on a case by case basis. Staff reviewed the application and added the condition that when the renovation is done in phase 2 the sidewalk would be required.

Member Smith said his concern, even with the memo dated October 13 which answers questions raised at the board's work session, is that parking along the University Art Center is to be used as a secondary parking lot. He said the site does not appear to be pedestrian friendly as required by City Plan. He wondered if the sidewalk could be added sooner rather than later to provide pedestrian access going east to west along the site. Chase said if they'd like them to put a sidewalk in they would be willing to do that.

Chair Schmidt asked what the rationale was for waiting for phase 2. Chase said they are not renovating the upper floors of the former fraternity because they don't have the funds right now and they are not sure what they want to do. He said one option may be artist's lofts tied to the University Center for the Arts (UCA). He said there is also the issue that if they want to maintain the historic nature of the building, they're looking at an elevator to provide access. He's observed pedestrian traffic patterns and noted they tend to use the north side of the street or Remington. He does not think they are creating a pedestrian hazard and he has no problem with staff recommendation to add a sidewalk with the second phase. He said if the majority of the board wants the sidewalk at this time, they will complete it in the first phase.

Member Smith said he appreciates Chase's willingness to add the sidewalk. Smith said he also had concerns about the diagonal parking--a safety concern for folks who park diagonally then need to go

along the rear of their car and into the travel lanes to get to the corner or access the property. Chase said CSU would work with staff to evaluate and address any safety concerns there.

Member Rollins asked staff if this were going through a standard process, would it not then require a neighborhood meeting. Director Dush said not necessarily. It depends upon the zoning district it's in or the elements of the use. In this case, a site plan advisory review does not require a neighborhood meeting. Rollins asked Chase if he'd been before a Planning Board before. Chase said he's been a planning director in five different cities and he's very familiar with the process. She wanted to know in his role at CSU, have you had projects that included neighborhood meetings. Chase said yes but after discussions with the Planning Director, they concluded the impact was fairly minimal and a neighborhood meeting would not be required.

Chase said it is not going to be an intensive use. Basically, it's going to be a substitute for Ammons Hall. (Ammons is currently being used as a freshmen intake center.) There will be 1-2 events per week at the facility. Most will be seminars for faculty and staff. They encourage people to park on university property. A couple of times a year there may be a social event on the lawn with 50-100 people. When they created the University Arts Center, they received good neighborhood support. They continue to be good neighbors by providing a dog run on the east side of the UCA property and maintaining extensive landscaping on the site. He thinks most people will walk to the event. He said if you look at the parking surrounding the former high school, they are using only about 1/2 of the parking. He thinks there will not be an adverse impact with this use.

Member Rollins said she'd encourage CSU to get out into the community whenever there's an opportunity. She said Chase has the knowledge it's a low impact but perhaps the first time they have a big social event, some neighbors may have a little concern and would have no idea of what was going on. She said part of the benefits of having a neighborhood meeting is that you get out early on. She said that some times its difficult but more times than not, especially if it's very low impact, its community building. She'd like to see them do that on every single project regardless of whether it's required. Chase said he appreciates her suggestion.

Member Smith asked about the timing of the second phase. Chase said they have no plans or funds available to do the upper floors so it's several years out. His guess is it could be anywhere between 2-4 years. It could change, however, a month from now if a donor should come forward. He said if they were to use it for group living quarters, they would be coming back for board review and approval.

Chair Schmidt said in the staff memo it states that Poudre Fire Authority requires any space having an occupant load of 50 or more to have the capacity of the room posted. Is the capacity 50 in those rooms? Chase said they could have a stand up social event for 100 but if you were to look at seating, typically you'd have 10 tables of four. They will have the capacity posted. More importantly, they'll be spending \$70,000 putting a sprinkler system into the building.

Chair Schmidt said he mentioned most of the larger events would be outside. Are they required to have a special permit? Are there hour limitations? Director Dush said it would be under the auspices of this application unless it's defined in the City Code as a special event where a permit is required. Chase said the type of event they may be talking about is the Alumni Association sponsoring a social prior to a performance at the University Arts Center.

Member Smith said he's okay with the sidewalk being added in the second phase.

Public Input:
None

Member Smith made a motion to approve the 1504 Remington Street Renovations, Site Advisory Review, # 33-09 based upon the findings of fact and conclusion beginning on page 4 of the revised staff report including the condition:

- A. The request is a Site Plan Advisory Review submitted to the Planning and Zoning Board, pursuant to State Statute Section 31-23-209, which permits the City to review and comment on the proposal with respect to its *location, character and extent*. The request is not a Project Development Plan or Subdivision.
- B. The proposal complies with the East Side Neighborhood Plan and the land use is in compliance with the Neighborhood Conservation Low Density zone district.
- C. The project complies with the applicable standards in Article Three and Four of the Land Use Code (LUC), with the exception of a sidewalk along East Lake Street.

Condition: when the building is renovated fully, in Phase 2, which includes the 2nd floor, a 4.5' sidewalk shall be included running the length of East Lake Street along the north property line of the site. Member Stockover seconded the motion.

Member Lingle said he was in favor of Smith's initial concern that the sidewalk be a part of phase 1 improvements—it could be a long time before phase 2 improvements are made. He thinks Smith's concern for the safety of diagonally parking on East Lake is something the Board should consider. Member Carpenter agreed. Member Smith withdrew his motion and said he thinks the Board may want further discussion.

Chase said CSU is amendable and if the Board thinks its necessary they are certainly willing to add the sidewalk to Phase 1. They have the funding.

Member Smith made a motion to approve the 1504 Remington Street Renovations, Site Advisory Review, # 33-09 based upon the findings of fact and conclusion beginning on page 4 of the revised staff report including the condition:

- A. The request is a Site Plan Advisory Review submitted to the Planning and Zoning Board, pursuant to State Statute Section 31-23-209, which permits the City to review and comment on the proposal with respect to its *location, character and extent*. The request is not a Project Development Plan or Subdivision.
- B. The proposal complies with the East Side Neighborhood Plan and the land use is in compliance with the Neighborhood Conservation Low Density zone district.
- C. The project complies with the applicable standards in Article Three and Four of the Land Use Code (LUC), with the exception of a sidewalk along East Lake Street.

Condition: ~~when the building is renovated fully, in Phase 1, which includes the 2nd floor, a 4.5'~~ sidewalk shall be included running the length of East Lake Street along the north property line of the site. Member Stockover seconded the motion.

The motion passed 6:0.

in Phase 1 *SES*

Chase added he does take Member Rollins' comments seriously. They want to be a good neighbor and they will be sending a neighborhood notice out inviting feedback on any issues or concerns.