

## NEIGHBORHOOD LISTENING SESSION

**Project:** City Owned Properties at 317 & 321 South Sherwood Street

**Date:** November 17, 2014

**City Staff:** Ken Mannon (Operation Services)  
Helen Matson (Operation Services)  
Ryan Mounce (Planning Services)  
Beth Sowder (Social Sustainability)  
Sue Beck-Ferkiss (Social Sustainability)  
Delynn Coldiron (Neighborhood Services)  
Sarah Burnett (Neighborhood Services)  
Jeff Mihelich (City Manager's Office)

### Presentation Summary

- **Property Background**

- The properties at 317 and 321 South Sherwood Street were originally single family homes and were purchased by the City in the 1980's.
- The two buildings are on two separate parcels and are connected by an addition.
- The properties were previously used by Crossroads Safe House, but have now been vacant for about four years.
- Due to multiple factors, the buildings are not suitable for City use, and they are not optimal for service provider use.
- The City had used federal Community Development Block Grant funds for this property, which placed certain restrictions on the use of the buildings. These restrictions expired in September 2014, which opens up options for the properties.

- **Zoning Information**

The zoning is Neighborhood Conservation Medium Density (N-C-M) Neighborhood. Permitted uses in the zone district include:

- Single family home, child care, respite center, church, domestic violence shelter. These uses would require a Basic Development Review (staff review with no public hearing).
- Carriage house, duplex/multifamily (with no structural additions or exterior alterations), group home. These uses would require a Type 1 Review (public hearing before a single hearing officer).

- Duplex/multifamily (with structural additions or exterior alterations), bed & breakfast with maximum of 6 beds, schools. These uses would require a Type 2 Review (public hearing before the Planning and Zoning Board).
- Other uses would require a rezoning or an Addition of Permitted Use process.
- **Relevant Development Standards**  
If the properties are sold or leased, they would be required to meet current requirements of the Land Use Code. Examples include:
  - Floor Area Ratio – limits on building size for any new additions
  - 2-story height limit
  - Setback requirements
  - Design criteria for larger buildings (provide articulation, preserve solar access)
  - Other general development standards (parking, landscaping, stormwater, etc.)
- **Potential Options**
  - Option 1 - Lease to service provider for transitional housing facility or other identified community need to be operated by a service provider
  - Option 2 - Sell 317 South Sherwood; retain 321 South Sherwood for lease to a service provider
  - Option 3 - Sell both properties
  - Others that may be suggested
- **Considerations – Challenges and Opportunities**
  - If site could be used by a service provider, it could help address identified community needs.
  - Site improvements would be needed and may be expensive (drainage, parking, and others to be identified).
  - Maintaining the properties, whether vacant or occupied (by the City and/or service provider) may be expensive.
  - Selling one or more of the properties will result in the loss of a potential location for a City or service provider use.
- Tonight, we'd like to obtain neighborhood feedback regarding the options for the future of the buildings.

## Questions, Comments & Responses

**Question:** How many could be housed if it was a transitional living facility? Would the back building addition at 321 S. Sherwood remain?

**Response:** The City could keep one building and lease it for use by a social service provider or we could keep both buildings. We have not made a determination, and wanted to get neighborhood feedback to help guide decision-making.

**Question:** Is there a maximum number of residents allowed by the zoning?

**Response:** For both group homes and domestic violence shelters the land use code limit is up to eight individuals. That's just for those staying at the facility and doesn't necessarily include employees. There are 14 total bedrooms.

**Question/Comment:** Are you counting the addition?

A social service provider who had toured the property explained that there are eight bedrooms, a play room, and a counseling room. She further explained there are some rooms that could be turned into bedrooms.

**Question/comment:** The maximum number of occupants must be a change from Crossroads then.

**Response:** That is correct. Previously Crossroads Safehouse was considered a non-conforming use, so it met City requirements at one point, but since then codes have changed.

**Question:** Is it eight persons per house or in that total joint structure?

**Response:** Planning staff would need evaluate the requirements of the Land Use Code to determine that. At 317 S. Sherwood, which is the smaller of the two, there are six bedrooms, a play room, a bathroom, a laundry room, kitchen, living and dining room.

**Question:** Are all of those on the first floor or is that a combination?

**Response (citizen):** That's a combination, the bedrooms are upstairs.

**Question/comment:** So there are six bedrooms, but eight people are allowed?

**Response:** Currently, yes under the current regulations.

Staff explained that at 321 S. Sherwood, there are nine bedrooms, three counseling rooms, four offices, four bathrooms, two laundry rooms, a kitchen, two living rooms and a dining room. It is a fairly substantial size building. The house at 317 S. Sherwood is 2800 square feet; 321 S. Sherwood is 6400 square feet. Both include basements.

**Comment (citizen):** There are two other constraints. (1) It is in a 100-year City floodplain. Therefore, any kinds of building improvements require compliance with floodplain rules. (2) There are buffer zone requirements around group homes, and there is another group home nearby. So, that would need to be examined.

**Question/comment:** I'm curious about transitional housing. Are there any non-profit groups that have come forward to meet with the City or would it be city provided housing?

**Response:** The City does not provide direct social services, so is not contemplating using it for a city office or purpose. We could partner with a non-profit to bring in some kind of a housing program, since the house is so well suited for that - especially 321 S. Sherwood, which has so much practical application for that kind of a program. There are

some challenges that would have to be overcome. There have been several inquiries from non-profits that are already known in our community for providing housing.

**Question:** Can you say anything more about those groups?

**Response:** Serve 6.8 and Faith Family Hospitality have expressed interest recently. There have been different groups along the way. There were no takers through an earlier Request for Proposal (RFP). We think we would get interest if we did a new RFP.

**Question:** If the city were to sell off ultimately, could the proceeds be put toward an affordable housing in the community?

**Response:** It is an option we have considered. If we sold these two properties, we could take that money and build it back into the general fund. We could use it for any myriad of purposes or City Council could decide to earmark it for some other type of social sustainability programs like transitional housing someplace else in the city. There is a second mortgage on these two properties together. Obviously we would have to settle. The maximum we could clear if both of these properties were sold would be somewhere in the half of a million dollar category and that is probably being generous.

**Question:** The city is not going to use these properties anyways. None of these options suggested the city wants to continue to own them.

**Response:** If a non-profit was to use it the City would own them. We would still be the landlord and responsible. It would be a lease arrangement.

**Question:** What are the current costs for keeping it up each year? Part of the reason people haven't accepted it and part of the reason the safe house moved out was it is incredibly expensive with energy. There is not much efficiency.

**Response:** These numbers were not available at the meeting. Ken Mannon will check on this. *(See follow-up section at end of this document.)*

**Question/Comment:** Because of the flood plain regulations, there are some real restrictions. You have to abide by the City's own regulations, but also the definition of what constitutes a critical facility. How "critical facility" is defined by FEMA and the City may be an issue here as well as the spacing of the group homes.

**Response:** As a property owner, the City also has to follow City rules and regulations. If the properties are leased for some type of transitional housing, there will be totally different requirements than if they are sold.

**Question/Comment:** If you split them and sell them, the square footage at 321 S. Sherwood is over the floor area ratio limits (FAR) allowed by current code. A sixteen person family could live there as a private home. Is that the only use?

**Response:** Staff referred back to the uses described at the beginning of the meeting. If changes were made to the property, it would have to meet the same requirements as any other single family home. Staff further explained that if it is in the 100-year flood plain, basement living space is not allowed. Staff will gather more information from

Floodplain and Stormwater staff. There would be certain requirements if there were substantial remodeling or alterations, including potentially elevating it out of the floodplain or raising the HVAC above the flood level.

In terms of the question regarding 321 S. Sherwood, it likely does exceed the floor area ratio for the zone district, so it is considered a “non-conforming” use already. We wouldn’t want to see any increase in inconsistency, so further additions would not be likely possible with current regulations. In terms of whether it is suitable for a family, there considerations under the general occupancy standards with the U+2, so it really could just be related individuals and couldn’t be unrelated individuals.

**Question:** Would it be suitable for an extra occupancy permit?

**Response:** Extra occupancy rental homes are not a permitted use in the zone district.

**Question/Comment:** Each lot would be square feet. Under the new zoning, the floor area ratio (FAR) under NCM it’s 3,325 square feet. The building on lot 3 is more than almost 2.5 times.

**Response:** Staff would need to do additional work to verify exact square footage to determine the FAR exactly. The square footage cited earlier included the basement, which is likely to be included in the FAR calculations in this case.

**Question:** What is the footprint on each of these buildings square footage?

**Response:** Staff did not have this information available and will follow up.

**Question/Comment:** Could this housing be used for homeless people? There is a need.

**Response:** Potentially it could. In the Land Use Code, the definition for a group home does refer to rehabilitation for homeless or homeless use. It could be limited in number. However, there are parking, drainage and alley paving constraints that make it difficult for a service provider to come in even though the buildings could be good for that. There are also the zoning and land use requirements that would need to be met.

**Question/Comment (from a service provider):** Faith Family Hospitality hopes to provide more shelter for homeless families. Currently we are able to shelter four families at a time through participating churches. They doubled the number of shelters in the city. Now there are eight rooms available. What we are seeing in the 54 families that have been served in an emergency, many from living in their cars. Faith Family Hospitality works with these families on setting goals, obtaining jobs, medical needs and work towards helping them be independent. We hope to double the number of families we serve. We would like to move those who are most successful in the program into a transitional space to open spaces up to new participants. By doing this, we wouldn’t be pushing out the family that is close to independence but not yet solidly on the ground. We would continue providing services to that family in the transitional program and be able to pull in another family into the program. That could expand very quickly how many homeless families being served in the city. In Poudre School District, there are

1,000 kids per school year that can be identified as homeless at some time during the year. That doesn't mean 1,000 are homeless all year long, but just by that number one can see that between Catholic Charities and Faith Family Hospitality, only 8 families are being helped.

**Question (from staff)** Staff asked how many attendees lived in the neighborhood near these two properties. The majority (about eight) raised their hands.

**Question (from staff)** Staff asked if there was a sense by people if they preferred that the City sell the properties, or use at least one of the properties for transitional housing.

**Response:** The city owns it. It is there ready for the public. Why aren't they using it?

**Response:** I am a neighbor also with an organization called L'arche, which is looking to provide housing for people with disabilities. We are much more in the beginning stages, but this is very interesting to me. Living a block away is also fabulous.

Staff asked if that is a settlement house. Citizen stated they are homes where people live in with and without disabilities and choose to live together.

**Question/Comment:** What are the historic preservation requirements?

**Response:** The building must be more than 50 years old and these are. In the 1980's the properties were reviewed and at that time were ineligible for local designation, in part due to the connecting structure. If that was removed and this went through a review process in the future, Historic Preservation would review again.

**Question (from staff)** Staff stated they are trying to get a little more feedback. The three options were reiterated.

**Response:** Three preferred Option 1 (attempting to lease both properties to a service provider). No one preferred Option 2 (leasing 321 S. Sherwood; selling 317 S. Sherwood); Option 3 (selling both properties) was also not preferred, but not all indicated a preference.

**Question/Comment:** There is a fourth option, which is to sell both properties and create a park. There is no green space in that area. It would take Otterbox or Blue Ocean to fund something like that. If you look at how many people are in that area, parking is going to be a horrible problem for transitional housing. I want there to be transitional housing, but I also want them to not be caught in a flood plain.

**Question/Comment:** We are currently competing for parking with Otterbox.

**Question/Comment (citizen):** 309 S Sherwood St was given to city to use as a park and they sold it. Why would we have another park on there if the City doesn't want one?

**Question/Comment (citizen):** That is why I am saying it would have to be privately funded, if you are talking about sustainability. I almost wish it could be torn down and build some good transitional housing to keep the sustainability going further.

**Response (City):** We can't say for the non-profits out there what they could or couldn't do with it. Instead, we would formulate a request for proposals (RFP) and see what ideas organizations have and how they could fund it and make it work. We may not get any responses or we could start the process and it turns out that it is not feasible. If we sell them now then we don't have that opportunity.

**Question/Comment:** I am concerned with flood damage of the buildings, especially 317 with six feet of water in it during '97. I am not sure what condition it is in.

**Answer:** It was used through 2010 or '11. Ken Mannon toured the properties and went into the basements. He didn't see any huge issues that could not be resolved. In order to put people in those buildings any mold or water would have needed to be mitigated before it could be used after the flood. Ken believed that it had gone through an extensive cleaning.

**Question/Comment:** I like a plan that would let it be used for transitional housing or such. I have a real concern if the city is the landlord. How responsible or considerate they would continue to be to the neighborhood about the parking issues. There is reason because of the situation we are in now with parking that the City has seemed indifferent to. We would want them to be a very responsible landlord, not just to the group that may rent, but conscious of what's around.

**Question/Comment (citizen):** Helen (from the City's Real Estate Services Area) has been and excellent, very responsive to any issues. There has been a contact when you see things going wrong, and cited an example of a problem trespasser.

**Question (staff):** Staff asked if the City decided to sell the properties and one of them was service provider, if the City didn't own the property anymore if that would be good or bad.

**Response (citizen):** You would still have the parking problem brought on by Otterbox not having adequate parking and all the other new buildings coming in. There is absolutely no parking. The on-street parking during the day is especially problematic.

**Question (staff):** Staff asked if the neighbors would be comfortable with pursuing another RFP to see if there was any interest from social service providers to use one or both of the buildings.

**Response:** An RFP process is costly to potential service providers. I think it would merit front end work by the City to clarify the flood plain issues and the group home separation issues so as to not to put potential respondents through a process only to learn that their proposal is not feasible due to the site constraints.

**Response (staff):** Staff stated they now know of a few items to follow up on and will provide updates as far as what would be considered a critical care facility and how that might affect use of the properties.

**Question/Comment:** Where can we find info on process? Is there a certain amount of mitigation the city does before it's made available to non-profits? Is that list different than if you were to sell?

**Answer (staff):** That is negotiable. We would have to sit down and see what a potential tenant would need and what the City needs and go from there. We plan to provide updates as we proceed.

Staff explained that the City has a conceptual review process. These are free meetings for anyone with a prospective development proposal. This is where all of the City departments who work on development review assess the site and proposed use and offer feedback and insight into if there are any challenges or issues up front before they make a formal application submittal.

**Question/Comment:** A nonprofit would present a paper describing what their hope is or how the property can be used?

**Answer:** Yes. It is a fairly simple process. We just ask for a drawing at that stage. We realize it is expensive to get professional drawings done. A lot of times people provide a narrative as well.

**Question/Comment:** Would it be possible once other expenses are taken care of if 317 S. Sherwood were sold, that the remaining funds were earmarked to help make the other property easier to bring up to code? Social service providers might be able to afford to pave alleys.

**Question/Comment:** What I am struggling with is being a good person and also just looking at the regulations. I appreciate what you are saying that there may not be enough equity in these properties that there may not be a large gain if the properties were sold. Having talked with several directors of Crossroads and with the City's Facilities staff, the maintenance of those existing structures has been costly to a provider. Certainly there is a need in this community for housing and this is a big building.

**Comment (service provider):** Parking is a big concern. The day time parking is solid. This property seemed like it made some sense to us because of the structures there. If we had four families each would be coming with a vehicle. Faith Family Hospitality would have an overnight person there every night with the families who would also have a car as well as other staff coming and going. Even if you sold these two houses separately, families these days frequently each have two vehicles; you would have two vehicles connected to with families equal to if you split the property.



### **Comments/Discussion:**

- Are there requirements for a certain number of parking per staff member? You may have to have more parking than what you would think.
- Staff stated that there are minimum parking requirements for staff. Also, there is a standard in the zone district that no more than 40% of the front yard could be improved for parking (so parking in the front yard would be very limited).
- What about removing the garage to allow for more parking?

**Question/Comment:** What kind of timeline are you hoping for?

**Response:** There is no specific timeline. Based on the feedback tonight, we are leaning towards doing another RFP to see what proposals are submitted and will send updates to those who have provided their email addresses tonight.

**Question/Comment:** The need is really great for homeless people. There are structures sitting empty. Isn't there a way to open them in an emergency?

**Response (staff):** Staff explained they are very concerned about our neighbors this year, but fortunately the shelters have not been full yet. Catholic Charities and Community of Christ Church are currently working towards being able to open an overflow shelter at the Church (at Oak and Mathews), which City Council just approved to use as shelter for single women. This will free up space at Catholic Charities if needed. In addition, hotel vouchers are available through Catholic Charities. The local service providers believe the overnight shelter options are adequate at this time.

### **Follow-Up Items**

- **Encourage Sharing of Information**  
Staff encouraged those in attendance at the listening session on November 17 to share the information discussed at the listening session with their neighbors so that more in the area can provide their feedback if they would like.
- **Additions to E-mail Communication List**  
Individuals who would like to be included to the email list for future messages may contact Sarah Burnett at [sburnett@fcgov.com](mailto:sburnett@fcgov.com) or 970-224-6076.
- **Preliminary Land Use, Zoning and Floodplain Responses**  
A number of questions related to land use, zoning, and floodplain requirements were raised at the meeting. Some of these questions, with additional information from City staff compiled since the meeting, include:
  - Minimum Distances between Group Home Facilities
    - The minimum required separation distance for group homes or shelters for victims of domestic violence in the N-C-M District is 1,000 feet.

- An existing group home operated by Touchstone Health Partners at 218 S. Whitcomb Street is located approximately 500 feet from the Sherwood properties, requiring approval of a modification of standard if a group home or shelter for victims of domestic violence is proposed.
- City's Ongoing Maintenance Costs

A resident asked if the City could provide expenses related to the properties. While Crossroads Safehouse was the tenant, they were responsible for much of the maintenance, so the City has not had substantial maintenance expenses. Approximate total utility costs, including electric, natural gas, water, wastewater, and stormwater, for the highest use periods (2011-2012) were:

  - 317 S. Sherwood - \$3,000/year
  - 321 S. Sherwood - \$6,350/year
- Square Footage Measurements
  - 317 S. Sherwood
    - First Floor – 1,258 square feet
    - Second Floor – 1,047 square feet
  - 321 S. Sherwood
    - First Floor – 3,295 square feet
    - Second Floor – 1034 square feet (original) + 1,047 square feet (addition) = 2,667 square feet
- Floodplain Requirements
  - Fort Collins Utilities has published a “quick guide” outlining standards and requirements for new structures and additions or remodeling of existing building located in floodways, floodplains, and flood fringes. This guide can be viewed at: [http://www.fcgov.com/utilities/img/site\\_specific/uploads/quickguide.pdf](http://www.fcgov.com/utilities/img/site_specific/uploads/quickguide.pdf).
- Critical Facility Determination
  - Group homes or shelters that may house vulnerable populations that require assistance evacuating during a flooding event are likely to be considered a critical facility, and would not be permitted at 317 & 321 S Sherwood Street. Specific information would be required to make that determination, but uses such as schools, child care centers, and housing for vulnerable populations would be unlikely.
- Off-Street Parking – Service Provider Needs and City Requirements
  - Group homes and shelters for victims of domestic violence are a minimum of 2 spaces for every 3 employees, and one space for every 4 adult residents, unless those residents are prohibited from owning and operating a vehicle.
  - Single family homes on lots greater than 40 feet in width require 1 parking space.

- Minimum multifamily project parking requirements are based on the number of bedrooms per dwelling unit, beginning at 1.5 spaces for each one-bedroom unit and increasing thereafter.
  - Group Home Client Maximum
    - Group homes in the N-C-M District are limited to a maximum of 8 residents, excluding supervisors. A large group care facility in the N-C-M District is limited to 15 residents, excluding supervisors.
- **Conceptual Review Scheduled for Early 2015**

Staff has begun researching these questions, as noted above, but in order to gather all the information in one place, the City (as a property owner) plans to complete a Conceptual Review in January. This will allow staff from various City departments and other reviewing agencies to provide comments on considerations for development and potential uses of the properties, including considerations and requirements related to floodplain, stormwater, utilities, Poudre Fire Authority, planning, zoning, etc. The comment letter that summarizes the review should assist City staff in preparing the RFP for service providers, and should also provide the service providers with a clearer picture of the feasibility of their ideas given the allowed uses and development considerations for the buildings.