



Solarium Additions of Permitted Use Neighborhood Meeting Summary

Neighborhood Meeting Date: June 26, 2019

City Staff – Attendees:

Sylvia Tatman-Burruss – Development Review Liaison
Jason Holland – City Planner
Jamie Kimberlin – Senior Zoning Inspector

Applicant:

Chelsea Gressman

Notes on information presented by City Staff:

- Ms. Tatman-Burruss began the meeting by providing an overview of the meeting agenda, sign-in sheet, next steps after the meeting and ways to provide further input on the proposal. Ms. Tatman-Burruss also introduced the city staff members in attendance.
- City Planner Jason Holland, provided the following information, referring to a handout provided:
 - What is an [Addition of Permitted Use](#) (APU, section 1.3.4 of the Fort Collins Land Use Code)? – Referring to the handout provided with this information.
 - Referring to the handout, Mr. Holland highlighted the APU review process and how this process has a different process than a proposal for a permitted use. In referring to the six process steps highlighted in the handout, Mr. Holland explained that:
 - 1) Referring to the purpose statement for the Addition of Permitted Use process: *Under this process, an applicant may submit a plan that does not conform to the zoning, with the understanding that such plan will be subject to a heightened level of review, with close attention being paid to compatibility and impact mitigation.*
 - 2) The conceptual review meeting had already occurred, that having been the first step in the process;
 - 3) Two neighborhood meetings are required. This is different from the permitted use process, which requires a neighborhood meeting for uses that go to the Planning and

Zoning Board and an optional neighborhood meeting for uses that do not go to the Planning and Zoning Board;

- 4) A formal submittal and staff review are required; City staff then provides a recommendation on the proposal to the Planning and Zoning Board and City Council;
 - 5) The Planning and Zoning Board provides a recommendation to City Council, and that City Council is the Decision maker for the proposed APU's.
- In discussing the handout, Mr. Holland noted that the process is different than a review process for a permitted use because City Council is the decision maker – and the Planning and Zoning Board makes a recommendation to City Council – rather than the Planning and Zoning Board being the decision maker.
 - In discussing the handout, Mr. Holland noted that the APU process focuses on a heightened level of review, paying close attention to compatibility of the requested use within the existing zone district, which in this case is [Low-Density Mixed-Use Neighborhood \(L-M-N\)](#). Staff will review the full application once it is submitted, following the guidelines of the Addition of Permitted Use process and will make a recommendation based on those findings.
 - In discussing the next topic in the handout, Mr. Holland explained the different ways that residents can provide public input on the proposal, and that input can occur at any time in the review process. These include comments made at the neighborhood meeting and written comments through e-mail or by letter. All comments made will be provided to City staff, the applicant and decision makers throughout the process. All comments made are part of the public record and are subject to public records requests.
 - Mr. Holland explained that the second page of the handout shows 6 of the 8 criteria used by staff, the Planning and Zoning Board and City Council when considering the proposed APU's, and explained that the last two criteria included the requirement for two neighborhood meetings and the requirement that the use not be a marijuana facility. Prior to the start of the meeting, a resident asked Mr. Holland why there were two criteria missing from the handout. Mr. Holland explained the last two criteria and that these were omitted because they were not relevant (marijuana facility) or were discussed in the previous portion of the handout (two required neighborhood meetings).
 - Mr. Holland explained that the rest of the handout is from the Land Use Code and shows the purpose statement and the list of permitted uses for the Low Density Mixed-Use Neighborhood Zone District (L-M-N). Mr. Holland explained that the intent of providing the list was to provide information on what was a permitted use in the zone district because he anticipated that this information might be requested by the meeting attendants. Mr. Holland indicated that the information was provided in a handout format so that it could be presented as a cut/paste directly from the Land Use Code.
 - While explaining that the Solarium property was in the Low Density Mixed-Use Neighborhood Zone District, Mr. Holland referred to a presentation board which showed an aerial image of subject property's surrounding context and the area zoning in the vicinity of the property.

Please note the following clarification: While showing the location of the L-M-N zone on the map, Mr. Holland said that the Solarium property was also in the same zone district that he lives in. Mr. Holland's residence is in the Low-Density Residential Zone District (R-L), and the L-M-N zone is a part of the subdivision where Mr. Holland resides. The comment was not intended to be relevant to the staff review of the applicant's proposal for the Solarium.

Notes on information presented by the Applicant and John Clarke:

- Ms. Gressman presented a PowerPoint slide presentation. Ms. Gressman noted that her family purchased the building in 2014, and that her family and business is deeply rooted into the Fort Collins community. Ms. Gressman noted that she takes a lot of pride in the city and expressed her excitement to share with the residents the proposal for the property. Ms. Gressman described the four APU's proposed, expressing her appreciation for the opportunity to talk with several of the residents about the proposal prior to the meeting. She explained that the ultimate goal is to find the highest and best use for the property and provide a unique place for people to gather. Ms. Gressman explained the four proposed APUs:
 - 1) A Small Scale Reception Center use, as a place of assembly used for celebrations or gatherings. Examples included weddings, anniversaries and graduations.
 - 2) A Lodging Establishment use to increase to occupancy of the property.
 - 3) A Limited Indoor Recreation use. Examples of this use included yoga, martial arts, dance, arts and crafts studios and other small-scale fitness classes.
 - 4) Personal and Business Service Shops which would allow the building to provide retail sales such as a gift shop.
- Photographs of the property's construction of the main Solarium building were presented by Mr. John Clarke. Mr. Clarke explained that he constructed the building beginning in 1978 with his wife, and that the property was used as their residence and as a photography studio business (Home Occupation). The building was featured in a book written by the Clarkes – *The Photographic Success Manual*. Slides were presented showing the construction of the Clarke's house (the main building on the site – which includes a large, centrally located glass-covered atrium).
- Ms. Gressman explained that the meeting objective is to get feedback on the four APUs, and that the proposal is in the initial planning phase. Ms. Gressman provided photographs of the unique design features of the Solarium and narrative outlining the vision, mission, and values of the Solarium – indicating her team's commitment to the neighborhood and community. Ms. Gressman expressed gratitude for the opportunity to present and receive neighborhood feedback for the proposal.

Notes on Questions, Comments and Answers.

- **What uses are there now?**

City meeting notes: The applicant explained that 12 rooms are currently available for rent, and that no structural changes are proposed to the building.

- **How do we provide feedback on the APU's if we don't know what the property is used for currently?**

City meeting notes: The applicant explained that she is looking for neighborhood feedback on the proposed APU's.

- **Will you continue to rent 12 rooms?**

City meeting notes: The applicant explained that more information can be provided at the second neighborhood meeting.

- **A resident asked -- how many people are staying there now?**

City meeting notes: The applicant explained that not more than 18 people are staying overnight currently, and that she believed this was a number that was acceptable based on past discussions with City zoning staff Alison van Deutekom.

- **A resident asked -- what is the property approved for now?**

City Planner Jason Holland provided the following information at the meeting: The property was approved for a Bed and Breakfast use which allows not more than 6 beds and 12 guests in the L-M-N zone district. This use was approved in 2001. Prior to that the property was approved for a boarding house for students. With the boarding house approval, a maximum of 18 students was approved.

- **A resident expressed that on-street parking in the area is an issue and noted recent projects in the area that were approved on College Avenue. Where will the parking be located for the reception center?**

City meeting notes: The Applicant explained that they are looking into off-site parking options. Could be at the school or a nearby church. They would have traffic control set up for the reception events.

- **A resident expressed concerns, stating there were negative impacts: parking, and also live bands/music.**

City meeting notes: The Applicant responded that the reception event users must share the Solarium organization's values.

- **What's the current parking on the property?**

City meeting notes: The Applicant responded that there are 16 parking spaces.

- **Resident Comment: I'm concerned with the current uses and operations. The Stover/Stuart cross walk is a concern. This isn't a safe crossing. The resident described concerns with the increase in traffic and the increase in pedestrian crossings. The resident indicated that speeding is already an issue on Stuart and the increase in foot traffic at the crossing does not seem safe. The resident described past receptions on the property, and that there was parking in the bike lanes along Stuart.**

City meeting notes: The Applicant responded that better signage and identification of parking/no parking could be helpful. The Applicant expressed a desire to talk about solutions.

- **Resident Comment: On street parking in the Indian Hills neighborhood is a big concern. As more development has gone in at College, there is more and more parking along the street from Lemay to College. More people traveling in and out of the neighborhood is a major impact.**
- **Resident Comment: We need to talk about impacts. How would parking work for the events?**

City meeting notes: The Applicant responded that with Global Academy Village and other parking within a ½ mile, there are 500 parking spots. We could have traffic control on Stuart Street. The Applicant indicated that the Mishawaka is a good example of how to manage traffic and parking.

- **Resident Comment: You know we've had past issues with the weddings, those did not work well.**

City meeting notes: The applicant responded that the weddings mentioned were run by Donna, the Solarium's previous property owner.

- **Resident Comment: This is a question for Jason Holland. I'm looking at the recent Conceptual Review comments. What's permitted on the property right now? What are they allowed to do while in this process?**

City meeting notes: Jason Holland responded that the property was approved for the Bed and Breakfast use. This allows not more than 6 beds with 12 guests (up to two in each bed). We understand that there is more capacity in the buildings for more guests. A yoga studio is also operating in the basement but is not currently allowed. We have done a city inspection for life and safety. They are on a compliance timeline right now that they must adhere to during this review process. We've said that they can continue to operate during the compliance timeline.

- **Is the only plan for parking to have off-site parking?**

City meeting notes: The applicant responded that for the reception events there would be off-site parking and they would use a shuttle van.

- **What is the maximum capacity for guests? What is the total number of rooms?**

City meeting notes: The applicant responded they are still working on this and that the intent is to answer this at the second neighborhood meeting. We're looking to get input on considerations and your top concerns.

- **Are exterior changes proposed? Right now the property is an eyesore. Comments were made regarding the aesthetics of the stucco exterior and the landscaping.**

City meeting notes: The applicant responded that additional revenue would be needed to make these changes but that she would like to make exterior renovations to the property.

- **A resident asked whether the maximum occupancy includes the Teepees.**

City meeting notes: The applicant responded that no, they are not included in the occupancy.

- **Are there code violations with the site?**

City meeting notes: Someone responded that the existing trash dumpster is a code issue. There was not enough time before another question was asked to respond further to this question.

- **When you purchased the site, were there interior changes made? Are you proposing any interior changes?**

City meeting notes: The applicant responded that no interior changes are proposed.

- **What's required related to building Code?**

City meeting notes: The applicant's consultant, architect Troy Jones, responded that currently the building is an "R2" occupancy which was allowed for the Bed and Breakfast use and for the Boarding House use, and that they are looking into the requirements for upgrading the building to an "R1" occupancy to support the proposed additional uses.

Mr. Jones added that the L-M-N zone was applied to the existing neighborhood in 1997 when the new Land Use Code was adopted, and because of that it was difficult to shoe-horn the existing Solarium building and uses into the stated purpose of the L-M-N district.

- **Resident Comments: Need to keep the bike lanes along Stuart clear and limit on-street parking. Need better "no parking" signage. Access in and out of the Solarium parking lot is a safety concern. Who would enforce parking limits and enforcement?**

City meeting notes: City Planner Jason Holland responded that the city would be responsible for parking enforcement in the right-of-way.

- **Resident Comment: Would prefer that the Applicant assist with parking enforcement.**

City meeting notes: The applicant responded that areas could be reserved or blocked off with cones.

- **Do you have to process these APU's? What happens if you don't get them, will you sell the property?**

City meeting notes: The applicant responded that she did not know.

- **Resident Comment: One of my concerns with the APU's is precedent. If these APU's are approved, it would make it easier for other similar APU's to be approved in this zone district.**

- **Resident Comment: I'm concerned with amplified music from the events.**

City meeting notes: The applicant responded that they are studying ways to mitigate sound.

- **Resident Comment: The retail sales use is a concern – this would increase traffic in and out of the neighborhood.**

- **Resident Comment: This is listed in the zoning name as a low-density area, but it's not low density. There needs to be more space to absorb the impacts of what's proposed.**

- **Resident Comment: We're entitled to a peaceful backyard.**
- **John Clarke commented that the Applicant has done a lot to bring the property back from the condition that it had been in and expressed positive comments about the applicant and her management team's character and integrity, expressing confidence in the team's ability to manage the operations associated with the proposed APU's.**
- **Comment: A resident at the meeting read a definition of due diligence. The resident commented that proper due diligence should have been conducted by the applicant, ideally prior to buying the property, but at the very least before operating the unapproved uses for which the Addition of Permitted Use process is now required. The resident made the point that the applicant characterized the Addition of Permitted Use application as due diligence. The resident disagrees and believes that due diligence should have already occurred prior to starting the Addition of Permitted Use process.**
- **The adjacent resident at 720 East Stuart Street, to the east of the Solarium provided comments. She commented that she has lived there for nine years. She commented that past wedding events at the subject property did not go well. Comments were provided regarding parties. The use of alcohol and partying were noted. She commented on events continuing into the night. She commented that she has no air conditioning in the dwelling, and that she leaves her windows open at night. She commented on noise concerns.**

City meeting notes: The applicant responded that the proposed reception center will not be the Tapestry House.

With no more questions, Sylvia Tatman-Burruss closed the meeting at about 7:35 pm.