

## NEIGHBORHOOD INFORMATION MEETING

<b>PROJECT:</b>	Sigma Phi Epsilon Fraternity House Addition
<b>DATE:</b>	November 12, 2014
<b>PLANNER:</b>	Ryan Mounce
<b>APPLICANTS:</b>	Mitch Christ, Sigma Phi Epsilon Building Committee

### Planner & Applicant Presentation:

The meeting began with a synopsis of the development review process and the steps completed thus far by the applicants. This is a proposal for an addition to a fraternity at the corner of Lake and Remington. The property is located in the Neighborhood Conservation Low Density (NCL) District. The proposed use for the property is a nonconforming use in the NCL zone district, and there are specific requirements that apply to nonconforming uses. The Planning and Zoning Board will be the decision maker for the project, which requires a neighborhood meeting. So far, the applicants have met with City staff for a conceptual review of the project. The next step will be a formal submittal of the project, which will be reviewed by City staff. This property is individually eligible for designation, so the applicant has been working with the Landmark Preservation Commission on the design for the addition.

The applicants then gave brief overview of the project:

- The Sigma Phi Epsilon fraternity occupied the house since the 1940s, the structure itself was built as a sorority or fraternity in the 1930s
- Remodel and renovate existing building for 40 residents
- A single story addition was added to the west side of the house at some point, believed to have occurred in the 1950s or 1960s
- Plan for future – current status is the fraternity was asked to leave university due to violations, national and state sigma phi org interested in maintaining the house for continued use by the fraternity in the future. Hope to change the culture of the fraternity; have engaged in a lot of planning and fundraising in the past 4-6 years, have raised 1.2 million for this project.
- Opportunity while house is vacant to restore house and make improvements
- Proposed improvements:
  - Wall along Lake Street will be moved back to create 8' sidewalk along front with street tree plantings
  - Trash enclosure on south side
  - Will add bicycle parking, not sure where yet
  - Addition on the west side over the kitchen on the west side of the house
  - Lower level – eliminating storage room and adding a large laundry room

- First floor – no change, rooms will be cleaned up, insulation will be added to exterior walls, doors and windows will be removed, rebuilt to match historic character, and reinstalled, kitchen will be reconfigured as a more modern kitchen to serve residents, Portico area will be restored
- Second floor – over the existing kitchen proposing to add a library connected to 2<sup>nd</sup> floor residents' rooms, telemedia room for distance learning, opportunity for residents to attend off-site classes at CSU, place to collaborate and study, single story space with a vaulted ceiling, has been through a number of design iterations with the LPC, has been pulled back from the first story, matches design of the balustrade over the trophy room and existing portico
- Third floor – Vaulted space of the library extends up to the third floor, with a loft and stair case from the third floor down to the library on the second floor, remove a resident room to enlarge bathroom area for residents
- Plan is to repair and restore existing masonry, have specialists in historic preservation on the team
- All existing windows will be removed, restored, and reinstalled
- Shutters to match historic shutters
- French doors will be used for addition to match doors on front of building, all new features (including gutters) will closely match the character and vocab of original building
- Existing windows have been neglected for a number of years and are in bad shape. Improvements will increase the comfort of residents and efficiency of building.

### Questions, Comments & Responses:

**Question (Attendees):** Why are they being asked to construct an 8' sidewalk? Doesn't that exceed city standards of 5'? How did you arrive at 8'? Where in the code is one allowed to dictate that? Can see this being a pattern throughout the community; don't want it to be unfairly applied. Is it fair and equitable?

**Response (City):** Will check with Engineering staff to see how they arrived at that width. It may relate to the pedestrian activity in the area and the vehicle overhang that occurs from parked cars along Lake Street.

**Response (Applicant):** We do a lot of work with Poudre School District, for them an 8' sidewalk makes it easier to plow. Cars parked diagonally tend to overhang sidewalk, which may be part of the reason for the wider sidewalk.

**Question (Attendee):** When do the parking requirements kick in?

**Response (City):** Can't add further inconsistency if this is processed as a nonconforming use. Currently there is no onsite parking provided; the applicants would need to add parking if they added employees or beds with the expansion. For a frat the parking ratio is based on the number of beds and employees.

**Question (Attendee):** Do you have to deal with asbestos abatement?

**Response (Applicant):** Tested for asbestos and lead last week, waiting on results. If tests are positive, we will conduct mitigation work prior to proceeding with construction.

**Question (Attendee):** What is your timeline?

**Response (Applicant):** Our plan is to start construction in February with a grand opening in October.

**Question (Attendee):** Are the balustrades functional? Is the top-level deck used?

**Response (Applicant):** The balustrades are decorative. I don't think people would be walking on the top deck, people would need to climb out of the windows to access it.

**Question (Attendee):** Did they need a building permit for the basketball court, and why was it built? It is a detractor to the property. It was added recently, before they exited from campus.

**Response (Applicant):** I was not involved with the project at that time, so I don't know.

**Question (Attendee):** How long has the building been vacant? And it will be vacant until October? Isn't there something in the code about absence of occupancy? How long does the fraternity need to stay away from CSU?

**Response (Applicant):** It has been vacant since January, and the fraternity has been suspended for 4 years. The plan is to clean up and maintain ownership, but in the meantime lease it with similar occupancy to another fraternity or sorority. We are working with CSU to identify any other groups that might be interested in occupying the building and working with lenders for financing. They hope by making this investment in the building, they might be able to petition the university to be reinstated early, but that's not guaranteed.

**Response (City):** We've raised the same question. Active operations need to be occurring within 12 months for the nonconforming use designation to remain. If the nonconforming use expires, the applicants would need to go through the Addition of a Permitted Use process, which is a special review to allow a use that is not permitted in a zone district. The APU process has different requirements than the nonconforming use process. At this time we don't know with certainty what the timeline looks like and how the project will be processed.

**Question (Attendee):** How will we know what the review process is, and if the use is continued?

**Response (City):** To demonstrate that someone is back in the house, the City has asked for documentation, like a lease agreement, that shows that someone is occupying the house. It could be occupied by a smaller fraternity or sorority, but they don't need to utilize the entire house.

**Question (Attendee):** Does it have to be a Greek-recognized fraternity?

**Response (City):** It has to be an organization that has fraternity/sorority recognition from CSU, couldn't be a group of unaffiliated students, for example.

**Comment (Attendee):** I'm curious to know more about the [Addition of a Permitted Use] process.

**Response (City):** Zone districts have a list of permitted uses. If a use is not listed, by default that use is not permitted in the zone district. Proposals can be made that specify another use that is not expressly permitted, but they must be approved by the Planning & Zoning Board, and they are to permit a specific use to a specific parcel; it does not permit the use throughout the rest of that particular zoning district.

**Response (City):** In this circumstance, it would be an interesting process, because a proposal for an APU would be attempting to permit a use that has existed on the property for 85 years but which is now otherwise not a permitted use in the current zone district.

**Comment (Attendee):** Needs to be fair, can't let one project slide. Need to apply requirements fairly to all projects and not provide special treatments. Needs to be a fair and equitable process for everyone to use.

**Comment (Attendee):** I like what they're proposing, but the 12-month rule is going to hurt them. Should try to get someone in there. Don't like the basketball court, but I like the proposal.

**Question (Attendee):** So the maximum number is 48 students?

**Response (Applicant):** They're planning initially on 35, but the current capacity is 45.

**Question (Attendee):** Can they expand the number of people? Is it capped at 48?

**Response (City):** I believe the 48 is related to occupancy and fire regulations. They will run into more difficulty with parking and other requirements if they increase the number of beds. Since they are looking at reducing the number of residents, then that is not currently an issue. If they made a change in the future, would need to get separate approval for that as an amendment to an approved plan if capacity was documented on their recorded planning documents.

**Comment (Attendee):** There are two processes here, which changes how they would need to meet standards.

**Response (City):** If it's an APU, then would need to bring everything up to standard, or if they could not, apply for a modification of standard. As a nonconforming use, there are slightly different standards to be considered. For instance, one is related to parking in that for a nonconforming use, they cannot increase any existing inconsistency, but if this was an APU, they would be required to meet current parking requirements.

**Comment (Attendee):** The site is landlocked. There isn't any space for parking spots unless the basketball court went away.

**Response (City):** Yes, adding any parking to this site would be challenging from an access and space perspective. In addition, there are also standards for this one district that limit the amount of impervious space in the front half of the lot and that limits parking between the front of the building and the street.

**Comment (Attendee):** I think you're doing a fine job, it looks beautiful, and I see a lot of potential with the library and technology, making it more energy-efficient. It's something to be proud of.

**Response (Applicant):** This building has good bones. The fraternity's interest is making it good for another 100 years. These guys live and breathe CSU, and they are all very proud of the building; it means a lot to them. Their vision and goal for this project is to bring the splendor and glory back to this building that has been neglected for a long time.