

NEIGHBORHOOD INFORMATION MEETING

Project: 201 E. Elizabeth Street (Fraternity Use)

Date: February 19, 2015

Applicants: Paul Milewski & Julie Rickett & Deanne Frederickson

Planner: Noah Beals

City Process Overview:

This is a proposal to reoccupy the building at 201 East Elizabeth Street as a fraternity. Fraternities are a permitted use in the Neighborhood Conservation Buffer Zone District (NCB), and as the building has been utilized as a fraternity in the past, the re-occupancy can be processed as a minor amendment.

Minor amendments can be approved administratively at the staff level, but as we began to hear about concerns from neighbors the decision was made to refer the minor amendment to the Planning & Zoning Board. The Planning & Zoning Board will consider this minor amendment at their next hearing on March 12th.

Applicant Presentation:

Applicant Representative:

Paul Milewski & Julie Rickett purchased the property in January and have been working on renovating the interior. They began discussions with several fraternities to rent the building. The City has said that as it has been more than a year since the building was occupied, it needed to be brought up to current development standards. This means primarily upgrading to the parking lot area.

They plan to renovate the east side of the building and parking area and understand parking is one of the biggest concerns from neighbors. The City codes require 2 parking spaces for every 3 bedrooms, and one of these parking spaces needs to be a handicap space. The site can accommodate 8 parking spaces, including one handicap parking space. The parking is accessed off the alley, with a one way access drive through the parking area and existing onto Elizabeth Street.

They are also planning on updating the landscaping and talking with the City Forester about the existing trees on-site. They also want to clean up the property -- a trash enclosure will be constructed for trash/recycling collection and be located off the alley. They are also required by the City to add 24 bicycle parking spaces, 60% of which need to be enclosed or sheltered.

Owners:

We'd like to introduce ourselves and the fraternity who are looking to move into the house. Julie is a life-long Fort Collins resident and now works at Rocky Mountain High School. We have a long history of volunteering and fundraising events within the community. Paul has worked in Fort Collins as the owner of a local parking/paving business. We both active in the community and with local non-profits, and

regularly volunteer and donate to these organizations. We have provided funds for Leukemia research and as CSU alumni, are interested in helping Greek students find housing in the community.

We understand parking is a major concern and have a plan to address these issues. We will install a new parking lot that can accommodate more parking than currently present, and more than required by City Code. Not all fraternity members will have cars, and the fraternity has established a parking program to limit the number of members living at the fraternity who can have parking passes. They have also reached out to St. John's Lutheran church for a potential parking arrangement for chapter meetings.

This neighborhood is great with its proximity to CSU and the energy in the area. The housing situation for Greek students in the community is inadequate. Nine fraternities applied to rent this building, but we chose Phi Kappa Tau due to their civic mindedness and community volunteer efforts. As owners, we will be actively involved with the fraternity and want to be good neighbors.

We've done a neighborhood walk-through and met with several of you and have heard your concerns. Many people have in their head the stereotypical frat house image reminiscent of Animal House. The fraternities have to follow rules set by CSU, including no alcohol and alcoholic parties. The fraternities can lose their position with CSU. In our lease, we are also including a provision for no alcoholic parties.

As a business owner, I'm very accustomed to dealing with young men; if any issues arise, we are going to be actively involved – we're not absentee owners from far away. We have our contact information to hand out to everyone tonight, and we'd like to meet with anyone who has concerns.

Phi Kappa Tau Representatives:

We have had a dream of a centralized location for our fraternity and brotherhood, and this is an opportunity for us to realize this dream. We want to break the stereotypical fraternity image and show that we will be a part of the community through our philanthropy, community service, and everyday helpful tasks. We're here to stay and don't want to tarnish our reputation.

The animal house fraternity stereotype has changed. CSU Greek Life rules prevent us from having parties in Greek housing. We didn't want a centralized chapter house for parties; we needed this location where all the brothers could live together and have a chapter meeting in our own house. We currently have to rent out a room just so we can all meet in one place.

We have a parking system in place and are looking at parking permits for our members. We're only two blocks from campus, and not all of our members have cars. We have a lot of members bicycling to campus, and we're going to encourage this as a way around the limited number of parking spaces. We're not here to take all the parking spots in the neighborhood. The night when we would have the most parking issues is for chapter meetings, and we're looking to coordinate with this church so members can park in their parking lot to address this demand. We've noticed parking is more open several blocks away; we would encourage guests to park further to the east where it is less of an issue.

What makes our organization excellent is the ability to self-govern and a way for brother and submit peers for any transgressions, and this can include parking where we shouldn't be given our rules.

We want to be known as the neighbors that you feel comfortable asking to shovel snow or help move a grill. We are trying to be good neighbors. This house is our dream and we don't want to upset the neighborhood. There will be punishments for disobeying the parking as it's such an important issue.

Questions, Comments & Responses

Question (Citizen): How many total people are in the fraternity?

Response (Applicant): The fraternity itself has 54 members, but the maximum amount at the house would be 24.

Response (Applicant): The maximum occupancy for the house is actually 28, but we're going to limit it to 24.

Question (Citizen): For fairness of process, can you please write down concerns and questions and email this to everybody? I think it would be fair to keep it open and given everyone a documented process. Past meetings have done this and I've found this is a fair way to get everyone involved and to stay up-to-date. Typically we have a whiteboard and it is nice to see what is jotted down and can be seen.

Response (City): Notes are being taken of tonight's meeting and we will email a copy to everyone who signed in with an email address. In addition, the notes will be provided to the decision maker for the minor amendment.

Question (Citizen): I live two houses down – during construction of the parking spaces, will the alley be shut down?

Response (Applicant): The alley won't be shut down. We only have a 3-man crew, and we have plenty of parking for those guys in our own area. When we resurface the parking area, there may be some disruption for 1 or 2 days. There will be safety traffic control signs and you'll always be able to get access from the other end of the alley during this time.

Question (Citizen): Are you planning a fence on the east side against the alley?

Response (Applicant): I actually want to talk with you about this as I was thinking I may want to mirror a retaining wall like you have. There will be a fence around the area of the trash and recycling enclosure.

Question (Citizen): Could you let us know what is the square footage of the building and the bedroom configuration? I'm guessing it will all be 2 or 3 people to a bedroom?

Response (Applicant): There are 9 bedrooms. One bedroom will be a single, one bedroom will have 4 members in the basement, and the rest of the bedrooms will be a mix of doubles and triples.

Response (Applicant): The building is 5,400 square feet, including the basement. I don't know the square footage without including the basement, but the basement is fully finished, and has its own separate entrance.

Question (Citizen): Am I to understand that this is a done deal?

Response (City): This is not a done deal. There is a process for this application, and the neighborhood meeting is part of the process. The decision will be made by the Planning and Zoning Board at their March hearing.

Comment (Citizen): I live close by and don't feel comfortable with this. The neighborhood has changed and I don't feel a fraternity fits with the character of the neighborhood anymore. Further south I could see a fraternity where there are existing fraternities and institutional uses near the Center for the Arts.

Question (Citizen): If it does not become a fraternity house, what else could this be?

Response (Applicant): We talked to the City prior to purchasing the house; it currently is zoned for fraternity and sorority use and it is our intention to rent it for this use.

Question (Citizen): If it wasn't a fraternity, would it just be a home?

Response (City): The zone district does allow for other uses, including single family homes.

Question (Citizen): Do you have any other rental properties in town? You speak very highly about your management, but other examples of well-managed properties would be helpful. If you have a history in the rental business you could alleviate some people's fears.

Response (Applicant - Paul): We do have experience with other rental properties. I have a rental at 2400 Purdue that has been rented out to college students. It is now a vacation rental by owner. I've also have rentals in Bellvue – a cabin rental and another house. I don't have a lot of experience with college students, but Julie does.

Having a business with 20 to 30 employees, my main job is solving problems every day, and there is a lot of communications needed and enforcement. We are planning a very detailed and strict lease. I have experience in handling and solving problems, particularly with young men. We interviewed 9 different fraternities, and we selected these guys based on what you just heard – we have full confidence in them. If anything comes up we'll be there when it does. We'll deal with that when it comes and we'll be good neighbors.

Response (Applicant - Julie): I have been renting for many years, particularly with condos near CSU. I have condos in Baystone, Sunstone, and Big Horn Village in Campus West. I love students, and have not had issues with parties, but I have a very tight lease and a good relationship with the students. I go through a long process of checking them out and researching them. I have a good feeling about these guys and this fraternity.

Question (Citizen): What will be the process if there are parking problems, trash, parties, etc?

Response (Applicant): We will be first in the chain of command and have contact information to provide for everyone tonight.

Response (Applicant): The fraternity has a formal process to handle issues; we fill out an incident form and the member involved sits before the standards board and gets punishment. But you may have meant more of an external process?

Response (Applicant): The city has a parking and nuisance hotlines.

Question (Citizen): How do we, as neighbors, get access and in touch with the right people to resolve any problems? Right now, it sounds like we can only call the police.

Response (Applicant): You can call us as owners, CSU, the City-hotlines, etc.

Response (Applicant): You can always call our house manager.

Question (Citizen): Could you go over the City's noise regulations? We've lived here for 25 years and I know there's a process, but there's always noise issues at the beginning of the school year, no matter how good you say you will be. Whose skin is in the game for complaints, the owners or the tenants?

Response (City): During normal business hours, you can call our neighborhood services department who responds to noise complaints. After business hours you can call Police Services. Both departments have some discretion in how to enforce noise complaints – usually they start out with a warning, and if there are further occurrences it can lead to a summons to court with a fine.

Question (Citizen): Who gets fined, the owner or the frat?

Response (Applicant): The owner

Response (City): I will have to double-check on that, but I believe the party and owner can both be fined.

Comment (Citizen): There is a nuisance ordinance and you should provide that information to everyone when you send out the emailed notes. The City, with the nuisance ordinance, they collect data, and if you get 3-strikes, you get put on radar and you get watched and owners and tenants are notified. If problems continue on, there can be fines. It does keep everything in check. It holds both the owners and tenants accountable. If it's ignored, the property can be seized as a nuisance.

Comment (Citizen): The house was built in 1924 as a single family residence and used as that for 54 years. It was occupied as a single family residence in 2006. I think we need to get away from the notion that this has always been a fraternity. The vast majority of its life it has been used as a single family residence. It has never had 24 members; there were numerous issues when the Triangle Fraternity was using the building and they had fewer members.

I'm also very curious why there hasn't been a traffic study done for this project. Talking about parking three blocks away, you're talking about pushing it three blocks away. Everything is being glossed over. You guys sound like good guys, but what happens when you guys leave, which fraternity rents it next?

This property could be offices or a bed and breakfast or a boarding house, it isn't set in stone that it be a fraternity. A fraternity is by far the highest occupancy intensity for the building.

You've said that you're passionate about the community -- if you were convinced that everyone in the neighborhood was against this and it would have a negative impact on the community, would you withdraw the proposal?

Response (Applicant): It has not been a single family residence recently -- there was approval to convert it back, but it was never used in that manner.

Comment (Citizen): I live on the corner of Elizabeth and Matthews and during the day there is no parking; I have to park in my driveway. You said you have 6 parking spaces with that many young men, I won't have any parking spaces on the street, nor will my family or friends when they come to see me.

Response (Applicant): There are 8 parking spaces on the site.

Response (Applicant): We've checked on a recent event the parking situation. If we go one block to the east and one block down, there are 16 parking spaces plus 12 plus another 14 on Elizabeth, and we have this on recorder.

Comment (Citizen): This all depends on the time of the day. It is ridiculous for people to think there is anywhere for people to park on a regular basis during the day.

Response (Applicant Representative): I talked to the Parking Services Manager, Randy Hensley -- they have a neighborhood parking program and if the majority of the neighborhood wants to create this program it can be implemented to try and reduce non-resident parking. It's a way of permitting on-street parking, specifically for residences. Every resident gets a free permit and then can pay for additional permits. That way they can take parking that is not permitted and can be ticketed, and it's hosted by the City. It is a program specifically for these types of situations.

Response (Applicant - Fraternity): I currently live on Howes Street, and parking has been a big issue for us as well. We've agreed as a neighborhood north of campus to the RP3 (Residential Parking Permit Program) on Howes, so that parking is aligned for residents, and not commuter CSU parking.

Question (Citizen): Will you have the parents co-sign on the lease?

Response (Applicant): We are doing a lease with the fraternity chapter organization.

Question (Citizen): It's not an individual lease? I'm thinking about getting everyone liable. You don't have a separate lease individually with people living there.

Response (Applicant): The chapter itself would have individual leases for members.

Question (Citizen): What are you charging for rent? It seems if you're charging now, you could do some improvements to the property.

Response (Applicant): We're going to keep that rent information private.

Question (Citizen): How are property values going to be impacted when a house of high occupancy moves into the neighborhood? Are you going to give tax breaks to people when our property values go down?

Response (City): I can't answer any questions about what may or may not happen to property values.

Question (Citizen): Is there anyone that can address that?

Response (City): The county assessors' office.

Response (Applicant): There has been no upkeep on the property recently, and we're planning a lot of work to the outside. We're going to increase the value.

Response / Comment (Citizen): I'm going to have increased property values if I have 24 people living next door? I have an affidavit from the prior owners from 2006 that they were using this as a single family home. As a boarding house, the maximum number of people that could stay there is approximately half of what you're proposing due to the parking requirements. Surveys show 90% of off campus students have cars.

Comment (Citizen): I came here to learn how not to get a fraternity here but have to take off to attend another event. It sounds like the next meeting is March 12th. What do you need from this group to stop or delay this happening on March 12th?

Response (City): You can offer public comment to me by letter or email and that will be attached to the Planning & Zoning Board materials for their consideration. Their hearing is a public hearing, so it's open for additional comments on March 12th as well. The meeting is at 6pm at City Hall in Council Chambers.

Question (Citizen): Am I to understand that there is not a responsible adult on the premises?

Response (Applicant): There is a house manager on site.

Response (Applicant): These fraternity members are adults – they can go off and fight for us.

Response (Applicant – fraternity): We have several people over 21 there; if we want to look at responsibility, our members have jobs, we go to school; I work at a property management company myself. In terms of responsibility, I'm not sure what the measurement is.

Question (Citizen): Following up on the RP3 program -- about a year ago there was a survey if there was any interest from the neighborhood. I just got back something that it was still under study. What do we have to do to get this process rolling? If we got a permit program in this area, would the frat get half of those permits?

Response (Applicant representative): There is a maximum of 5 permits for each property. You pay increasing amounts after the first free permit.

Question (Citizen): So the fraternity could get 5?

Response (Applicant): Yes, the fraternity could get 5, just like your home could get 5.

Response (City): Randy Hensley is the contact for the program, and we can include his contact information when we send out the notes.

Question (Citizen): Is it per address or per unit?

Response (City): I believe per unit, and the fraternity is considered only one unit.

Comment (Citizen): The numbers don't make sense, if you multiply 5 per each house, there aren't enough spaces.

Response (Applicant): It works out because not everyone buys 5 permits, if you buy 5 it would be very expensive. You get your first permit for free and maybe you only need 1 other permit. They do a study that encompasses the whole neighborhood it affects to make sure the program will work out.

Question (Citizen): What is the fee? Is it per month or per year?

Response (Applicant): The fee is per year.

Comment (Citizen): I do have a neighbor who has been in contact with someone at the City about this process. She had heard that the permit parking problem was seriously being considered for north of campus, but that the City has no plans at all for east of campus. When you consider that west of campus is campus west, if the north gets this parking system in place, we are really going to be in trouble to the east.

We have lived on this block since 1971, and in the last several years it is getting tougher and tougher to find a parking space for our own house. It does concern me that in the presentation you talked about people parking a few blocks further away, as that's right next to my house.

Response (Applicant): I talked to them today, and this is a neighborhood eligible for the program, but it has to be initiated by the neighborhood. They receive calls and complaints and can make a determination that parking is an issue. I know it sounds daunting, but they want to make sure they are doing it right, and it has to start somewhere. They identify the neighborhood and have to have at least 50% of the neighbors agree to it before they will initiate it, and it has worked in three other neighborhoods.

Comment (Citizen): I live very close by and enforcement is the problem – no one tickets or enforces existing parking rules. I have people parking in front of my driveway or in our rear parking area at least two or three times a week.

Comment (Citizen): I know you guys are getting the short end of the stick tonight, dealing with the fraternity stereotype. I'd rent to you guys, you sound great, but it's the people that move in afterwards who we may have a concern with. If someone else moves in and there's trouble, there's nothing that can be done. We've talked about noise and parking. When they redo the intersection (Remington Greenway project), they are taking about taking some parking spaces out for bulbouts. We're looking at a loss of 4-6 just from City construction, so we also need to keep that in mind.

Comment (Citizen): As a neighbor across there street, there have been various people or groups living in the house, but it wasn't more than 8 or 12 recently. This area is a historic district, and we take great pride in this neighborhood, so if we hear a lot of noise, we're going to be upset. We'll have to hold you guys to it. Triangle eventually become more tolerable because people were riding them. I see where both sides are coming from. We need to keep in mind there will be parking spaces leaving, and that you're coming into a very good neighborhood and block. I think property values will go down with a fraternity, but I appreciate that you are going to fix it up and make it look good, but remember to make it historically accurate. I think there's a bunch to be considered with this.

Question (Citizen): My concern is the parking as well. I'm just right across the street from the church. My whole issue is I can't find a parking space in front of my house, and there's no other option for me as I don't have a driveway. I can't afford to pay extra money each month with the parking program just in case I want to have people over every once in a while. It doesn't seem fair that because a fraternity comes in we now have to pay for parking.

Response (City): The RP3 program would be separate from this proposal.

Comment (Citizen): My concern is that in this historic neighborhood, maybe 1 of every 2 homes doesn't have a driveway, and would be forced to buy into the RP3 program. I'm thinking that's something that should be considered.

Question (Citizen): Is there some way to the City to allow curb-cuts and allow more driveways?

Response (City): You would need to call the City Engineering Department and inquire about this with your site details.

Response (Citizen): I haven't asked the City yet. If you're one of the 50% without the driveway, you have to pay more for extra permits. Is that what the neighborhood needs or wants to do?

Response (City): Someone can request a curb-cut, but I think they try to encourage alley access before a curb-cut off the street if available.

Comment (Citizen): I'm a real estate broker, and people are expressing concerns about property values. The market does not look at who is your neighbor, it looks at your sales and nearby comparable sales and improvements. With some improvements, compared to what is there now, it is a positive in many ways. There are some detractors, and those are behaviors, but the market doesn't look at the behaviors, more comparable sells. It looks at the conditions and area. I would not get too worked up because buyers will make their choices no matter what they see. I would look at what makes best sense for the neighborhood and the people.

I think there are better ways to manage your parking than pulling in the City to manage it. I wouldn't partake in that personally because there's no sense to bring in regulation that everyone can solve on their own.

Comment (Citizen): Could you talk more about collaborating with the church -- could you elaborate on that?

Response (Applicant-fraternity): On the nights we see the most traffic, for our chapter meetings, we want to have members parking at the church, and we would compensate the church, with a small monthly payment or shoveling snow, etc. That agreement is being worked on.

Comment (Citizen): I'm graduating in May, so I get it -- you want to be close to campus. I invested in a property near with my my dad, I'm two houses down. If you were in my position, would you want to invest in a property that is close to a frat house?

Response (Applicant-fraternity): There are a lot of people who have houses that are rented out, not for frats, and their properties are trashed. We are committed to maintain the property.

Comment (Citizen): The permit is not being granted for your specific fraternity, but for any fraternity in general. What happens when you move out? Who will our next neighbors be?

Response (Applicant-fraternity): Our property management company owns a house near the Sigma Phi Epsilon fraternity, and we never have issues renting the house out.

Response (Applicant): You bring up good points, but they're true for anyone who moves into a neighborhood, whether a fraternity or single family home.

Question (Citizen): You talk about improvements to the property, can you say more about that?

Response (Applicant): For starters, the parking lot is going to be the best parking lot in the whole neighborhood. There is a new City requirement for pervious pavers to allow for water drainage, and we have to incorporate that into the new parking area. As far as landscaping, we want to get together with the neighborhood and mirror some of the great landscaping along the street and coordinate the look. We want to blend into the neighborhood. There will be a nice fence. For sure the lawn needs an overhaul and some care and we're planning on that as well.

Question (Citizen): Will you cut your grass?

Response (Applicant-fraternity): I have an entire proposal that has to go through our national organization and it has to outline who takes care of the grounds, when it will take care of it, etc. We are planning to do all of that ourselves.

Question (Citizen): Will you be there year-round?

Response (Applicant-fraternity): Yes.

Response (Applicant): We as owners will make sure as well.

Question (Citizen): Will it be professionally maintained?

Response (Applicant-fraternity): We have 5 members employed as landscapers, so I'd like to think we will do a professional job.

Question (Citizen): Are we talking about granting a permanent use for any fraternity or just this fraternity, any which could have 28 people?

Response (City): Like other projects, they are applying for the use as a whole, not a specific business or fraternity.

Comment (Citizen): Between now and the next meeting, I'd really like to talk to those people who live next to other fraternities and get some hard facts about the behaviors from fraternities impacting their neighborhoods.

Comment (Citizen): I initially came to the meeting with concerns about parking, but that has been beaten to death tonight. My one question is that if this building was proposed as a boarding house, it would have different number of parking spots required. As a fraternity there are different ratios – why for a similar type of use is there a different set of requirements?

Response (City): It's a fairly old standard. A boarding house refers to a more transient type of tenant with shorter leases as opposed to a fraternity, which has to have an affiliation with CSU. This implies a tenancy associated with the school year rather than short term occupancy.

Question (Citizen): The whole City review and discussion process seems abbreviated at best, and that's being generous. Why is there such an abbreviated approval process for this when it is going to be so impactful to the neighborhood?

Response (City): This is based off the standards in the Land Use Code. Because the property was used as a fraternity at one point in time, and because the zone district allows the use, it can be reestablished through a minor amendment.

Question (Citizen): The thing I don't quite get is with 24 people and only 8 parking spaces, is that to say the other 16 people don't have cars?

Response (Applicant-fraternity): Most in our fraternity don't have cars. I would say 25% of the fraternity members have cars.

Question/Comment (Citizen): Can you guarantee that year after year?

Comment (Citizen): I have lived in the nearby area most of my life. Fort Collins continues to grow and there are always more people and more cars. If people can't find any parking at their destination, it just spills over to near other people's property. I don't think there's a solution as long as there are more people and cars in the community. It's going to keep happening unless you build parking structures.