**PROJECT:** External Storage Lockers, MA180033

**APPLICANT:** Steve Ramer

Fort Collins Mennonite Fellowship

 300 E Oak St.

 Fort Collins, CO 80524

**OWNERS:** Fort Collins Mennonite Fellowship

 300 E Oak St.

 Fort Collins, CO 80524

**PROJECT DESCRIPTION:**

This is a request for a Minor Amendment to construct 20 metal storage lockers to be placed along the rear wall of the church building facing the parking lot. Thirteen of the lockers are 18"x18"x 60" and 7 or 8 lockers will be no more than 24" x 24" x 48". All lockers will be placed on a 4" pressure treated wood platform and covered by a small asphalt shingled roof. Total height will not exceed 72" and the total depth will not exceed 30". The structure and lockers will match the current color of the brick walls. Installation of the lockers will not affect parking, sidewalks, or landscaping. The site is located in the Neighborhood Conservation, Buffer (NCB) zone district.

**RECOMMENDATION:** Staff recommends approval with conditions of External Storage Lockers, MA180033.

**EXECUTIVE SUMMARY:**

Staff finds the proposed External Storage Lockers Minor Amendment complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

* The Minor Amendment complies with the purpose of the Land Use Code established in Division 1.2.2 – Purpose of Article 1 – General Provisions, so long as the Board approves the proposed conditions of approval.
* The Minor Amendment complies with the process and standards located in Division 2.2.10 – Amendments and Changes of Use of Article 2 – Administration.

**COMMENTS:**

1. **Background**

The property was part of the Original Town Site Annex on January 16, 1873. The property was platted as Lot 16, Block 141 as indicated on the Fort Collins 1873 Map. This lot was later subdivided to include the west 30 feet of Lot 17. A church occupied the site until 1971 when an office user purchased the building and added on to the building. A state employment office used the building until 1990, when a church moved back onto the site. A church has occupied the site since.

The surrounding zoning and land uses are as follows:

|  |  |  |
| --- | --- | --- |
| **Direction** | **Zone District** | **Existing Land Uses** |
| North | Downtown (D) | Office, commercial, multi-family residential |
| South | Neighborhood Conservation, Medium Density (NCM) | Park, library |
| East | Neighborhood Conservation, Medium Density (NCM) | Residential, office |
| West | Neighborhood Conservation, Buffer (NCB), Downtown (D) | Church, commercial |

1. **Compliance with Division 1.2.2 of the Land Use Code – Purpose**

Article 1 of the Land Use Code establishes the purpose and applicability of the Land Use Code. Within this Article, Section 1.2.2 articulates the purpose of the Land Use Code. Fort Collins’s Land Use Code does not specifically address or contemplate outdoor storage lockers on church property for use by homeless individuals. As such, it is important to evaluate such a proposal from the perspective of the purpose statement of the Land Use Code. Many of the statements within this section do not apply directly to the proposed storage lockers. The following purpose statements, however, do pertain to the proposal and merit discussion:

1. *Section 1.2.2(C) -* *Fostering the safe, efficient and economic use of the land, the city's transportation infrastructure, and other public facilities and services.*

At issue with this proposal is the safety of providing, unsupervised use of personal storage lockers for twenty four hours, seven days a week (24/7), regardless of what population the lockers serve. At one point, the City entertained funding these proposed storage lockers as a pilot program to assess the efficacy of providing additional storage lockers for individuals experiencing homelessness. City Council ultimately decided not to fund this pilot program. As part of this decision making process, Fort Collins Mennonite Fellowship, in conjunction with City staff, hosted two neighborhood meetings related to this proposal. One of the principal concerns opponents raised at these meetings related to monitoring the activity around the lockers. Fort Collins Mennonite Fellowship proposes 24/7 access to the lockers with a list of guidelines for use of the lockers and their property. Fort Collins Mennonite Fellowship does not propose on-site staffing 24/7 but has voluntarily committed to increased lighting near the lockers and installing a security camera to address neighborhood concerns per the neighborhood meeting minutes from December 14, 2017. City staff conducted research on other, similar programs in other cities and found few comparable examples. No other city offers outdoor lockers with 24/7 access and limited supervision. This raises the question if 24/7 access to outdoor storage lockers with minimal supervision is a safe use of the land, regardless of the population to be served by the lockers.

One of the principal considerations of this proposal is the scale of the proposal. Fort Collins Mennonite Fellowship proposes 20 storage lockers. Users of the lockers will likely get to and from the site on foot. This minimizes potential issues with respect to traffic and parking. Users of the lockers will likely store items and visit periodically when they need items they are storing. It’s difficult to say when users would visit the lockers, the duration of their visit to the lockers, and what type of impacts this might cause on the neighborhood. Fort Collins Mennonite Church has proposed guidelines for locker use and a process for access to the lockers.

**Based on Fort Collins Mennonite Church’s voluntary commitment to address neighborhood concerns, staff has encapsulated these commitments into the following conditions:**

* + 1. **Nightime illumination of the lockers in compliance with Land Use Code Section 3.2.4.**
		2. **Installation of a security camera to monitor activity around the lockers 24/7.**

**Additionally, staff proposes the following condition to ensure that individuals can contact a representative of the Fort Collins Mennonite Church, should an issue arise:**

* + 1. **A 24/7 contact person to respond to issues that may occur related to the storage lockers.**

Outdoor storage lockers make compliance with the established guideline to provide a staff contact person for the lockers a challenge. It is not reasonable to require 24/7 staffing of the storage lockers per Section 2.2.10 of the Land Use Code. A staffing requirement would not be roughly proportional to the provision of 20 storage lockers and their potential, associated impacts. In lieu of this requirement, staff offers the aforementioned conditions of approval. Increased illumination around the lockers would ensure all activities occurring around the storage lockers would be easily observable to a passerby and other users of the site at night. A security camera would allow the church and Police Services to identify community members causing issues in the neighborhood. A 24/7 contact for the church to address issues related to the site would ensure accountability for activities occurring on the site before reaching the level of a request for police intervention. This is similar to what the City looks for in an operating agreement for Seasonal Overflow Shelters.

1. *Section 1.2.2(M) - Ensuring that development proposals are sensitive to the character of existing neighborhoods*

While the neighborhood in which the church is located abuts Downtown Fort Collins, the neighborhood still functions as a traditional neighborhood. Most activity in the neighborhood occurs during the day with little activity going on during the night. Fort Collins Mennonite Church proposes 24/7 access to the outdoor storage lockers, which introduces operational complications. Staff may only require compliance with the Land Use Code to the extent reasonable feasible per Section 2.2.10. As discussed previously, it would not be reasonable to require 24/7 staffing. Due to this, staff proposed three conditions of approval in the previous section of the staff report, two of which the Fort Collins Mennonite Church has voluntarily offered. By complying with these conditions of approval, the proposed storage lockers would be sensitive to the character of the existing neighborhood. These conditions of approval would alleviate negative impacts from behavior that would be potentially disruptive to the existing neighborhoods, thus satisfying this purpose statement.

1. **Compliance with Division 2.2.10 of the Land Use Code – Amendments and Changes of Use**

The proposed external storage lockers are an accessory use to the church. Every zone district in the City allows accessory uses. Since the site is developed, this addition of an accessory use goes through the Minor Amendment process. Minor Amendments must continue to comply with the Land Use Code to the extent reasonably feasible. The criteria for processing as a Minor Amendment are as follows:

1. *Results in an increase by one (1) percent or less in the approved number of dwelling units, except that in the case of a change of use of any property that was developed pursuant to a basic development review or use-by-right review under prior law, the number of dwelling units proposed to be added may be four (4) units or less*

The project does not entail adding or removing residential units, so the proposal meets this criterion.

1. *Results in an increase or decrease in the amount of square footage of a nonresidential land use or structure that does not change the character of the project*

The proposal calls for the installation of lockers on the north side of the existing building. In total, the lockers will take up roughly 62 square feet of additional area. From the perspective of the overall site, this addition will not change the character of the structure or the project, satisfying this criterion.

1. *Results in a change in the housing mix or use mix ratio that complies with the requirements of the zone district and does not change the character of the project*

Since this project does not change the underlying use of the property, the proposal satisfies this criterion.

1. *Does not result in a change in the character of the development*

The proposal calls for the addition of 20 storage lockers on the north side of the church. Currently, the church hosts a variety of community events, regular church service, along with services for the homeless. Any of these events and services could draw far more than the 20 people the lockers would serve. When viewed in context of the overall amount of activity related to this church, the provision of 20 storage lockers will not fundamentally change the character of the proposed development due to the scale when compared to the other activities already occurring on-site.

1. *Does not result in new buildings, building additions or site improvements, such as parking lots and landscaping, that are proposed to be located outside the boundaries of the approved Project Development Plan or approved site specific development plan*

Per the drawings supplied by the applicant, all of the lockers will be located within the boundaries of the existing lot, meeting this criterion.

1. *Results in a decrease in the number of approved dwelling units and does not change the character of the project, and that the plan as amended continues to comply with the requirements of this Code*

As established for criteria a) and c), this project does not propose any changes to dwelling units, which satisfies this criterion.

1. *In the case of a change of use, the change of use results in the site being brought into compliance, to the extent reasonably feasible as such extent may be modified pursuant to below subsection 2.2.10(A)(3), with the applicable general development standards contained in Article 3 and the applicable district standards contained in Article 4 of this Code.*

The proposal does entail changing the use of the property, which means this criterion does not apply.

1. **Findings of Fact/Conclusion:**

In evaluating the request for the proposed External Storage Lockers Minor Amendment, Staff makes the following findings of fact:

1. The Project Development Plan complies with the process and standards located in Division 1.3.4 – Addition of Permitted Uses of Article 1 – General Standards subject to the following conditions of approval:

The Applicant shall provide the following improvements and staffing prior to use of the storage lockers:

* 1. Installation of light fixtures compliant with Land Use Code Section 3.2.4.that are operated during nighttime hours.
	2. Installation of a security camera that monitors activity around the lockers 24/7.
	3. A contact person available 24/7 to address issues related to use of the storage lockers.
1. The Project Development Plan complies with the process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.

**RECOMMENDATION:**

Staff recommends approval with conditions of External Storage Lockers, MA180033.

**ATTACHMENTS:**

1. Zoning & Vicinity Map
2. Minor Amendment Submittal Package
3. Proposed Locker Procedures and Guidelines for Fort Collins Mennonite Fellowship
4. Agenda Item Summary for Resolution 2018-16 Approving the Grant of Funds for a Locker Program at Fort Collins Mennonite Fellowship
5. City Council Meeting Minutes – February 6, 2018