

**SIDEWALK WAIVER REQUEST &
SUBDIVISION STAFF REPORT****Date: May 6, 2004****APPLICANT NAME**

Crewe of Columbus, Inc.

SUBDIVISION NAME

Crewe of Columbus Subdivision

LOCATION

Southwest corner of South Conception Street and Pillans Street and Northwest corner of South Conception Street and the Illinois Central Gulf Railroad right-of-way, extending to the East side of South Franklin Street.

**CITY COUNCIL
DISTRICT**

District 3

PRESENT ZONING

I-2, Heavy Industrial

AREA OF PROPERTY

1.3± Acres

1 Lot

ENGINEERING**COMMENTS**

Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit
Sidewalk Waiver: S. Conception St. - No cross-section provided so difficult to tell if sidewalk can be constructed; Pillans St. - Sidewalk can not be constructed due to location of significantly sized tree; S. Franklin St. - Sidewalk can be constructed to city standards; Tennessee St. - Recommend waiver. Right of way is unimproved and the railroad is immediately to the south of the unimproved ROW.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY**COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). *Urban Forestry believes that installation of sidewalk to city standards will cause severe impact to the roots of the 50" Live Oak along Pillans Street. Therefore, we recommend approval of the sidewalk waiver along Pillans Street.*

REMARKS

The applicant is proposing construction of a an addition to an existing float barn which will exceed 50% of the existing structure, and will cross an existing parcel line onto an adjacent parcel. As the addition exceeds 50%

and crosses a parcel line, the site must be subdivided into a single lot of record and must be brought into full compliance with all codes and ordinances.

With regard to the proposed subdivision, the lot meets the technical requirements of the Subdivision Regulations. However, based on the site plan submitted for the Sidewalk waiver, the proposed addition will not meet the 25' setback from the Tennessee Street and South Franklin Street rights-of-ways. Therefore, a waiver of Section V.D.9 would be needed.

As indicated on the Vicinity Map, there are numerous structures in the immediate vicinity that do not provide the 25' setback.

In addition to the setbacks as required by the Subdivision Regulations, the Zoning Ordinance also has minimum setback requirements. The applicant has filed an application for variances relating to setback issues, landscaping and tree plantings which will be heard by the Board of Zoning Adjustment in June.

Given the nature of use for many of these structures, several of which are also float barns, waiver of the setback line (subject to approval of the appropriate variances by the Board of Zoning Adjustment) may be appropriate.

With regard to the Sidewalk waiver request, the applicant states that the reasons for the request are: 1) the immediate area is zoned I-2, and pedestrian traffic is virtually nonexistent on a daily basis; 2) there are no existing sidewalks in the area; and 2) a 50" live oak in the Pillans Street right-of-way would have to be removed.

While the site is zoned industrially, sidewalk requirements are not based on the zoning classification, nor should an industrial classification eliminate the need for a sidewalk. With regard to the statement that there are no other sidewalks in the area, as with any area that may not currently have sidewalks, development of vacant properties or redevelopment of existing properties will begin the process.

In fact, in 1999 a similar request was filed for a property in the next block to the West, giving similar reasons for the request – zoned industrially and no other sidewalks in the area. The applicant in that case was also a mystic society proposing an addition for a float barn. The request for waiver along the Pillans Street frontage was denied, but due to the railroad tracks located in the Tennessee Street right-of-way (which has apparently been vacated), a waiver for that frontage was granted. The sidewalk along Pillans Street was built.

Comments from the Engineering Department and Urban Forestry indicate that construction of the sidewalk along Pillans Street would negatively impact a large live oak, and thus, recommend waiver along Pillans.

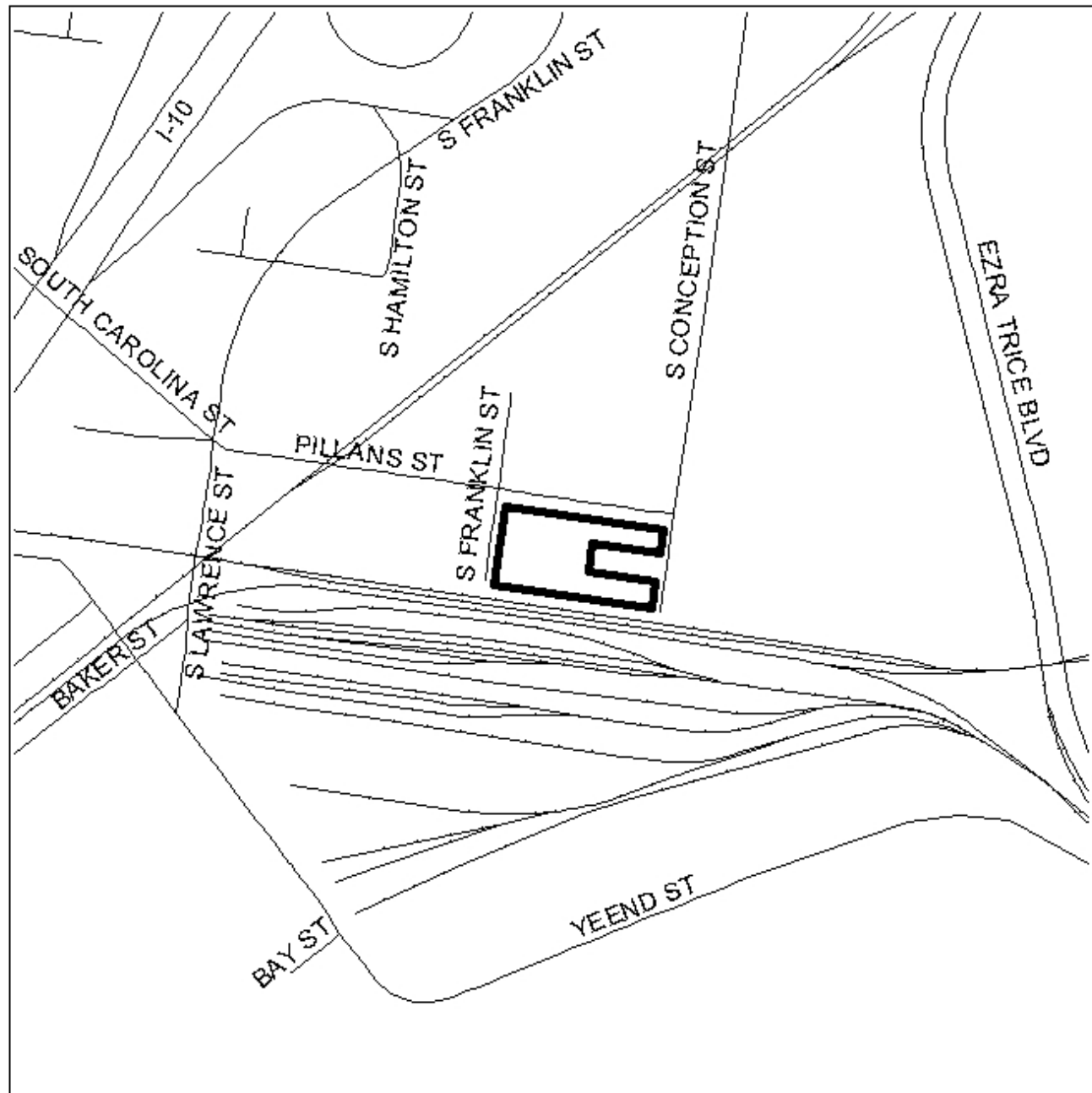
RECOMMENDATION

Subdivision: With a waiver of Section V.D.9 (minimum setback requirements) the plat will meet the minimum requirements of the

Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) approval of necessary setback variances; and 2) number, location and design of curb cuts to be approved by the Traffic Engineering Department.

Sidewalk Waiver: *Based on the preceding, it is recommended that the waiver request for Franklin Street and Conception Street be denied; it is also recommended that the waiver request for Tennessee Street and Pillans Street be approved.*

LOCATOR MAP



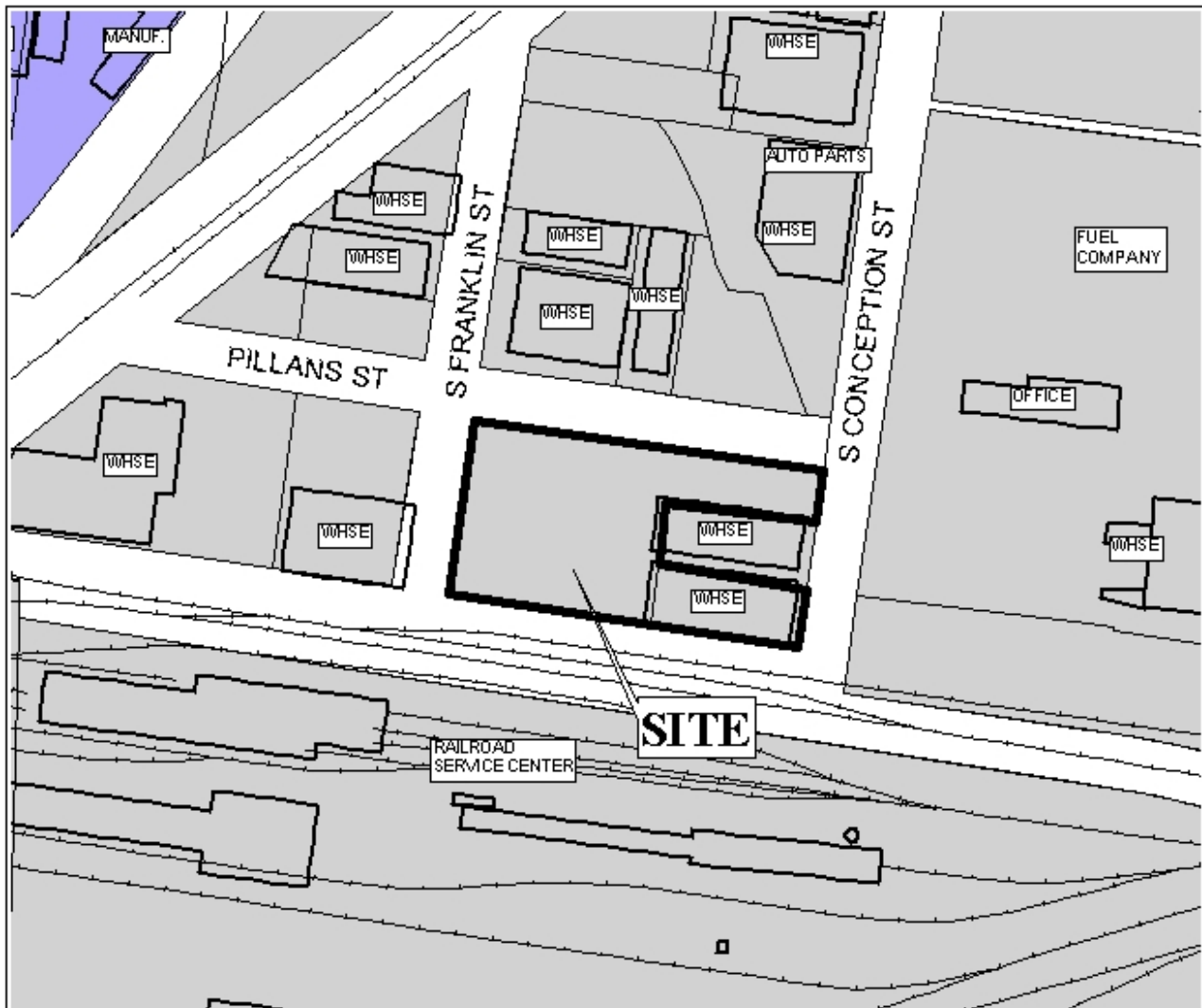
APPLICATION NUMBER 1 & 2 DATE May 6, 2004

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REQUEST Subdivision, Sidewalk Waiver



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous warehouses, with a railroad service center located to the South.

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REQUEST Subdivision, Sidewalk Waiver

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2

