



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (July 10, 2013 Meeting)

Docket No. / Project Title: MP-13-04 (East Columbus Lot 20 Replat)
Staff: Thom Weintraut
Applicant: Chester Leatherbury
Property Size: 9657 Acres
Current Zoning: RE (Residential: Established)
Location: 2001 Wallace Avenue, City of Columbus

Background Summary:

The applicant has indicated that the proposed subdivision is for the purpose of creating 1 new lot for a total two lots totaling 9,657.7 square feet. The applicant is requesting a modification from Section 16.24.010(B) of the Subdivision Control Ordinance for relief from providing improvements of existing streets as part of the Minor Subdivision process. The required improvements are (1) dedication of right-of-way and (2) the installation of sidewalks along the frontage of all new lots. The applicant is proposing to dedicate five feet of right-of-way along the frontage of both lots to meet the existing Wallace Avenue right-of-way of 40 feet and requesting the relief from the sidewalk requirement for the new lot.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application.

1. Should sidewalks be installed along the street frontage of the newly create lot, Lot 2?
2. Should the dedication of the full amount of right-of-way (10 ft.) for Wallace Avenue be required?

Preliminary Staff Recommendation:

Approval of the subdivision. Staff would also recommend the modification request for relief from Section 16.24.010(B) of the Subdivision Control Ordinance requirement for street improvements for the frontage of the new lot, Lot 2 for the following reasons:

1. The petitioner is willing to grant 5 feet of right-of-way across both Lots 1 and 2 to provide a standard right-of-way width for the entire length of this section of Wallace Avenue.
2. There are no sidewalks along Wallace Avenue, the area is generally completely developed, and the right-of-way is narrow. Any future improvements, including sidewalk construction, would most likely be part of a City project for the area.

Plan Commission Options:

In reviewing a request for minor subdivision approval, which includes a request for modification(s) the Plan Commission may (1) approve the modification(s) and the subdivision, (2) deny the modification(s) and the subdivision, or (3) continue the review to the next Plan Commission meeting. If more than one modification is requested, the Plan Commission may approve some, all, or none of the requests. The Plan Commission may attach conditions to the approval of the modification(s); however the conditions should be directly related to the circumstances of the modification requested. (Per Subdivision Control Ordinance Section 16.40.050)

Modification Decision Criteria:

Indiana law and Columbus Subdivision Control Ordinance Section 16.40.050 require that the Plan Commission approve all subdivisions which meet the applicable requirements. The Columbus Plan Commission has delegated the approval authority for Minor Subdivisions to the Plat Committee. This application is being considered by the Plan Commission because the Plat Committee found at least one aspect of the proposal to be inconsistent with the Subdivision Control Ordinance. Section 16.32.020 of the Subdivision Control Ordinance indicates that the Plan Commission may grant a modification of the requirements of the Ordinance upon the determination that each of the following is true:

1. The modification will not be detrimental to the public, health, safety, and general welfare.
2. Adjacent property will not be adversely affected.
3. The modification is justified because of exceptional topographic or other physical conditions unique to the property involved, as opposed to mere inconvenience or financial disadvantage.
4. The modification is consistent with the intent of the Zoning Ordinance, other applicable ordinances, and the Comprehensive Plan.
5. The modification will not conflict with the requirements of the Zoning Ordinance including but not limited to lot area, lot frontage, lot width, and setback(s).

Outstanding Technical Comments:

The following outstanding technical comments must be addressed by the applicant: All technical comments have been addressed.

Current Property Information (entire subdivision site):	
Land Use:	Single family residential.
Site Features:	The property contains 2 single family dwellings.
Flood Hazards:	No flood hazards.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	The property is located in a Mixed Density Overlay district which permits two-family and multi-family development.
Vehicle Access:	Both lots have access from Wallace Avenue (Urban, Residential, Local).

Surrounding Zoning and Land Use (entire subdivision site):		
	Zoning:	Land Use:
North:	RE (Residential: Established)	Single-family and two family residential.
South:	RE (Residential: Established)	Single-family residential.
East:	RE (Residential: Established)	Single-family residential
West:	RE (Residential: Established)	Single-family and two family residential.

Interdepartmental Review:	
City Engineering:	<ol style="list-style-type: none"> 1. Would support relief from sidewalks along new lot. 2. Would support the dedication of 5 ft. of right-of-way along both lots in lieu of full amount 10 ft. along the frontage of the new lot.
City Utilities:	No comments provided.
Parks Department:	No comments provided.
MPO:	No comments provided.

History of this Location:

The relevant history of this property includes the following: This property was originally part of Lot 20 of the Original Plat of East Columbus recorded in 1873. The property was subsequently subdivided by a deed record in to 4 separate parcels prior to 1950.

History of this Application:

The relevant history of this application includes the following: This application was reviewed at the June 20, 2013 Plat Committee meeting for technical comments and forwarded to the Plan Commission with a request for relief from Section 16.24.010(B) of the Subdivision Control Ordinance, the requirement for the improvement to the existing street as part of the Minor Subdivision process.

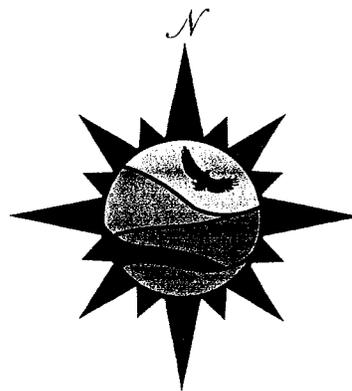
Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. Section 16.20.030(Table 16.24.3) of the Subdivision Control Ordinance requires that a Local, Urban, Residential street have a 50 ft. wide right-of-way. This site has frontage on a short section of Wallace Avenue which extends one block from Oak Street to Mapleton Street. The existing right-of-way for this section is 40 feet wide except in front of the subject property where it is 35 feet. The applicant has agreed to dedicate 5 feet of right-of-way across the both lots thus providing a uniform right-of-way width of 40 feet for this section of Wallace Avenue.
2. There are no sidewalks along either side of the street on this section of Wallace Avenue and the surrounding neighborhood is developed leaving few if any opportunities for future subdivisions that would include the installation of sidewalks.

Subdivision Control Ordinance Consideration(s):

The following provisions of the Subdivision Control Ordinance apply to the key issues of this application: Section 16.24.010(B) of the Subdivision Control Ordinance requires the improvement of existing streets as part of the Minor Subdivision process. The required improvements are (1) dedication of right-of-way and (2) the installation of sidewalks along the frontage of all new lots, with each consistent with the Thoroughfare Plan classification of adjacent streets and the specification of this Ordinance for the improvements for local and collector streets.



E.R. Gray
& Associates
LAND SURVEYING

JUNE 26, 2013

COLUMBUS / BARTHOLOMEW
PLANNING DEPARTMENT
JEFFREY R. BERGMAN, AICP
PLANNING DIRECTOR
123 WASHINGTON ST.
SUITE 8
COLUMBUS, INDIANA
47201

REQUESTS FOR MODIFICATION
"EAST COLUMBUS LOT 20 REPLAT MINOR SUBDIVISION"
MP-13-04

PLEASE ACCEPT THIS LETTER AS A FORMAL REQUEST TO SEEK MODIFICATION, FROM THE CITY OF COLUMBUS SUBDIVISION CONTROL ORDINANCE, OF THE CITY OF COLUMBUS PLAN COMMISSION.

WE ARE REQUESTING RELIEF FROM THE REQUIREMENT OF SIDEWALK CONSTRUCTION AND DEDICATION OF 25 FEET HALF RIGHT-OF-WAY FOR A LOCAL STREET AS DESCRIBED IN SECTION 16.24.010(B)(1) OF THE CITY OF COLUMBUS SUBDIVISION CONTROL ORDINANCE OF CURRENT ADOPTION.

THE ORIGINAL PLATTING OF WALLACE AVENUE OCCURRED IN THE LATE 1880'S AND DEDICATED ONLY 40 FEET OF TOTAL RIGHT OF WAY. MOST PARKING FOR HOUSES ALONG WALLACE AVENUE IS ON AREAS ADJACENT TO THE PAVEMENT WHERE STONE HAS BEEN PLACED. WHILE DEDICATION OF RIGHT OF WAY FOR THIS MINOR SUBDIVISION IS ONLY REQUIRED ON ONE LOT, WE ARE PROPOSING TO DEDICATE 5 FEET ALONG THE ENTIRE FRONTAGE, IN ORDER TO BRING THE RIGHT OF WAY IN ALIGNMENT WITH WALLACE AVENUE EXISTING EAST AND WEST OF THIS PROPERTY. THERE EXISTS NO SIDEWALK SYSTEM ALONG WALLACE AVENUE AND MOST HOUSES SIT CONSIDERABLY CLOSE TO THE ROAD PAVEMENT.

IF YOU HAVE ANY QUESTIONS OR NEED ADDITIONAL INFORMATION, PLEASE GIVE ME A CALL.

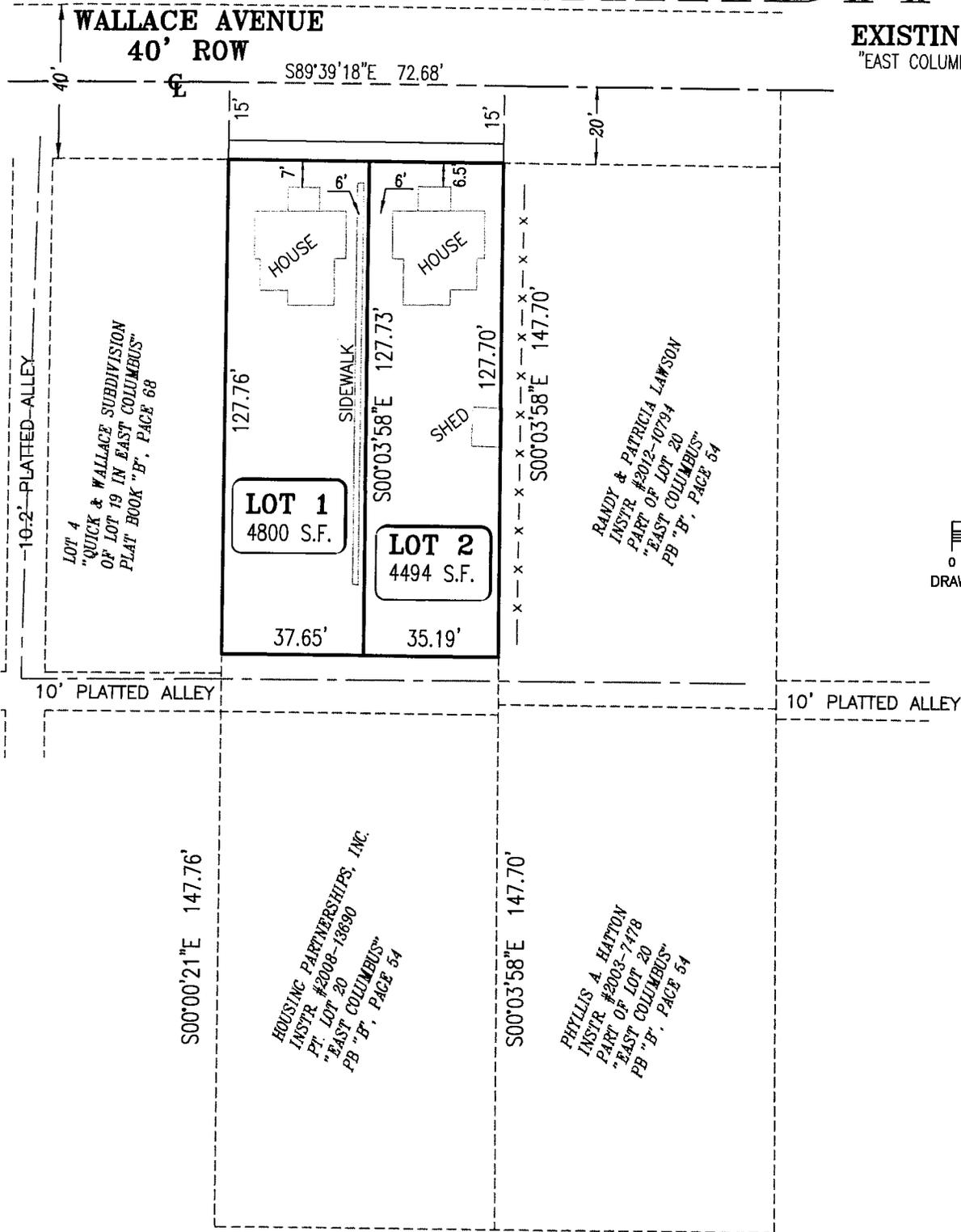
THANK YOU

RIK L. SANDERS
SENIOR DIRECTOR, SURVEYS

ERG JOB #13182
(LEATHERBURY)

EXHIBIT

” A ”



PROPERTY DESCRIPTION
THE NORTH HALF OF THE WEST HALF OF LOT NUMBERED TWENTY (20) IN THE ORIGINAL PLAT OF EAST COLUMBUS AS RECORDED IN PLAT BOOK "B", PAGE 54, IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA, EXCEPTING FIFTEEN (15) FEET OFF OF THE NORTH END THEREOF.

JOB #13182

E.R. GRAY & ASSOCIATES
PROFESSIONAL LAND SURVEYING AND CONSULTING

E.R. GRAY III, L.S.
PRESIDENT

P.O. BOX 1357
COLUMBUS, INDIANA 47202

BUS. 812-372-7398 FAX 812-372-2175