

Legislation Text

File #: ID 21-0072, **Version:** 2

CD Properties Variance Request - 204 1st St S - 50' & 56' Access Drives

Summary:

CD Properties is requesting a variance from Sec. 94-343 which states that access drives in a business and industrial districts shall have a maximum width of 30 feet.

Background:

The applicant owns Lots 11, 12, & 13, Block 6 in Folsom Addition, also known as 204 1st St S located in an I-2 light industrial district. The lot is currently occupied by two structures and a truck scale. The applicant wishes to remove the structure to the north, as well as the truck scale, and build a new building within this footprint for the purpose of contractor shops and/or storage. The structure to the south will remain in place.

The proposed project will place a new 56' x 100' building 10' north of the existing structure along the southern property line. Two accesses are planned. One access off 1st St. S will be roughly 50' wide and one access off 2nd Ave S will be roughly 56' wide. Green space is planned between the two accesses at the corner of 1st St S and 2nd Ave S as well as along the east and south lot lines. See attached site plan.

Findings of Fact:

(1) Due to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and variance shall not violate the spirit of the ordinance and substantial justice may be achieved as a result of variance.

Finding: Due to the existing structure on the southern portion of the lot, the placement of new building which satisfies current setback standards would result in challenges for efficient access to the building. The proposed use and design of the new building includes multiple loading doors along the north and west of the structure. 30' access drives as required by code would require turning areas to access some of the loading doors, however, space is not available for these turning areas.

(2) Unique circumstances apply to the property which do not apply to other properties in the same vicinity or district.

Finding: The circumstances are not unique to this area, which includes many industrial lots with multiple structures, set-back issues, and access difficulties.

(3) The variance is necessary for the preservation of a property right that is substantially the same as that possessed by owners of other property in the same district.

Finding: The variance is not necessary for the preservation of a property right.

(4) The variance requested is the minimum variance which would alleviate the hardship.

Finding: The new accesses will provide the minimum access needed for use of the new structure. The site currently includes roughly 215' of access width along 1st St S and 2nd Ave S, including a roughly 146' wide continuous access approach along 1st St S. The proposed accesses would result in a 50% reduction in access width on the site.

(5) Reasonable use of the property is not permitted under the terms of this chapter.

Finding: Reasonable use of the property is permitted.

Recommendation:

Based on the above findings of fact, staff recommends approval of the variance request with the following conditions:

- 1) Areas shown as 'NEW GREEN SPACE' on the site plan shall be permanently maintained as green space.
- 2) A minimum planting strip of three feet wide shall be installed along the remainder of the northern façade and along the eastern façade of the building. Foundation plantings within these strips shall consist of shrubs, perennials, or native grasses.

Attachments:

Legal Notice
Application
Site Plan
Area Map