

ITEM# 33
DATE: 01-23-18

COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR 2408 CHAMBERLAIN STREET
(CLOCKTOWER PLACE)**

BACKGROUND:

The redevelopment project at 2408 Chamberlain Street, which is commonly known as Clocktower Place, is requesting a permanent encroachment onto City right-of-way to place a pedestrian platform (ramp) structure for access to multiple entrances along Chamberlain. The building is setback approximately three feet from the right-of-way line. **Staff was informed by the owner's design team that during construction there were design changes made in the field by the developer after permits were issued that redesigned the internal layout of the commercial tenants in the building.** The request for the pedestrian platform would serve all three entrances to the building, including the entrance that has been proposed to be moved further to the east from its current middle location.

The developer received a façade grant (April 2017) and site plan approval (June 2017) for 2408 Chamberlain Avenue. **In both approvals, this encroachment was not identified on the plans.** There are two doors in the approved plan, a residential entrance and one retail door located to the west of the residential entrance. **The developer made decisions in the field for changes that add an additional door to the east of the residential entrance. The developer also had to address Building Code and accessibility requirements that were not addressed in the original Minor Site Development Plan approval. This is a significant issue due to the slope of Chamberlain Street and the proposed Finished Floor Elevations, the entrances are not level with the sidewalk. The developer has proposed constructing a platform, approximately twenty feet long that would serve all three entrances.** (Attachment A applicant information for Encroachment)

To have an accessible entry for the proposed location to the east, a pedestrian platform or ramp of some kind would be needed. The applicant proposes that rather than accommodate the access internal to the property and modify the building design, the platform straddle the property line and encroach into the abutting sidewalk area. The encroachment would be approximately 18 inches and narrows the sidewalk to approximately six feet seven inches (6' 7") along the platform area and down to four feet seven inches (4' 7") at the location where the parking meter is located.

The City's public improvement standards rely upon conformance to SUDAS and standards within the *Municipal Code*. ***Municipal Code Section 23.403(14)(d) requires in commercial areas that walkways shall not be less than eight feet wide.*** Due to

this walkway width requirement, staff does not support the permanent encroachment that narrows the sidewalk width in this heavily traffic pedestrian area of Campustown. Council could consider a shorter length of encroachment, but the reduced sidewalk width would occur under any scenario. **If no encroachment is granted the applicant would have to reassess how they can comply with Building Code and accessibility standards within their own property lines. If an encroachment is approved staff does recommend that steps are included in the design at the east end of the platform in order to allow pedestrians an unobstructed path on the sidewalk. If approved, the proper amount of barricading must be erected to protect against pedestrians follow on the encroachment.**

ALTERNATIVES:

1. Deny the encroachment permit for 2408 Chamberlain Street, requiring the developer to modify the entrances to meet the Building Code on private property.
2. Approve a partial platform extension of approximately 10 feet to serve the west retail entrance and residential entrance encroachment permit for 2408 Chamberlain Street, subject to providing insurance, proper barricades to protect against pedestrians falling on the encroachment, and final plans for review and acceptance by Public Works. *A third entrance would not be permitted at the east end of the building with this alternative.*
3. Approve a full encroachment of approximately 20 feet, subject to providing insurance, proper barricades to protect against pedestrians falling on the encroachment, and final plans for Public Works review that include creating steps at the east end of the platform and relocating the eastern parking meter to minimize the narrow width of the sidewalk. *This is the Applicant's preferred alternative.*

MANAGER'S RECOMMENDED ACTION:

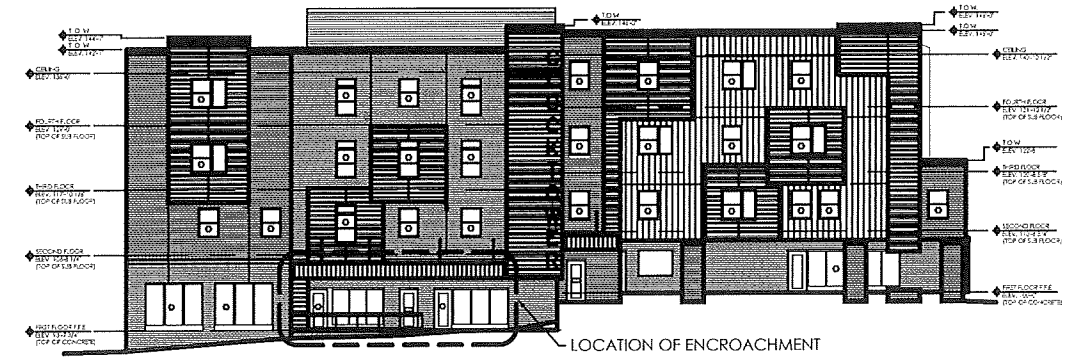
Sidewalk widths in Campustown should take priority in this situation as it is in the long-term interest of the whole business district and those users traveling through Campustown to maintain adequate walkways.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, and thereby deny the encroachment permit for 2408 Chamberlain Street as described above.



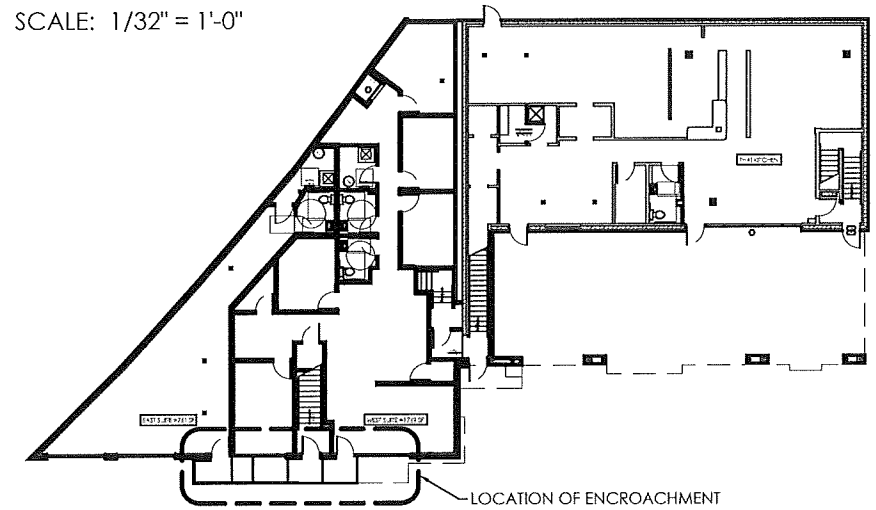
PARTIAL FRONT ELEVATION

SCALE: 1/8" = 1'-0"



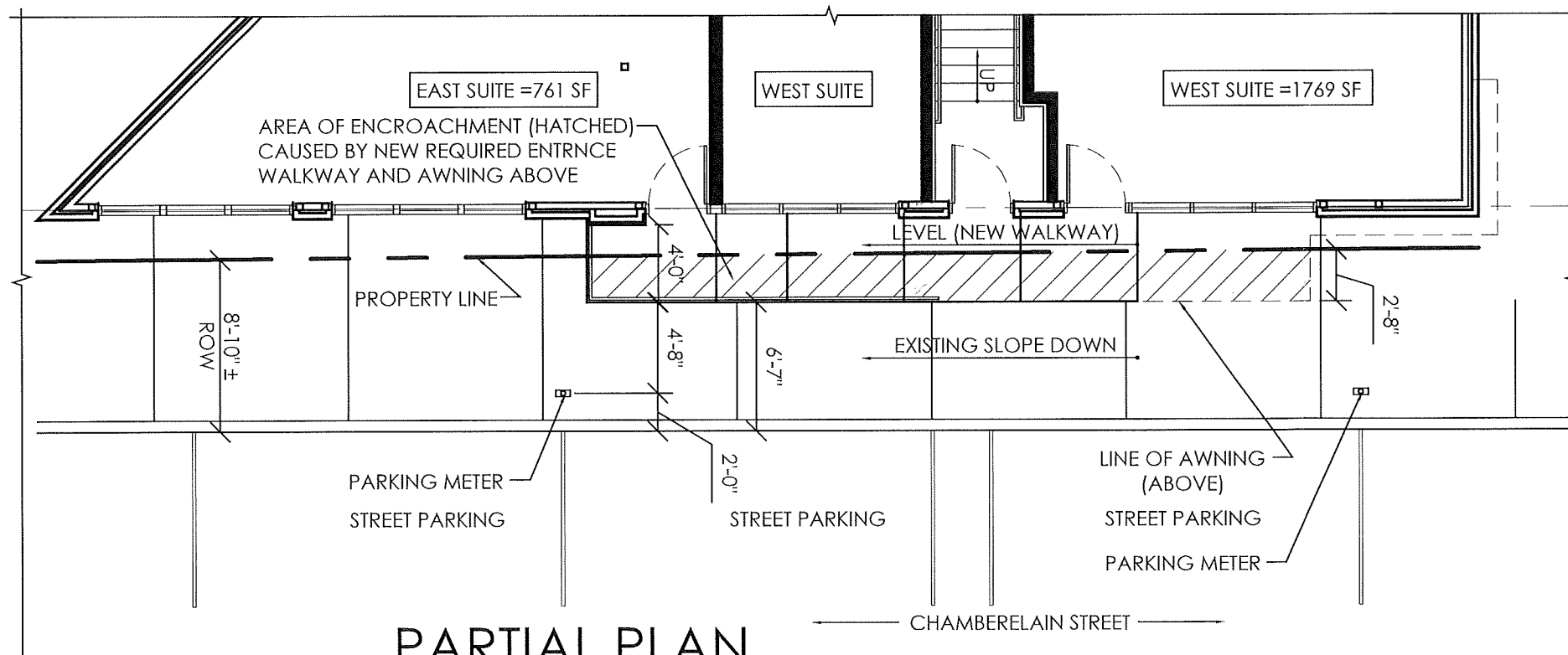
FRONT ELEVATION

SCALE: 1/32" = 1'-0"



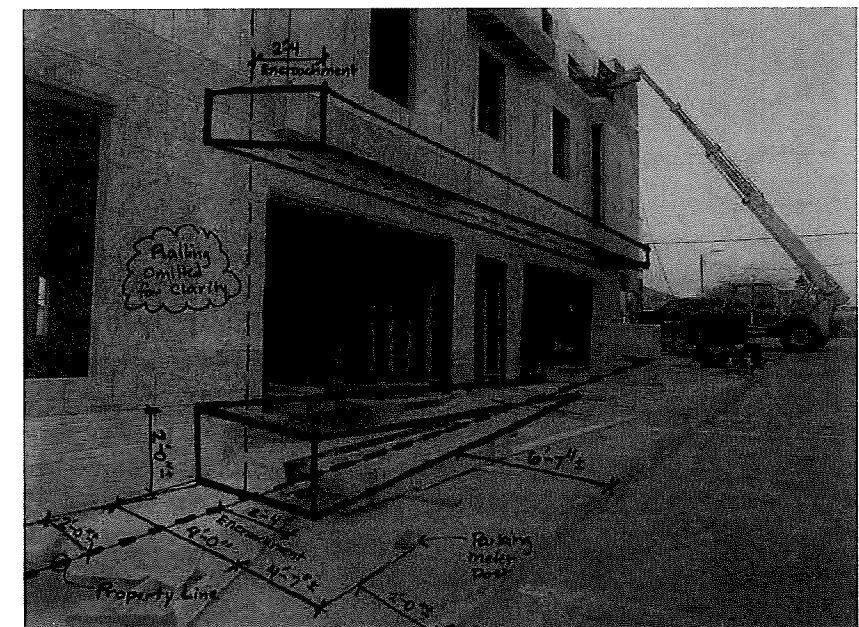
FIRST FLOOR PLAN

SCALE: 1/32" = 1'-0"



PARTIAL PLAN

SCALE: 1/8" = 1'-0"



SKETCH

SCALE: NOT TO SCALE

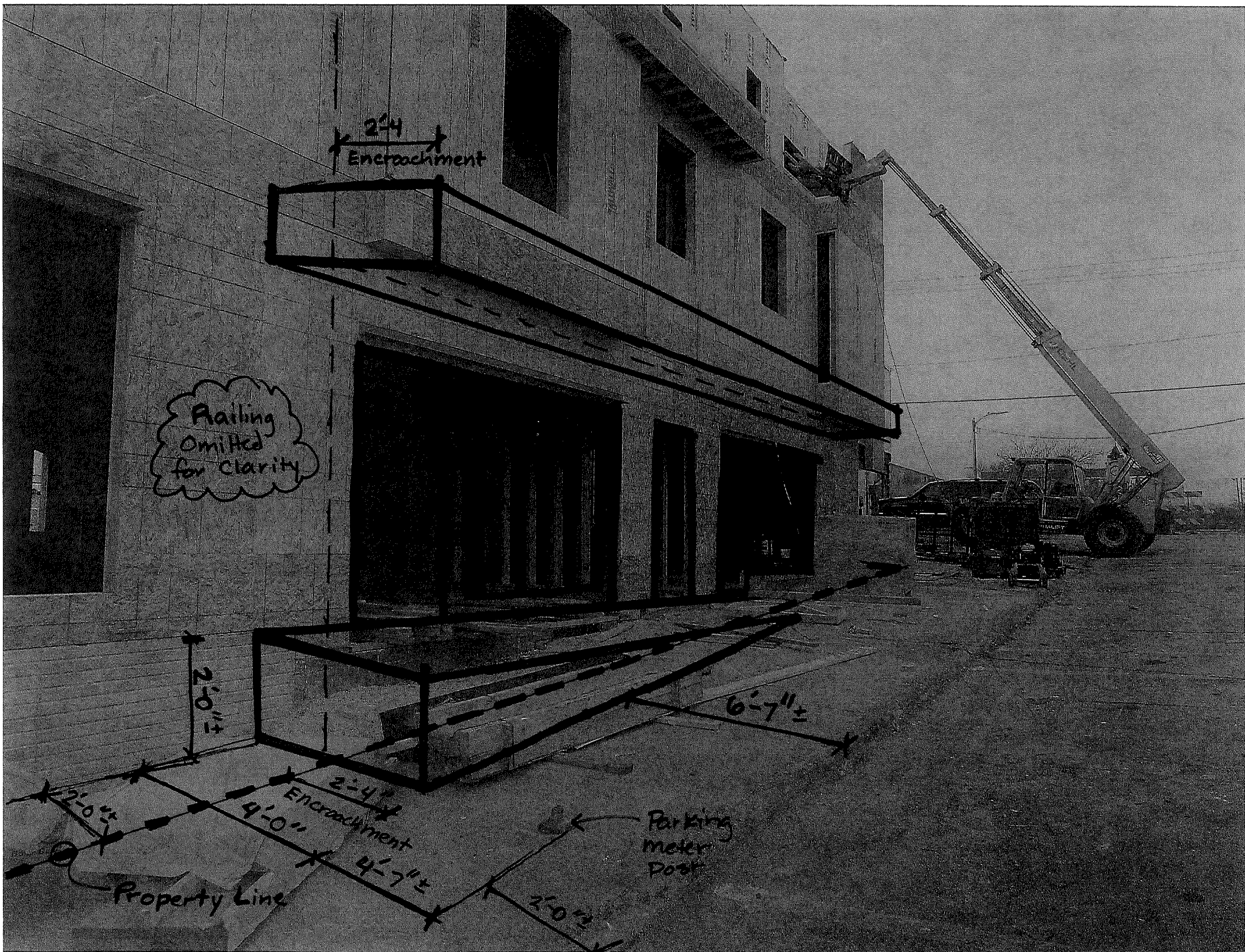
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ENCROACHMENT PERMIT
 2408 CHAMBERLAIN

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|-------------|----------------------|
| [DATE] | 12-20-17 |
| [PROJ. NO.] | 21604 |
| [FILE NAME] | DOCS |
| [CONTENTS] | ELEVATIONS AND PLANS |
| [SHEET NO.] | A1 of 1 |





2'-4"
Encroachment

Railing
Omitted
for Clarity

2'-0" ±

6'-7" ±

2'-4"
Encroachment
4'-0"

Parking
meter
Post

Property Line

4'-7" ±

2'-0" ±