

RESOLUTION NO. R-1718-77

ITEM NO. 9a

STAFF REPORT

ITEM: Wally and Cynthia Kerr request amendment of the NORMAN 2025 Land Use and Transportation Plan from Medium Density Residential Designation to Office Designation for the property located at 801 36th Avenue N.W.

SUMMARY OF REQUEST: The applicant's request is to rezone 0.73 acres from RM-2, Low Density Apartment District, to SPUD, Simple Planned Unit Development, and a NORMAN 2025 Land Use & Transportation Plan amendment from Medium Density Residential to Office designation. The existing Floodplain Designation on the southern portion of the property will remain and is not being amended. The applicant's proposal is to develop a one or two story building for professional uses as permitted in the CO, Suburban Office Commercial District.

STAFF ANALYSIS: The NORMAN 2025 Plan identifies two criteria that must be examined before a land use change is approved.

- 1. There has been a change in circumstances resulting from development of the properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*

This property has never been developed; it has remained undeveloped since it was platted as part of Spring Brook Addition, initially planned for multi-family dwellings. Since that time, over 30 years ago, the surrounding area has developed into a mix of residential types and offices uses on 36th Avenue N.W. and commercial uses to the north at the intersection of Robinson Street and 36th Avenue N.W.

This request will not be contrary to the public interest in the general vicinity; a change from Medium Density Residential to Office use should not create any negative impacts. Office use can often be less intense because the nature of the office land use; offices operate during scheduled business hours, not during all hours of the day like a residential use.

- 2. There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*

This request will not create adverse land use or traffic impacts. There are duplexes directly to the south, and park land and a drainage easement to the east which provides a buffer between this development proposal and the single family homes. This site abuts 36th Avenue N.W. to the west which is an improved public right-of-way, and on the west side of 36th Avenue N.W. are single family homes. This proposed office use is similar in nature to other businesses abutting 36th Avenue N.W. south of this site within a quarter mile; a bank on the east side of 36th Avenue N.W. and professional offices on

the west side of 36th Avenue N.W. To the north a third of a mile is the intersection of West Robinson Street and 36th Avenue N.W. with many types of commercial businesses.

Because this is a platted lot on an improved roadway a traffic impact analysis is not required; however, if the developer chooses to submit a traffic signal warrant study, a traffic signal may be considered at the Bob White Avenue intersection in the future. There is one access point for this development which is planned directly across from Bob White Avenue.

STAFF RECOMMENDATION: Staff supports the requested change from Medium Density Residential to Office Designation; staff recommends approval of Resolution No. R-1718-77.