

RESOLUTION NO. R-1213-75

ITEM NO. 12a

STAFF REPORT

ITEM: Norman DOP VII, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP 1213-6) from High Density Residential Designation to Commercial Designation for property located at the northeast corner of Porter Avenue and Woodcrest Drive.

SUMMARY OF REQUEST: The applicant is requesting a change in the NORMAN 2025 Land Use and Transportation Plan from High Density Residential to Commercial Designation. This tract of land has been zoned for multi-family use since the 1970's. The land use designation has been High Density Residential since that same time. However, this area has remained vacant. The surrounding areas have developed with single-family residential densities to the north, east and west. The applicant sees this area as an opportunity for additional commercial development as there has been a large amount of residential development in this area.

There is an area at the northeast corner of Porter Avenue and Rock Creek Road that is zoned C-2, General Commercial District. This area has been zoned since the mid-seventies and has remained undeveloped. The C-2, General Commercial District zoning district is a more intense, less restrictive zoning district than that of the requested C-1, Local Commercial District. The uses permitted in C-2, General Commercial District could consist of any use permitted in C-1, Local Commercial District any Special Use permitted in C-1, Local Commercial District except mixed buildings, automobile sales, machinery sales and services, public garages, bakery, carpenter and cabinet shops, a laundry and several other uses. There is a gas station/convenience store located at the northeast corner of Porter Avenue and Rock Creek Road. This gas station and convenience store is open twenty-four hours a day, seven days a week. This proposed commercial development will open by eight o'clock in the morning and close by ten o'clock daily. Therefore, the lights of the parking lot will be turned off by ten o'clock so as to minimize any impact on the adjacent residential properties. The drainage easement to the north of this proposal also acts as a buffer along the north of the development and insulates the residential development from both commercial uses to the south.

ANALYSIS: The 2025 Plan identifies two criteria that must be met in order to approve requested land use designation changes from the adopted NORMAN 2025 Plan.

1. *There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.* There have been approximately nine subdivisions with approximately 1,000 lots for single-family residential use either platted or preliminarily platted in the last several years. The residential growth trend in this area continues to be steady. This land has been zoned for multi-family residential use for many, many years and remains undeveloped. With the residential developments occurring in the vicinity this area appears to not be a primary development for residential or multi-family use. These residential developments create a

market for commercial development in close proximity of the residential areas and for easy customer access to the site.

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.* There is an existing thirty-foot wide drainage easement buffer, Woodcrest Creek, located adjacent to this property, along the northern boundary. This open space buffer provides a natural separation between the proposed commercial development and the existing single-family neighborhood to the north. This buffer serves to minimize the impacts of the commercial development on the residential development adjacent to this property. There is a multi-family development to the east of this proposal. To utilize the needed detention as well as to minimize impacts on the multi-family development to the east the developer has proposed a thirty foot on-site detention area/setback. This detention area will create a buffer along the eastern boundary of the property. There is a commercial development consisting of a gas station and convenience store to the south of this proposal. The existing commercial development accesses off Porter Avenue and Rock Creek Road eliminating any additional traffic/drive impacts along Woodcrest Drive.

STAFF RECOMMENDATION: This proposed development can be considered a buffer for the residential area to the north from the more intense zoning in the C-2, General Commercial District area as noted above. With the residential growth in this area and the natural buffer of Woodcrest Creek to the north staff concurs with the request to amend the NORMAN 2025 Land Use and Transportation Plan designation from High Density Residential to Commercial.