

RESOLUTION NO. R-1314-7

ITEM NO. 11a

STAFF REPORT

ITEM: 1217 South Berry, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1314-2) from Low Density Residential Designation to Commercial Designation for property located at 1217 South Berry Road.

SUMMARY OF REQUEST: The applicant is requesting a NORMAN 2025 Land Use and Transportation Plan amendment from Low Density Residential Designation to Commercial Designation. The applicant recently purchased this tract and the platted lot to the north, which has a restaurant facility already on-site, with the goal of establishing a commercial parking lot for patrons of the restaurant to use. The applicant is also going through the process of platting and rezoning this tract.

ANALYSIS: The NORMAN 2025 Land Use and Transportation Plan identifies two criteria that must be examined before a land use designation 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 changes will not be contrary to the public interest.*** There has been a change in circumstance in this area, beginning with the change of use at the facility to the north of this tract. The lot to the north of this tract was previously a gas station many years ago. The site was sold and a restaurant was established. The parking for the restaurant was limited as its previous use, the gas station, did not require a great deal of parking, as a restaurant does quite frequently. The subject property has not been platted as the previous home had been there for many years and was never part of a development. After the loss of the home, the site was put on the market to sell. Staff has been approached several times regarding the possibility of constructing an apartment complex on-site but the tract was not large enough for the number of apartments desired to build.
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 has been a restaurant on the site to the north of this site for many years. The addition of this parking lot will not have negative impacts on traffic or land use. To comply with the traffic design guidelines City staff has required the applicant to eliminate the existing drive along the southwest side of the northern platted lot since it is too close to the proposed access on the subject tract; better access will be achieved with fewer curb cuts along Berry Road, and creating further distance for a curb cut from the Lindsey Street/Berry Road intersection. The areas to the east and south are still residential land uses. Those residential lots will be buffered by landscaping treatments as well as fencing to eliminate any negative impacts from lights and noise.

STAFF RECOMMENDATION: Commercial parking lots are an allowed use in the C-2, General Commercial District and with the 2025 Land Use and Transportation Plan change from Low Density Residential Designation to Commercial Designation the parking lot will be a permitted use. The applicant is required to buffer the east and south sides of the proposed parking area which abuts single-family properties. This buffer will reduce noise and minimize impacts from car lights. The proposal to remodel the old restaurant to the north of this tract should be no more of an impact than that of the previous restaurant. In any case, the addition of the new parking will eliminate customer cars parking in this vacant lot on dirt. In addition to creating surplus parking for the restaurant, the elimination of the existing curb cut on the north lot will help reduce traffic access issues along Berry Road because the access to the parking lot will be further south of the Lindsey Street/Berry Road intersection.

Staff recommends approval of Resolution No. R-1314-7.