

RESOLUTION NO. R-1213-36

ITEM NO. 13a

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**STAFF REPORT**

**ITEM:** OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. request amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1213-3) from Commercial Designation to Medium Density Residential Designation for property generally located at the southwest corner of 36<sup>th</sup> Avenue N.W. and West Tecumseh Road.

**SUMMARY OF REQUEST:** The applicant is requesting a change in the NORMAN 2025 Land Use and Transportation Plan from Commercial Designation to Medium Density Residential Designation. This tract of land has been zoned for Local Commercial use since 1983, but has remained undeveloped. With large commercial tracts located to the east and northeast, the applicants see a need to change a portion of their ownership to Medium Density Residential Designation.

**ANALYSIS:** The 2025 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 properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** There is a large area on the east side of 36<sup>th</sup> Avenue NW where the new hospital, Medical Park West, and several supporting developments are currently located. The Medical Park West development originally incorporated approximately twenty-five acres of multi-family development. The development plans in that area changed and the multi-family development element was removed. With the elimination of the multi-family development from the Medical Park West area, the demand for a multi-family development in this area has not been met. This development can succeed without adversely impacting the adjacent residential properties.

This land has been zoned for commercial use for many years and remains undeveloped. With development occurring in or near the other three corners, this corner appears not to be a primary commercial corner at this time.

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 one hundred twenty-five foot open space buffer (detention pond) located on the western boundary of this property. This open space provides a natural separation between the proposed apartments and the existing single family neighborhood to the west, serving to minimizing any impacts. The current C-1 zoning will create more peak hour traffic impacts on the adjacent properties than the down zoning to multi-family.

**STAFF RECOMMENDATION:** With the proposed utilization of a Planned Unit Development, staff concurs with the request to amend this area to a Medium Density Residential Designation. This multi-family development buffers the single-family residential area to the west from the commercial area east of 36<sup>th</sup> Avenue NW as well as the commercial corner adjacent to the multi-family proposal. This buffer element makes this an appropriate development for this site. Staff recommends approval to amend the NORMAN 2025 Land Use and Transportation Plan from Commercial Designation to Medium Density Residential Designation.