
ORDINANCE NO. O-1213-36

ITEM NO. 8

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Chris Womack, dba Hot Wheels of Oklahoma Motors
REQUESTED ACTION	Rezoning to C-2, General Commercial District
EXISTING ZONING	C-3, Intensive Commercial District
SURROUNDING ZONING	North: C-3, Intensive Commercial East: C-2, General Commercial South: C-3, Intensive Commercial and C-2, General Commercial West: R-3, Multi-Family
LOCATION	420 South Porter Avenue
SIZE	0.24 acres more or less
PURPOSE	Used auto sales
EXISTING LAND USE	Used auto sales
SURROUNDING LAND USE	North: Laundromat East: Tire repair shop South: Vacant West: Residential
LAND USE PLAN DESIGNATION	Commercial

SYNOPSIS: The previous business on-site was a gas station/automobile service station. After the gas station went out of business the site was used as a flea market of sorts from time to time. The owner has now leased the facility to Chris Womack, dba Hot Wheels of Oklahoma Motors. At the time the owner leased the site to the current tenant he was unaware the current zoning of C-3, Intensive Commercial, did not allow for the use of automobile sales. The owner is trying to re-use the property to its best advantage. To allow the current tenant, Hot Wheels, to remain on-site the owner has requested to rezone the property to C-2, General Commercial District to allow the use of an automobile sales lot for this site.

ANALYSIS:

C-2, General Commercial District:

This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

ALTERNATIVES/ISSUES:

- **IMPACTS** The primary use of this site is one of compatibility. The original proposal of C-3, Intensive Commercial zoning occurred in 1954, when most of the downtown was the principal commercial center of the community, and on-street parking was plentiful (given the volume of traffic) and adequate to meet the general needs of the community. There are several auto-related uses along Porter Avenue making this use compatible in the area.
- **ZONING** Historically, staff has favored rezoning such tracts in the downtown area from C-3, Intensive Commercial to C-2, General Commercial District, as new uses are required to provide and maintain legal parking for their current use. In this case, there is limited opportunity for on-street parking as required in C3, Intensive Commercial District, however, there is adequate pavement on the lot to designate customer parking.
- This site is located in the Porter Corridor Zoning Overlay District. This site is already zoned commercially and the request is in fact a down zoning, therefore, there are no additional requirements for the site with regards to the Porter Corridor Zoning Overlay District.
- **SITE PLAN** The applicant has proposed no change in the site. The building has been repainted and repair of paving has occurred.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Commercial zoning does not require public park land be dedicated.
- **PUBLIC WORKS** The property was platted as part of the Original Townsite so there are no platting issues needing to be addressed.

STAFF RECOMMENDATION

This is an appropriate rezoning request for an area that is already dominated by uses that are fully compatible with the proposed C-2, General Commercial District. There is a tire shop and an office building to the east of this facility, across South Porter Avenue. There is a laundromat and Hiland Dairy to the north of this site. To the south is an old church, which was used as a furniture resale store for many years, the site is now vacant. The parcel across the street to the east was rezoned from C-3, Intensive Commercial to C-2, General Commercial in 2005 to allow the use of an auto related business. The area to the west of this parcel is residential, zoned R-3, Multi-Family. The majority of the corner parcels in this area along South Porter Avenue are zoned C-3, Intensive Commercial, however, as stated previously staff supports down zoning in the downtown area. At this point there are no changes proposed for the site that would be incompatible with adjacent properties or the Zoning Ordinance. Staff recommends approval of Ordinance No. O-1213-36.