
RESOLUTION NO. R-1718-25

ITEM NO. 10a

STAFF REPORT

ITEM: Hollywood Corners Stations, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Very Low Density Residential Designation to Commercial Designation for approximately 2.38 acres of property located at the southwest corner of Porter Avenue and Franklin Road (4712 N. Porter Avenue).

SUMMARY OF REQUEST: The applicant is requesting to amend the NORMAN 2025 Land Use and Transportation Plan from Very Low Density Residential Designation to Commercial Designation and to rezone the property from A-2, Rural Agricultural District to SPUD, Simple Planned Unit Development (O-1718-31).

STAFF ANALYSIS:

- 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 commercial corner has been in existence for the last 90 plus years. There have been new single-family homes constructed in the general vicinity in the last 90 years as the agricultural area began to develop more residential in nature. The greater majority, if not all, of these homes in this general vicinity have been constructed on acreages. In 1983, a tract of land across Franklin Road, to the north of Hollywood Corners, was rezoned from A-2, Rural Agricultural District to TC, Tourist Commercial with Permissive Use for an Auto Sales business. The site is now utilized as a construction yard/office for a concrete contractor. The NORMAN 2020 Land Use and Transportation Plan reflected the property on the north side of Franklin Road as Very Low Density Residential. At the adoption of the NORMAN 2025 Land Use and Transportation Plan the land use designation on the same site was amended to reflect the existing use of Commercial, as now reflected on the NORMAN 2025 Land Use and Transportation Plan. Other than the expansion of the Moore-Norman Technology Center (MNTC) and a new single-family subdivision to the south, approximately $\frac{3}{4}$ of a mile south on the west side of Porter Avenue there have been no substantial changes to the development of the general vicinity in recent years.

- 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.***

The use of the existing gas station and convenience store/deli on this site are grandfathered – the grandfathered uses were established prior to annexation and are allowed to continue. Staff has not received complaints on those grandfathered uses that have been continued on-site. The adverse land use is not coming from the grandfathered commercial uses but from the impacts of outdoor live entertainment occurring on the site and the associated traffic impacts. The outdoor live entertainment is discussed further in the companion rezoning request.

STAFF RECOMMENDATION: Updating the land use designation to commercial to be consistent with the use that has been in place for the last 92 years (since 1925), a commercial use, is appropriate. It is unclear to staff why the land use on the site was never updated with either the NORMAN 2020 or the NORMAN 2025 Land Use and Transportation Plans. Staff recommends approval of Resolution R-1718-25 to update the land use designation of this site to accommodate those grandfathered uses.