

RESOLUTION NO. R-1920-104

ITEM NO. 10a

STAFF REPORT

ITEM: Battison Properties, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Medium Density Residential Designation and Special Planning Area 5 to Commercial Designation and from Future Urban Service Area to Current Urban Service Area for 5.504 acres of property generally located north and west of the intersection of Franklin Road and North Interstate Drive.

SUMMARY OF REQUEST: The applicant is proposing an automobile dealership with an associated service garage on a 5.504 acre parcel. The applicant has also applied for a preliminary plat. This development proposal requires rezoning from A-2, Rural Agricultural District, to PUD, Planned Unit Development, because of requested uses and variance to the front setback and a NORMAN 2025 Land Use and Transportation Plan amendment from Medium Density Residential Designation and Special Planning Area 5 to Commercial Designation and from Future Urban Service Area to Current Urban Service Area.

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.*

Over the years, the west side of Interstate 35, between Franklin Road and Indian Hills Road has changed since the adoption of the NORMAN 2025 Land Use and Transportation Plan. Between 1999 and 2000 the Community Christian Athletic Facility was constructed, just north of this proposal. To the south of this proposal sits Ruby Grant Park. Further south is the Jonathan Fowler Development and the Carroll Farm Development, both the Jonathan Fowler Development and the Carroll Farm Development began platting, rezoning and construction in 2005 – 2007. Jonathan Fowler Development (along Journey Parkway) now consists of two automobile dealerships, a church, and three medical office buildings. The Carroll Farm Development has two banks, a dental office and a restaurant. Across Interstate 35 the York Plant has undergone a substantial expansion, almost doubling the square footage of the facility. Just to the south of the York Plant is the new Cleveland County Jail. In recent years OEC developed a new solar garden to the east, across Interstate 35. To the west of this proposal, at the southwest corner of Franklin Road and 36th Avenue NW the Carrington Place Development and the North Haven Church also began to develop between 2005 – 2007. There still exists a commercial corner at the southwest corner of Franklin Road and 36th Avenue NW.

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 proposed for this site is considered a low impact traffic use for the area. There is one access point for this development, directly onto North Interstate Drive. There are no expected adverse land use impacts or traffic impacts to the surrounding properties.

The removal of this tract from Future Urban Service Area and placing it in the Current Service Area is possible through access to the Northwest Interceptor Line, running north from Franklin Road, just west of this proposal. There will be 12-inch water lines installed adjacent to Franklin Road and North Interstate Drive.

The removal of this tract from the Special Planning Area 5 (SPA 5) does not demonstrate a negative impact to the overall development of this SPA 5. This is a 5-acre tract of land that essentially fronts Interstate 35. There is a buffer between this development and Community Christian School Athletic Facility to the north. There is a large amount of flood plain and stream planning corridor to the west and south of this proposal, extending to the corner of N. Interstate Drive and Franklin Road. This large amount of flood plain and stream planning corridor will be a buffer to anything that develops to the west of this proposal in the future. In recent years, the Interstate 35 Corridor has not been developed with medium density residential developments.

CONCLUSION: Staff forwards this request, Resolution No. R-1920-104 for your consideration.