

RESOLUTION NO. R-1920-38

ITEM NO. 5a

STAFF REPORT

ITEM Jerry's, L.L.C. requests amendment of the NORMAN 2025 Land Use & Transportation Plan from Low Density Residential Designation to Commercial Designation for 8,400 square feet of property located at 325 E. Tonhawa Street, within the Porter Corridor Overlay District Commercial Development limits, to allow a parking lot for Van's Pig Stand.

SUMMARY OF REQUEST: Van's Pig Stand/Jerry's, L.L.C. owns the subject tract; the tract is currently zoned R-3, Multi-Family Dwelling District and the current land use designation is Low Density Residential Designation. A land use plan amendment and companion rezoning is required for the applicant to redevelop the lot. The lot is currently occupied by a single-family structure; the structure is slowly deteriorating.

The applicant is seeking to increase the amount of employee and customer parking for the restaurant; they plan to remove the house to install additional parking. The existing parking area on the adjacent lot, to the east, is planned to be reconfigured and the design will allow cross-access between the two lots, accommodating approximately twenty-two spaces.

The Porter Steering Committee worked with the City's consultant and staff to develop the Porter Avenue Corridor Study, and ultimately adopting the Porter Corridor Zoning Overlay District in August of 2010. One of the elements that the Plan addresses is commercial expansion along Porter Avenue. In this case, three residences will remain in the north side of Tonhawa Street with office use at the opposite corner of Tonhawa and Crawford Avenue. In addition, a permanent buffer wall will be constructed to establish the boundary between the commercial and residential land use. The proposed commercial expansion is supported by the Porter Avenue Corridor Study and the Zoning Overlay District.

STAFF ANALYSIS: The NORMAN 2025 Plan identifies two criteria that must be examined before a land use change is approved.

The role of the NORMAN 2025 Plan in the City's ongoing and diverse planning activities states the document must be flexible, and that it is updated and amended periodically. The Plan defines the desired land use patterns for use and development of all private sector properties. This Plan will serve as a policy guide for zoning and planning requests as they are presented to the Planning Commission and City Council.

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.* The growth in this general vicinity along Porter Avenue, both north and south of Tonhawa Street and along the east and west sides of Porter Avenue has been somewhat slow but well managed. Many of the properties are

still in limbo waiting for the development of the Porter Corridor Plan to be completed before investing in redevelopment of the area.

There have been two other requests approved by City Council for a similar proposal – parking areas to serve the adjacent businesses: Tarahumara and Van's Pig Stand.

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 applicant worked with the Project Engineer for review of the proposal. The Project Engineer, for the Porter Corridor Project supports this proposal as designed. The site accesses the alley to the north, the adjacent commercial lot to the east as well as Tonhawa Street to the south. The lot to the east of the subject tract is not part of this request but the design of both lots has been incorporated into the overall design of the area.

STAFF RECOMMENDATION: This request incorporates the design guidelines contained in the Zoning Overlay District, and is within the area designated on the Porter Corridor Zoning Overlay District for possible commercial expansion. Staff is able to support this request, and recommends adoption of this Land Use Plan amendment – Resolution No. R-1920-38.