

Owner: Henry H. Rodgers  
Applicant: Kenny Whitfield, Perry's Pennies, LLC  
Location: 2007/2009 Wilson Road  
Area: 0.32 Acre  
Request: Rezone from R-2 to R-4  
Purpose: To construct two (2) duplex structures  
Existing Use: Undeveloped lots

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SURROUNDING LAND USE AND ZONING

North – Single family residences and duplexes; zoned R-2 and R-4

South – Vacant lots, single family residences and duplexes; zoned R-2 and R-4

East – Single family residences; zoned R-2

West – Vacant lots and single family residences (across Wilson Road); zoned R-2

A. PUBLIC WORKS COMMENTS:

1. Wilson Road is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required.
2. The maximum driveway width for residential use is 20 ft.

B. PUBLIC TRANSPORTATION ELEMENT:

The site is not located on a Rock Region Metro bus route. Bus Route #3 (Baptist Medical Center Route) runs along Kanis Road to the north.

C. PUBLIC NOTIFICATION:

All owners of property located within 200 feet of the site and the John Barrow, Twin Lakes "A" and Twin Lakes "B" Neighborhood Associations were notified of the public hearing.

D. LAND USE ELEMENT:

Planning Division:

This request is located in the I-430 Planning District. The Land Use Plan shows Residential Low Density Use (RL) for this property. Residential Low category provides for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The applicant has applied for a rezoning from R-2 (Single Family District) to R-4 (Two Family District) to allow development of two duplexes on the two lots.

Master Street Plan:

To the west of the property is Wilson Road and it is shown as a Local Street on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. This street may require dedication of right-of-way and may require street improvements for entrances and exists to the site.

BICYCLE PLAN:

There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Henry H. Rodgers, owner of the .32 acre property located at 2007/2009 Wilson Road, is requesting to rezone the property from "R-2" Single Family District to "R-4" Two-Family District. The property is located on the east side of Wilson Road south of West 20<sup>th</sup> Street. The rezoning is proposed to allow the construction of two (2) duplex structures on the site.

The property is comprised of two (2) platted lots. The Lots are currently undeveloped and partly wooded. The property has a slight slope upward from west to east and south to north, basically following the elevation of Perry Street.

Single family residences are located north and east of the subject property, with two (2) duplex structures (zoned R-4) immediately to the northeast. Vacant lots, single family residences and duplex structures are located to the south. Undeveloped lots and single family residences are located across Wilson Road to the west.

The City's Future Land Use Plan designates this property as Residential Low Density (RL). The requested R-4 zoning does not require an amendment to the plan.

Staff is supportive of the requested R-4 rezoning. Staff views the request as reasonable. The property is comprised of two (2) platted single family lots. Two (2) duplex structures will only be a minor increase in the original platted density. New duplex structures have been recently developed within this neighborhood. Staff recently conducted a survey of this neighborhood, between West 16<sup>th</sup> Street and West 24<sup>th</sup> Street, and Aldersgate Road to Junior Deputy Road. The survey counted the total number of residential lots within this area, and how many of the total residential lots are zoned R-4. Staff found that there are 368 total residential lots within this area, and that 25 are zoned R-4 (with two (2) lots pending before the Board of Directors). This represents R-4 zoning on a total of 7.33 percent of the overall residential lots within this neighborhood. The two (2) lots proposed for R-4 zoning would raise this ratio to 7.88 percent. Staff feels that this represents a very minimal percentage of the overall residential area. Staff believes the applicant's plan to construct two (2) new duplexes will be a quality, in-fill type, development for this general area south of West 18<sup>th</sup> Street. Staff believes rezoning this property to R-4 will have no adverse impact on the adjacent properties or the general area.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested R-4 rezoning.

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PLANNING COMMISSION ACTION:

(OCTOBER 6, 2016)

Kenny Whitfield was present, representing the application. There was one (1) objector present. Staff presented the application with a recommendation of approval.

Kenny Whitfield addressed the Commission in support of the application, reserving comment until after the objector spoke.

Susan Staffeld addressed the Commission in opposition. She stated that the lots in question were wooded and wished to keep them wooded. She questioned the construction of the duplexes. She noted eviction as an issue and the presence of police in the area. She discussed the density of duplexes in the area. She read a letter from another property owner.

Kenny Whitfield explained that all the units were 1,550 square feet in area, and that they were well constructed. He noted that he calls the police to have the neighborhood patrolled every week. He discussed other properties in the area and presented photos of other properties and his duplex properties. He noted that his tenants were working class persons and that his duplexes were not Section 8 housing.

Staff noted that the required notification to surrounding property owners was completed correctly by the applicant.

Commissioner Bubbus made comments in support of the application.

Commissioner Laha asked Ms. Staffeld how far she lived from the subject property. She noted that she was not within 200 feet of the property. Commissioner Laha asked if there was a neighborhood association. Ms. Staffeld stated that there was not.

There was a motion to approve the application. The motion passed by a vote of 10 ayes, 0 nays, 0 absent and 1 open position. The application was approved.