

Owner: Toni Duelmer
Applicant: Daniel Thomas, Elite Foam Insealators
Location: 2112 and 2114 Wilson Road
Area: 0.2945 Acre (2 lots)
Request: Rezone from R-2 to R-4
Purpose: To construct one (1) duplex on each lot.
Existing Use: Undeveloped lots

SURROUNDING LAND USE AND ZONING

North – Single family residences and duplexes (across West 22nd Street); zoned R-2 and R-4

South – Duplexes and single family residences; zoned R-2 and R-4

East – Single family residences (across Wilson Road); zoned R-2

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

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. W. 22nd Street is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required.
3. A 20 feet radial dedication of right-of-way is required at the intersection of Wilson Road and W. 22nd Street.
4. Driveway locations and configurations will be reviewed for approval at time of building permit review by the Public Works Department.

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: The request is in the I-430 Planning District. The Land Use Plan shows Residential Low Density (RL) for the requested areas. Residential Low Density 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 application is to rezoning an area from R-2 (Single Family District) to R-4 (Two-Family District) to allow the future development of duplexes on the site.

Master Street Plan: To the east is Wilson Road and to the north is West 22nd Street. Both are a Local Street on the Master Street Plan. The primary function of Local Streets 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. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

E. STAFF ANALYSIS:

Toni Duelmer, owner of the 0.2945 acre property located at 2112 and 2114 Wilson Road, is requesting to rezone the property from "R-2" Single Family District to "R-4" Two-Family District. The property is located at the southwest corner of Wilson Road and West 22nd Street. The property is comprised of two (2) lots; Lots 14 and 15, Block 2, Hick's Interurban Addition. The rezoning is proposed to allow the construction of one (1) duplex structure on each lot.

The property is currently undeveloped. The property has a slight slope downward from north to south. The property is located in an area of mixed R-2 and R-4 zoning. R-4 zoned lots are located immediately to the south and southwest. Single family lots are located to the east, north and northwest. Additional single family residences, two-family residences and vacant lots are located throughout this subdivision. Several older manufactured/mobile homes are also located within this subdivision.

Staff is not supportive of the requested R-4 rezoning. Staff does not view the request as reasonable. Over the past several years, a number of the lots within this neighborhood (between West 16th and West 24th Streets, from Aldersgate Road to Junior Deputy Road) have been rezoned to R-4 for the development of duplexes. As such, slightly over ten (10) percent of this neighborhood is currently zoned R-4. Staff's concerns relate to the changing density within this subdivision with respect to the City's Future Land Use Plan designation of Residential Low Density (RL), and the subdivision's lack of infrastructure. The streets within this subdivision are narrow paved roadways with no curb, gutter or sidewalks. Open ditches are located along most of the streets. Staff believes that any additional density within this subdivision, with the increased traffic it will generate, will have an increasingly adverse impact on this neighborhood.

F. STAFF RECOMMENDATION:

Staff recommends denial of the requested R-4 rezoning.

PLANNING COMMISSION ACTION:

(JANUARY 30, 2020)

Scotty Howard was present, representing the application. There was one (1) objector present. Staff presented items 2 and 3 simultaneously with a recommendation of denial. The Commission discussed both items 2 and 3 simultaneously.

Ruth Bell addressed the Commission in opposition. She explained that it was most appropriate to have single family homes in the neighborhood because of the lack of infrastructure.

Scotty Howard addressed the Commission in support of the application. He noted that he bought the properties as investment properties. He stated that he spoke with several of the occupants within the neighborhood and that they were in favor of the new duplex structures. He presented a PowerPoint presentation to the Commission with photos of properties in the area and an interview with a current resident of the neighborhood. He noted that there had only been two (2) traffic accidents along Wilson Road within the past five (5) years. In response to a question from the Commission, Mr. Howard noted that there would be one (1) duplex structure on each of the four (4) lots.

Commissioner Berry asked about required right-of-way and possible future street improvements for this neighborhood. Mike Hood, of Public Works, noted that the rights-of-way throughout this neighborhood were never platted to current standards. He explained that the streets could be classified as minor residential streets.

Commissioner Vogel asked how the City decided which roadways need to be improved. Mr. Hood explained the process which is utilized by the City. Commissioner Berry made comments related to infrastructure and the development process. He noted that he was

in support of the applications. Commissioner Hart concurred with Commissioner Berry. Commissioner Betton noted that the increase in density would create only minor increase in traffic. Chairman Latture noted that he supported the applications.

There was a motion to approve item 2, the requested rezoning for 2112 and 2114 Wilson Road. The motion passed by a vote of 10 ayes, 0 nays and 1 absent. The application was approved.

There was a second motion to approve item 3, the requested rezoning for 2224 and 2226 Wilson Road. The motion passed by a vote of 10 ayes, 0 nays and 1 absent. The application was approved.