

Owner: Perry's Pennies, LLC  
Applicant: Kenny Whitfield  
Location: 2105 Perry Street  
Area: 0.155 Acre  
Request: Rezone from R-2 to R-4  
Purpose: One (1) duplex structure  
Existing Use: Undeveloped

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SURROUNDING LAND USE AND ZONING

North – One (1) lot zoned R-4 for construction of one (1) duplex structure and single family residences; zoned R-2

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

East – Duplex structures and single family residences; zoned R-4 and R-2

West – Single family residences (across Perry Street); zoned R-2

A. PUBLIC WORKS COMMENTS:

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

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 I-430 Planning District. The Land Use Plan shows Residential Low (RL) for this property. The Residential Low Density (RL) category provides for single family homes at densities not to exceed 6 units per acre. Such residential development is typically characterized by conventional single family homes, but may 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) for two family development.

Master Street Plan: West of the property is Perry Street and it is shown as 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 exits to the site.

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

E. STAFF ANALYSIS:

Perry's Pennies, LLC, owner of the 0.155 acre property located at 2105 Perry Street, 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 Perry Street south of West 22<sup>nd</sup> Street. The rezoning is proposed to allow the construction of one (1) duplex structure on the site.

The property is comprised of one (1) platted lot. The lot is 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.

The property is located in an area of mixed R-2 and R-4 zoning. R-4 zoned lots are located immediately north, south and east of the subject property. Single family residences and vacant lots are located further to the north, south and east. Single family residences and vacant lots are located across Perry Street 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 one (1) platted single family lot. One (1) duplex structure 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 31 are zoned R-4. This represents R-4 zoning on a total of 8.42 percent of the overall residential lots within this neighborhood. The one (1) lot proposed for R-4 zoning (with the lot proposed for R-4 at 1914 Perry Street – item on this agenda) would raise this ratio to 8.96 percent. Staff feels that this represents a very minimal percentage of the overall residential area. Staff believes the applicant's plan to construct one (1) new duplex 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:

(MARCH 30, 2017)

The applicant was present. There were no objectors present. Staff presented the application with a recommendation of approval. The application was placed on the Consent Agenda for approval, as recommended by staff. The Consent Agenda was approved by a vote of 11 ayes, 0 nays and 0 absent. The application was approved.