

Owner: Perry's Pennies, LLC
Applicant: Kenny Whitfield, Perry's Pennies, LLC
Location: 1916/1918 Perry Street
Area: 0.32 Acre
Request: Rezone from R-2 to R-4
Purpose: To construct two (2) duplex structures
Existing Use: Vacant single family structure and vacant church structure

SURROUNDING LAND USE AND ZONING

North – Single family residences; zoned R-2

South – Single family residences; zoned R-2

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

West – Vacant lots and single family residences; zoned R-2

A. PUBLIC WORKS COMMENTS:

1. Perry 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.
2. The maximum width of the driveway 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 for a two family (duplex) development.

Master Street Plan:

To the east of the property is Perry Street and it is 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:

Perry's Pennies, LLC, owner of the .32 acre property located at 1916/1918 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 west side of Perry Street north of West 20th 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 northern lot contains a vacant, boarded-up one-story frame single family residence. A concrete drive is located at the northeast corner of this lot. The southern lot is occupied by a small, vacant church building. There is a paved drive at the northeast corner of the lot, leading to the church building.

Single family residences are located north, south and east (across Perry Street) of the subject property. Office zoned property is located approximately one (1) block to the north along Perry Street. Vacant lots and single family residences are located to the west, with Office zoned property located across Aldersgate Road to the west and Camp Aldersgate to the southwest.

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 16th Street and West 24th 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. This represents R-4 zoning on a total of 6.79 percent of the overall residential lots within this neighborhood. The two (2) lots proposed for R-4 zoning would raise this ratio to 7.33 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 18th Street. Staff believes rezoning this property to R-4 will have no adverse impact on the adjacent properties or the general areas.

F. STAFF RECOMMENDATION:

Staff recommends approval of the requested R-4 rezoning.

PLANNING COMMISSION ACTION:

(AUGUST 25, 2016)

Kenny Whitfield was present, representing the application. There were two (2) objectors present. Staff presented the application with a recommendation of approval.

Kenny Whitfield addressed the Commission in support of the application. He explained that the rezoning was proposed in order to construct two (2) new duplex structures.

Stacy Newman addressed the Commission in opposition. She stated that the existing duplexes are having a negative impact on the neighborhood. She expressed concerns with traffic, noise and police calls to the area. She noted concern with the turnover of tenants. She briefly discussed her concerns.

Susan Staffeld also spoke in opposition. She stated that the neighborhood has changed over the past few years. She discussed the width of the neighborhood streets. She also expressed concerns with traffic and noise.

Mr. Whitfield explained to the Commission that there has been no turnover in the duplexes he manages. He explained that the duplex properties are very well maintained. He explained that he is working with the Public Works Department to improve the drainage issues in the area. The drainage issue was briefly discussed. He noted that an existing drainage pipe is being cleaned out and would be increased in size.

Commissioner Hamilton asked how many duplexes are owned by Mr. Whitfield. Mr. Whitfield noted approximately 12. Commissioner Hamilton asked if there were duplexes in the area owned by others. Mr. Whitfield noted six (6) or so.

There was a motion to approve the rezoning application. The motion passed by a vote of 6 ayes, 3 nays and 2 absent. The rezoning was approved.