

Owner: Susan K. Pehrson  
Applicant: Kenny Whitfield, Nichols and Dimes, LLC  
Location: 2115/2201 Perry Street  
Area: 0.31 Acre  
Request: Rezone from R-2 to R-4  
Purpose: To construct two (2) duplex structures  
Existing Use: Vacant lots

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SURROUNDING LAND USE AND ZONING

North – Vacant lots, a duplex and single family residences; zoned R-2 and R-4

South – Single family residences (including manufactured homes) and vacant lots;  
zoned R-2 and R-7A

East – Single family residences and duplex structures; zoned R-2 and R-4

West – Single family residences and vacant lots (across Perry Street); 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.

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 at the Northeast Corner of Perry and 24<sup>th</sup> Street. The Land Use Plan shows Residential Low Density (RL) for this property. The Residential Low Density is for single-family homes at densities no greater than six dwelling 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 the future development of two-family structures.

Master Street Plan:

The south side of the property is West 24<sup>th</sup> Street, East side of the property is Perry Street and they are both shown as Local Streets 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". 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:

Nichols and Dimes, LLC, owner of the 0.31 acre property located at 2115/2201 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 north of West 24<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. There is a gravel driveway from Perry Street. The property has a slight slope downward from north to south, basically following the elevation of Perry Street.

Vacant lots, a new duplex structure and single family homes are located north of the subject property. Single family residences are located to the south and west, across Perry Street. New duplex structures and single family residences are located to the east, along the west side of Wilson Road.

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 21 are zoned R-4, with two (2) lots proposed for R-4 zoning pending before the Board of Directors. This represents R-4 zoning on a total of 6.25 percent of the overall residential lots within this neighborhood. The two (2) lots proposed for R-4 zoning would raise this ratio to 6.79 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:

(MARCH 10, 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. He briefly described the proposed rezoning.

Marion Tolson (2114 Perry Street) addressed the Commission in opposition. He noted that there are narrow streets with ditches in this area and explained. He presented a photo of a neighborhood street, to the Commission. He noted that he would have not purchased his house if the duplexes were present.

Mr. Whitfield explained that his company has been purchasing run-down properties in this area and developing quality duplexes. Staff noted that additional right-of-way has been dedicated with the recent R-4 rezonings and will be dedicated for the subject property. Staff also noted that the streets within this neighborhood were recently re-paved and that the new duplex construction included new culverts and driveways for the duplex properties.

There was a motion to approve the requested R-4 rezoning. The vote was 10 ayes, 1 nay and 0 absent. The application was approved.