

# PLANNING COMMISSION CASE REPORT

Case Number: 2015-115

PC Meeting Date: 10-12-15

## Applicant Request

**Rezone from R-1 Residential Zone to R-2 Residential Zone**

<b>Property Location:</b>	<b>2301 Wilson Street</b>
<b>Property Owner:</b>	<b>Patrick Donaldson</b>
<b>Applicant:</b>	<b>Patrick Donaldson</b>

## Project Description

- Proposal: Re-establish a two-family dwelling use for an existing duplex that lost its legal non-conforming use status.
- Proposed Access: Wilson Street.
- Proposed Development Form: 1-story residence.

## Site Analysis

### Site Description

- Location: The 1-acre site is located on the north side of Wilson Street approximately 340 feet east of Dodson Avenue in the Avondale neighborhood.
- Current Access: Wilson Street
- Current Development form: Except for the two-story apartment buildings across the street to the south, all of the nearby residences are one-story structures.
- Current Land Uses: 2301 Wilson Street is classified as “multi-family with a duplex style structure” by the Hamilton County Tax Assessor’s office. There are unused and unmaintained public rights-of-way adjacent to this sight on the west and north sides. There is also an unused and unmaintained alley right-of-way adjacent to the site on the east side. The adjacent lots to the west are used for parking and access to New Enon Baptist Church which fronts on Wilcox Boulevard to the north. The adjacent lot to the north is vacant. The adjacent lots to the east on Arlington Avenue contain single-family homes. There are also four duplex structures on this section of Arlington Avenue. Directly across the street from the site to the south is an eight-acre apartment complex (Woodlawn Apartments).

### Zoning History

- The site is currently zoned R-1 Residential.
- The site was rezoned from R-2 Residential to R-1 Residential in 2004 (Avondale Zoning Study-Ordinance #11622).
- The property to the north is zoned C-2 Convenience Commercial. The properties to the east are zoned R-1 Residential. The property to the south is zoned R-3 Residential. There are four properties to the south that are zoned R-1 Residential. The property to the west is zoned R-1 Residential.
- The nearest R-2 Residential Zone (same as the request) is approximately 160 feet to the west on the southeast corner of Wilson Street and Dodson Avenue.
- There has been no recent zoning activity on this site.

### Plans/Policies/Regulations

- The Avondale Land Use Plan (adopted by City Council in 2004) recommends Low Density residential for this area. The plan defines Low Density Residential as single-family housing predominately; however, some exceptions may be made for townhouses, patio homes and two-family dwellings.
- The 2004 Avondale Neighborhood Zoning Study recommends the Planning Commission, City Council and neighborhood residents give additional input regarding the rezoning of this property to accommodate the existing duplex.
- The R-2 Residential Zone permits single-family homes and two-family homes (duplexes).

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### Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area due to the recommendation of Low Density Residential, as defined above. The Plan notes that some exceptions can be considered for duplexes and townhomes. RPA staff believes that the proposal is appropriate based on the findings below.
- The proposed use is consistent with surrounding uses. Woodlawn Apartments are a similar use located across Wilson Street. There are also four duplex structures on properties to the east on Arlington Avenue.
- The proposal is consistent with the development form of the area. The proposal is built as a one-story residential duplex. The majority of the structures in the area are one-story residential structures.
- The proposed residential density is compatible with the surrounding densities. The neighboring Woodlawn Apartments, single family and two family homes are at higher densities than the proposed residential density of a two unit structure on a 1 acre site.
- The proposal would not be an extension of an existing zone, and the proposal would set a precedent for future requests.
- The applicant has requested rezoning to allow a two-family use of the existing structure. However, the entirety of the property- one acre- is included as part of the request. This one parcel contains eight lots. Those lots are approximately 6,900 square feet. The zoning ordinance allows a duplex to be built on any lot of record that has an area of 7,500 square feet. Rezoning the entirety of this property would allow the construction of possible 8 new duplexes. Therefore, the RPA is recommending only rezoning the portion of the property that has the existing structure.

### Staff Recommendation

Approve R-2 Residential for that portion of parcel 136M-F-013 comprised of lots 1, 2, and 3.