

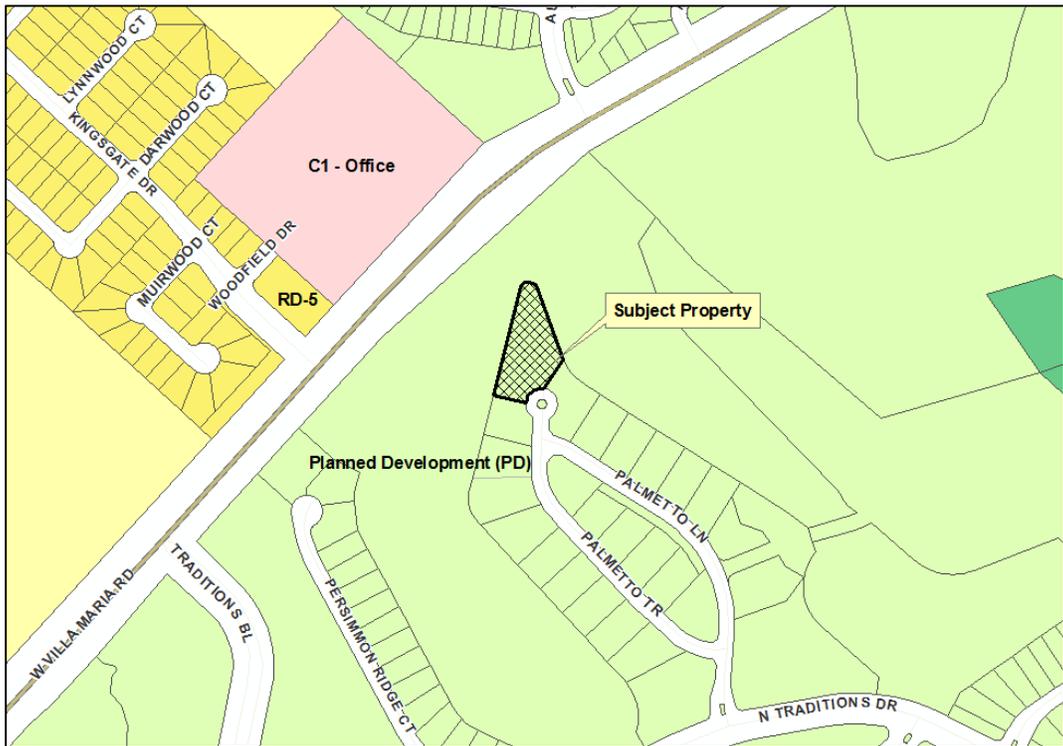
**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**October 9, 2014**



**Conditional Use Permit case no. CU14-14: Raven Homes**

- CASE DESCRIPTION:** request for approval of a Conditional Use Permit, to allow an accessory dwelling unit on property zoned Planned Development – Mixed Use (PD-M)
- LOCATION:** 3138 Palmetto Trail, being 1.1468 acres of land adjoining the north side of the terminus of Palmetto Trail, northwest of its intersection with North Traditions Drive
- LEGAL DESCRIPTION:** Lot 10 in Block 1 of The Traditions Subdivision – Phase 15
- EXISTING LAND USE:** vacant
- OWNER:** Jon White
- APPLICANT(S):** Raven Homes
- STAFF CONTACT:** Maggie Dalton, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** this Conditional Use Permit, as requested.



**BACKGROUND:**

The applicant wishes to construct a 3-room, 650 square-foot accessory dwelling structure at the rear of the subject property for use by family members. The lot is currently vacant but plans for a single-family residence have been previously approved. The subject property is zoned Planned Development – Mixed Use (PD-M). The Traditions PD regulations potentially allow accessory dwelling units, but only with approval by the Planning and Zoning Commission of a Conditional Use Permit. Zoning Ordinance Section 130-34(b) includes the following standards for accessory dwellings:

(1) Accessory dwelling units may be allowed by conditional use permit as an incidental residential use of a structure on the same lot as the main dwelling unit and used by the same person or persons of the immediate family, or servants employed on the premises, and meet the following standards:

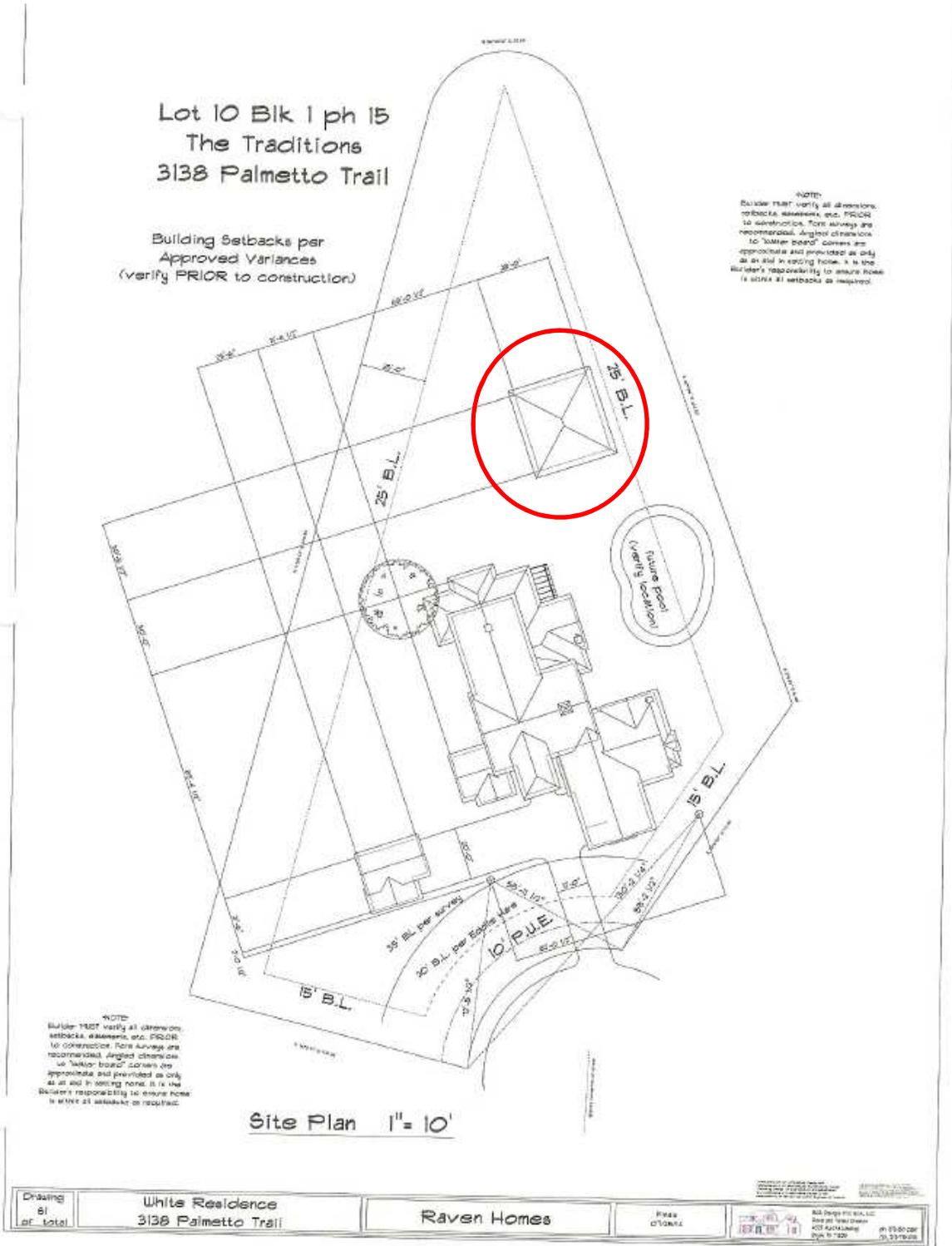
- a. Accessory dwelling units must be designed and constructed so that they are in keeping with the general architecture and building material of the main structure.
- b. Manufactured homes are not permitted as accessory dwellings.
- c. The accessory dwelling unit must be constructed to the rear of the main dwelling, separate from that upon which the main dwelling is constructed.
- d. The accessory dwelling unit may be constructed only with the issuance of a building permit.
- e. The accessory dwelling unit may not be sold separately from sale of the entire property, including the main dwelling unit, and shall not be rented or leased and may not be issued utility meters separate from the main structure.
- f. The square footage of the accessory dwelling unit cannot exceed 1,000 square feet, nor be less than 400 square feet.
- g. A minimum of one additional parking space shall be provided for each accessory dwelling unit located on the premises.

The applicants are requesting approval of such a Conditional Use Permit. The proposed accessory dwelling meets all of the aforementioned standards. If the request is approved, then a building permit and accompanying inspections would be required to construct the new building. The accompanying site plan was reviewed and approved by the Site Development Review Committee.

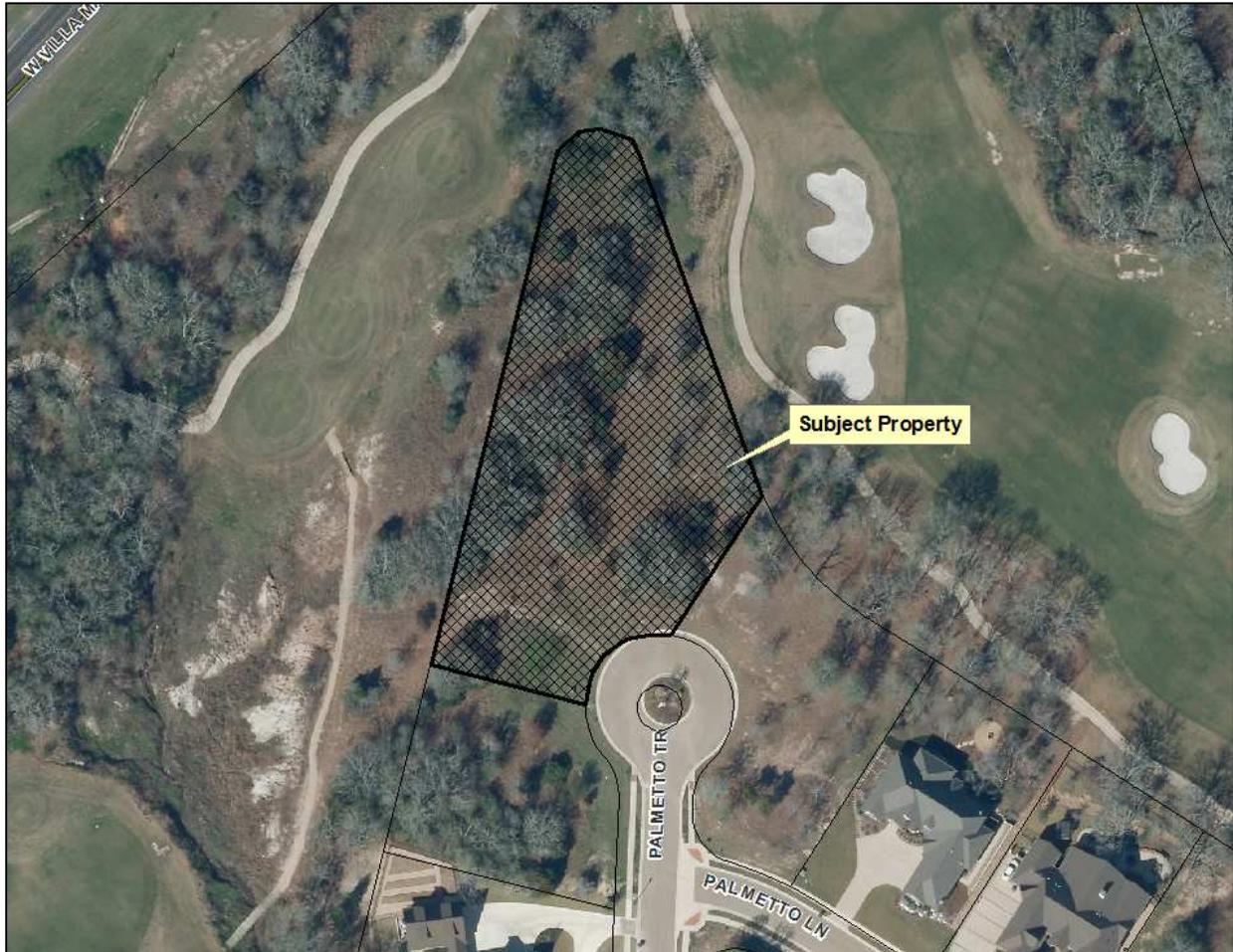
**RELATION TO BRYAN’S COMPREHENSIVE PLAN:**

The City of Bryan adopted a Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects of the community. These aspects are supported by a set of goals and objectives. The Comprehensive Plan states that the City of Bryan will encourage and promote compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. The Comprehensive Plan recommends that residential redevelopment and infill is sensitive to the context within which it occurs. It is suggested that contextual standards be included to ensure compatibility with surrounding residential areas, to include lot size, setbacks, density, building height and mass and architectural design. The Comprehensive Plan also recommends maintaining a balance of land uses within the city and achieving a sustainable mix of land use types in suitable locations, densities and patterns.

**SITE PLAN:**



**AERIAL IMAGE (2013):**



**ANALYSIS:**

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Whether the proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance.

**The Zoning Ordinance allows accessory dwelling units to be permitted as a conditional use in this PD-M zoning district. If the conditional use permit were approved, then the subject site would be in conformance with all applicable codes and ordinances.**

2. Whether the proposed conditional use is compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

**The subject property is surrounded by two vacant lots and the Traditions Golf Course on three sides. Staff believes that, in this particular case, the proposed accessory dwelling will have minimal, if any, adverse impacts on adjacent uses in this vicinity as the unit will be located at**

**the rear of the property and not directly visible to neighboring properties. Staff believes that the proposed accessory dwelling is compatible with adjacent land uses and appropriate in this particular environment. A new accessory dwelling can reasonably be expected to have no negative effect on nearby properties at this particular location or this neighborhood as a whole.**

3. Whether and the extent to which the proposed conditional use potentially creates greater unfavorable effect or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a permitted use.

**Staff believes that the proposed accessory dwelling at this location does not create unfavorable effects or impacts on abutting properties. The subject property is 1.1468 acres and proposed to be occupied by a 6,340sf single-family home and a 650sf accessory dwelling. The Zoning Ordinance requires that accessory dwellings shall only be occupied by persons related to residents living in the main residence or servants employed by individuals living in the main residence.**

4. Whether and the extent to which the proposed conditional use affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

**Staff contends that the proposed accessory dwelling at this location should not have any adverse effects on vehicular and pedestrian traffic in this vicinity. The site plan shows adequate room for off-street parking for the main house and the proposed accessory dwelling.**

5. Whether and the extent to which the proposed conditional use would reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

**No additional impact concerning erosion, flood, fire or other hazards are expected.**

6. Whether and the extent to which the proposed conditional use adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

**Staff finds that an accessory dwelling unit at this location should not have any adverse effects on traffic control or adjacent properties.**

7. Whether and the extent to which the proposed conditional use provides adequate and convenient off-street parking and loading facilities.

**There is adequate off-street parking for the proposed occupancy of this property by a single-family home and an incidental accessory dwelling.**

8. Whether the proposed conditional use conforms to the objectives and the purpose of the zoning district in which the development is proposed.

**The proposed accessory dwelling unit in this case meets the objectives and purpose of the residential zoning district within which it is proposed to be located.**

9. Whether the proposed conditional use will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

**Staff finds that the proposed accessory dwelling use at this specific location will produce no ill effects nor will be detrimental to public health, safety or welfare.**

10. Whether the premises or structures are suitable for the proposed conditional use.

**The subject property is over 1 acre in size. The proposed structure will be at the rear of the main residence. Staff finds that the property is of sufficient size to accommodate the proposed accessory dwelling unit.**

**RECOMMENDATION:**

Staff recommends **approving** this Conditional Use Permit, as requested.