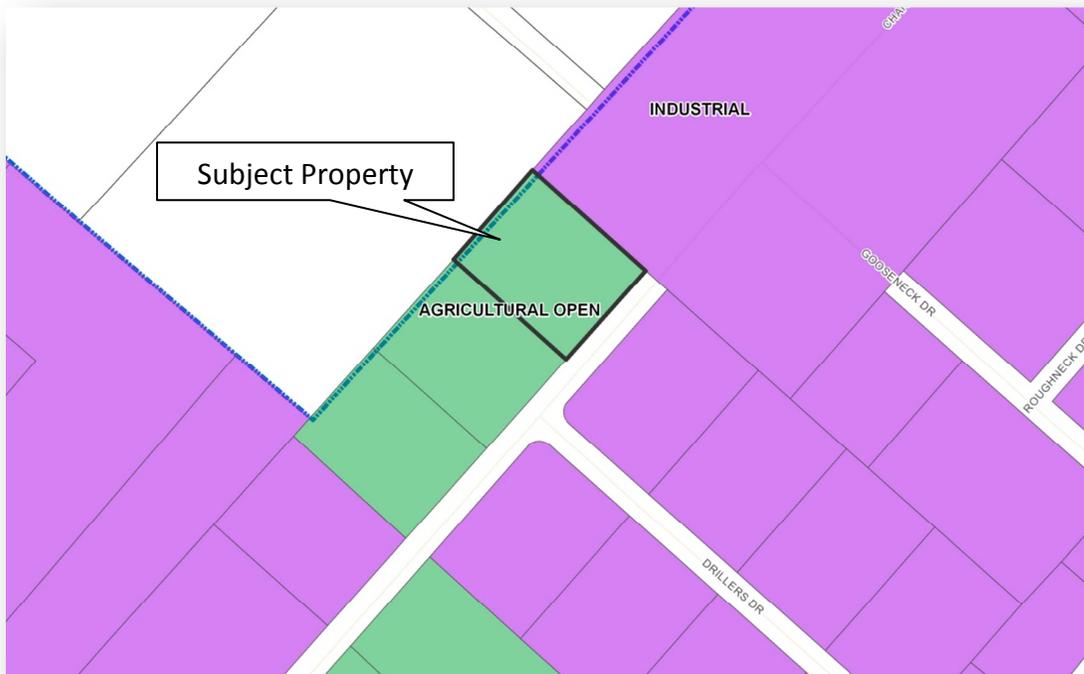


May 1, 2014



Conditional Use Permit case no. CU14-04: Travis Morace

- CASE DESCRIPTION:** a request for approval of a Conditional Use Permit to allow a manufactured home on property in an Agricultural-Open District (A-O)
- LOCATION:** 4051 Charles Avenue, adjoining the northwest side of Charles Avenue approximately 120 feet north of the intersection of Charles Avenue and Drillers Drive, being Lot 6 in Block 1 of the Parkwood Estates Subdivision – Phase 2
- ZONING:** Agricultural-Open District (A-O)
- EXISTING LAND USE:** agricultural structures (barn)
- APPLICANT:** William Travis Morace, property owner
- STAFF CONTACT:** Matthew Hilgemeier, Staff Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** this Conditional Use Permit request.



Aerial View (2013)



BACKGROUND:

The subject property consists of one lot, being 1.8 acres in size and zoned Agricultural-Open District (A-O), which is currently utilized for agricultural purposes by the property owner, Mr. Travis Morace. The subject property was platted in 1974 and purchased by Mr. Morace's family in 1982 together with the adjacent Lot 5 which is occupied by a detached single-family home. The subject property has been zoned A-O District since the City of Bryan adopted zoning in 1989 and has been used for single-family residential/agricultural uses since that time. Mr. Morace wishes to install a new manufactured home on the lot for his family to be able to live next to his parents who reside in the single-family home on the adjacent lot (at 4041 Charles Avenue).

The A-O zoning classification is intended to provide a location for undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may develop in the future. Since being annexed into the City in 1977, a majority of the properties surrounding the subject property have been developed for industrial uses.

A-O zoning potentially allows manufactured homes on lots of at least one acre in size, but only with prior approval of a Conditional Use Permit from the Planning and Zoning Commission. The purpose of the Conditional Use Permit process is to identify those uses which might be appropriate within a zoning district but, due to either their location, function, or operation, could have a potentially harmful impact on adjacent properties or the surrounding area; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate such adverse impacts. Mr. Morace is requesting such a Conditional Use Permit, which, if approved, will allow the installation of a manufactured home on this property, as shown on the site plan attached to this staff report.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new 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 Planning and Zoning Commission shall consider the following when making a decision regarding this particular request:

Chapter 5: Land Use

5.5. Land Use Policies

Use-Specific Land Use Policies

Low Density Residential land serves to provide housing and living units for a variety of people with a range of incomes and needs. It predominantly consists of detached single family dwellings but may consist of other housing types as long as densities remain low; up to 8 dwelling units per acre.

Redevelopment and Infill Policies

Policy statements:

- 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.

- Residential redevelopment and infill shall be sensitive to the context within which it occurs. Contextual standards shall be included to ensure compatibility with surrounding residential areas, to include lot size, setbacks, density, building height and mass and architectural design.

Land Use Goal #1:

Achieve a balance of land uses within the city.

Land Use Goal #1, Objective A:

Achieve a sustainable mix of land use types in suitable locations, densities and patterns.

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 proposed development of this site with a new single-family (manufactured) home is proposed to be in compliance with all applicable standards and regulations. No variations from existing development standards are being requested.

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 located in an area that consists of a mix of single-family dwellings and industrial uses. The two lots located to the immediate west of the subject property are also zoned A-O District and developed with single-family homes. Three properties further west along the north side of Charles Avenue are developed with industrial uses. Properties located approximately 600 feet southwest of the subject property, along the east side of Charles Avenue, are developed with manufactured homes. The property located to the north of the subject property is vacant/agricultural land and is located just outside of the city limits. Properties located directly southeast of the subject property, across Charles Avenue, are developed for industrial use and are a part of the Carrabba Industrial Park. Property to the northeast of the subject property is undeveloped at this time and zoned Industrial District. If the property to the northeast were to develop a 25-foot buffer would be required on that lot in accordance with adopted buffer area requirements. Staff contends that the proposed use is compatible with existing and permitted uses on neighboring properties in this particular environment.

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.

Residential use, specifically a manufactured home on a lot of one acre or more in size within an A-O zoning district, is one of the least intense land uses possibly permitted within that district. Staff cannot discern any greater unfavorable effects or impacts that may result from the development of this site with a new manufactured home, than those that may result from the

use of the site by a use that is permitted by right in the A-O zoning district. If approved, no more than 4 individuals unrelated by blood, marriage or adoption would be allowed to occupy a residential structure at this location. It must be noted that there appears to be long-term potential for the subject property, and other properties on the northwest side of this segment of Charles Avenue, to be in industrial use.

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 manufactured home at this location will not have any adverse effects on vehicular and pedestrian traffic in this vicinity.

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.

Any new development on this property, including a new manufactured home, will be required to meet City regulations concerning erosion, flood, fire and other hazards and impacts.

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 contends that single-family residential use, specifically a manufactured home, of this particular property will not have any adverse effects on traffic control or adjacent properties. As proposed, the development should not adversely affect traffic control nor should it add any inappropriate lighting or signage. A permitted home occupation at these locations would be limited to a 1 square foot sign mounted to the front of the home.

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

The Land and Site Development Ordinance requires off-street parking be provided for each single-family residence. The amount of required off-street parking depends on the number of bedrooms in each home. Installation of a manufactured home on this property will require compliance with minimum off-street parking requirements of the Land and Site Development Ordinance.

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

The A-O zoning district is intended to provide a location for principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes. Staff believes that, in this particular case, development of this property with a new manufactured home conforms to the objectives and the purpose of the A-O zoning district.

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 believes single-family residential use of this property will have no ill effects on properties or improvements in the vicinity. As mentioned above, several adjacent properties are also

occupied by residential uses. Staff believes that an additional single-family residential structure on the subject property would not be detrimental to other properties in the vicinity.

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

The subject property has been part of a single-family residential use since before the City of Bryan adopted zoning regulations in 1989. As such, the current lot configuration is, and has continued to be, suitable for the proposed conditional use. Currently, the subject property is not served by City sewer services as the closest public line is located at the intersection of Charles Avenue and Drillers Avenue. As part of the permitting process, the applicant will be required to tie into City sewer services. Staff has been working with the applicant and the Public Works Director to install a public line along Drillers Avenue to provide sewer service to the subject property. This will also allow neighboring properties to tie into city sewer services as well. Based on all of the aforementioned considerations, staff contends that the subject property is suitable for a new manufactured home site.

RECOMMENDATION:

Staff recommends **approving** the requested Conditional Use Permit to allow one manufactured home on the subject property.