



## AGENDA ITEM SUMMARY

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| <b>Agenda Date</b>            | September 11, 2023  |
| <b>Requested Action</b>       | CONSIDER A SPECIAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT ON A R2-M (MODERATE-DENSITY RESIDENTIAL DISTRICT), LOCATED AT 605 GRAHAM STREET (KAD 23565).   |
| <b>Contact Person</b>         | Martha Bernal, Planner II<br>(830) 816-2040, <a href="mailto:mbernal@boerne-tx.gov">mbernal@boerne-tx.gov</a>   |
| <b>Background Information</b> | <p><b>BACKGROUND:</b></p> <p>The site is 0.16 acres and is owned by K &amp; C Holding LLC. The Future Land Use Map designation is Neighborhood Residential, and the zoning is R1-M. A home and detached garage are currently under construction.</p> <p>Accessory Dwelling Units (ADU's) are permitted in the R2-M zoning district subject to a special use permit.</p> <p>ADU's are characterized by a separate dwelling unit that is associated with, incidental to, and subordinate to another dwelling unit as the principal use, and is located on the same lot as the principal dwelling (commonly referred to as "In-laws Quarters" or "Garage Apartment").</p> <p>ADU's units shall not exceed 1,200 square feet or 30% of the square footage of the main house, have more than two bedrooms, or be higher than the main house. The architectural style and materials used for the accessory dwelling shall be consistent with the primary residence. Only one ADU is permitted per lot.</p> <p><b>REQUEST:</b></p> <p>The applicant is requesting a special use permit for the construction of an accessory dwelling unit to be located above the proposed garage.</p> <p>The garage is located at the rear of the property and the architecture has been designed to be consistent with the home. The home and garage meet all required setbacks.</p> |

Access to the site is provided from an alley located at the rear of the property.

**ANALYSIS:**

*Comprehensive Master Plan, Zoning District, and UDC*

The property has been designated as Neighborhood Residential and Commercial on the Future Land Use Map.

The proposal is consistent with the existing zoning and Comprehensive Master Plan.

The proposed accessory dwelling conforms to Section 3.6 E.3 of the Unified Development Code, which allows accessory dwelling units with the condition the property owner resides in either the primary residence or the accessory dwelling unit. The owner shall sign an affidavit before a notary public affirming that the owner shall occupy either the main building or the accessory dwelling. The number of occupants in the Accessory Dwelling Unit shall not exceed two individuals. It shall not exceed 1,200 square feet of gross floor area or 30 percent of the building footprint, whichever is the smaller of the two. It shall be equipped with a kitchen and a bathroom, which are separate from the kitchen and bathrooms of the primary dwelling unit. It shall include one permanent on-site parking space independent of the parking requirements for the primary dwelling. And the architectural design, style, appearance, and character of the Accessory Dwelling Unit shall be consistent with that of the primary residence and shall generally maintain the same proportions.

*Compatibility with Surrounding Land Uses*

The surrounding property has been developed as existing single family residential. The garage meets all required setbacks. The proposed use is consistent with the surrounding land uses.

*Access, Circulation and Parking*

Primary access is provided from an alley to Graham. Parking for the proposed use is behind the minimum required front yard setback line.

*Utilities*

The impact of the proposed use on water, sewer, and other utilities is

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|                                   | not a factor. The City will have capacity to serve future demand.  |
| <b>Item Justification</b>         | <input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment<br><input type="checkbox"/> Reduce Costs <input checked="" type="checkbox"/> Customer Pull<br><input type="checkbox"/> Increase Revenue <input type="checkbox"/> Service Enhancement<br><input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency<br><input type="checkbox"/> Master Plan Recommendation <input type="checkbox"/> Other:   |
| <b>Strategic Alignment</b>        | B2 – Advancing master plan recommendations.<br>C1 – Offering quality customer experiences.<br>C3 – Collaborating with community partners to enhance quality of life.   |
| <b>Financial Considerations</b>   |  |
| <b>Citizen Input/Board Review</b> | <p>The item was presented during a BOND meeting that occurred on August 18. A summary of the bond meeting is attached.</p> <p>Notice of the Planning &amp; Zoning Commission public hearing was published in the Boerne Star on August 27, 2023. Letters were sent to 20 property owners on August 25, 2023. Additionally, notification text messages were sent to neighbors in a geo-targeted area surrounding the project on August 11, 2023; 21 neighbors received the text. The property was posted on August 25, 2023</p> |
| <b>Legal Review</b>               | This action is a statutory requirement for SUP approval.   |
| <b>Alternative Options</b>        | <p>The Commission may recommend to the Council that the application be:</p> <ul style="list-style-type: none"> <li>• Approved; or</li> <li>• Approved with conditions; or</li> <li>• Approved in part; or</li> <li>• Denied; or</li> <li>• Denied in part.</li> </ul>  |
| <b>Supporting Documents</b>       | Att. 1 – Location Map<br>Att. 2 – Zoning Map<br>Att. 3 – Future Land Use map<br>Att. 4 – Site Plan<br>Att. 5 – Elevations<br>Att. 6 – BOND report  |