



City Council Planning Department Staff Report

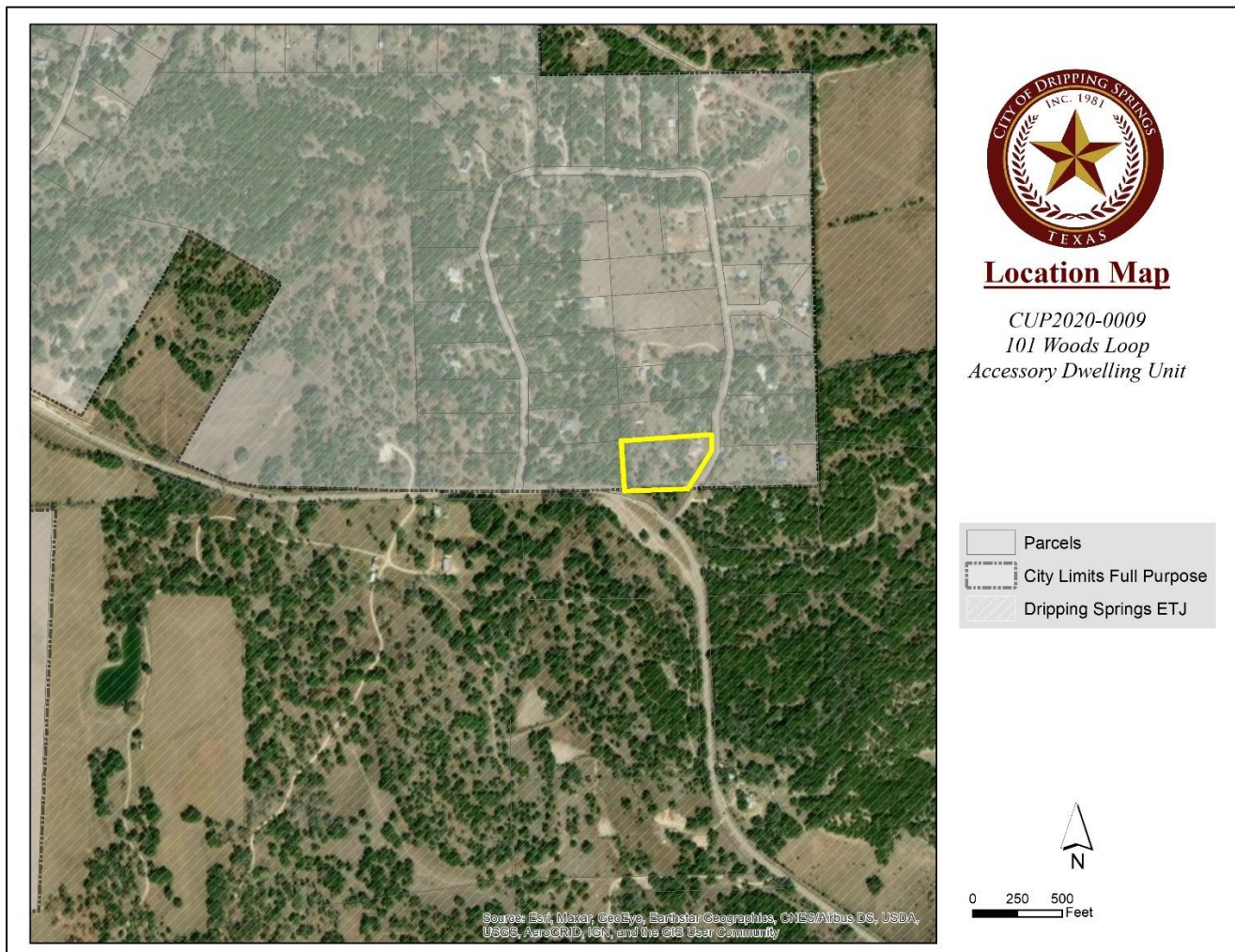
City Council Meeting: December 8, 2020
Project No: CUP2020-0009
Project Planner: Amanda Padilla, Senior Planner

Item Details

Project Name: 101 Woods Loop Accessory Dwelling Unit
Property Location: 101 Woods Loop, Driftwood, Texas 78619
Legal Description: THE WOODS LOT 23 3.08 AC GEO#90406493
Applicant: Jon Thompson, J Thompson Professional Consulting
Property Owner: Whitenight, Evan K & Sarah
Request: Conditional use permit for an accessory dwelling structure

Staff Recommendation

Staff recommends approval of the requested CUP with the conditions outlined in the staff report



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Overview

The applicant is requesting a Conditional Use Permit (CUP) to allow a 1,749 square foot accessory dwelling to be located at 101 Woods Loop, Driftwood, TX 78619. The Property is located within the Single-Family Residential District- Low Density (SF-1) zoning district. Accessory dwellings are permitted in SF-1 zoning districts with an approved Conditional Use Permit. A conditional use is a land use that is compatible with the permitted land uses in a given zoning district only under certain conditions. Such conditions include a determination that the external effects of the conditional use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of additional standards and conditions

Accessory Dwelling is defined as a secondary living space that is on-site with a primary living space and that may be contained within the space structure as the primary or may be contained in a separate structure. Occupants of secondary living spaces typically include a caretaker, servant, or farm worker employed by the owner/occupant, or a guest or family member of the owner/occupant

Single- Family Residential– Low Density (SF-1) zoning district is intended to provide for development of low density, detached, single- family residences on lots of at least one (1) acres in size. This accessory dwelling unit would be placed in The Woods Subdivision where the smallest lot is just over one (1) acre. The Woods subdivision was established in the 1980s. The subdivision is the southernmost subdivision in the City Limits and is adjacent to the City’s Park, Charro Ranch Park.

The City’s 2016 Comprehensive Plan outlines Livability/ Quality of Life as a topic of the comprehensive plan. A Goal of the Comprehensive plan that falls under that topic is for the City to support housing options within the City. Below is the section of the Comprehensive Plan that clearly outlines how Accessory Dwelling Units can be another opportunity for housing diversity.

“Accessory dwelling units (ADUs) are another opportunity to incorporate lower cost housing options into the existing fabric of the community. These units provide an option for older residents who want to downsize but remain in Dripping Springs or young couples just starting out. They also provide an option for homeowners who may want or need extra income, allowing them to remain in their homes by providing supplemental income. It will be important to explore best practices from other communities and establish a policy that reflects the values of Dripping Springs and protects neighborhood integrity for existing residents.”

The accessory dwelling will be located at the southwest corner of the lot, adjacent to Farm to Market 150 [See Exhibit 2]. It is currently not visible from FM 150 but abuts right-of-way. The accessory dwelling is a three (3) bedroom ranch house with two (2) bathrooms, and one (1) car garage. 1,292 square feet of the structure is habitable space. The accessory dwelling will need to comply with the setbacks required in SF-1 zoning district, see below table 1.

	Code requirement	Code Met?
Front	Twenty-five feet (25')	Yes
Rear	Twenty-five feet (25')	Yes, setback 155 feet
Side	Total of forty (40) feet combining both side yards with a minimum of fifteen feet (15') on either side.	Yes, setback 50 feet
Setback for Garage	Side-Entry Garages: Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the door face of the garage or carport to the side property line for maneuvering.	Yes
Height	Accessory Building(s): Maximum	Yes, the ADU will be 19 feet at

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	twenty-five feet (25') for other accessory buildings, including a detached garage or accessory dwelling units.	the max ridge height.
Impervious Cover	Thirty Percent (30%)	Yes, 7.39%

Table 1 Code requirements

The applicant will need to provide two parking spaces for the accessory dwelling unit per section 5.6.1 of the Zoning Ordinance.

- (a) Single-Family Residential including SF-1, SF-2, SF-3 and SF-4: 2 per dwelling unit.

The Accessory Dwelling Unit will have separate utilities from the Main Residential Building. Utilities are below:

Water: Dripping Springs Water Supply Corporation (DSWSC). DSWSC has already tapped the 6” main and installed a new meter for service and placed the meter in the same easement for ease of service and reporting.

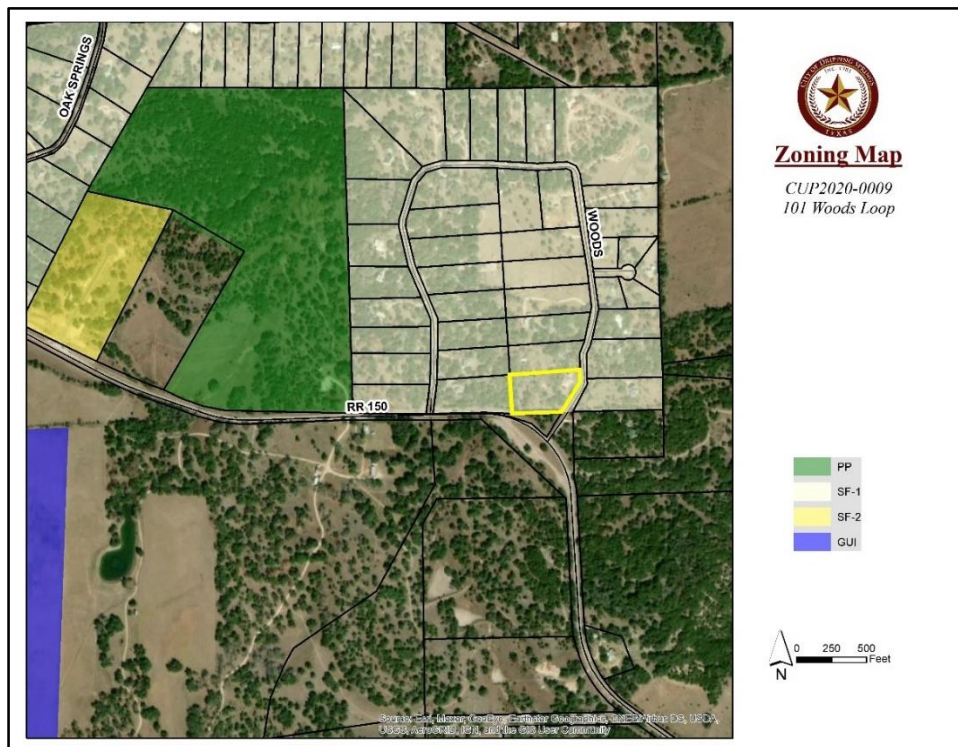
Wastewater: OSSF. The applicant has contracted and done a septic engineering study. The proposed placement of the new wastewater septic is also noted on the attached survey.

Electricity: PEC has already set a new pole and transformer and run power to a power pole and meter in the easement.

The applicant stated that the utilities are separately connected due to cost, environmental concerns, and to keep them all within an existing easement.

It is important to note that the applicant had already begun construction of the accessory dwelling unit and a code enforcement notice of violation has been issued due to the lack of a CUP. If the requested CUP is not granted the ADU must be removed.

Surrounding Properties



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The current zoning and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

Direction	Zoning District	Existing Use	Comprehensive Plan
North	Single- Family Residential – Low Density (SF-1) /ETJ	Single family residential	Not Applicable, Outside of Comprehensive Plan
East	Single- Family Residential – Low Density (SF-1) /ETJ	Single family residential/ Undeveloped	
South	ETJ	Single Family Residential / Undeveloped	
West	Single- Family Residential – Low Density (SF-1) /Public Park or Preserve (PP)	Single Family Residential / Charro Ranch Park (City Park)	

In 2017 the City received two conditional use permits for properties located in the Woods subdivision for accessory dwelling units. There is a total of 40 lots in the Woods Subdivision. Majority of the Lots within the Subdivision have accessory structures and some even have accessory dwelling units. The feel of the subdivision is a low-density rural neighborhood with gravel driveways and open yards.

Approval Criteria for Conditional Use Permit Review (3.17.6-Zoning Ordinance)

Approval Criteria	Staff Comments
1. The proposed use at the specified location is consistent with the policies embodied in the Comprehensive Plan;	The Comprehensive Plan addresses accessory dwelling units in the Comprehensive Plan Goal 3.1. ADUs are an option for supporting housing options in Dripping Springs.
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;	The subject property is zoned Single-family Residential District – Low Density (SF-1). Accessory dwelling units are a listed conditional use in this zoning district.
3. The proposed use meets all supplemental standards specifically applicable to the use, as established in the Development Standards, Section 5;	Based on the concept plan the proposed use meets all the development standards established in the section 5. The structure will be reevaluated at the building permit stage.
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods, and (as required by the particular circumstances) includes improvements or modifications (either on-site or within the public rights-of-way) to mitigate development-related adverse impacts, including but not limited to the following:	
a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;	The applicant will be utilizing an existing gravel driveway and replacing it with a concrete driveway.
b. Off-street parking areas, loading areas, and pavement type;	The accessory dwelling unit will have adequate parking. One space in the garage and the other in the driveway.
c. Refuse and service areas;	The City's solid waste service will be alerted, and an additional trash can will be delivered upon completion of

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	the ADU and will be picked up with the existing trash and recycle can from the main dwelling
d. Utilities with reference to location, availability, and compatibility;	See staff report
e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;	The ADU is set 50' off the south build line and 155' off of the west build line. No trees have been removed from the property at all to maintain adequate cover and buffer from the main dwelling structure and any neighboring properties or easements
f. Control of signs, if any;	N/A
g. Control of exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;	The applicant plans to have three exterior lights, two in the front and one on the back patio. The back patio will be recessed in the ceiling of the patio and will be facing down. The ones in the front will be "hat" style to match the existing dwelling which comply with the dark sky requirements based on the lighting compliance application.
h. Required yards and open space;	The ADU will have access to the open space and yard of the main dwelling per the attached survey
i. Height and bulk of structures;	See attached ADU plan document, the height of the structure is noted on the plans and is 17' top of ridge height per build plan and with the foundation will be 19' total in building height which is under the restrictions of 25' for an ADU on SF- 1. The size of the structure in terms of sq ft and dimensions is also called out in this attachment.
j. Hours of operation;	N/A
k. Exterior construction material, building design, and building facade treatment;	See the ADU plan attachment, the architectural renderings have been provided. The exterior will be hardy siding board and batten to match the main dwelling exactly along with exact matching colors and will also feature the same stone accent work on the front of the ADU as the main dwelling has.
l. Roadway adjustments, traffic-control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets; and	N/A
m. Provision for pedestrian access/amenities/areas;	N/A
5. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity; and,	The proposed use is not materially detrimental to the public safety, convenience and welfare, or results in material damage or prejudice to other properties in the vicinity.
6. Noise;	N/A
7. Odors; and	N/A
8. Dust.	N/A

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Summary

Based on the proposed land use, compatibility with surrounding properties, the Comprehensive Plan, and support from adjacent neighbors' **staff recommends approval of the requested CUP with the following conditions:**

- 1. No more than two driveways permitted on the lot.**
- 2. The ADU shall be connected to an approved on-site septic system prior to occupancy.**

The below is an excerpt of the Code for the procedures that City Council shall take for CUPS.

Chapter 30 Exhibit A Zoning Ordinance Sec 3.17.5 Procedures for CUPS:

(b) City Council Action: The City Council shall be the final decision-maker on applications for CUPS.

Following a public hearing, and in consideration of the P&Z's recommendations, the City Council shall approve, modify or deny the proposal for a CUP. If the appropriateness of the use cannot be assured at the location, the application for CUP shall be denied as being incompatible with existing uses or with other uses permitted by right in the district.

Planning and Zoning Commission Motion

A motion was made by Vice Chair Martin to recommend approval of CUP2020-0009: an application to consider a conditional use permit to allow for an accessory dwelling unit at the property located at 101 Woods Loop, Driftwood, Texas 78620 with the following conditions:

1. No more than two driveways permitted on the lot
2. The ADU shall be connected to an approved on-site septic system prior to occupancy.

Commissioner McIntosh seconded the motion which carried 3-1-1, with Chair James opposed and Commissioner Bourguignon recused.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the-site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the request.

Meetings Schedule

November 18, 2020 – Planning and Zoning Commission

December 8, 2020 - City Council Meeting

Attachments

Exhibit 1: Conditional Use Permit Application

Exhibit 2: Concept Plan, Elevations, Plans

Exhibit 3: Project Summary (Submitted by Applicant)

Exhibit 4: The Woods Subdivision

Exhibit 5: Letter of Support from neighbors

Exhibit 6: Deed

Exhibit 7: Impervious cover sheet

Exhibit 8: Notice of Violation

Exhibit 9: Draft Conditional Use Permit Ordinance

Recommended Action:	Approve the requested Conditional Use Permit, with staff and any additional conditions deemed necessary by City Council.
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Alternatives/Options:	Deny the Conditional Use Permit; Approve the Conditional Use Permit with no or alternate conditions.
Budget/Financial Impact:	None calculated at this time.
Public Comments:	No comments have been received.
Enforcement Issues:	N/A
Comprehensive Plan Element:	Livability / Quality of Life Support housing options in Dripping Springs