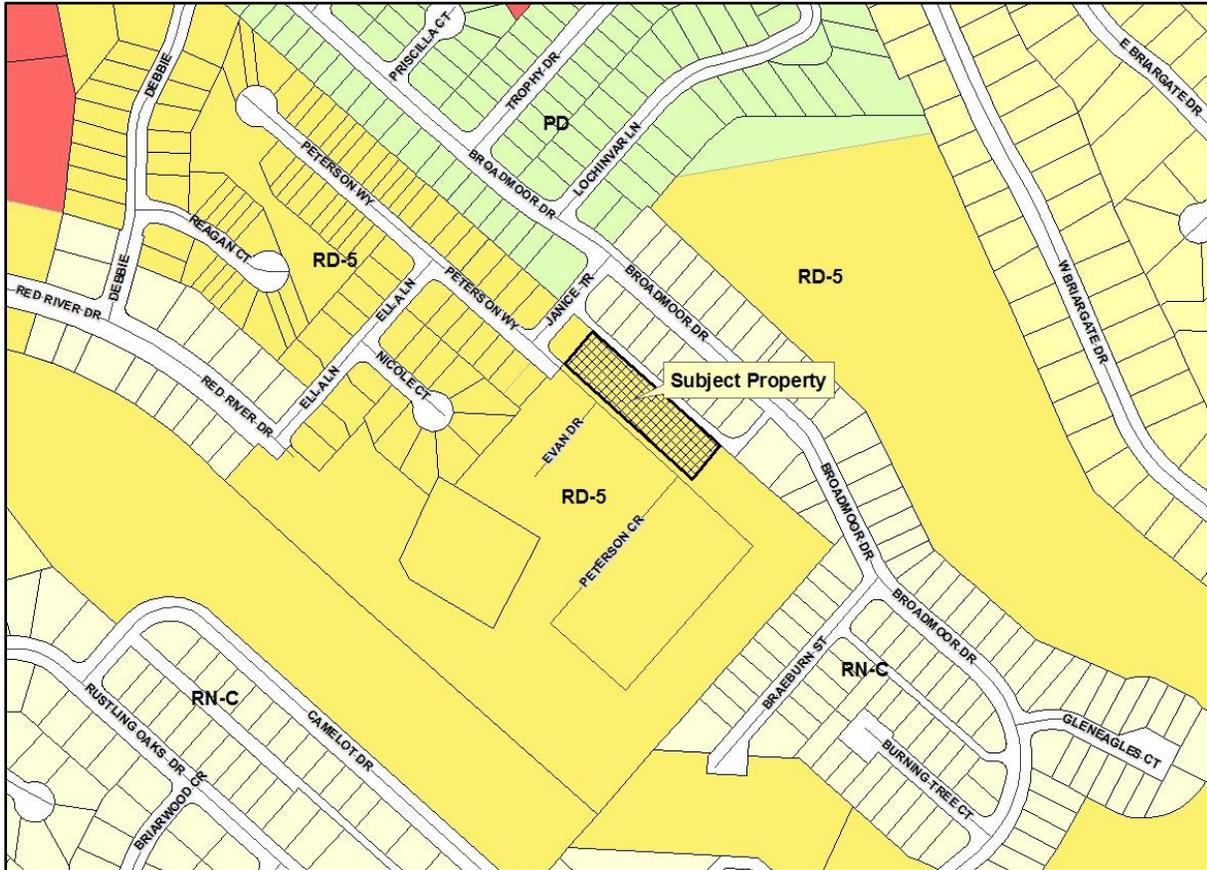


LOCATION MAP:



GREEN SHADING DEPICTS PATIO HOMES IN THE VICINITY (255+)



PUBLIC ALLEY ADJACENT TO SUBJECT PROPERTY:



Briarcrest-West HOA appeal related to variance requests

Glen Shinn [REDACTED]

Sent: Fri 10/16/2015 11:03 AM

To: Paul & Nancy Watson; Barbara Stout; Marilyn Franer; Drewdbx; Steve Bultman; Tyke Martin; Mike Beauvais; [REDACTED] Alice Eden Shinn; Suzanne Smith; Susan Webb; Sheila Wells; [REDACTED] Linda Piwonka

Cc: [REDACTED] Southerland, Mike; Donna Seymour; [REDACTED] Doland, Stephanie

Message  Briarcrest HOA City Council Appeal 16Oct15.docx (34 KB)

Good Friday morning,

Contrary to our HOA opposition, the Planning & Zoning Commission met last night and approved the variance of CU15-13 and PV 15-13 in Briar Meadows Creek subdivision.

The approval of the Conditional Use Permit allows zero lot line homes on property zoned Residential District – 5000 (RD-5). The approval of the Planning Variance PV15-13 allows a 5-foot variance from the minimum 7.5-foot side building setback generally required on properties zoned Residential District - 5000 (RD-5).

We are disappointed with the approval.

As a HOA, we have filed an appeal to the Bryan City Council and informed our council representative, Mr. Mike Southerland, and legal counsel, Mr. Mike Gentry, of our concerns.

Although CU 15-13 is a concern, our primary objections are the consequences that will: 1) change the integrity of the neighborhood, 2) affect density rules, 3) adjust spacing guidelines, 4) modify the design for the area's intended population, and 5) increase the traffic hazards in the public alley. Currently the alley is marginal for the single-lane traffic load and poses hazards for egress to Janis Trail and Broadmoor Drive.

Attached is a copy of the appeal to the City Council. We do not know when this appeal will be scheduled.

Finally, a huge compliment to all participating members of the HOA and for their engagement and professional contributions to the resolution of problem. Gratitude to Mike Gentry for his advice and continuing interest and to Mike Southerland for representation to the City Council.

//Glen Shinn

October 16, 2015

To: Mr. Jason Bienski, Mayor
The Honorable Councilmembers Al Saenz, Art Hughes, Chuck Konderla,
Greg Owens, Mike Southerland, Rafael Peña III

From: Glen Shinn, President
Briarcrest-West HOA Members and Affected Parties

RE: Appeal related to variance of CU15-13 and PV 15-13

On behalf of the HOA, I appeal the decision approving variance arguments to Standards of Article IV, specifically CU15-13 and PV15-13.

Each homeowner chose to invest in property in the Briarcrest-West Homeowners Association and are proud of our Bryan neighborhood. Consequently, we would like to maintain and improve our living environments. We consistently invest in the integrity of the neighborhood using City Council approved Standards and architectural oversight.

The consequences of approval of CU15-13 and PV 15-13 has changed the integrity, affected density rules, adjusted spacing guidelines, and modified the design for the intended population of owners. This is inconsistent with neighborhood integrity.

This approval will allow a zero setback on 9 lots in Briar Meadows Creek Subdivision. Without the variance, the spacing allows for 8 lots. This approval will increase the traffic pressure on the existing alley by 12 percent. Currently the alley is minimal for the current traffic load.

Our HOA members have identified concerns that stem from this requested variance.

- Integrity of the original community design should be maintained
- Density rules should be complementary to existing neighborhood
- Community neighborhood is designed for elderly adults
- Egress from the public alley from 3103 Broadmoor Drive is only one lane wide. Cars cannot simultaneously enter and exit from Broadmoor without causing potential traffic problems on Broadmoor during peak periods of traffic.
- New development should not devalue existing properties
- Existing HOA boundary fence provides comfort, personal safety, and security for elderly adults
- Parking is currently insufficient and variance will increase safety issues
- Housing density and spacing is inappropriate for potential children's play activities
- New development should protect property values
- Public alley has minimum dimensions and does not provide for parking.
- Substantially increased threats of personal injury to children and elderly
- Traffic volume and patterns do not match infrastructure
- Potential for significant increase in traffic accidents on Broadmoor due to limited sightlines at alley outlet

I hope you will consider these consequences and maintain the Standards of Article IV and our neighborhood integrity.

File Name: Briarcrest HOA City Council Appeal 16Oct15///
Glen Shinn, 3112 Broadmoor Dr. Bryan 77802. 979.204.8654

From: Suzanne Smith [REDACTED]
To: Doland, Stephanie
Cc: [REDACTED]

Sent: Mon 10/12/2015 11:04 PM

Subject: Conditional Use Permit Case No CU15-13: Brazos Trace, LLC

Hello Stephanie,

My name is Suzanne Smith and I am a property owner at 3117 Broadmoor Dr., and a member of Briarcrest-West HOA.

I have only in the last few days become aware of the Planning and Zoning Meeting regarding Brazos Trace and I plan to be at the meeting on Thursday, October 15th. There is much that I do not understand about the requests and even more that I do not understand about the staff's recommendation for approval. I am stunned that there is a possibility that our fence along the alley might be taken down and that the alley might be used by property owners facing Peterson Way. It is my understanding that the fence has been in place for almost 20 years and property owners from Janice Trail to 3103 Broadmoor have believed that the fence is the property of and responsibility of Briarcrest-West HOA. We have paid assessments for re-building the fence, and have maintained it as well. I bought my lot and built my home here almost 7 years ago based on the security aspect afforded by the alley serving only these homes and by the fence along that alley providing something of a barrier. Opening it up would absolutely create more traffic and use than we ever bargained for! I heard the same story from other owners in the last few days, and I just want to affirm that I am totally against taking down the fence and/or opening the alley to a great deal more traffic which would certainly very much change what I believed I was getting when I bought the lot.

Thank you,

Suzanne Smith
3117 Broadmoor Dr.
Bryan, TX 77802

From: Charles Phelps [REDACTED] Sent: Tue 10/13/2015 12:39 PM
To: Suzanne Smith
Cc: Doland, Stephanie; Glen Shinn; [REDACTED]
Subject: Re: Conditional Use Permit Case No CU15-13: Brazos Trace, LLC

I agree with Suzanne Smith email to Stephanie.
My name is Charles Phelps 3116 Broadmoor.
At this time I won't go into details but my concerns or .

Traffic
Safety
Property Values
Age Restriction
Neighborhood integrity

Will attend the Thursday meeting.

Thanks
Charles Phelps

Sent from my iPad

Briarcrest West - proposed variance

Marilyn Franer [REDACTED]

 Follow up. Completed on Wednesday, October 14, 2015.
You replied to this message on 10/14/2015 5:21 PM.

Sent: Tue 10/13/2015 1:35 PM
To: Doland, Stephanie
Cc: Glen Shinn; Suzanne Smith

Hello Stephanie,

My name is Marilyn Franer and I am a property owner at 3107 Broadmoor Dr., and a member of Briarcrest-West HOA.

I am extremely upset about the proposed variance to standards of Article VI, PV 15-13 and CU-15-13.

I have lived at this residence for over 10 years and I understand that this fence has been in place for at least 20 years. I would have never built at this location if I felt that the fence would ever be removed. Our association has taken great care of maintaining the fence and spent lots of money doing so. I feel much more secure having the fence. Having it removed would definitely increase vehicle traffic and individuals walking behind my home and increase the chance of running into another vehicle that might be backing out of their garage also. Removing the fence I feel will also decrease the value of my property!!!

Thank you,

Marilyn Franer
3107 Broadmoor Dr.
Bryan, TX 77802

CU 15-13 and PV15-13: Brazos Trace, LLC

Louise Sharp [REDACTED]

Sent: Wed 10/14/2015 8:17 PM

To: Doland, Stephanie

The folks shook hands; a deal was made. Leave things as agreed. The ant hill is large enough.
Louise Sharp, 3006 Broadmoor, Bryan 77802

Sent from my iPad

Variations for Briarcrest Trace PV15-13, CU 15-13

Mike Beauvais [REDACTED]

 You replied to this message on 10/15/2015 9:31 AM.

Sent: Thu 10/15/2015 9:30 AM

To: Doland, Stephanie

Cc: [REDACTED]

We are greatly concerned with the intended direction of this project as demonstrated by the request for variances to allow Patio homes to abut the alley way behind the homes on Broadmoor Drive in the Briarcrest West Homeowners Association. It is clear from the comments by staff recommending approval of the requests the concerns of the current residents in the area were not sought in spite of verbal promises by both representatives of the city and the developer at the outset of this project.

Destruction of the fence belonging to the homeowners alongside the alley behind the homes currently in existence would damage the integrity of the existent neighborhood and contribute to a number of potential safety issues as well as loss of quality of life for the current residents.

- First, the alley way is too narrow (15 feet, not the 20 stated in the report) to accommodate additional traffic or parking (parking being listed as one of the uses for said alley in the notes by P and Z staff), nor would the intended entry or exit from Broadmoor for additional vehicles be feasible due to the limited sight lines and the traffic volume on Broadmoor Drive during peak periods.

- Additionally, the integrity of the current neighborhood as represented by the Briarcrest-West Homeowners Association would be negatively impacted by an addition of homes clearly not intended as single family homes. The city has often maintained an intent to protect the integrity of existent neighborhoods and I am certain is interested in protecting the value of these homes which would not be possible given the current plan.

We respectfully beg consideration of these issues and ask the requests for the variances as stated be denied by City Council.

Michael G. and Marian M. Beauvais
3110 Broadmoor Drive

Opposition related to variance of CU15-13 and PV 15-13

Paul Watson [REDACTED]

 You replied to this message on 10/15/2015 9:32 AM.

Sent: Thu 10/15/2015 9:23 AM

To: Doland, Stephanie

Cc: [REDACTED]

Hello Stephanie,

I own the home at 3012 Broadmoor Dr., the newest home in our HOA. I selected this lot for the exact reasons that others in our neighborhood have already stated in letters to you.

I regret that I will not be able to attend the meeting, but please note on record that I oppose all requests related to the variances of CU15-13 and PV 15-13.

The Privacy/Security fence that Briarcrest-West HOA Members own should remain as intended. We are a neighborhood. A long existing neighborhood. We already deal with traffic in front of our houses. This was in existence. We knew this when we bought our homes. If I was buying a new home in this new development, I would not want to share a one lane drive, our back porches, etc. with my new neighbors. Having my own entrance, and the privacy fence between the backyards, would be hugely advantageous in my decision to purchase property in the new development.

The area being developed behind Broadmoor Dr. should be single family homes with 7.5 foot easements and those homes should have an entrance facing Peterson Way.

If the variances are allowed the safety and privacy and quality of life in our neighborhood will be greatly diminished.

Thank You.

Paul and Nancy Watson
3012 Broadmoor Dr.

From: Glen Shinn [REDACTED] Sent: Wed 10/14/2015 10:01 PM
To: Doland, Stephanie; Haynes, Randall
Cc: Paul & Nancy Watson; Barbara Stout; Marilyn Franer; Drewdtx; Steve Bultman; Tyke Martin; Mike Beauvais; Alice Eden Shinn; Suzanne Smith; Susan Webb; Shelia Wells; [REDACTED] Linda Piwonka; Donna Seymour
Subject: Re: Briarcrest HOA Update and Information Meeting-Tuesday, October 13.

October 15, 2015

To: Mr. Scott Hinkle, Chair

The Honorable Bobby Gutierrez, Nancy Hardman, Leo Gonzalez, Kyle Incardona, Kevin Krolczyk, Prentiss Madison, Robert Swearingen

Through: Ms Stephanie Doland, Mr. Randy Haynes

From: Glen Shinn, President

Briarcrest-West HOA Members and Affected Parties

RE: Opposition related to variance of CU15-13 and PV 15-13

On behalf of the HOA, I want to speak against the approval of the variance arguments to Standards of Article IV, specifically CU15-13 and PV15-13.

Each of us chose to invest in property in the Briarcrest-West Homeowners Association and are proud of our neighborhood. Consequently, we would like to work to maintain our living environments. We consistently invest in the integrity of the neighborhood using standards and architectural oversight.

The consequences of approval of CU15-13 and PV 15-13 will change the integrity, affect density rules, adjust spacing guidelines, and modify the design for the intended population of owners.

Our HOA has identified some 21 concerns that stem from this requested variance. I hope you will consider these consequences and reject CU15-13 and PV15-13.

- Density rules should be complementary to existing neighborhood
- Community neighborhood designed for elderly adults
- Spacing guidelines should be complementary to neighborhood
- New development should not devalue existing properties
- Integrity of the original community design should be maintained

From: Glen Shinn [REDACTED] Sent: Wed 10/14/2015 10:01 PM
To: Doland, Stephanie; Haynes, Randall
Cc: Paul & Nancy Watson; Barbara Stout; Marilyn Franer; Drewdtx; Steve Bultman; Tyke Martin; Mike Beauvais; Alice Eden Shinn; Suzanne Smith; Susan Webb; Shelia Wells; [REDACTED] Linda Piwonka; Donna Seymour
Subject: Re: Briercrest HOA Update and Information Meeting-Tuesday, October 13.

- Integrity of the original community design should be maintained
- Neighborhood's integrity upheld as envisioned by City Planning & Zoning
- Existing HOA fence provides comfort, personal safety, and security for elderly adults
- Additional traffic to exit/entry to Broadmoor Drive from public alley poses danger due to restricted vision, reduced flow, and inadequate entry to a more heavily traveled street
- Public alley width is insufficient for two lane traffic and utilities (mail, trash, delivery)
- Parking is insufficient and will cause safety issues
- Easement under Electrical Transmission Lines must be recognized setbacks
- Community designed for elderly adults
- Housing density inappropriate for potential children's play activities
- Egress from the public alley to Broadmoor Drive at 3103 is only one lane wide. (cars cannot simultaneously enter and exit from Broadmoor causing potential traffic problems on Broadmoor during peak periods of traffic)
- Development should protect property values
- Public alley has minimum dimensions and does not provide for parking.
- Single-family homeowners
- Substantially increased threats of personal injury to children and elderly (lot size variances do not allow for room for children to play)
- Traffic volume and patterns do not match infrastructure
- Unauthorized traffic into the personal space of elderly homeowners due to lack of alternate room to avoid trucks such as garbage trucks
- Potential increase in traffic accidents on Broadmoor due to limited sightlines at alley outlet.

Thank you for your consideration.

Opposition to variances of CU15-13 and PV 15-13

Chuck Bruegger [REDACTED]

Sent: Thu 10/15/2015 9:54 AM
To: Doland, Stephanie

Dear Ms Doland:

I am writing my opposition to the above request for variances by the developer. It is my understanding that this development is not to be age restricted. When I purchased my home it was with the understanding that this was an age restricted area. The sign posted by the developer indicated that as well.

Now that this request is going to use the alleyway for these new homes, I see all kinds of safety issues as well as density issues that do not complement this neighborhood age restricted or not. I believe you have received a letter from our HOA President, Mr. Glen Shinn, outlining just some of the problems we see this will cause. We are already seeing a higher volume of traffic on Broadmoor Drive and now this will cause an even higher probability of accidents. The alleyway is too narrow for cars to pass and there is no place to pull over except into a personal driveway. If children are living along the alleyway with such small yard space to play, they will be in the alley. Having lived with an alley behind my house in the past, I saw this first hand, riding their bikes, skateboards, etc. An accident waiting to happen.

This community was designed for elderly adults and as a homeowner I chose to spend my money as well as my retirement years with that as my desire. I can only see this as decreasing property values in an established neighborhood of senior single family homeowners.

The integrity of our neighborhood should be upheld and not diminished for the sake of more tax dollars. As seniors who have chosen to live in Bryan for years and worked toward helping it grow, we should be given a certain amount of consideration. I pray you will consider our futures as you look at this request.

Sincerely,

Charles and Judie Bruegger

Sent from my iPad

RE: Opposition related to variance of CU15-13 and PV 15-13

Susan Webb [REDACTED]

Sent: Thu 10/15/2015 10:21 AM
To: Doland, Stephanie

Steffanie, Hello.

As a member of Briarcrest West HOA, I, Susan Webb at 3114 Broadmoor Dr. do wish to state my certain opposition.

- The design infringements significantly effect the
- personal safety of homeowners due to traffic volume and patterns
- neighborhood integrity
- property values
- length of life of our fine neighborhood.

I will be in attendance, with great concern Thursday evening October 15th at the public meeting

Susan Webb

Sent from my iPhone

Variance of CU 15-13 and PV 15-13

leanne boyer [REDACTED]

Sent: Thu 10/15/2015 2:38 PM

To: Doland, Stephanie

Good afternoon Ms.Doland,

My name is Alta Salpetro and I live at 3109 Broadmoor Drive and have been in residence there for over 10 years. My husband and I purchased the lot there because one of the deciding factors was the privacy fence located along the back entrance/alley way. When we completed building our home, we had the City of Bryan install a security light at the back of the property for peace of mind. Another reason we chose this lot was because of the back entrance to the property so we did not have to back out onto the busy street of Broadmoor. This fence has been there for over 20 years and provides much needed security and privacy to my property.

Now that I am a widow and I live alone, the need for security and privacy are of even greater importance to me. If the fence is removed, I will no longer feel safe living in my home. Without the fence being there, I will have extra foot traffic and auto traffic coming and going past my property.

If the fence is removed and we have to share the alley with the residence of the new subdivision, this will greatly impact the property value of my home, I feel. I am strongly opposed to the removal of the fence and will be greatly disappointed if my concerns are not taken into consideration.

Respectfully,

Alta Salpetro

**EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING
MINUTES OF OCTOBER 15, 2015**

**8. REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING
WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed
to City Council).**

a. Conditional Use Permit CU15-13: 7 Oaks Development LTD.

A request for approval of a Conditional Use Permit, to allow zero lot line (patio) homes on property zoned Residential District – 5000 (RD-5), being approximately 1.136 acres of land out of the John Austin League, A-2 adjoining the northeast side of a proposed extension of Peterson Way, which is currently under construction, approximately 85 feet to 535 feet southeast from its intersection with Janice Trail (proposed Lots 1 through 9 in Block 1 of Briar Meadows Creek Subdivision – Phase 5), in Bryan, Brazos County, Texas. (S. Doland)

Ms. Doland presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

Commissioners directed questions toward staff including whether or not the new homes will have access to the alleyway. Ms. Doland responded that whether or not the Conditional Use Permit is approved, the nine new lots in this new subdivision will have access to the public alleyway.

The public hearing was opened.

Mr. Glenn Shinn, 3112 Broadmoor Dr., Bryan, Texas, Mr. Bob Piwonka, 3120 Broadmoor Dr., Bryan, Texas, Mr. Charles Phelps, 3116 Broadmoor Dr., Bryan, Texas, Ms. Judie Brugger 3121 Broadmoor Dr., Bryan, Texas, Ms. Linda Piwonka, 3120 Broadmoor Dr., all of Bryan, Texas, came forward to speak in opposition to the request. Concerns that were raised included:

- The destruction of the fence along the alleyway.
- Safety of the current residents.
- Safety of the future residents, citing the alleyway as a danger for children and cars.
- Neighborhood integrity.
- Privacy.
- Increased density.
- Traffic.
- Age appropriateness of the neighborhood.

In response to questions, Ms. Doland stated:

- The alley is a two-way alleyway; to her knowledge there are no plans to make it a one-way alleyway.
- There will be 9 new lots with potential access to the alleyway regardless of the outcome of this request.
- The surrounding neighborhood consists of zero lot line patio homes.
- The fence is located within the public alley right-of-way.

In response to questions, Mr. Cravatt stated:

- Staff will review plans to make sure every lot that is built conforms to residential building code.
- Access to the public right-of-way may not be restricted.

Paul Leventis, applicant, 9007 Sandstone Dr., Bryan, Texas, came forward to speak in favor of the request:

- Will need to alter the fence to create emergency access
- Desires pedestrian access for Camelot Park
- The rest of the fence will be up to each individual builder

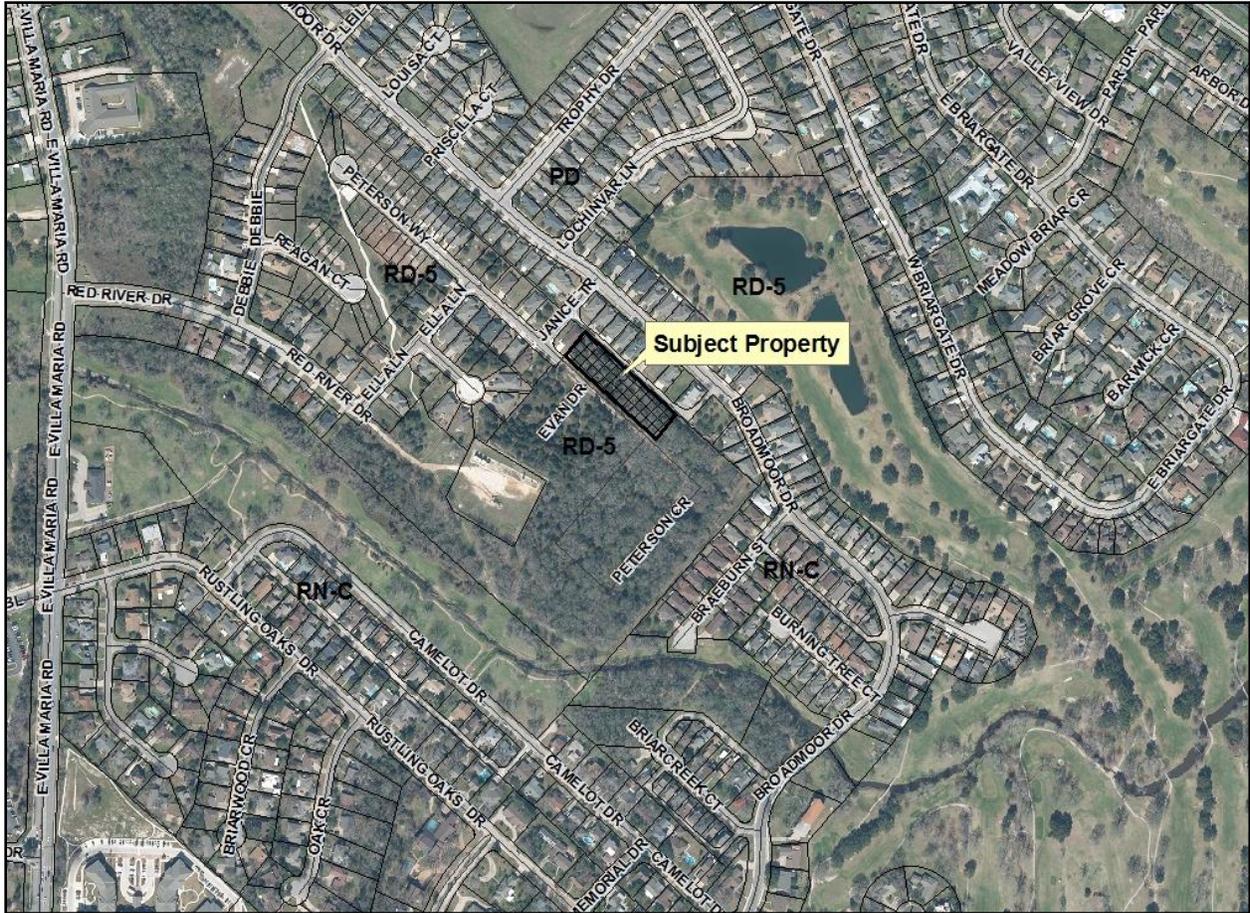
Commissioner Gonzalez left the meeting at 7:50 p.m., a quorum still being present.

The public hearing was closed.

Commissioner Krolczyk moved to approve Conditional Use CU15-13 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Gutierrez seconded the motion.

Commissioners stated that they believe the Conditional Use Permit would help preserve the neighborhood quality and that the fence is a separate issue.

The motion passed unanimously.



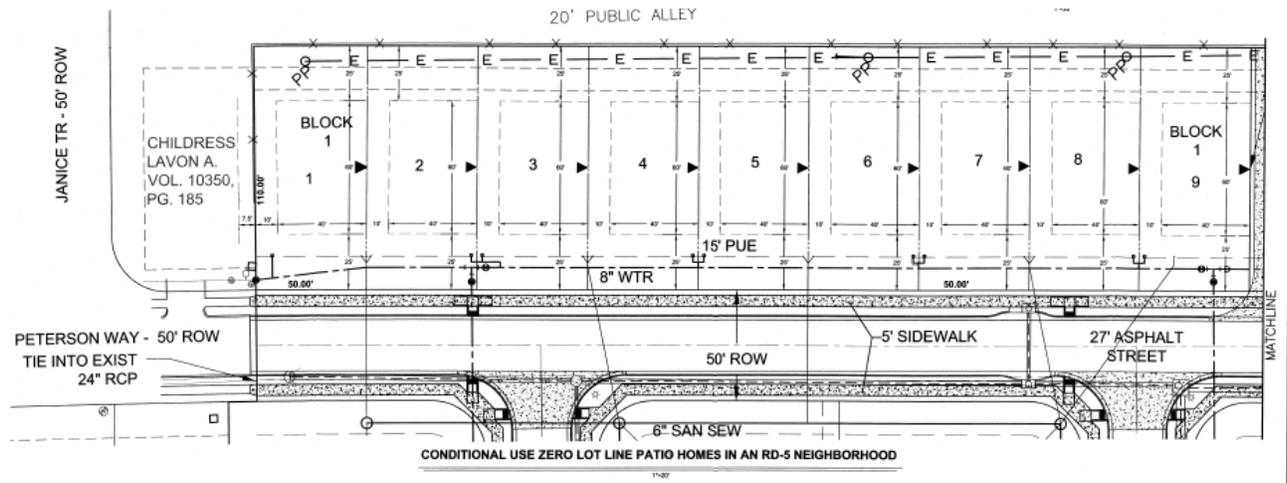
BACKGROUND:

The applicants, 7 Oaks Development LLC, desire to develop zero lot line homes (patio homes) on 9 lots in the latest installment of the Briar Meadows Creek Subdivision. The land is currently undeveloped and the applicant’s desire is to build single-family residential homes on the property. The Final Plat of Briar Meadows Creek Subdivision – Phase 5 Phase was approved by the Planning and Zoning Commission on April 10, 2015.

Patio (zero lot line) homes are allowed on property zoned RD-5 District, but only with prior approval of a Conditional Use Permit from the Planning and Zoning Commission. The 9 proposed lots adjoin the northeast side of an extension of Peterson Way. The lots are 50 feet in width and 110-feet in depth, exceeding minimum requirements for patio homes. The patio home lots will have off-street parking areas to the rear of the structure (away from Peterson Way) from an existing 20-foot wide public alley way.

The developable areas of the proposed patio homes are to be 40-feet in width and 60-feet in depth. The remaining area meets or exceeds the minimum building setback standards for patio homes with minimum 10-foot setbacks from one side lot line and 25-foot front building setbacks. The zero lot line side is indicated with the ► symbol on the drawing below.

SITE PLAN: LOTS 1 – 9 BLOCK 1 BRIAR MEADOWS CREEK – PHASE 5



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 Residential District – 5000 (RD-5) is intended to provide locations for development of single-family homes. The proposed patio homes on the subject property were reviewed by the SDRC and the committee found that the proposed development will conform to all applicable regulations and standards, including off-street parking. The proposed patio home lots conform to all standards of the Land and Site Development Ordinance and, with the Commission’s approval of this Conditional Use Permit, will also conform to the applicable zoning requirements.

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.

Staff believes the proposed use of patio homes on these nine lots will be compatible with existing uses on all abutting sides. The nine lots will face Peterson Way (50-foot right-of-way) and the rear of the properties will take access from a 20-foot public alley. All submissions made by the applicant meet or exceed the minimum requirements set forth in Bryan’s Code of Ordinances for patio homes. The Final Plat of Briar Meadows Creek Subdivision – Phase 5 was approved by the Planning and Zoning Commission on April 16, 2015. Lot 1, adjacent to the subject property, is developed with a detached single-family home. Should this request be approved, then the distance between that home and the closest patio home on the subject property will be 17.5 feet. Staff believes that patio homes are appropriate in this particular area because there is

adequate space between homes and no encroachments will ensue with approval of the conditional use permit. Similar patio homes have been constructed in other parts of the Briar Meadows Creek Subdivision.

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 patio homes at this location would not create greater unfavorable effects or impacts on abutting properties than a single-family home currently allowed by right on this property without conditional use permit. The design of the patio homes on the subject properties offers the best options for natural buffering and separations from adjacent properties along Peterson Way.

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 does not anticipate that the proposed patio homes at this location will generate any more traffic than what a single-family home allowed by right could reasonably be expected to generate on these 1.136 acres. The subject property stretches along the northeast side of the extension of Peterson Way (currently under construction). The patio homes will take access from a 20-foot public alley way and will also provide off street parking. Staff believes that, approval of this Conditional Use Permit will not generally decrease the safety and convenience of traffic flow in Briar Meadow Creek Subdivision or surrounding subdivisions any more so that with what could be expected if conventional detached single-family homes were built at this location.

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 these lots, including the proposed patio homes, is required to meet City regulations concerning erosion, flood, fire and other hazards and impacts. No variations from existing standards are being requested.

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.

The current zoning of the property is Residential District – 5000 (RD-5) and the proposed use of the land is single-family homes. Therefore per the Bryan Code of Ordinances no signs or commercial lighting will be allowed on the property, except for 1-square foot identification signs that the Zoning Ordinance allows for home occupations. Based on the properties taking access from the public alley way and providing sufficient off street parking, no adverse traffic affects will be created by the development of these patio homes.

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

Sufficient off-street parking for each of the homes will be provided. Staff believes that with the approval of the requested Conditional Use Permit, there will be adequate and convenient off-

street parking being provided at this location in accordance with adopted standards.

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

Patio homes are potentially allowed in RD-5 zoning districts, but only with prior approval of a Conditional Use Permit. Staff contends that in this particular case patio homes are appropriate in this location and conforms to the objectives and purpose of the RD-5 zoning district within which it is 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 believes that the proposed development will have few (if any) ill effects on properties or improvements in the vicinity.

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

Staff believes that the undeveloped land is suitable for the development of patio homes.

RECOMMENDATION:

Staff **recommends approving** the requested Conditional Use Permit to allow patio homes (zero lot line homes) on the subject property.