

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** August 10, 2026
SUBJECT: ZC26-0169, Ordinance No. 3968, Public hearing and consideration of a request from RAA Real Estate Investing LLC for a special use permit for a secondary living unit at 8459 Shady Grove Road, being 1.319 acres described as Lot 1, Block 1, Merritt Addition.

PRESENTER: Clayton Husband, Principal Planner

SUMMARY:

On behalf of RAA Real Estate Investing LLC (owner), Santos Catalan is requesting a special use permit for an accessory dwelling unit on 1.319 acres at 8459 Shady Grove Road.

GENERAL DESCRIPTION:

The property under consideration is a 1.319-acre lot located on the east side of Shady Grove Road, west of Fresh Meadows Road. A single-family residence is under construction on the property. The property is zoned R-2 (Single-Family Residential). The owner intends to construct an accessory dwelling unit in the rear yard. The building is intended for use as a living area and detached garage.

An accessory dwelling unit, also known as a secondary living unit under the zoning code, may be constructed by right on a residential lot, subject to certain development standards. The maximum allowed floor area for accessory dwelling units is 650 square feet, and the unit must be located within 25 feet of the primary house and connected with a breezeway at least six feet wide attached to the roofline. These types of living units are intended for use by a family member or relative of the occupants of the primary house, and the units may not be rented or leased or have separate utility meters.

The proposed accessory dwelling unit would be located approximately 45 feet away from the rear of the primary house. The dwelling unit provides 798 square-feet of living area with 477 square feet of covered porches. The unit would be a portion of a proposed detached two-car garage at the end of the driveway. The overall footprint of the structure is 1,988 square feet under roof, with an overall height of 16 feet 7 inches. The design of the structure is consistent with the architecture of the primary house.

[Section 118-718\(e\)](#) of the zoning ordinance establishes the requirements and standards for accessory dwelling units. The accessory building is compliant with all development standards except for the standards noted below. Modifications to or deviations from the



standards may be approved through approval of a special use permit, and applicants are requesting modifications to these standards as described in the table.

DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Connection to primary residence</u> Unit must be connected to primary house by a breezeway attached to the roofline	Building and primary house not connected
<u>Proximity to primary residence</u> Unit must be within 25 feet of the primary residence	Building is approximately 45 feet from the primary house
<u>Maximum total floor area</u> 650 square feet	- Living area: 798 square feet - Covered porches: 477 square feet - Building footprint (under roof): 1,988 square feet
<u>Use</u> Unit must not have a separate utility meter	Separate meter not proposed

VISION2030 COMPREHENSIVE PLAN: This area is designated on the Vision2030 Land Use Plan as Low Density Residential. This designation promotes quality neighborhoods of conventional suburban single-family detached homes. General characteristics of these neighborhoods include a density of two to six dwelling units per acre and houses of one- and two-stories.

CURRENT ZONING: The property is currently zoned R-2 (Single-Family Residential). This district is intended to provide areas for low density development of single-family detached dwelling units which are constructed at an approximate density of 4.0 units per acre.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-2 (Single-Family Residential)	Low-Density Residential	Single-family residences
WEST	R-2 (Single-Family Residential)	Low-Density Residential	Single-family residences
SOUTH	R-2 (Single-Family Residential)	Low-Density Residential	Single-family residences
EAST	R-2 (Single-Family Residential)	Low-Density Residential	Single-family residences

PLAT STATUS: The property is platted as Lot 1, Block 1, Merritt Addition.



PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the July 16, 2026, meeting and voted 7-0 to recommend approval.

DRC RECOMMENDATION. Modifications to design standards for accessory dwelling units are subject to approval of a special use permit or other zoning action.

The DRC recommendation for approval of the special use permit for the accessory dwelling unit is based on previous approvals of buildings in similar contexts.

RECOMMENDATION:

Approve Ordinance No. 3968.