



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 15, 2020

Re: 507 S. Greenwood Ave - Conditional Use Permit re: Accessory Dwelling Unit (ADU) (Case #84-2020)

Executive Summary

Approval of this request will authorize issuance of a conditional use permit (CUP) allowing the construction of an accessory dwelling unit (ADU) upon property addressed as 507 S. Greenwood Avenue.

Discussion

Stacy Bryant-Wimp (member), on behalf of JSAE Enterprises, LLC (owner), seeks approval of a CUP to allow for an accessory dwelling unit (ADU) on property zoned R-1 (one-family dwelling district) and addressed 507 S. Greenwood Avenue. This request would allow a 764 square foot ADU to occupy the second floor of a newly constructed, 3-bay garage.

The subject property is a corner lot with the existing home fronting onto S. Greenwood Avenue. The new garage has driveway access from W. Lathrop Road in generally the same location as the recently demolished garage that occupied the site. The size, location, and design of the garage comply with all applicable regulatory standards for the R-1 district and is considered a permitted accessory use to the existing single-family home. Use of the second floor of the garage as an ADU requires approval of the requested CUP. If approved, permits to finish-out the second floor as a dwelling unit would be issued and upon compliance with the building code an occupancy permit would be issued for the dwelling.

An ADU is permitted in the R-1 district following approval of a CUP in accordance with Section 29-6.4(m) of the UDC. In addition to meeting the CUP standards, all ADU's must comply with the use-specific standards of Section 29-3.3 (gg) of the UDC which include provisions relating to minimum lot area, maximum dwelling unit size, setbacks, height, and parking to ensure the ADU is compatible within its proposed context.

The existing single-family dwelling that occupies the lot contains 2,177 square feet. Given this size, an ADU no greater than 800 square feet in area would be permitted over the 3-bay garage. The applicant proposes an ADU of 764 square feet. The subject lot measures 80' x 208' (16,640 square feet). ADU eligible lots must contain no less than 5,000 square feet and be 50-feet wide. Given the site characteristics and legally compliant location and height of the 3-bay garage, the proposed ADU meets all the required use-specific standards of Section 29-3.3(gg) of the UDC. The applicant indicates in her application letter that the ADU would be used by family and further stated, following the Planning and Zoning Commission meeting, that her son would live in the one-bedroom ADU.



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At the May 21 Planning and Zoning Commission meeting, written concerns from two neighbors were submitted relating to the ownership of the LLC, the intended use of the ADU by the applicant, and the size and architecture of the 3-bay garage. Staff noted that the size of the garage was permitted by the code and that detached garages were not uncommon in the neighborhood. Following the staff's presentation, one member of the public addressed the Commission with concerns about use of the ADU for rental purposes. The Commission sought clarification on the property owner's ability to rent both the ADU and principal structure on the lot.

Staff incorrectly responded that only one of the property's dwelling units could be rental if registered with the City under the Rental Conversation Law in Chapter 22. While a restriction on the "dual" rental of an ADU and primary dwelling was included in the proposed short-term rental regulations, and was discussed prior to ADU's being added in the R-1 zone as a CUP, there is no such rental prohibition currently in place. Both a lawfully permitted ADU in the R-1 district and a principal single-family dwelling on the same lot could be placed into rental status if desired by the property owner.

Commissioners noted that some questions regarding the actual use of the ADU were unanswered because the applicant was not in attendance at the public hearing. Following additional discussion, the Commission voted 8-1 to recommend approval of the conditional use permit with no added conditions.

The Planning Commission staff report, locator maps, ADU layout and dimensional conditions supplied by applicant, public correspondence, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

[Comprehensive Plan Impacts:](#)

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Infrastructure



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Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve the issuance of a conditional use permit to allow an accessory dwelling unit as recommended by the Planning and Zoning Commission.