



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 19, 2020

Re: 300 S. Glenwood Ave – Accessory Dwelling Unit Conditional Use Permit (Case #174-2020)

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 300 S. Glenwood Avenue.

Discussion

Wesbury Construction Company, Inc. (applicant), on behalf of Owen Skinner (owner), seeks approval of a CUP to allow an accessory dwelling unit (ADU) to be established on property addressed 300 S. Glenwood Avenue and zoned R-1 (one-family dwelling district). This request would allow a 774 square foot ADU to occupy the second floor of an existing 3-bay garage.

The subject property contains approximately 23,700 sq. ft. and is improved with an existing historic home and detached garage fronting onto S. Glenwood Avenue. The existing garage has driveway access from S. Glenwood. The size and location of the garage comply with all applicable regulatory standards for the R-1 district and is considered a permitted accessory. This request seeks to convert the second floor of the garage to an ADU subject to issuance of a CUP as required by Section 29-6.4(m) and the use-specific standards of Section 29-3.3 of the Unified Development Code.

The existing single-family dwelling that occupies the lot contains 2,602 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 774 square feet. The subject lot measures 120' x 197.5' (23,700 square feet). ADU eligible lots must contain no less than 5000 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.

Prior to conversion of the second story of the garage, the applicant will need to obtain applicable building permits and be issued a certificate of occupancy prior to occupying the renovated space as an ADU. The owner indicates that their intent is to rent out the ADU to a graduate student. As such, the ADU will need to be registered with the Office of Neighborhood Services such that compliance with the Rental Conservation Laws of the City are met.

At its September 24, 2020 Planning and Zoning Commission meeting, a written statement of no opposition was submitted by a neighbor. Staff noted that several inquiries regarding the request had come in recently, but none of the callers had stated any concern.



The Commission discussed the property owner's ability to rent both the ADU and the principal structure on the lot. Currently, both are lawfully permitted if desired by the property owner within the R-1 district. The property owner was present and stated that he did not object to an additional condition being imposed upon the property limiting rental of the dwelling units to only the ADU or principal home. Following additional discussion, the Commission voted 9-0 to recommend approval of the conditional use permit subject to the added condition that the owner of the property must be an occupant of one of the dwellings.

The Planning Commission staff report, locator maps, ADU floor plan, meeting excerpts, and public correspondence 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

Legislative History

| Date | Action |
|------|--------|
| N/A | N/A |

Suggested Council Action

Approve the issuance of a conditional use permit to allow construction of an ADU, subject to the property owner being an occupant of one of the dwellings, as recommended by the Planning and Zoning Commission.