

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 19, 2021**

SUMMARY

A request by AnnElise Hatjakes (owner) for a Conditional Use Permit to construct an Accessory Dwelling Unit (ADU). This subject site is located approximately 0.3-miles west of the intersection of N Garth Avenue and Parkade Boulevard. The property is zoned R-1 (Residential single-family) and addressed 504 Parkade Boulevard. **(Case #152-2021)**

DISCUSSION

This request would allow the applicant to build an accessory dwelling unit behind the existing home addressed 504 Parkade Boulevard. The scope of the potential building construction includes a 16'x24' one-story dwelling unit containing one bedroom. This potential construction requires a conditional use permit (CUP) before a building permit can be secured.

This is the fourth CUP request for an ADU in an R-1 zone since the adoption of the UDC in March of 2017. Prior to the UDC's adoption, ADUs were only permitted in the R-2 or higher zones. The creation of CUP standards was to address an expressed desire by many residents for this form of housing including, but not limited to, the downzoning discussion related to the West Central Neighborhood Action Plan (WCNAP) and to fulfill several Columbia Imagined goals and objectives.

The establishment of ADU's within the community can promote the following: (1) context-sensitive density, (2) mixed-income and mixed-housing type neighborhoods; (3) affordable housing, (4) walkable neighborhoods that allow residents better access to existing infrastructure and services, (5) opportunities for aging-in-place, and (6) a means of providing income streams to homeowners. These above opportunities are all generally considered acceptable outcomes of creating livable and sustainable neighborhoods.

ADUs are secondary dwelling units attached to or located on the same property, as the primary dwelling unit. They are smaller than the primary dwelling unit and must meet all use-specific standards of Section 29-3.3 (gg) of the UDC which include provisions relating to minimum lot size, setback, height, and parking. ADU's are permitted in the R-2 and R-3 districts subject to only meeting the use-specific standards of 29-3.3(gg); however, when desired in the R-1 district they must, in addition to all use-specific standards, obtain a CUP in accordance with the provisions of Section 29-6.4(m) of the UDC.

504 Parkade Boulevard is a .32-acre (13,840 ft²) property located on the south side of Parkade Boulevard, west of N. Garth Avenue. The lot size meets the dimensional requirements of the code (5,000 square feet and 50 foot lot-width minimum). The applicant has discussed the technical requirements of the building code and the use-specific standards with City Planning, Building, Utilities, and Fire staff. ADUs cannot exceed 75% of the footprint of the primary dwelling or 800 square feet. The principal residence is 2,236 square feet according to Assessor records thus the maximum size of an ADU on the property, should the CUP be granted, would be 800 square feet. The applicant's proposed one-bedroom structure would contain 384 square feet thereby satisfying the use-specific standard limitation on size.

In addition to the CUP criteria, the appropriateness of a CUP for this location was considered in terms of the Comprehensive Plan and the context of the surrounding area. Accessory structures in the context of the Parkade Neighborhood are not uncommon with approximately two out of every five lots containing at least one accessory structure (see attachment).

In terms of the larger land-use and zoning mix of the area around the subject site, all properties remain in R-1 zoning, which requires a CUP to permit ADUs. Staff has not identified any specific concerns (e.g. utility

service capacity, parking, land use compatibility, or others) related to permitting an ADU on this lot as long as it meets UDC requirements. One additional parking space will be required to provide sufficient parking for both dwelling units on the site.

Staff finds the request to be generally consistent with the evaluation criteria for a CUP as found in Section 29-6.4(m) of the Code. As part of its review, staff notes that there are additional use-specific standards and other provisions of the UDC in place to mitigate the potential negative impacts of accessory structures and ADUs on adjacent property, to provide sufficient infrastructure and services to support the use, and to protect the character of the area in which it is located.

The proposed location complies with all accessory structure setbacks pertaining to side and rear lot lines and will not be closer than 10' to another structure. The aggregate square footage of the proposed structure and the adjacent shed do not exceed the square footage of the primary use. The ADU in its proposed footprint does not occupy more than 30% of the required rear yard.

When reviewing requests for Conditional Use Permits, the Commission may recommend, and the Council may grant, a CUP which may include any conditions deemed necessary to carry out the provisions and intent of the UDC. Given this is the fourth CUP request for an ADU in an R-1 Zone, staff notes that Commission has begun to condition these requests in a manner that regulates tenancy and owner occupancy of the subject parcel in question.

The request is considered consistent with the comprehensive plan and conforms to the requirements of the R-1 zone as the lot size meets the requirements for an ADU in the R-1 zone. Prior to final permitting, the proposed construction will be subject to all other applicable building and use-specific standards articulated within Section 29-3.3(gg) of the UDC. It should be further noted that CUPs run with the land into perpetuity unless otherwise conditioned. Staff does not recommend any such additional conditions at this time as the UDC, specifically the Use-specific standard for ADUs, does not provide regulations on tenancy.

RECOMMENDATION

Approval of the requested conditional use permit to allow an ADU on property addressed as 504 Parkade Boulevard.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Accessory Structures Graphic
- Proposed Location Graphic
- Public Correspondence

SITE CHARACTERISTICS

Area (acres)	.32 acres
Topography	Gentle declining slope to the northwest; retaining wall directly abutting street frontage
Vegetation/Landscaping	Residential landscaping
Watershed/Drainage	Perche Creek
Existing structures	Existing home and detached shed

HISTORY

Annexation date	1956
Zoning District	R-1
Land Use Plan designation	Neighborhood
Previous Subdivision/Legal Lot Status	Lot 26 of Parkade Hills Subdivision #2

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

Parkade Boulevard	
Location	Along northern frontage of property
Major Roadway Plan	Local residential
CIP projects	N/A
Sidewalk	None

PARKS & RECREATION

Neighborhood Parks	Proctor Park & Garth Nature Area ¼ mile away; Parkade Park – School 900' away; Boxer Park ½ mile away; Cosmo Park 2/3 mile away
Trails Plan	Bear Creek Trail & 30 Mile Trail Loop @ Garth Natura Area to the north ¼ mile away
Bicycle/Pedestrian Plan	None

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified via an advanced notification postcard which was mailed on May 13, 2021. 19 postcards were sent. This item was tabled at the June 10, 2021 public hearing date to August 19th, 2021. The request was re-advertized with 19 letters being sent on August 4th, 2021.

Public Notification Responses	Several inquiries with concerns about renters and additional structures with neighbors opposing the request
Notified neighborhood association(s)	Parkade NA & Vanderveen HOA
Correspondence received	Three letters of opposition (attached)

Report prepared by Brad Kelley

Approved by Patrick Zenner