

EXCERPTS

**PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO**

December 4, 2024

Case Number 19-2026

A request by Monarch Architecture (agent), on behalf of James and Janet Rogers (owners), for approval of a Conditional Use Permit (CUP) to allow an Accessory Dwelling Unit (ADU) to be constructed on property addressed 105 South Glenwood Avenue pursuant to the standards of Section 29-3.3(gg) and Section 29-6.4(m)(2) of the Unified Development Code. The approximate 0.69-acre subject site is zoned R-1 (One-family Dwelling) and is located 380 feet south of the West Broadway and South Glenwood Avenue intersection.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Ross Halligan of the Planning and Development Department. Staff recommends approval of the CUP to allow the future construction of an ADU at 105 South Glenwood Avenue, provided only one of the dwellings on the property may be registered as a rental unit.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with parties to this outside of a public hearing, please disclose so now. Seeing -- oh, sorry. Go ahead, Commissioner Brodsky.

MR. BRODSKY: Yes. So the Rogers family are friends of mine from many years from high school. I did know about this application. Didn't know any of the specifics, but they shared the letter with me that we all looked at during work session, and asked me about visual aids, if they could bring, but that's the extent of my communication.

MS. GEUEA JONES: Thank you for that disclosure. Anyone else? Seeing none. Are there questions for staff? Go ahead, Commissioner Brodsky.

MR. BRODSKY: Sorry about that. Slow on the draw there. One of the issues raised by one of the neighbors is that currently the house, the way it is built now, wouldn't allow for the amount of square footage on the additional buildings. And the wacky reality where the -- the garage and AD were built and the renovations on the house aren't, and those ratios aren't maintained, what would be the result?

MR. HALLIGAN: I would say the course of action there would -- do you have the addition to the primary dwelling done first, which there is already permit out for, has not been concluded yet. And then they would be allowed to permit the other aspects of those accessory dwellings, that being the garage and the dwelling -- accessory dwelling unit. Would that be how you say that?

MR. ZENNER: That would be -- that would have been my suggestion, as well, is that while we are offering the single condition here which is a standard Planning Commission condition in an R-1 ADU situation, that if the Commissioner is concerned in regards to the addition, the garage and the ADU addition, occurring prior to the addition of the home, that the home addition needs to be initiated. That

does not necessarily ensure, and I would say initiated, not completed because the economies of scale with having a single concrete truck going out to pour the foundations for all of that need to be given consideration, but the construction of the home needs to proceed prior to the issuance of any permit for the accessory structures. If that is done and then the construction of the improvements to the primary home fail, but the garage and the ADU get done sooner -- and we're speculating that that would be the case, at that point, a variance request before the Board of Adjustment would need to be brought forward to address the issue of more accessory square footage than principal square footage.

MR. BRODSKY: Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. We will go to public comment.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Are there any members of the public who wish to speak on this case? If so, please come forward. We allow six minutes for the applicant and groups, and three minutes for individuals. You'll need to state your name and address for the record when you begin.

MS. VEUM: Good evening. I'm Marge Veum, representing our R-1 property at 124 Lindell Drive immediately adjacent to 105 South Glenwood on the west side. My husband I purchased our first home in Columbia 59 years ago, specifically, with R-1 zoning for a single family residential neighborhood with privacy and safety for our children, as well as preservation of the character of the neighborhood with green space in our yard, air and light. We have not been disappointed as R-1 enforcement has been consistent with stable zoning over these many years. This application for a Conditional Use Permit for a variance to construct an accessory dwelling ADU in an R-1 neighborhood would place a permanent two -- second home on the property, not a garage, but a permanent second home that already has a large four-bedroom home. This appears to be against the 2024 regulation set for ADUs in R-1, and it would be more appropriate and acceptable for an R-2. The impact of this request should be more accurately described as an effort to rezone one property in R-1 to R-2 density. The variance will set a precedent for the dissolution of R-1 neighborhoods, not only in our area, but for all R-1 neighbor residents within the City who have purchased their property in good faith and who trust the City for stable zoning. With loosely enforced and compromised R-1 zoning, people will not be attracted to purchase homes in Columbia in the future with this uncertainty, and growth and financial outlook of the City will be effected negatively. We received a letter from the Rogers family indicating they will not be in a long-term rental, however, in two new sources, they have indicated their true intent to do so, as well as the architectural drawing which indicates a two-story structure connected to a three-car garage with stairs to the second floor and access by the ADU. This indicates to us the possibility of two future rental units. Personally, the ADU will have significant -- on our property with increased occupants, noise, trash, increased traffic, and additional parking as we navigate the narrow street. As there is little vegetation on our boundary, the new structure will be constantly in our view from our living space, and with a small boundary, will impinge on our backyard -- small backyard, intruding on and greatly reducing our privacy. This request for a

second permanent dwelling structure on R-1 lot directly adjacent to our R-1 property in an R-1 neighborhood, in our opinion, should not be approved. Thank you for your consideration.

MS. GEUEA JONES: Thank you for being here tonight. Are there any questions -- oh, ma'am, would you just wait a moment? Are there any questions for this speaker? Seeing none. Thank you very much for being here. Anyone else to speak on this case, please come forward.

MR. HOLAN: All right. I'd like to thank the Planning and Zoning Commission --

MS. GEUEA JONES: Oh, I'm sorry. Name and address --

MR. HOLAN: Oh, I'm sorry.

MS. GEUEA JONES: -- for the record before you begin. Thank you.

MR. HOLAN: My name is Scott Holan. My wife, Kristin Veum, and I live at 111 South Glenwood Avenue, immediately adjacent to 105 South Glenwood, and sharing the full 286-foot southern boundary. We oppose the request for a CUP to allow an ADU at this location. Our home was built in 1908, and is located in the Westwood Addition of the historic Old Southwest. This Westwood addition was developed between 1905 and 1930, and has a unified historical character that should be preserved. This proposal would introduce two dwelling units on a single R-1 lot, which is only permissible through the discretionary approval. While the lot may meet dimensional standards, the proposed use itself is not consistent with the historic R-1 character of this neighborhood, and sets a precedent that -- that could have significantly adverse impacts on the old -- the historic old southwest and in relation to our notable historical property. We also believe this proposal does not entirely align with the City's Comprehensive Plan, Columbia Imagined. Goal 1 specifically calls for preserving neighborhood character and discouraging contextually inappropriate redevelopment in historic neighborhoods. Policy 3, which is -- which is cited in support of this project, uses generic city-wide language about growth and infrastructure efficiency, but it does not provide guidance for R-1 historic neighborhoods. The proposed garage ADU footprint would approach 1,850 square feet, and potentially two stories, which is at maximum allowable scale and not characteristic of surrounding development. We also have several other important concerns. The legality of the ADU depends entirely on future expansion of the main house to maintain square footage subordination. The existing 120-year-old home shows visible exterior deterioration and success of that expansion remains uncertain. No architectural elevation verified height measurements have been provided. The proposal references being under 25 feet, while the legal limit is 24 feet, and a mass of that size typically reflects two full stories. The floor plan shows interior stairs between the ADU and the garage storage, creating uncertainty about whether this space could later function as habitable area. Privacy impacts are not accurately reflected. Existing vegetation is not described, and -- and direct sight lines into adjacent yards exist. I included photographs in the rebuttal letter. Also, the report only addressed sight lines from the frontage road, and failed to address sight lines from second streets, such as Maupin. Taken together, these issues create real potential for significant adverse impacts to adjacent properties in the historic old southwest neighborhood. For these reasons, we oppose the approval on this CUP. At minimum, the absence of complete architectural and other relevant information warrants a deferral so the proposal can

be fully evaluated by staff, the Commission, and the public. Thank you very much for your consideration.

MS. GEUEA JONES: Thank you. Are there any questions for this speaker? Seeing none.

Thank you for being here tonight. Next speaker on this case, please come forward.

MS. VEUM: My name is Kristin Veum, and I live 111 South Glenwood Avenue. I live there with my husband, Scott, and our two children. We oppose the CUP to allow an ADU at 105 South Glenwood, and a few of our concerns are, number one, it is uncertain whether or for how long the owner would reside in the ADU. While neighbors were told that there was no intent to rent, one of the owners is quoted in local media referencing their long-term rental plans, highlighting that future use is uncertain and not enforceable through the CUP. I would also like to emphasize that although the public notice letter met notification requirements, they were received in the neighborhood after November 18th, and the staff report was not available until the end of the day on November 26th, one day before Thanksgiving, during the busiest travel season of the year, significantly limiting the opportunity for neighborhood review and comment. Given the historic nature of this neighborhood, certain aspects of Policy 3 of the City's Comprehensive Plan, Columbia Imagined, are directly applicable to this situation. On page 144, facilitate neighborhood planning emphasizes the importance of creating neighborhood land use plans ahead of development and redevelopment pressure, and to work with the Historic Preservation Commission to prepare an historic preservation plan including surveying areas of historical significance, and developing strategies for their preservation. Further, the report recommended development of guidelines and standards in relation to existing residential neighborhoods before realizing development pressure. So this was marked as a high priority by the community, yet none of these planning processes have occurred. In summary, the lack of any architectural detail to assess compliance with the historic nature, the extremely large size of the overall proposed structure, which appears to be approximately 3,000 square feet and up to 24 feet tall, the lack of any effort to incorporate neighborhood planning in conjunction with the Historic Preservation Commission, and the unfortunate timing of the notification over the holiday together warrant a deferral to allow more time for the public to assess the impact of the proposal. Thank you for your time.

MS. GEUEA JONES: Thank you. Thank you. Any questions for this speaker? Seeing none.

Thank you so much for being here tonight. Next person to speak on this case, please come forward.

Hi.

MS. STOLWYK: Hi. My name is Adrienne Stolwyk; I live at 212 Hirth Avenue.

MS. GEUEA JONES: Adrienne, would you pull that -- yeah.

MS. STOLWYK: There we go. Is that better?

MS. GEUEA JONES: Yes.

MS. STOLWYK: Okay. I'm with -- Adrienne Stolwyk, 212 Hirth Avenue. I'm with Monarch Architecture, and I've been working with the Rogers family on the addition to the home at 105 South Glenwood, and plans for an accessory dwelling unit. There's a lot of concerns that have been brought up in the two letters by the neighbors that I want to go through as much as I can in the six-minute time, but I'm sure you'll have questions and we may not be able to get through everything. But I'll be referencing a

letter that I sent today that you should have copies of, and I want to start with just kind of some overarching context for the accessory dwelling unit. So the Rogers family, which is here tonight, Kitty -- Janet, who goes by Kitty Rogers, her son, Brian, is here, and his fiancée, Erin Sehorn are collectively working on this project. Janet is the owner of the property, and I apologize for the clerical error. A beneficiary deed is the most recent deed, and Janet's husband died in 2024 -- Jim -- and a few years prior to that, he was diagnosed with leukemia and Janet or Kitty and Jim moved out of the house, but Jim spent a lot of time there, so it was not vacant. Since his passing, they've decided that the best course of action for their family would be to build an accessory dwelling unit at grade because it can be much more accessible for Kitty to live in, and Brian and Erin and their children would live in the main house. I have called the Rogers family like the poster child family for accessory dwelling units because they are really typifying the people who can benefit from this, an aging person who wants to live closer to family, a family that's concerned about an elderly parent, but also their children and how -- how can they create affordable housing for their family at a property that Kitty has owned for 40 years, and her son has intention to, you know, keep this in the family. So to go just starting at the first bullet point in my letter, I want to address the disruption to the character and nature of the old historic southwest neighborhood. As I've mentioned, the Rogers family is really deeply rooted in this neighborhood and we appreciate the concerns of the neighbors, but we're also aware that historic neighborhoods in a lot of ways are kind of ideal candidates for accessory dwelling units because they have a lot of existing detached garages. It's pretty -- it's almost easier to design an accessory dwelling unit in an historic neighborhood than it is with one with attached garages that, you know, project in front of a house, and there's a lot of existing accessory structures, I'll say, that have living space on Glenwood even, so I feel like there's a lot of precedent even in the old southwest neighborhood for this type of structure. A second concern that's been raised is that this ADU would set a precedent degrading R-1 protections across all R-1 districts, and our thought is really this project is not that unique because there have been other cases that have come before the Planning and Zoning Commissioner requesting a CUP to build an ADU in an R-1 zone, so this is not the first project and it wouldn't really be precedent setting. I think what would allay concerns is that, as the staff report notes, it has been customary practice to condition approval of the CUP in an R-1 zone such that only one of the dwellings on the lot may be placed into a long-term rental status, and we are in support of that condition, and I think that that, you know, unlike situations where you might have an outside developer wanting to come in and build an accessory dwelling unit and rent it out to two separate -- rent out the main house and the ADU to separate parties, or use it as a short-term rental, which are known very contentious issues, their intended use, I think, is pretty standard. The next bullet point is regarding the Columbia Imagined plan. And while it is true that Policy 3, my reading of it, didn't specifically reference ADUs in R-1 zones, I made a copy of the map that's given growth priority areas, and it talks about accessory dwelling units, like options should be considered to introduce density and alternative housing options in established neighborhood strategies to achieve this goal may include accessory dwelling options. So if you look at Tier 1, it doesn't talk about zoning, but it's clearly covering a large swath of

Central Columbia which includes R-1 and other zones. So going on to the next topic, just the property owner and intended occupants, I think I've already clarified that. Then the second point, ADU construction is premature until the main house addition is complete. A couple of points just to clarify there. I think that there is another regulatory mechanism that ought to allay concerns about the front house perhaps not getting added onto, that addition not being complete, but an accessory structure, you know, being constructed, and that would be the withholding of a certificate of occupancy. My conversations with the planning staff indicated that that could be a reality if the ADU were constructed, but the front house was not added onto, then the -- they could not move into the ADU or the main house, and that's sort of a mechanism that exists to deter any builder from engaging in a project that they can't complete. The other thing I think it's worth noting is that if the Rogers family had decided to build an ADU above the garage, then this wouldn't even be an issue, because the footprint of the detached structure would be smaller, but it really makes no sense for them to build a second-story ADU when the intended occupant is an elderly person. The third point is that Monarchs Architecture submitted plan doesn't provide sufficient information to assess visual privacy impacts to neighbors. I just note here that the plan was reviewed by City staff and found to be fully compliant with the regulatory requirements. And I do not recommend that clients finish the architectural design for a project if we don't have the confidence that a conditional use permit will be granted. It's a lot of expense, so we proceeded with the design to a certain point to where we had confidence that, like, yes, more or less, this is what will work. We can work within this framework, and that's what -- this drawing was created. So I submitted a drawing that you all saw with colored diagrams. The neighbors manipulated the PDF and deleted the colored diagrams to reveal a draft plan below, which is a typical course of action for how I would work. I took one of the plans that most represented something that, you know, could work for the clients, but it's not a final plan in any case, and it does show a staircase because as noted in our original submission, the Rogers family would like to have some storage above the garage. So you have to get to the storage via a staircase.

MS. GEUEA JONES: Can you wrap up?

MS. STOLWYK: Yeah. Sure. There's more that I could go on here, but I will stop.

MS. GEUEA JONES: Thank you. Any questions for Ms. Stolwyk? Go ahead, Commissioner Darr.

MR. DARR: How many ADUs have you done in Columbia?

MS. STOLWYK: You know, I've designed a lot of hypothetical ADUs, but I -- I constructed my own ADU, designed and constructed that one. I worked on a design for one other one that has been permitted and constructed. I've kind of helped advise some other people on some ADU conversions, but I wasn't formally a process of those -- formally in the process.

MR. DARR: Okay. Thank you.

MS. GEUEA JONES: Other questions? I have a question, and if you want me to wait and ask staff at the end, that's fine. But it occurs to me that there may be a misunderstanding of how the ADU ordinances work. Even if they wanted to construct a second ADU, which would be three units above the

garage, our ordinances don't allow that, the way I understand them. Is that how you understand them?

MS. STOLWYK: Totally. Like it would -- so I think that the neighbors are concerned that the Rogers family could illegally expand the ADU into the second story space, which is just a little presumptive to assume that the Rogers have, you know, intentions to do something illegally, and that I would ask that the CUP not be denied on the suspicion of potential, like, misuse of the project -- of the building.

MS. GEUEA JONES: And you don't have a building permit for the garage or the ADU at this time?

MS. STOLWYK: No, I don't. The only building permit that has been procured is to add onto the main house, which they have intended to do all along, but also is necessary to increase the total area of the main house footprint so that the aggregate area of all accessory structures is less than the main house.

MS. GEUEA JONES: Is that expansion of the main house in conjunction with -- it looks like it probably needs to do some renovation to the main house, or are we talking about a larger renovation and this is just part of it, or --

MS. STOLWYK: Definitely.

MS. GEUEA JONES: Okay.

MS. STOLWYK: Yeah. There's been a lot of deferred maintenance on the house, and so, like the neighbors showed some pictures. Some shrubs have already started to be removed, which is revealing, you know, just damage to facade that needs to be repaired, so they're already working with -- they have a -- they have a building permit to renovate that house and add onto it. They've started the work. They're doing assessments on the interior of it. They've, you know, talked with a plumber about connecting to the sewer, all that sort of stuff. So that -- that is rolling, the addition to that house, and it will be more than just an addition, it's an addition and a pretty large scale renovation.

MS. GEUEA JONES: And there's not currently a garage on the property, or is there parking?

MS. STOLWYK: There is a garage that's --

MS. GEUEA JONES: Okay.

MS. STOLWYK: -- like, not in very good condition, and would be demolished to build the new. It's a detached garage. It looks more like a shed. Yeah. I haven't been in it myself, so --

MS. GEUEA JONES: Okay. All right. Thank you. Any other -- Mr. Walters?

MR. WALTERS: Just real quick. Is the proposed new driveway actually the old driveway? I mean, will the driveway that exists on the property now, would that still basically be the width of the -- if they repave the driveways, will it be -- will the new driveway be any wider than the existing driveway, I guess?

MS. STOLWYK: I have not measured the existing driveway. It's paved.

MR. WALTERS: That's fine. I just didn't know if it had come up yet, so --

MS. STOLWYK: Yeah. We haven't really gotten into that specific --

MR. WALTERS: Okay. Thanks.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you very much for being here tonight.

MS. STOLWYK: Thank you.

MS. GEUEA JONES: Next person to speak on this case, please come forward.

MR. ROGERS: My name is Brian Rogers; I currently reside at 1201 Torrey Pines Drive with my mother and fiancée and our two kids. I just wanted to reiterate that we're really excited to move back to the neighborhood and we -- we're looking forward to adding value to the house. And we feel poorly that it has fallen into such a sad state, but our plan, yes, is to renovate the entire place to add on and to create a suitable living space for my mother, who is sitting back there. And it makes sense for us to do it at the same times in terms of cost efficiency, just the construction process, if we had to get them out there twice, it would add a lot -- a lot of expense to the project. So just in conclusion, like, I grew up in that house. I love the neighborhood. I love the school system there. And I've always wanted to move my family back there. And now that we have the opportunity, I hope you can grant us a permit so we can all live there safely and comfortably.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you for being here tonight. Next speaking on this case, please come forward.

MR. MARTIN: My name is Mike Martin; I reside at 206 South Glenwood, which is up the street two houses and across the street, so, like right there. My wife and I raised our family on Glenwood. We've been there for -- what are we talking -- 23 years this year, and we've been familiar with the Rogers house the whole time. And it's been great to see the big bushes in front of the house -- I forget what they're called -- but they're gone now, and you've got this -- this beautiful home behind those bushes. I'm going to have to speak as a distant observer/supporter of this plan because there is no way that my thoughts on this can supersede immediate next-door neighbors. If they don't like it, you know, that's -- that's going to have to take a priority and I get that. But -- and in that sense, I'll -- I'll say that we have two other ADU type dwellings on Glenwood that were built over garages and are very nice while we were living there. One is one house over from us, and the other is two houses over from us, both on the same side of the street. They were used as long-term rentals, and I think they still are. The one had veterinary pathology students in it for a long time, and the other I think has had a variety of people with the University and, you know, folks that want to live in the Old Southwest. And they were very appropriate to the -- to the homes that they're with, a couple of the nicest homes on the street, and have had done great. So no issues there. And I realize this is a different plan, but -- so you've got that. Then Adrienne's reputation as an architect, especially with ADUs is -- is great. She -- she even gave a class on constructing them. She lives on Hirth. She understands the whole nature of the neighborhood. I mean, I think she's got an ADU on her property and it's very, very cool. So, you know, and that to me is -- is really important. The other thing I would say is, you know, we did not get copies of the letters for either supporters or opponents of this plan, we only got the notification of the meeting. And I went online and checked out the staff report and the agenda that usually has the additional information, and none of that

was there. And I think that's really important to know. I mean, I'm -- I was hustling over here from another meeting tonight, walking, because my wife was -- was bringing the car, and I come in, and I'm, like, oh, my God, somebody opposes this. Two people oppose it. And they both live right next door, so that's really important for other neighbors to know before they come up and speak. So this sounds like, you know, probably could be a really good plan. It sounds like it's going to need some work, and, man, you've got to keep those next-door neighbors happy. So good luck with this. You're working with a great architect and great neighbors, and that house is great. It really is. It's very cool. And it's nice to see there's an old Volkswagen station wagon in the back, an orange -- and there's another car, and it's just -- we have a whole lot of young families coming into the neighborhood now, and we're seeing that kind of change, and I'm -- I'm hoping something works out that makes this, you know, winnable for everybody. So thank you, Commissioners, and good luck with this. Take care.

MS. GEUEA JONES: Thank you. Any questions for Mr. Martin? Oh. Commissioner Ortiz, go ahead.

MS. ORTIZ: Hi. Just as a point of clarification, the letters that we have in front of us --

MR. MARTIN: Uh-huh.

MS. ORTIZ: -- were sent after the agenda was published, so that's why they're not attached, but they should be attached. If this were to go to Council, they will be attached.

MR. MARTIN: They're not online, though. They're not --

MS. ORTIZ: Right. Because the agenda was already published.

MR. MARTIN: Right. Okay. So I -- but I don't think we got a -- I don't remember getting anything in the mail about it, but yeah. I hadn't -- I hadn't seen them. But anyway, there you go. Thank you.

MS. GEUEA JONES: Thank you. Anybody else? Thank you for being here tonight. Next speaker on this case, come forward.

MS. SEHORN: Hi. I am Erin Sehorn, and I live at 1201 Torrey Pines with my fiancé, Brian, and his mom, Kitty -- Janet. I find this whole process very fascinating. I -- the -- it's been really interesting to --

MS. WILSON: Can you pull the mic -- can you pull the mic towards you, please?

MS. SEHORN: It's been really interesting to -- is that better?

MS. WILSON: Yes.

MS. SEHORN: -- to walk through this process and kind of learn about how the -- the whole thing works. But what I -- what I really want to stand up here and say is that I am very enthusiastic about affordable housing. In a prior lifetime, I worked for a non-profit that we helped people transition from homelessness or domestic violence situations into new housing, whether it was apartments or duplexes or what have you, but the most important thing that we did was we helped them furnish their homes with donations from the community. And I don't have a lot of things that I get up on my soapbox about, but affordable housing is one of them. And also just the fact that we have the opportunity to have Brian's mom so close to us in the house that he grew up in, is really -- it's special. My parents live two hours

away in Kansas City, and I would love to have them close to me. And, you know, they're not getting any younger, and I worry about what is going to happen to my mom or my dad should one of them, you know, pass on. And so, it's especially with Jim passing away, it's just been really important that we have Kitty as close to us as we can. The other thing that I just want to clarify is that the article that was written by a lovely student journalist named Will, he's very excited about the whole ADU process. I was very enthusiastic in my conversations with him, but I just want to point out that I did say that we have a desire to build an ADU to support an aging family member, and also to showcase to communities how they can start to build affordable housing. If it got misconstrued that I have plans for the future to rent that out as an Airbnb, that is not my intention. I mean, I would love Kitty to be there until, you know, she's 110. We don't know how long people are going to be with us. We don't know how long any of our neighbors are going to be with us, but the -- the intent was never to -- to rent it out as an Airbnb, and that's really what I wanted to get across to you all, as well. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you for being here tonight.

MS. SEHORN: Thank you.

MS. GEUEA JONES: Next person to speak on this case, please come forward.

MS. ROGERS: Hi. I'm Kitty Rogers; I will be the one living in this -- if it gets built.

MS. GEUEA JONES: Ms. Rogers, can you give us your address, please? I'm sorry.

MS. ROGERS: Oh. I live at 1201 Torrey Pines, and I lived at 105 South Glenwood for 40-some odd years until my husband got ill, and I had a problem with hips and knees, and couldn't do stairs. So even though the house has four bedrooms, three of which will be occupied, I cannot do the second floor. There will not be a second floor on the ADU because I still cannot do stairs. But my soon-to-be daughter-in-law suggested that -- this was her idea that we build this ADU for me and I was thrilled that my children, my soon-to-be daughter-in-law want me to live with them, or live as closely to them as possible, and they want to take care of me in my old age. I hope it's a long time that they have to do this, but we don't know, and I -- I think a little two-bedroom or two-room addition to the garage would be just excellent for me. That's all.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you for being here tonight. Anyone else to speak on this case, please come forward. Come on.

MR. WILSON: Hello. My name is Lewis Wilson; I live at 404 West Broadway. I'm some distance from this project, generally in the neighborhood, and generally in the Old Southwest and the south side of West Broadway more or less creates the northernmost boundary of the Old Southwest. I live at a house that was built roughly 1920. The house next to me at 400 West Broadway was built almost somewhere within the same branch, a year or two different. And to the claim that the neighborhood has a history of being an R-1 neighborhood, it wasn't until, I believe, 1935 that the City, through general ordinance, adopted zoning. Prior to 1935, there wasn't zoning, and there's a history in that neighborhood of actually more mixed use than people think. The house next to me at 400, when I moved in, I noticed it had

separate electric meters. And over time, I got to know the neighbors, I inquired, and they had found the original plans for the house. The house was once a single residence below with four rentable bedrooms above. And I've been in the house, and I can see that modifications were made to the stairways to do that. There are houses on Stewart that also have apartments above. So the actual history of the neighborhood is one of actual more mixed density when there were no R-1s. R-1 zoning is an artifice that was imposed upon a neighborhood that functioned as in what I would call housing, housing that meets what we call the missing middle. In other words, a little higher density. Density isn't a bad word when you just add a person here or there. We're not talking about six-story apartment buildings or anything like that. So, in general, I would like to say that I'm in favor of this proposal. I don't see it as a negative. In fact, that might be something I might like to do someday too, although I'm not asking for your favor at this moment. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. I have one. Do we know, did this go out to the Old Southwest mailing group -- Westwood neighbors stuff?

MR. WILSON: Do you mean the Historic West Broadway --

MS. GEUEA JONES: The Historic West Broadway Neighborhood thing, yes. That.

MR. WILSON: I can't recall properly. I get a bunch of post -- I'd also like to clarify, I'm not speaking on behalf of the folks -- you know, the neighborhood association.

MS. GEUEA JONES: No, I know you're not. Yeah.

MR. WILSON: But I am the mailing recipient for those things, and I get too many of them to keep track of them. And I simply -- I follow your agenda to know what's coming up here, so I might have, but I cannot promise you that it did happen.

MS. GEUEA JONES: Thanks. Just curiosity.

MR. WILSON: Okay.

MS. GEUEA JONES: Appreciate it. Thank you very much for being here tonight. Anybody else to speak on this case, please come forward. Seeing none. We will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Commissioner comment. Any Commissioner comments? Commissioner Darr?

MR. DARR: Staff, can you refresh my memory? For this conditional use permit, is this just for the applicant, or does it follow the property? Like -- I'm thinking, like, short-term rentals. It's only for the applicant and they sell the property, that conditional use permit does not follow?

MR. HALLIGAN: Yeah. No. The ADU would persist if the property would be sold.

MR. ZENNER: This was a CUP. This is a CUP for the use, so the property will be entitled to this. It is not tied directly to the property owner themselves. It is property specific.

MR. DARR: Okay. Thank you.

MS. GEUEA JONES: Any other Commissioner -- Commissioner Walters?

MR. WALTERS: I would make a short comment, just to broaden the context for this discussion of

ADUs is that this is not something new and radical the City is taking on. ADUs are occurring nationwide, and many, many, many municipalities are dealing with incorporating them for various reasons. Mostly, like ours, like what concerns us locally is housing cost, so I just want to, maybe for the record, put it out there that this is just not something that's someone's wild hair idea to start with.

MS. GEUEA JONES: Commissioner Ortiz?

MS. ORTIZ: I'll just add there is some concern that this may turn into a rental. There is nothing stopping R-1 properties from being rentals right now, nor should there be. So if that's a concern, it's going to persist.

MS. GEUEA JONES: Anyone else? I would just add that in this particular part, a lot of the lots are quite large, and a lot of them have detached garages in the back that are two and three car garages, often with a second story, whether that's for storage, whether that's for, you know -- I don't know if we want to call it a rumpus room, a she shed, a man cave, or whatever -- entertaining space. I -- I know that there are a lot of structures that are similar at least in footprint and elevation, if not in direct use. And in addition to that, I would point out that we have had many discussions with staff about ADUs being built without coming for proper permitting because they are not fully disclosed as to what their use is going to be. And whether that's because it was before we had the ADU ordinances or whether that's because the use changed over time or whatever, there are a lot of carriage house styled buildings, particularly in the Old Southwest, that I would suspect are probably ADU's, but never came through this building or this body or City Council. So I -- I don't know that this is something that would be the first time it's ever been in the neighborhood kind of thing. Now, those properties that have those undocumented ADUs -- I don't know what we want to call them -- but those don't get rental permits because they cannot be determined to be multiple dwelling units on the same property. In this case, as was suggested, we can limit the property to one rental permit regardless of how many dwelling units are found on it as part of the CUP, and I'm looking at legal to make sure I'm not misstating our abilities.

MR. CRAIG: The short-term rental system?

MS. GEUEA JONES: We can -- we can put -- yes. It's actually on the recommendation. We can -- not for short-term rentals, but we can say that only one of the two dwelling units could be given a rental license.

MR. CRAIG: Oh, I think the nature of --

MS. GEUEA JONES: Or one rental license per property.

MR. CRAIG: Correct.

MS. GEUEA JONES: Yeah. Yeah.

MR. CRAIG: Yeah. Yeah. That's simple, yeah.

MS. GEUEA JONES: Yeah. Yeah. So I don't think we have to worry about this turning into a situation where we are looking at, you know, duplex-style, multiple rental properties at the same time kind of thing. So anyway, that's just kind of where my head is at as we're looking at this, and I -- you know, I generally want to be sensitive to the neighbors, especially when they are directly next door. I don't know

that their hesitations and concerns should outweigh the ability of a property owner to use their property in a way that is responsible and not out of character with everything else in the neighborhood. And that's where I'm struggling on this particular case is balancing those two things. So just to comment and think out loud so folks know where my head is at. Commissioner Walters?

MR. WALTERS: To restate part of what you said, and just to clarify with staff is that should the Rogers family leave town and abandon this site five years from now, but still retain ownership, they cannot rent both units.

MS. GEUEA JONES: They would have one rental license.

MR. WALTERS: Well, that's what I'm -- just for the benefit of the audience, to be clear.

MR. CRAIG: Correct. The Commissions and the permit were --

MR. WALTERS: I understand.

MR. CRAIG: -- are not personal to the property owner, but would, you know, to use a legal term, run with the land.

MR. WALTERS: Yeah. I understand that.

MR. CRAIG: As long as it's -- it is continuously in existence, or if it was torn down or built back again, then obviously, the conditions as they exist, wouldn't apply. But as long as that structure is there on the property, it would --

MR. WALTERS: Thank you. I understand. I just wanted to make sure the audience understands, as well.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I have a question. I don't know if it's staff or legal, so I'll just ask the question. When making this motion, does it need to be noted that there is a dependency of the CUP on the expansion of the square footage of the original property, because it's not there, so does it need to be stated in the record, I guess is what I'm asking.

MR. ZENNER: The issuance of the accessory construction permit for the garage and the accessory dwelling unit that is desired that is the subject of this hearing, cannot be issued -- would not be issued not for the fact that the existing permit for the expansion of the primary structure has been issued. If you want to ensure that we do not proceed forward in issuing the accessory structure permit, which would be the garage and the ADU, I think it is appropriate to indicate that construction must be initiated prior to the issuance of the accessory structure permit. That would be potentially calling for a footing and foundation inspection, or something else. The project would have to be initiated.

MR. CRAIG: Is that already provided for in Code, though?

MR. ZENNER: I don't believe it is.

MR. CRAIG: Okay.

MR. ZENNER: And that's -- that's the reason I'm advising that it be structured that way, just so we cover all of our bases.

MR. CRAIG: I'll agree with staff on that.

MS. GEUEA JONES: I'm sorry, Mr. Zenner. Can you say that again? Until the addition is initiated; is that the word we're looking for?

MR. ZENNER: Until -- until construction on the addition to the primary residence has been initiated.

MS. GEUEA JONES: Thank you. Any other comments? Commissioner Walters?

MR. WALTERS: I'm confused now. Wouldn't it be better to -- not better -- to say that occupancy of the accessory dwelling unit cannot be approved until such and such occurs? Because when -- if you were in -- if you had to hire one contractor to do both -- the whole project, and they wanted to simultaneously do some foundation work for both -- for both, should we -- does it get sticky in terms of, well, they can't go here, they can only go here? I thought that the occupancy thing was -- was -- that I mentioned -- was mentioned earlier was a better protection, for lack of a better word.

MR. ZENNER: While I would tend to agree with you, Commissioner Walters, I think that the concern is you don't want a structure going up if we're not positive that the principal residence is being built. The problem we have here is -- is a technical issue. The permit for the expansion of the house has been issued, so my -- our building department staff will look at the fact that we have an existing permit to expand the structure. Therefore, there should be a permit issued for the accessory structure. There is no limitation based on the fact that what they have in their records says that the primary home is being expanded. And technically, that would be a very correct position to take. However, based upon the concerns raised by the neighbors, if you're not going to initiate construction on the home by, in essence, beginning work on it and possibly calling for an inspection, and you start the ADU and the garage at the same time, and then you stop doing the work -- and I would agree that it's probably not -- you don't begin -- you don't go down a path to do this type of renovation work unless you're going to complete it, because you're going to tear up an existing house. I think it is better -- I think it is better and more appropriate from the concerns that the neighbors have expressed about the scale of the dwelling and the garage that will be built to the rear, that we be assured that the primary home is being expanded before we authorize that. I think the issuance of the CO, that is a secondary -- that's a secondary element because if the house is not done, but they get the ADU in the garage done first, again, I think you -- we run into -- we run into a situation that I'm not aware of that we've had that occur anywhere within the community to where you've got a fully completed structure, and you've got a partially completed structure, and you're being asked to issue the CO. It's very possible that the CO on the partially completed structure, because they initiated construction, could be issued, and that's where my concern is. I don't want to tie it to a -- I don't want to tie it to the actual certificate of occupancy. I think you need to tie it to the actual physical beginning of a construction project. And they may call for -- they may -- they may do a footer inspection for the expansion of the house first, and the contractor may be out there getting ready to do the footer for the garage. I mean they -- we're going to issue them a land disturbance permit probably to do it all concurrently, but before -- the land disturbance permit would be an at risk permit at that point. That's how we would handle it within our permitting process. But to issue a full vertical permit for the garage and the

ADU, I think needs to be restricted until we've at least initiated construction and an inspection will have occurred on the primary house. At that point, we're somewhat assured that they're going to proceed or more likely that they're going to proceed forward because they've made an investment.

MR. WALTERS: Okay. Thank you.

MS. GEUEA JONES: Any other comments? Go ahead, Commissioner Stockton.

MS. STOCKTON: I just wanted to vocalize we talked about Columbia Imagined and some of the things that were striving to achieve in this community. And I know you mentioned, you know, preservation is one of those, and I think the Rogers family is attempting to do that. And we need to recognize that they're looking to improve this property next door to you, which will eventually raise your own home value. Correct? So I do have some personal circumstances. My mother-in-law cannot visit us because we live in the Historic Southwest, and our bedrooms are on the second floor, and so we've lived here three years -- well, five, I guess, and she never comes to visit. So I have some heartstrings for this situation, and if you're fortunate enough, you have -- it looks like similar names on here to live so close, consider yourself unique and lucky. So I also have heartstrings for affordable housing and density, and whether you know it or not, Columbia is uniquely vulnerable. We're on a top ten list for affordable housing in the future. And everybody that has a house in this room is extremely fortunate. A lot of -- I see a ton of students that -- every day, just check that off as they will never have one. So it's -- this is a serious issue. And I know that there are optics, and I lived in an old historic neighborhood, and I understand the value, but we're in 2025, and it's a different era, and I think we need to be open to the fact that there's different circumstances. Multi-generational housing is something we need to consider. You know, we don't want the luxury of just sprawling and sprawling and sprawling. We know that we don't have the resources. We have too many humans. So I'll try to cap it there, but I -- I've thought a lot about this. I saw it come through and, at first, I was very sympathetic, but the longer I thought about it from a larger standpoint, I think there are processes if it is obnoxious -- I did live in an historic neighborhood in Springfield, and somebody built a giant ADU for their motor homes, and it was atrocious, and so, I get it. Like, I get the fear, but I trust that this community and this municipality has those protections in place. So I think it is always a compromise. And like we said the other day, the best compromise is nobody is happy, but I'll be voting in favor of it. I think that it's a unique and clever solution, and I think that ultimately the neighborhood will benefit, and others might find it to be, you know, Kitty is back, you know, all of these great things.

MS. GEUEA JONES: Anyone else with comments? Seeing none. Commissioner Wilson?

MS. WILSON: I was going to attempt to make a motion.

MS. GEUEA JONES: Please. Yeah. Yeah.

MS. WILSON: All right. Let's see what we can do here. In the matter of Case Number 19-2026, 105 South Glenwood Avenue, ADU conditional use permit, I recommend approval of the CUP request subject to the following: No more than one of the two dwelling units may be a rental unit at any given time, and the construction on the primary property must have been initiated.

DR. GRAY: Second.

MS. GEUEA JONES: There is a motion and a second. I'm getting a nod from legal. Is there any discussion on the motion? Seeing -- oh. Commissioner Gray, go ahead.

DR. GRAY: Yeah. I plan on supporting this motion. I think if the criteria that it aligns with the Comprehensive Plan, and there is adequate infrastructure, it seems like it is in the character of the neighborhood, and it is an attempt at restoration and preservation, and I support families, so I plan on supporting this.

MS. GEUEA JONES: Thank you. Any further discussion on the motion? Mr. Brodsky?

MR. BRODSKY: Just real quick. Commissioner Stockton, did you do the second?

MS. GEUEA JONES: It was Commissioner Gray.

DR. GRAY: I did. Yeah.

MS. GEUEA JONES: Any further discussion? Seeing none. Commissioner Brodsky, when you're ready, may we have a roll call?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Stockton, Mr. Walters, Ms. Wilson, Mr. Brodsky, Mr. Darr, Ms. Geuea Jones, Dr. Gray, Ms. Ortiz. Motion carries 8-0.

MS. GEUEA JONES: Thank you. That recommendation will be forwarded to City Council. That concludes our cases for the evening. We will go to public comments.