

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
September 23, 2021**

SUMMARY

A request by Crockett Engineering (agent), on behalf of White Oak Investment Properties, LLC. (owner), for a Conditional Use Permit (CUP) to permit operation of a bar in the IG (Industrial) Zoning District. This request would allow Logboat Brewery to expand the existing tasting room/bar as part of a proposed expansion of the brewery facilities. The 1.08-acre subject site is located on the northeast corner of Fay St. and Hinkson Ave. **(Case # 274-2021)**

DISCUSSION

Crockett Engineering requests a Conditional Use Permit (CUP) to permit operation of a bar in the IG (Industrial) Zoning District. This use was permitted in the M-1 district (now IG) prior to the adoption of the UDC in 2017 and is now only allowed following approval of a CUP. The existing tasting room in the current Logboat facility per Section 29-1.9 of the UDC was automatically granted a CUP as part of the enactment of the UDC and is considered a legal non-conforming use that may be continued but not expanded. The CUP request presented herein is desired to permit legal expansion of the existing tasting room/bar as part of planned brewery facilities expansion. A request for rezoning and approval of a final plat were recently heard under Cases # 223-2021 and # 225-2021, respectively.

The existing Logboat Brewery facility contains approximately 4,600 square feet of production space, 1,500 square feet of office space, 2,200 square feet of warehouse space, and 4,600 square feet of bar and outdoor patio space. The bar/patio space is the primary generator of parking demands and requirements as the UDC requires 1 stall for every 150 square feet devoted to the bar use. Given the previously expressed desire of the applicant and property owner relating to the expansion of the brewery facilities which also includes an expansion of the bar use, the bar use would continue to be the primary generator for parking demands.

It is the applicant's intent and staff's understanding that the proposed development will meet the parking requirements of the UDC. While other parking scenarios have been proposed, the applicant has scaled down the bar expansion component of the development proposal to meet the UDC requirements without the need for other waivers or variance requests. A Conditional Use Exhibit showing the existing and expanded building footprint is attached.

Conditional Use Permit

The conditional use permit process applies to uses identified as conditional for a particular zone district in the Permitted Use Table (Table 29-3.1). The procedure and criteria for approval are found in in Section 29-6.4. The criteria for approval are intended to mitigate adverse impacts to surrounding properties, ensure adequate access exists to mitigate traffic impacts and safety issues, ensure sufficient infrastructure and services are available, promote compliance with the Comprehensive Plan and land use standards inherent to the character of the underlying zoning district, and ensure conformance with the character of the adjacent area. Conditions may be applied to any such request to mitigate impacts and to ensure conformance with the CUP criteria for approval.

This site is located within an area identified as the "Arcade District" that is bounded by College Avenue, Rogers Street, and the Colt Railroad Corridor. Staff notes the existing brewery, consisting of a bar and production facility, are one of many compatible uses within this eclectic district. However, there are existing concerns with the lacking parking conditions of the current site and the adverse impacts that such lack imposes upon the public and neighbors.

A total of 42 parking stalls is required to support the existing facility, based on current UDC standards, of which four (4) may be replaced with bicycle spaces. Only seventeen parking stalls are currently provided on-site which points to this site being significantly under-parked as it exists today which contributes to the parking issues in the immediate area. This development proposal will bring the existing facility into compliance with the current UDC minimum parking requirements and provide for additional parking necessary for any expansion.

The applicant proposes an off-site parking facility approximately 50-feet to the northwest on a parcel commonly addressed as 509 Fay Street. Various build-outs have been provided to staff showing different scenarios for production expansion and bar expansion. At most, 70 parking stalls would be required, eight (8) of which may be replaced with bicycle spaces. The tasting room/bar expansion scenario would require 45 additional stalls which may be feasibly accommodated on the off-site parking lot. Staff notes that the applicant is requesting a right-of-use permit to utilize a portion of the Colt Railroad right-of-way to accommodate an additional row of parking on the off-site parking lot.

Given the development proposes to resolve the existing parking issues in addition to providing additional parking, staff proposes the following conditions to manage other impacts associated with redevelopment, off-site parking, and traffic circulation.

Condition #1: A parking agreement be recorded following review by the Law Department and approval by Council, that establishes that the nearby parking lot proposed at 509 Fay Street is tied to this development.

This off-site parking facility is a permitted use within the IG Zoning District that it is located and is currently being replatted as a legal lot under Case # 244-2021. The off-site lot may be used to satisfy the parking requirements of the development on the subject site as it is within 1,000' of the lot. Given the subject site of the bar expansion and the proposed parking lot are separate parcels, a parking agreement must be recorded and reviewed by the Law Department to ensure this parking remains in sole use for the subject site in the event that the parking lot parcel is sold off to a separate owner for another intended use.

Condition #2: An ADA-compliant crosswalk and appropriate signage are constructed, by the owner, at a location on Fay Street that is acceptable to the City Traffic Engineer.

The off-site parking facility and the subject site do not share a lot line or share a direct sidewalk connection as they are separated by Fay Street. While not yet constructed, development of the parking lot would require sidewalks to be built on the west frontage of Fay Street. Construction of an ADA-compliant striped crosswalk would ensure safe, accessible pedestrian circulation between the brewery and its parking facility. A final location for the crosswalk will be determined when construction plans for the parking lot are submitted.

Condition #3: Wayfinding signage is installed, by the owner, as to direct patrons to the off-site parking at 509 Fay Street.

Staff recommends that the owner install directional signage to the off-site/overflow parking given existing concerns with parking conditions of the area. This will mitigate existing impacts upon neighboring property owners where patrons utilize any open parking space in the immediate area during peak hours. Additionally, this will provide clear visual cues that off-site parking is located to the northwest at 509 Fay Street.

Condition #4: The loading dock and delivery area associated with the proposed brewery operations expansion shall be designed to be deep enough to prevent deliveries from occurring within the College Avenue Right-of-Way.

Loading and delivery at the rear of the building may potentially impact pedestrian and other traffic circulation. Staff recommends this condition as to prevent activities from occurring within the public right-of-way.

Condition #5: Any portion of a structure associated with a proposed footprint expansion shall not exceed 50' in height.

The IG Zoning District does not contain height restrictions. However, CUPs may impose such restrictions. Criteria 'C' regarding approval of CUPs generally states that uses will be in conformance with the character of the adjacent area. Consideration may be given to the location, type and height of buildings or structures. Detailed in the rezoning staff report, the zoning mix of the area largely consists of IG which has no height restriction and M-N which has a 35' height restriction. The applicant has relayed that the proposed building will not exceed 50' and staff finds that this height restriction is appropriate for a semi-industrial environment containing IG and M-N zoning.

The proposed CUP request has been reviewed by staff and external agencies and has been found to be consistent with the goals and objectives of Columbia Imagined, is compatible with the adjacent zoning and land uses, and is appropriate for the subject property, subject to approval of the five proposed conditions for approval which account for off-site parking, traffic circulation, and conformance with the surrounding area.

RECOMMENDATION

Approval of the CUP for a "bar or nightclub" use as requested on the approximately 1.08 acres, commonly addressed as 504 Fay Street, subject to five conditions:

1. A parking agreement be recorded following review by the Law Department and approval by City Council that establishes that the nearby parking lot proposed at 509 Fay Street is tied to this development.
2. An ADA-compliant crosswalk and appropriate signage are constructed, by the owner, at a location on Fay Street that is acceptable to the City Traffic Engineer.
3. Wayfinding signage is installed, by the owner, as to direct patrons to the off-site parking at 509 Fay Street.
4. The loading dock and delivery area shall be designed to be deep enough to prevent deliveries from occurring within the College Avenue Right-of-Way.
5. Any portion of a structure associated with a proposed footprint expansion shall not exceed 50' in height.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Conditional Use Exhibit

SITE CHARACTERISTICS

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|-------------------------------|---|
| Area (acres) | 1.08 |
| Topography | Generally flat with minor retaining wall on Fay Street frontage |
| Vegetation/Landscaping | Commercial Landscaping; no significant trees |
| Watershed/Drainage | Flat Branch |
| Existing structures | Logboat Brewery, associated parking lot and retaining wall |

HISTORY

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| Annexation date | 1906 |
| Zoning District | IG |
| Land Use Plan designation | City Center |
| Previous Subdivision/Legal Lot Status | Proposed Legal Lot per Case 225-2021. Central Addition Plat No. 2-A |

UTILITIES & SERVICES

Site is fully served by City of Columbia utilities and services.

ACCESS

| Fay Street | |
|---------------------------|----------------------------|
| Location | West |
| Major Roadway Plan | N/A; Local non-residential |
| CIP projects | None |
| Sidewalk | Existing |

| Hinkson Avenue | |
|---------------------------|----------------------------|
| Location | South |
| Major Roadway Plan | N/A; Local non-residential |
| CIP projects | None |
| Sidewalk | Existing |

| College Avenue | |
|---------------------------|----------------|
| Location | East |
| Major Roadway Plan | Major Arterial |
| CIP projects | None |
| Sidewalk | Existing |

PARKS & RECREATION

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|--------------------------------|---|
| Neighborhood Parks | Field Park (1000' NW); Lions-Stephens Park (1/3 mile SE); Armory Rec Center (1/3 mile SW); and Douglass Park (1/2 mile West) |
| Trails Plan | Proposed Primary Trail - Colt RR Trail (170' NW) |
| Bicycle/Pedestrian Plan | College Avenue is a key roadway to bike/ped connectivity and the Colt RR Trail is a proposed new addition to the Bike/Ped Network |

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 of this pending request via advanced notice on August 25, 2021. 21 postcards were distributed.

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| Public Notification Responses | Comments/concerns: Neighboring property owner to the south concerned with parking but is supportive of infill development in the area. Various letters of support and one neighbor concern in regard to rezoning and platting cases 223-2021 and 225-201, respectively. |
| Notified Neighborhood association(s) | Benton-Stephens NA; North Central Columbia NA |
| Correspondence received | No written correspondence for this specific case at this time. |

Report prepared by Brad Kelley

Approved by Patrick Zenner