

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 65-24

AN ORDINANCE

granting the issuance of a conditional use permit to TKG Storage Mart Partners Portfolio, LLC to allow a “self-service storage facility” use exceeding fourteen (14) feet in height on property located at 3412 I-70 Drive Southeast in an M-C (Mixed-use Corridor) zoning district; approving a waiver of certain conditional use standards relating to self-service storage facilities; providing a severability clause; and fixing the time when this ordinance shall become effective.

WHEREAS, pursuant to Section 29-6.4(m)(1) of the City Code, the Planning and Zoning Commission (hereinafter “Commission”) held a public hearing and submitted a written recommendation to the City Council related to issuance of a conditional use permit on property located at 3412 I-70 Drive Southeast and legally described as set forth in “Exhibit A” attached hereto and incorporated by reference; and

WHEREAS, the City Council has considered the recommendation of the Commission along with the criteria set forth in Section 29-6.4(m)(2)(i) of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council finds and determines that the criteria established in Section 29-6.4(m)(2)(i) of the City Code has been met and hereby grants the issuance of a conditional use permit to TKG Storage Mart Partners Portfolio, LLC to allow the establishment of a “self-service storage facility” use exceeding fourteen (14) feet in height on property located at 3412 I-70 Drive Southeast in an M-C (Mixed-use Corridor) zoning district, subject to the following conditions:

- a. The conditional use permit is granted to the property owner and shall be valid for the duration of the use or revocation of the permit. Any discontinuance of the use for a period of twelve (12) months or more or any change in the character of the use shall render the permit null and void.
- b. Construction of the building shall significantly conform to the proposed architectural rendering as set forth in “Exhibit B” attached hereto and incorporated by reference.

- c. The conditional use shall be subject to the following additional standards:
- (i) All storage shall be kept within an enclosed building, except recreation or other oversized vehicles, compressed flammable gas tanks, or gasoline containers in excess of two (2) gallons, which shall be stored only in exterior areas screened from the view from any street frontage.
 - (ii) Where the site is adjacent to residentially-zoned land, a permanent screen shall be required and shall conform to the provisions of section 29-4.4(e).
 - (iii) Storage of feed, fertilizer, grain, soil conditioners, pesticides, chemicals, explosives and other hazardous materials, asphalt, brick, cement, gravel, rock, sand and similar construction materials, inoperable vehicles, or bulk storage of fuels shall be prohibited.
 - (iv) The use of power tools, paint sprayers, or the servicing, repair or fabrication of furniture, boats, trailers, motor vehicles, lawn mowers, appliances and other similar equipment shall be prohibited.
 - (v) The sale of any item from the facility or the conduct of any type of commercial activity at the facility shall be prohibited.
 - (vi) Building height shall be limited to thirty-four (34) feet, with the exception of any parapet or architectural design features of the building, and the building shall be visually compatible with surrounding developments:
 - (A) No structure shall be constructed within one hundred (100) feet of a lot that is residentially zoned at the time of approval of this permit;
 - (B) The northwest corner exterior of the building may be constructed of a brick, stone, precast concrete panels that include a masonry façade or other architectural elements, split face block or other similar high-quality materials. The remainder of the building may consist of prefabricated metal panels;
 - (C) All exterior portions and/or façades, including the roof, shall use colors consisting of a neutral earth tone;
 - (D) In addition to the screening and landscaping standards of Section 29-4.4(e) of the City Code, one street tree shall be placed every forty (40) linear feet of site frontage along any property line that abuts a right of way in order to screen the mass of the building; and

- (vii) Loading docks shall be prohibited.
- d. Except as otherwise specifically set forth in this conditional use permit, the property owner shall comply with the requirements of District M-C and all other applicable regulations unless the property owner is granted a variance pursuant to the City Code.
- e. The allowed use, per this conditional use permit, shall not create negative impacts on neighboring properties and rights-of-way, including but not limited to:
 - 1. Lighting and glare beyond the property lines;
 - 2. Excessive noise;
 - 3. Dust and odor;
 - 4. Excessive traffic not compatible with the surrounding neighborhood;
 - 5. Storm water impacts; or
 - 6. Physical appearance.
- f. If any of the conditions of this conditional use permit are not complied with, the City Council, upon recommendation of the Commission following written notice and a noticed public hearing by the Commission, may in addition to revoking the permit, amend, alter, delete or add conditions to the permit.

SECTION 2. Pursuant to Section 29-3.3(w)(2)(i) of the City Code, which provides the conditional use standards required for a self-service storage facility may be waived if the applicant shows that due to special circumstances unique to the property such standards are not required to ensure the visual compatibility of the proposed building with surrounding properties, the City Council has considered such request of the applicant and finds it to be in the best interest of the public health, safety, and welfare to approve a limited waiver of the following conditional use standards:

- a. Section 29-3.3(w)(1)(vi) of the City Code, which provides for a maximum fourteen (14) foot building height unless certain conditions are met, shall be waived to allow for the construction of a self-storage storage facility with a maximum height of thirty-four (34) feet, excluding any parapet or other architectural design features of the building; and
- b. Section 29-3.3(w)(1)(vi)(B) of the City Code, which prohibits the use of prefabricated metal panels in the construction of the building, shall be waived to allow for the use of prefabricated metal panels on any areas of the building, except the northwest corner exterior of the building.

SECTION 3. The provisions of this ordinance are severable and if any provision is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2024.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor