

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**March 24, 2022**

**Case Number 105-2022**

**A request by Greg and Kelly DeLine (owners), for a Conditional Use Permit to allow "Self-Service Storage Facility" as a conditional use on an approximately 0.08-acre site. The conditional use would be located on the ground floor of an existing three-story building, and would be accessible from the alley located to the south of the building. The subject site is zoned M-DT (Mixed Use-Downtown) and is located on the south side of Broadway, approximately 65 feet west of Ninth Street, and is addressed 818 East Broadway.**

MS. LOE: May we have a staff report, please.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the requested conditional use permit (CUP) for a "Self-service Storage Facility" subject to the following conditions:

1. Development of the site shall significantly conform to the proposed site plan.
2. The conditional use shall only be permitted on the ground floor of the building located at 818 East Broadway.
3. The conditional use shall not include the storage of flammable gasses, aerosols, paints, thinners, feed, fertilizer, soil conditioners, pesticides, chemicals, explosives, and other hazardous materials, or construction materials.
4. The use of power tools, paint sprayers, or servicing, repair or fabrication of furniture, boats, trailers, motor vehicles, lawn mowers, appliances and other similar equipment is prohibited in the facility.
5. The facility shall be used exclusively for the storage of goods. No individual tenant may convert, use or otherwise alter a leased or rented unit to sell any stored item from the facility, or to conduct any type of commercial or residential activity at the facility.
6. All proposed construction, renovation, or alternation activities necessary to permit the facility to occupy an existing structure shall be in accordance with the requirements of Chapter 6 (Buildings and Building Regulations) and Chapter 9 (Fire Prevention and Protection) of the City Code. Notwithstanding anything to the contrary, an automatic sprinkler system shall be installed on the ground floor.
7. Loading and unloading activities from vehicles in the alley shall not occur between 7:00 a.m.

and 2:30 p.m. from Monday through Saturday. Signage will be placed outside the doorway of the use indicating this restriction.

8. A solid waste management plan shall be submitted and approved by the Solid Waste Utility prior to the issuance of a building permit. No bulky items or large quantities of garbage that originate from the Self-Service Storage Facility may be placed into dumpsters in the alley. A special pickup must be scheduled with Solid Waste to collect these items, or they must be disposed of somewhere other than in the alley dumpsters.

MS. LOE: Thank you, Mr. Smith. Before we move on to questions of staff, I would like to ask any Commissioner who has had any ex parte related to this case to please share that with the Commission now so all Commissioners have the benefit of the same information on the case in front of us.  
Commissioner --

MS. BURNS: No.

MS. LOE: Oh. Seeing none. Any questions for staff? Commissioner Burns?

MS. BURNS: Thank you. Mr. Smith, will the applicant monitor the access to the storage units between the prohibited times of 7:00 a.m. and 2:30 p.m.? How do you prevent somebody from coming in there and starting to unload a vehicle or the unit?

MR. SMITH: No. And that's an excellent question. It's a good observation. And the fact is some of these conditions are not something that we'll be actively policing, especially the loading and unloading. That will be communicated to Solid Waste. And if they do have conflicts and they continue to have conflicts, they will know that that -- that prohibition is there. I would imagine the steps would be to communicate with the owner at that point to see if we can get them to bring their tenants into compliance. But in the end, since it is a condition, we do have the authority to -- to enforce that, and that might lead to, basically, police involvement at that stage. And it's not what we would intend, or we would want. We would like to work with the owner, probably to encourage that compliance for them to work directly with their tenants. They tell me, and I'll let them to speak to it directly, but they do intend, I believe, to have video monitoring of the space, so they may have the ability to go back and identify the tenants if there is noncompliance, and maybe communicate with them directly. So I think it's something that will be a little bit of a partnership, but, in the end, it is conditioned, so we do have the ability to enforce it, if needed.

MS. BURNS: And if I can follow up. Do we have parking rules or regulations for alleys?

MR. SMITH: We do have. There -- there is -- there is likely to be specific rules, I believe. Parking, per se, is not allowed in the alleys. However, loading and unloading, it gets to be a bit of a gray area there. So the alleys are meant to be loading and unloading areas, but when that -- when that trans -- kind of goes into a decent amount of time where now it's -- it's parked, that's something that sometimes is difficult to identify in the moment. But with that condition, it's very clear there is no loading, unloading, parking, anything in front of this -- in this building.

MS. BURNS: Thank you.

MS. LOE: Commissioner Placier?

MS. PLACIER: Yes. A couple of issues I wanted to ask you about. This is, at this point, a two-way alley; is that still correct?

MR. SMITH: There is -- yes. It is a two-way alley. There is some language within the Code that does restrict them to one way, but I wouldn't say that's actively enforced or applied necessarily.

MS. PLACIER: Well, I have had the experience of having to back -- back out of the alley a quite a long distance because of the dumpsters, encountering another person coming the other way. So there is some traffic congestion periodically, and I don't know if there's anything that can be done about that, especially if more dumpsters might be added. That could be an issue. A second thing is you said that only two businesses have access. I'd like to point out that those two business -- for those two businesses, that is their only accessible entrance is from the alley. That is the entrance off Broadway is not accessible because you have to go downstairs, as you probably know. So that would be a concern if cars lined up or trucks lined up to use the storage facility in any way impeded access for people to those two businesses, or to their residences, for that matter.

MS. LOE: Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Thank you, Planner Smith. I would like to point out that I'm literally in this alley every week. I have a concern about the characterization of the trash pickup. It is and has been about 6:15 every morning. And the reason they come that early is because if they're any later, the truck starts to block commercial traffic, so they try to get in and out of their quickly. It is my hope that the individuals to whom you spoke at Solid Waste have communicated with their staff. As far as, and to follow up on -- on Ms. Placier's point, this alley is heavily foot trafficked. No, it does not have a sushi restaurant or anything like that in it, but it is a major foot transportation route east and west. It's used for the parking garage, used for more than one business. There is a great deal of loading and unloading that goes down there as we get throughout the day and throughout the evening particularly. Another dumpster, there's already a problem with dumpsters, and maybe Ms. Davis can address this when she comes. I see her nodding back there. I -- I think the characterizations as presented in the staff report are absolute best-case scenario, and I don't think it reflects the average daily situation in that alley. That's all. Thank you.

MS. LOE: Thank you. Commissioner Kimbell?

MS. KIMBELL: Is there another business model similar to this in Columbia downtown area, or would this be the first?

MR. SMITH: Storage facilities, you're speaking of?

MS. KIMBELL: Yes. Yes.

MR. SMITH: Not that I'm aware of. No. I don't think I recall seeing any when I was reviewing that. There used to be in the pre-UDC, the C-2 downtown. There -- it was the same type of use, same conditional use, and actually it had a set of standard conditions and, actually, a few of the ones that pulled from that are actually the ones regarding the prohibition of certain materials. So they -- they've kind of addressed that before, and the UDC update, basically, removed the standard ones, but we do look at

those in case we think they're still appropriate. So it's a little bit of an aside, but --

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: Do any of the -- the larger housing complexes or even some of the smaller ones that have gone up recently have something for their residents, or would you know that?

MR. SMITH: Garbage collection?

MS. GEUEA JONES: No. Storage.

MR. SMITH: Storage. I can't say for sure. I recall, I think, when The Rise was constructed, they did have some storage, generally, I think, geared toward more bikes and things like that, but I -- I can't tell you off the top of my head, no, if -- if I recall individual storage units like this. So -- and I mention in the report that that could be a potential market with the increase in residential use downtown.

MS. GEUEA JONES: Yeah. Is there any -- is there any plan to make that door any wider? Has that been discussed?

MR. SMITH: Not with me particularly with this applicant, but --

MS. GEUEA JONES: Okay.

MR. SMITH: -- they do have a representative here. They might be able to speak to that.

MS. GEUEA JONES: I'll ask them then. I just didn't know if that was part of any of your discussions. Thank you.

MS. LOE: Additional questions for staff? If there are none, we will open up the floor to public comment.

#### **PUBLIC HEARING OPENED**

MS. LOE: If anyone has public comments they would like to share, if we can have your name and address for the record.

MR. HARRISON: Sure. It's Tom Harrison, offices at 1103 East Broadway. I represent the applicants. Appreciate the time. Also appreciate the work the staff has done. I'll be very brief. I do have a couple of representatives here to answer questions, to the extent I can't. We do think there's a need in the downtown area for -- for self-storage. We're not aware of any other -- any other self-storage area that's, you know, specifically designated for that use, and so we think, although this is a small, only 19 units, we do think there's a -- there's need for it. I want to say we're agreeable to the conditions that staff is proposing. We're -- we're agreeable to that and, as I said, I appreciate the -- the time that they've spent on it. I do want to speak about the alley just a little bit. As I said, we're agreeable to all the conditions, including that condition, obviously. It was mentioned that the first floor will have office space. Those offices will be occupied by a company that Greg DeLine controls, and so his people will be able to monitor the alley. I wanted to mention that. There is an intention that the -- that the people who work in that office will also monitor the use of the alley. And there was discussion about video cameras. I think that's the intent, as well, so -- also, with regard to these conditions, if -- if -- if there -- if the application is approved, these conditions will be incorporated into the self-storage rental agreement just as sort of an additional -- hopefully, an additional layer of -- that'll help enforcement, so I wanted to mention that, as well. So I

would be happy to answer questions, or if there are any -- if there are some that I cannot answer, maybe our other representatives here can.

MS. LOE: Thank you. Are there any questions for this speaker? Commissioner Burns?

MS. BURNS: Thank you. Mr. Harrison, as far as -- you mentioned the office that's going to be occupied by DeLine employees. Mr. Smith mentioned something about storage for -- so this is going to be an active ground-floor space? This is going to have people coming in and out? This is going to have customers?

MR. HARRISON: The first floor, yes.

MS. BURNS: So what -- so what business -- it's not going to be storage, but what business would be there?

MR. HARRISON: Well, the first floor would just be offices. the second floor is three apartments.

MS. BURNS: Okay.

MR. HARRISON: There's no retail or anything like that.

MS. BURNS: Okay. So I guess I'm confused by -- with staff when we saw the picture and the large space that was on the very front to the north of the property, fronting on Broadway. Yes?

MR. HARRISON: I think, and, again, I don't know for sure, but I think that's mechanical for the entire building. You know, there's probably --

MS. BURNS: So it's not an active ground-floor space right up the street?

MR. HARRISON: That particular space right there? No. That's correct.

MS. BURNS: Okay.

MR. SMITH: And that was -- and there was really how that large space came to be was there was some fire code review and I think they identified an issue with, basically, there was a corridor depth issue or length issue, and so they really had to remove some of the storage units because it wasn't able to be incorporated into that, given the length of the corridor. And so to solve that issue, they, basically, just turned it into, I think, storage for the DeLine facility on the first floor. It wouldn't be rental storage, but I don't think it's going to be actively used. I expect, again -- it has a lot of mechanical stuff in it.

MS. BURNS: Okay. Thank you. I was hoping -- I mean, I know we -- we try for active ground floor space, particularly in our active corridor off of Broadway, so thank you.

MR. SMITH: Well, this is the ground floor, so there would be no access to this. The first floor above it is the one that's facing onto to Broadway.

MS. BURNS: Right. Right.

MS. LOE: Commissioner Kimbell?

MS. KIMBELL: As far as once someone rents that out, and just go hypothetically here with me, and they don't fulfill their obligation of their contract with the rental, and those items have to be removed. Again, you may not be able to answer that, but how -- what does that look like? I mean, would those items be stored in the alley? Will they -- how will they be removed?

MR. HARRISON: They -- they won't be stored in the alley.

MS. KIMBELL: Right. But if -- if that person doesn't stay with their contract, what happens?

MR. HARRISON: We would have to find some place off site to put them. That's, practically speaking, the way it would have to work.

MS. KIMBELL: So your company or people in the office would be the ones removing it and taking it elsewhere?

MR. HARRISON: Right.

MS. KIMBELL: Thank you.

MS. LOE: Commissioner Carroll?

MS. CARROLL: Yeah. I'm curious. When you were planning this project, did you reach out to any of the neighboring businesses? I'm thinking Broadway Brewery, Peace Nook, Teller's.

MR. HARRISON: I think the answer is yes, but it wasn't me, so Landon or Jay, can you answer that question? Come on up. Come forward.

MR. RADER: Hello. Jay Rader, 3326 South Country Woods. I'm with the -- the DeLine Holdings; I'm part of their development team. We have spoken to neighbors. I did not speak to them, specifically, but we've actually had quite a bit of feedback from mostly law offices and restaurants that just want to store, you know, things like extra supplies, maybe Halloween decorations, extra cups, things of that nature. Obviously, lots of -- lots of places don't have storage downtown, so -- and there's not any other facility quite like us, so it does seem to be a service that -- that could add to a lot of -- a lot of downtown businesses.

MS. CARROLL: I'm curious, but I don't think we have any letters of support attached. Did anybody --

MR. RADER: We did not -- we did not actually request any of those, but --

MS. CARROLL: Okay.

MR. RADER: -- perhaps that might be a later step.

MS. LOE: Commissioner MacMann?

MR. MACMANN: Thank you. This is a question for whomever might be able to answer it. The current dumpsters are full. They're a little -- they're over full, and that's why they're emptied every morning. And the case where they get emptied more frequently -- and Ms. Davis can speak to what I'm also saying -- is it's overflowing. The trash is overflowing almost every day. I would submit that if you guys generated any trash, you're going to need another receptacle and I would also submit that there's not room in that alley. So do you guys have an alternate trash plan, or have you begun speaking with Solid Waste about how to do that, or what are you going to do, or --

MR. RADER: Yes. So, I mean, our -- our communication with Solid Waste has so far been through Mr. Smith on what their concerns are. Generally speaking, we -- we really don't anticipate much trash. We don't anticipate daily users. Like I said, we're talking about people that maybe have Halloween decorations, Easter decorations, you name the occasion, lawyer offices where they're -- you know, they're storing things that they -- they don't need weekly. They might not even need monthly. I think one of you

had mentioned evictions. In the case of evictions, that actually is really truly of no concern to us because we actually have the ability to control what we do with it when we evict it, so it's really simple for us to, hey, we're going to clean out unit 19 on next Tuesday, and we can -- we can schedule an extra dump with Solid Waste, or we could haul it off ourselves. In some cases, there might be valuable things that we haul off to auctions or whatever the case may be. So really, we think it's more the occasional, if somebody was to say, lob a chair into a dumpster, you know, that is difficult for us to enforce, but we do plan to have cameras within our facility and on the alley, and add it to our agreement -- our rental agreement with the renters where we have some call back, if you will. If they do violate the rules, we can fine them, and we would have the ability to obviously see that they did it. And hopefully -- you know, hopefully, it won't be a problem, but we think that we'll be able to be good stewards of the -- of the alley and help monitor it. We have -- like I said, their offices are right above -- one of my colleagues who is back here and might speak after me, his -- his office is literally the window right above it, so, you know, it'll be something he has to look at every day.

MR. MACMANN: I just -- the reason I brought that up is that, currently, the way waste is taken care of downtown is whomever puts it in the closest dumpster, and there's, like, five dumpsters there, or six dumpsters. That's why they're always full, and it's problematic. Are you all aware that the business at the corner of the alley is going to open up here soon? There'll be an expansion to Broadway Brewery and another bar space as a neighbor.

MR. RADER: I was not personally aware of it, no.

MR. MACMANN: Okay. Just FYI. There will be more foot traffic, and they were pondering, and I don't know, I haven't seen their plan submitted, on having an alley space, maybe staff an alley entrance. Madam Chair, I have no more questions at this time. Thank you.

MS. LOE: Thank you. Commissioner Geuea Jones?

MS. GEUEA JONES: So I am just wondering, currently the door into this space between it and the alley is a regular 36-inch door. But these spaces are large enough that if you wanted to store extra chairs for special events or something like that in there, you could. I'm not sure how you could get them in and out. So I guess my question is, are you planning to try to widen that doorway at all?

MR. RADER: We -- we have not designed the new door yet, but we do intend to -- to certainly have a different door. Part of the security features is the doors are -- they can be automated. You rent a space; it gives you a pin code. You can get in. We know it's you when you come in, when you leave. We definitely need a more attractive door. The way the building, the structure is built, we could probably increase it about a foot, so I would assume that's something that -- that we would deal with on the building permit phase if it's -- if it's allowable, it's probably something we would like to do. If it's not, then, you know, a 3/0 door is not -- most things -- many things do fit through, and we don't anticipate people -- I mean, again, it's -- we don't anticipate people storing couches in this, but I suppose it is possible.

MS. GEUEA JONES: Well, that was going to be my second question, because this door looks about as thin as a pancake, and so you do know somebody can just push on it a little hard and get inside.

MR. RADER: It's certainly -- I mean, the whole alley is -- is not the most attractive alley. It's really not. It does have a lot of dumpsters. We -- we would hope that what we're going to do is actually going to, you know, enhance the alley. You know, we'll have -- I'm sure there's going to be some lighting requirement for the entrance and exit, so, you know, it'll add some light back there. We'll, again, have -- you know, we plan to have a very nice security system for the facility, so that will also, you know, kind of increase some of the -- the safety of the -- the alley.

MS. GEUEA JONES: One last question, and then I'll stop picking on you. You have a very clear vision of who you think is going to use this space. Do you have a marketing plan that will limit it to that or are you anticipating that you're also going to have residential folks, because we've got a lot of residents downtown now in tiny, little apartments.

MR. RADER: Sure. Yes. So, I mean, our plan is to -- is to speak with as many businesses downtown as we can, probably until we fill them, which we -- we anticipate filling them very quickly, maybe even pre-leasing them all just from -- from the conversations we've had with downtown businesses. But -- but yeah. So we -- that's -- that's our main target is the businesses. That's not to say that a student might have something, but I'm not sure if we can necessarily say, hey, we can't rent to a student, but --

MS. GEUEA JONES: Well -- right.

MR. RADER: -- you know, we can -- we can certainly restrict what types of things are stored in there.

MS. GEUEA JONES: I'm more -- more thinking -- yes, you can't say no to a student if they come in. I'm more thinking advertisingwise, are you going to have a big sign out in the alley on the door or something that says call here for self-storage, or is this more of a business to business, we've got the space and we want to make a little money off of it?

MR. RADER: Yeah. It's definitely a B-to-B thing. We -- we don't -- I don't -- we didn't talk about having a signage. Honestly, there's not that much -- I mean, there is traffic back there, but I don't think a sign is necessarily going to do us a whole lot of good. But there may be some allowance for signs with the Code, I'm not sure, but no. It would mostly just be through -- through word of mouth, trying to reach out of people. It's only 19 units --

MS. GEUEA JONES: Yeah.

MR. RADER: -- so it's -- like I say, it's not going to be too hard for us to get out there and -- and spread the word.

MS. GEUEA JONES: Thank you.

MR. RADER: Thank you.

MS. LOE: Commissioner Kimbell?

MS. KIMBELL: You addressed my question as what clientele are you -- are you looking to get in, and it sounds like it's just going to be businesses. The second -- the other question I had in mind was how are you going to regulate the materials that are stored in there, such as, I know you can't have



alcohol -- or alcohol -- gasoline and stuff like that, but how are you going to regulate that to make certain that those things aren't stored in there?

MR. RADER: So operating the facility on the day to day is definitely not going to be my job, so I'm not -- I don't know that I can speak to that. I don't know how any facility does that, I guess, personally, but again, I would just say we'll have the -- the security system and where we can kind of monitor through video what's going in, what's going out. And we will -- we will most certainly have that into the lease, and I would imagine we'll probably even have more restrictions than what you guys saw on the request from staff.

MS. LOE: Any additional questions for this speaker? I see none. Thank you.

MR. RADER: May I add that it also not a 24/7 facility. I did want to add that. I think somebody said something maybe about the traffic. It's -- our plan is to restrict it to probably like a 7:00 to 7:00 type thing, so it's not -- it's not just anybody coming and going as they please. So, yeah.

MS. LOE: Thank you.

MR. HARRISON: Any other questions for me? All right, thank you.

MS. LOE: Thank you.

MS. DAVIS: Nickie Davis, Downtown CID, 11 South Tenth Street. So we have spoken with our board, as well as many of the businesses kind of surrounding this area. First and foremost, our board is not in any way against this, we just definitely have some concerns, as well as the businesses surrounding it. And you guys have pretty much all spoke on it, so I will not keep you too long, but trash, obviously. So in that area, obviously, trash day to day is a huge issue. But when it gets really bad is when people are moving in or moving out, so that unloading/loading in is slightly concerning for us. How do we make sure that we don't burden our businesses any more than they already are with the trash situation in that alley? The other thing I will say is that that is a hugely pedestrian alley. I don't know if people understand that if you're not down there every day, but that is -- that's a foot traffic alley for sure, as well as other traffic, people stopping to unload or whatever for their businesses or for the apartments on top, but something to keep in mind. The other concerns were possible vermin, what it might be like for having a storage space there, having a restaurant next door. If people aren't in there constantly, what's that going to be like. We didn't know if there would be any type of cold storage, if it's going to be some type of storage for restaurants, what that might be like, and if it's not being checked on on a regular basis. I am happy to hear that they will have cameras and possible more lighting. That's every exciting to hear. But otherwise that kind of stalled traffic situation we might see there is -- is an issue for us. We are looking at doing another alleyway master plan because this is such a hot topic constantly for us. So depending on what this looks like, we'll made sure to include this in our future plans for the CID. Any questions for me?

MS. LOE: Any questions for this speaker? Commissioner MacMann?

MR. MACMANN: Just a point of history. Nickie, you were raised here. Right?

MS. DAVIS: Born and raised.

MR. MACMANN: Okay. To answer everyone's question, there was a storage facility, Perlo (ph.),

the art gallery in the building behind it that's gone. That was a storage facility. And also above Gunter Hans was a storage facility. I just remembered that. I have a serious question to you about it -- I mean, I agree with Ms. Davis -- sorry for the familiarity there, Ms. Davis. But at -- that alley has just got foot traffic out the yang, and even one -- honestly, even when businesses have to make deliveries or take something in, a piece of equipment or something in and out, it's -- if anyone stops in the alley, it's an issue. And the trash is an issue, and I know you guys fight the trash battle every day. I know you do. Do you all have any -- well, first off, there's an additional bar going in at the corner. Right?

MS. DAVIS: Yes.

MR. MACMANN: And I had been told by them they had hoped to have an entrance onto the alleyway; is that -- and they had hoped to maybe do something with the dumpsters?

MS. DAVIS: Yes.

MR. MACMANN: As in minimize them or move them?

MS. DAVIS: Uh-huh.

MR. MACMANN: Is your characterization the same as mine, as the alley -- the dumpsters really can't go any further west?

MS. DAVIS: Yeah.

MR. MACMANN: Okay. They're kind of full where they are?

MS. DAVIS: They're absolutely full. We would love to see that, and there were part -- you know, part of this alleyway master plan is that we will look at those --

MR. MACMANN: Uh-huh.

MS. DAVIS: -- see if there's a parking lot we can rent out to move these to. But even if we do that, that is going to be much harder for all of the businesses right there that utilize those so much.

MR. MACMANN: Right.

MS. DAVIS: But at this point, it's --

MR. MACMANN: And you can correct me if I'm wrong. If the dumpsters are moved any further to the west, they will almost surely block an automobile from passing through the alley; is that --

MS. DAVIS: Absolutely.

MR. MACMANN: But they have -- they have to stay next to the old t-shirt factory?

MS. DAVIS: Yeah.

MR. MACMANN: So there's no -- no more room for dumpsters. Ms. Davis, thank you very much. I just wanted to make sure that my view was halfway right. Thank you.

MS. DAVIS: Yeah. Thank you.

MS. LOE: Any additional questions for this speaker? I see none. Thank you, Ms. Davis.

MR. ALBERTSON: Landon Albertson, Alpha Real Estate, 910 East Broadway, Suite 207. I'll handle actually the day-to-day operations in regards to the storage units. It's going to be a B-to-B, bottom line, B-to-B. So we have done a survey across the city for law offices, banks, restaurants buying extra cups, and we'll be housing those in that storage. We don't anticipate residential. There's nothing we can

do if somebody does apply, and they qualify for that. That's not our target market. In the urban area in a climate-controlled storage unit space, it's 90 -- 92 percent occupancy. And once they get occupied, it's occupied, and they never leave. So we will find probably in a short term, when we do rent it out, we're going to unload and load. But for the most -- for the most part, it's going to be a law office going down and getting a box. They'll -- they'll park on Broadway, and they'll go and, like, dig through their boxes and get this. We're not talking about unloading a ton of trash or couches or anything like that. Obviously, it's hard to police in regards to your tenant, but my office is exactly above that, so I have a personal concern if they're putting a lawn mower in there, and that's -- that's a problem for us. We don't see that's even going to be a problem because they'll be pre-leased to businesses. That's our business goal, and what's what we intend to do. So, you know, that alley -- and the dumpsters are a concern. Like, they stink, they're terrible. Walker is putting that thing in the -- or around the corner. We understand that. We just don't -- you're not going to find a lot of trash. It's -- I just don't see that's going to be a problem. So I'm open to questions.

MS. LOE: Any questions for this speaker? Commissioner Kimbell?

MS. KIMBELL: So this is strictly going to be just for business clients? I mean, that's the end goal? That's your business model?

MR. ALBERTSON: That's the end goal. Correct. And we -- and we have already talked to restaurants. So, for instance, we've talked to four restaurants. We would buy more cups in a bulk rate and get -- and save money, but we don't have no place to store it. You know, some of the smaller venues, for instance, Lakota Coffee, et cetera. So you're going to find that type of storage being housed or in regards to the storage.

MS. LOE: Additional questions? I see none. Thank you.

MR. ALBERTSON: Thank you.

MS. LOE: Any additional speakers on this case? If there are none, we will close the public hearing.

#### **PUBLIC HEARING CLOSED**

MS. LOE: Commissioner comments? Commissioner Carroll?

MS. CARROLL: Yeah. I share the concerns about the traffic. When I walked this at 5:00 p.m., there were three cars in the alleyway, and quite a bit of foot traffic. It looked like there were some patrons of Broadway Brewery congregating outside. I -- it does get quite a bit of foot traffic. It does get quite a bit of loading and unloading. I'm not sure that it can handle more use. I thought Commissioner Placier brought up a good concern about the alley being the accessible entrance for both Broadway Brewery and Peace Nook, which are lower-level businesses. Yeah. I'm -- I'm not sure that I could support this, even with the conditions. I don't think that you can guarantee your business model if someone wants to rent it and they apply, then they rent it. I'm not sure that there's a good way to control that usage.

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: I mean, I think -- I don't disagree that there are problems in the alley, but I

think that what we're looking at is 19 units. We're not looking at someone who is stacking in, you know, four-by-sixes every place they can with the intent of renting it out to anyone who afford a \$50 down payment. I mean, these are -- these are going to be more than that, and -- and I do think there is a need for people who have businesses downtown for a place to store stuff, especially as more and more of the upper levels that used to be that dry goods storage are being converted to living space, which we also desperately need. So, I mean, I hear what everyone is saying. I don't think 19 units that are not having daily traffic in and out create that much more drop-off traffic. I'm not sure they create that much more trash. I do think there is a huge issue that needs to be addressed, even without this going in, but I don't know that this adds to the problem in a significant way, and like the idea of that alley being -- having more business in it, generally. You know, perhaps this is a good way to also get us to a point where we've got another pedestrian alleyway if we have more businesses that have entrances on that alley, which doesn't solve the trash problem, but there's always going to be a trash problem. We just have to find creative solutions for it. So, I mean, I -- I hear the concerns. I think we're laying out a lot of conditions, and I think they alleviate most of that. When it comes to food and stuff like that, no one is going to put food down there to rot. That's just throwing your money away, so I'm less concerned about that. Yeah. I think I support it unless someone can convince me otherwise.

MS. LOE: Commissioner Rushing?

MS. RUSHING: I'm downtown quite a bit. I'm an alley walker. I just like the alleys. And I think this is a good use for this place right now. I think that the storage place will have less traffic than other types of business uses that they could put in there, so I'm going to support it.

MS. LOE: Commissioner Burns?

MS. BURNS: Thank you. I have concerns about anything that hinders the pedestrian friendly nature of our downtown. So, for me, I don't think I can support this because I -- I do see people pulling up in the alley and unloading things, and I do see people leaving trash and hindering the availability for the use of the alley for pedestrians, and that's an issue for me.

MS. LOE: Commissioner MacMann?

MR. MACMANN: I'm going to come down with Ms. Burns on this. I do agree with Commissioner Geuea Jones' point, and I would love to see all the alleys like Alley A. I really, really would. This alley services as a -- serves as a service area, a business area, and a transportation node. It's already overburdened. I think it's at the top end of that. I mean, we can debate that. I'd love to see a plan just for alley -- this alley because it does serve. It's not just the transportation hub for deliveries for businesses in the alley. Anyone who has got a business, they can't pull in Alley A. They pull into that alley anywhere on that block to quickly unload because they can't get a spot. So I'm going to vote no. I think it's -- I think it's an issue.

MS. LOE: Commissioner Kimbell?

MS. KIMBELL: I'm in agreement that we need something downtown for our businesses. I think that will be very helpful. I don't think the location of it is very good, so I'm in agreement with the other

Commissioners.

MS. LOE: Commissioner Placier?

MS. PLACIER: Yeah. I have struggled to think of any further conditions that we could place on this that would mitigate some of the things we've recognized, and I've come up empty on that, you know. We're going to have -- there's nothing we can -- that they, as a business, can do about trash. There's nothing they, as a business, can do about traffic or access to other entrances. So, what?

MS. LOE: Mr. Smith, you were asked if there was a parking policy for the alleys?

MR. SMITH: Yes.

MS. LOE: Can you clarify again if there is or isn't?

MR. SMITH: Not with specific authority on it. I mean, I'm quite certain that it's -- it's not allowed for permanent parking when we have parking spaces on the street along Ninth. I think it is generally considered to be allowed to load and unload from there, but not to park, so -- but, again, as -- as I stated, sometimes it's a fine line.

MS. LOE: So the alleys aren't marked no parking?

MR. SMITH: Not that I saw when I was walking to the alleys.

MS. LOE: Because I think when I've walked alleys, I've certainly seen unattended cars left in the alleys, and I've gone and run my errand, and when I come back, there's still unattended cars. So that would mean it's been there some five, ten, fifteen minutes. I'm -- I'm wondering if one more condition could be restricting parking in the alley so that people can't park and go in and rummage around. I mean, just as we were saying, they might park on Broadway and come in and look for something, but we're saying you can't park in the alley, that you can only stop and load and unload. Yes?

MR. SMITH: Yes. Well, I'm checking photos I took from that day, and there are signs in the alley that say no parking in alley.

MS. LOE: Okay.

MR. SMITH: So that's clearly marked.

MS. THOMPSON: And if I can jump in, we have an ordinance -- this is Becky Thompson. 14-282 addresses parking in the alleys, and I can read it out loud if you all would like. It states that no person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

MS. LOE: So if I understand that correctly, it's saying there shall always been ten feet to pass when you're in the alley.

MS. THOMPSON: That's how the ordinance reads.

MS. LOE: Well, now. That means you can't park in that alley with the trash dumpsters there.

MS. CARROLL: Or the buildings.

MS. LOE: All right.

MR. MACMANN: If I may?

MS. LOE: Commissioner MacMann?

MR. MACMANN: That alley is 16 or 18. I think it's 18 at the entrance and it narrows down to 16. As far as parking in the alley goes, Ms. Davis can probably -- there's a gentleman's agreement. It's your business, you've got to load up beef. You need to unload. You pull in there, you take it out, you get out as soon as possible. If someone were to camp in there, someone will call the police and you will get ticketed. But usually everyone knows this car goes with this business, or you see Walker coming in and out or something, and they try to accommodate everyone, because everyone will share. It's a commons area, everyone will share it, and there is no way to park anything but a motorcycle in those alleys and still leave ten feet, which is enough for a vehicle to get through. They're just not that wide. You know, 16 is often, 18 is some, so I'm not -- I do not believe that another stricture will help the situation. With that said, I'm ready to make a motion. Mr. Smith, you have -- well, you have it up, don't you? Okay. I think we can do it in one. This is 105-2022. I'm going to make this motion. I'm going to make it in the positive, as we make all of our motions in the affirmative. I will be voting no. If someone thinks I've missed some of the core elements of that, please interrupt me and I'll go back and catch them. In the matter of Case 105-2022, a request by Greg and Kelly DeLine for a CUP to allow a self-storage facility as conditional use on an approximately .08-acre site, the conditional use will be defined of the terms as delineated by staff in their staff report, I move to approve.

MS. GEUEA JONES: Second.

MS. LOE: Seconded by Commissioner Geuea Jones. We have a motion on the floor. Any discussion on this motion? Seeing none. Commissioner Carroll, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval). Voting Yes: Ms. Geuea Jones, Ms. Loe, Ms. Rushing. Voting No: Mr. MacMann, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Burns. Motion is denied 5-3.**

MS. CARROLL: We have three yes votes, and five nos.

MS. LOE: Recommendation will be forwarded to City Council.