



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 6, 2023

Re: 700 Fay Street – Conditional Use Permit (Case # 66-2023)

## Executive Summary

Approval of this request will authorize issuance of a conditional use permit (CUP) allowing a micro-distillery to add a tasting room/bar as part of a renovation to the distillery facilities on property addressed as 700 Fay Street.

## Discussion

Smith Lewis, LLP (agent), on behalf of Arcade District, LLC (owner), seeks approval of a Conditional Use Permit (CUP) to allow the operation of a bar in the IG (Industrial) zoning district. This use was previously permitted in the M-1 district (now IG) “by-right”; however, following adoption of the UDC (2017) it became a conditional use triggering the required application. The site is presently improved with a small-scale distillery, classified as a Class 1 Artisan Industry, which is undergoing renovations. The CUP request presented herein is necessary to permit legal expansion of the tasting room/bar as part of planned distillery facilities renovation.

The existing facility is an approximately 4,500 square foot building currently used for distillery production and storage. The business' production demand has expanded and outgrown the space. Most production has been relocated to another facility in Boone County. The tenant is renovating the structure to accommodate manufacturing space for teaching and demonstration, retail, and an approximate 900 square foot bar or tasting room. A Floor Plan Exhibit showing the proposal is attached.

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 Section 29-6.4. During review of these criteria, staff noted that pedestrian safety may be a concern.

There is a 500' sidewalk gap on Fay Street between Wilkes Boulevard and the COLT Railroad which the subject site abuts. The section of Fay Street without sidewalk contains on-street parking and semi-industrial uses. Permitting a bar use in an area without sufficient pedestrian infrastructure may create traffic hazards at day or during bar-close by channeling pedestrians into the travel lanes of Fay Street. These risk may be minimized by the fact that this street is not a major roadway and has both low traffic volumes and low speed limits.

The applicant and staff discussed alternatives for pedestrian infrastructure accommodations being constructed on the site's Fay Street frontage to mitigate potential traffic hazards. Given there are potential utility conflicts on the northern part of the site's frontage, the



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

applicant is proposing to construct sidewalk along the site's street frontage where utility relocation isn't necessary. A final location of a striped crosswalk will be coordinated with the City Traffic Engineer at a later date. The following condition was proposed and included in the Commission's recommendation.

1. An ADA-compliant sidewalk, striped crosswalk, and appropriate signage are constructed, by the owner, at a location on Fay Street that will not require utility relocation and is acceptable to the City Traffic Engineer.

Staff believes this added condition/proposal is a fair allocation of infrastructure costs given the CUP request is associated with a building alteration valued at \$220,000 and not a full redevelopment of the site.

Staff further evaluated the request against the CUP criteria of Section 29-6.4(m)(2) of the UDC and found it to be compliant. The applicant agreed upon condition/proposal address staff's concerns with public safety. The full evaluation of the CUP criteria is contained within the attached staff report.

The Planning and Zoning Commission considered this request at their February 9, 2023 meeting. Staff presented its report. The applicant was available for questions and provided clarification for nearby properties regulated by M-N pedestrian standards. After Commission discussion regarding parking, potential safety issues, and the future of the COLT Railroad, a motion was made to approve the conditional use permit that passed (8-1) subject to the aforementioned condition.

The Planning Commission staff report, locator maps, floor plan exhibit, and meeting minute excerpts are attached.

## Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.



## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Economic Development, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Approve the CUP for a “bar or nightclub” use, subject to the following condition as recommended by the Planning and Zoning Commission.

1. An ADA-compliant sidewalk, striped crosswalk, and appropriate signage are constructed, by the owner, at a location on Fay Street that will not require utility relocation and is acceptable to the City Traffic Engineer.