

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 24, 2022**

SUMMARY

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 E Broadway. (**Case # 105-2022**)

DISCUSSION

The applicant is seeking to convert the lower level of a three-story building for use as a Self-service Storage Facility. Per the UDC, this specific use is considered conditional in the M-DT District, and must receive approval of a conditional use permit prior to its establishment and operation. The property is located within the 'Urban Storefront' area of the M-DT, and within the 'Core Height Max 10 Stories' area, which allows buildings up to 10 stories in height, whereas in the rest of the M-DT the height is restricted to 6 stories. The applicant has stated that the intended market for the storage units would be downtown businesses.

The location of the use is currently improved with a three-story building that has existed since 1893 according to a plaque on the front of the building, and includes a ground, first and second floor. The building is currently being remodeled for office use on the first floor, and the second floor of the building is a residential use and includes three apartments. Given the grade of the property, the ground floor of the building does not have street frontage along Broadway, but instead has direct access on the south side of the building, which opens to the alley that runs east and west between Broadway and Cherry Street. The first floor of the building is at street grade along Broadway. Two of the apartments are accessed from Broadway, and the third is accessed from the alley.

The ground floor of the building includes 3,239 sq.ft. of area and per the attached architectural layout, would be divided into 19 separate storage units, ranging in size from around 26 square feet (units 12-13, 15-16, 18), 39 sq.ft. (Unit 19), between 65-95 sq.ft (units 1-11) to the largest units are about 120 sq.ft (units 14 & 17). The large area on the north side of the site will be used by the owner and includes the building's mechanical area. There is also a stairway near the center of the floor that provides access to the first floor. Per the applicant, the ground floor will include fire sprinklers, and the upper two floors are already sprinkled.

The access to the storage facility would be from the south entrance that is along the alley on the south side of the building. Alleys in the downtown area are used for many purposes. Originally, alleys were designed to accommodate more of the day-to-day business operations from the surrounding streets, but many of the alleys in the City's downtown are capable of accommodating the size of vehicles used today. Even so, alleys are still used by smaller vehicles for loading and unloading, which is the use that they were originally designed for. Alleys downtown are also used for the storage of solid waste dumpsters, which are provided and serviced by the City's Solid Waste Utility - the subject alley contains several. The alley is approximately 15 feet in width at its widest, although there are many obstructions in the alley that reduce the usable width. The dumpsters in the alley are approximately 4 feet deep, functionally leaving about 11 feet of width down the alley.

Within the alley, there are currently around 10 doorways that open onto the alley from the buildings along its north side, three of which access residential apartments on the upper floors. The rest are likely business access doors, with two of these serving as direct customer access to two businesses - Broadway Brewery and Peace Nook (both of the businesses have customer access from Broadway as well).

On the south side of the alley, there is a City parking garage that allows pedestrian travel between the alley and the garage. In addition, there is a private "alley" that is perpendicular to the subject alley, and it contains rear entrances for the five businesses that front on Ninth Street, addressed as 15-25 Ninth Street. All of these businesses are one story and front onto Ninth Street.

Conditional Use Permit Criteria

Per the requirements within Section 29-6.4(m), the Commission shall make a recommendation on the request for a conditional use based on the conditional use criteria below. After giving due consideration to the following criteria, the Commission may recommend and the Council may grant a conditional use permit which may include any conditions deemed necessary to carry out the provisions and intent of this Chapter.

(A) The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located

The property lies within the M-DT zoning District, and within an existing building. Since the building is existing, it is considered to be compliant with the provisions of the zoning district, either as a conforming use, or as a legal non-conforming use. No exterior work is expected as part of the current remodeling project, but if it does occur, it will need to be compliant with the form-based regulations of the M-DT district.

When evaluating the use itself, it is clear that Self-service Storage Facilities are not active or pedestrian-oriented uses, and therefore are not considered to be an appropriate or desirable use in the downtown. Buildings along high-traffic street frontages should display active uses that are visible from the public realm and reflect a vibrant, walkable City core. Storage facilities generally generate low amounts of pedestrian traffic and do not drive customer trips to a location in the way that retail and restaurant uses do.

As previously stated, the property is within the M-DT, and the building is within the 'Urban Storefront' building form area. Since the building is existing, there is not evaluation of the building form; however, it is important to note that even though emphasis is placed on the appropriateness of the building form within the M-DT (requiring specific design features to ensure its compatibility downtown), the 'Urban Storefront' description in the UDC below makes it clear that the uses within the buildings still play an important role:

"Urban general is the basic urban street frontage, once common across the United States. The purpose of this frontage is to develop multi-story buildings placed directly at the sidewalk with one or more entrances and windows across the façade. The uses range from commercial to residential, municipal to retail and restaurants— and combinations of all of the above. There could be several buildings lined up shoulder to shoulder, filling out a block, or on smaller blocks, a single building might fill the block face."

"The urban storefront frontages are designated in the most intense areas of the M-DT district and it is anticipated that there will be significant pedestrian traffic along these blocks. "

However, while it is clear from the UDC that street frontage in M-DT should be preserved for uses that are consistent with the pedestrian-oriented intent of the M-DT, the location of this use in an alley and not on a heavily-trafficked street is an important factor. This particular alley is not considered an “activated” pedestrian zone, such as Alley A to the east which does not permit vehicular traffic, and includes many businesses that are accessed from the alley. There is little current commercial activity in the alley that would attract the general public, aside from two customer entrances for Broadway Brewery and Peace Nook (and these also have access along Broadway). The remaining buildings do not drive pedestrian use of the alley - it appears that their entrances are mainly used for delivery and apartment access.

Although desirable, there does not appear to be any significant new development within the alley that indicates the alley may be transitioning to a more pedestrian-friendly area in the near term (similarly to Alley A), where the approval of storage units could be considered a hindrance to that transition. One exception could be the expansion of Broadway Brewery into 15 S Ninth Street, which is currently taking place. This could create more pedestrian traffic between the alley entrance to their existing business and the front entrance of 15 S Ninth, but the business is not yet open so it is difficult to speculate on the impact to alley traffic.

Given the location of the use within the alley, and that it does not occupy street frontage that could otherwise be put to more productive use, staff finds that this use in this particular location would not be inconsistent with the M-DT zoning. The improvement of the space may even have positive effects on the development of the alley, encouraging more redevelopment of the underused portions of buildings that face the alley. Notwithstanding that the applicant intends to market the use to businesses, with the increase in residential uses downtown, there may be a strong need for storage from downtown residents as well.

(B) The proposed conditional use is consistent with the city's adopted comprehensive plan

The Comprehensive Plan’s Future Land Use Map identifies the site as within the ‘City Center’ district, which is intended to encourage a mixed-use, pedestrian-oriented environment. The comprehensive plan refers frequently to the goal of having a vibrant and active downtown. For many of the same reasons as described above when discussing the conditional uses’ compatibility with M-DT, staff finds that the use would not ordinarily be considered consistent with the comprehensive plan, but given the alley location, may be considered appropriate in this circumstance. The City Center is described below:

“The city center district is intended to be the focal point of the City of Columbia, serving as the education and government center of the community. This single district is an area of mixed uses and is built at a pedestrian scale. The city center includes the central business district (CBD), which comprises the downtown office and commercial area.”

(C) The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site

As mentioned above, if the “adjacent area” is considered to be the greater downtown area, then this type of use is not appropriate for a pedestrian-oriented downtown. But when considering how the use would fit within the character of other uses within the same alley, or within other alleys downtown, then it allows a comparison on a more micro-level. An alley could be considered an acceptable location for a lower-intensity use in locations that are not well suited for retail, restaurant, or other uses that are desirable for active store fronts.

As a note, this criteria typically addresses how a use and the building that houses the use will conform with the characteristics of an area. In this case, the building is already existing, and no exterior renovation of the building is expected along with the remodeling of the interior space. No landscaping is required either.

(D) Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion

Access to the use will be from the alley to the south of the building. While alleys were originally expected to be used for deliveries and loading and unloading, the demands of the current alleys pose some challenges. In this case, the alley is utilized by the Solid Waste Utility for frequent trash collection along the alley - at least once a day, Monday through Saturday.

In discussions with the Solid Waste Utility, they expressed concerns with the increased usage of the alley and the possibility that there could be more traffic conflicts in the alley, complicating their collection of solid waste. While there is likely some delivery that occurs in the alley, the potential increase in traffic congestion from the loading and unloading of 19 separately leased storage units is concerning. Solid Waste make use of the alley every day from Monday through Saturday between the hours of 7:00 a.m. and 4:00 p.m., and in order to avoid any increase in traffic congestion in the alley, they would prefer to prohibit the use of the alley for loading and unloading of vehicles between those hours (Condition #7).

This would not prohibit the use of the storage units during those times, but vehicles would need to park outside of the alley, likely in a metered parking spot. Vehicles could temporarily park in the alley each day after 4:00 p.m., and all day on Sunday. With the small size of the majority of the storage spaces, the restriction is not expected to have a significant impact for those that choose to transport materials to their storage units while parked outside the alley. If parked near the edge of the alley, this would require materials to be transported about 50 extra feet.

(E) Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided

The City's Solid Waste Utility has indicated that the existing dumpsters located in the alley are nearing capacity, and that the placement of additional dumpsters in the alley could be required depending on the amount of trash generated from the storage units, which is difficult to predict.

It is important to note that adding dumpsters in the alley has an impact on the surrounding businesses, and the Solid Waste Utility communicates and works with business owners when adding new dumpsters to an alley. The Downtown Community Improvement District (CID) employs a "common use" solid waste service that allows any Downtown CID solid waste customer to utilize any trash and recycling container and compactor that is within the CID. So the dumpsters located in the alley are not necessarily reserved for use by any one business. If an additional business is permitted along the alley, and the addition of dumpsters was not supported by surrounding businesses, the additional waste generated could cause the existing dumpsters to be filled to capacity more frequently, requiring business owners along the alley to transport their trash to other receptacles in the downtown area.

In order to mitigate this impact, Solid Waste will review a solid waste management plan during the review of building plans, and those plans will include how the solid waste from this site will be managed. The plan must then be approved by Solid Waste prior to the issuance of a certificate of

occupancy for the use. If they find that the solid waste management plan does not adequately address the stated issues, then they may delay the issuance of the certificate of occupancy until a tenable solution is found.

Staff also discussed the request with other divisions within the City, and none had any immediate concerns regarding the conditional use request.

(F) The proposed conditional use will not cause significant adverse impacts to surrounding properties.

In addition to the potential adverse impacts discussed regarding the traffic flow in the alley and the provision of adequate solid waste disposal, there is a concern with the safety of allowing individually rented storage units within a multi-story building that is connected to neighboring zero-lot line buildings. While the building and fire code do contain provisions addressing whether storage units must be sprinkled, staff is recommending that for clarity, a condition be included that requires the building to be sprinkled. The applicant has indicated that they do intend to sprinkle the lower level, and that the first and second level are already sprinkled.

In addition, to further address concerns that any items that could be considered dangerous in this type of setting, staff is recommending a condition (#3) that will expressly prohibit the storage of several items that could be considered a safety risk when housed within a building that also contains residential uses, such as flammable items, fertilizer, chemicals, and other volatile items. In addition, staff is recommending that the units not be used for disruptive activities (#4) that could create odors or sounds that could have adverse effects on neighboring properties and tenants of the building.

Conclusion

Staff finds that there are several areas of concern that the requested conditional use raises in this location. The appropriateness of the use in a pedestrian oriented downtown, safety concerns with allowing storage units in the basement floor of a multiple story building that includes residential uses and is within close proximity to other adjacent buildings, increased traffic conflicts in the alley, and the need for additional solid waste accommodation are all potential issues that staff has discussed internally and with the applicant.

In order to address those concerns, staff is recommending a list of conditions that adequately address the concerns and mitigate any potential adverse impacts. The Commission may recommend and the Council may approve these or other conditions deemed necessary to carry out the provisions and intent of the UDC as well. It should be further noted that CUPs run with the land unless otherwise conditioned.

RECOMMENDATION

Approve 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 E 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.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Site Plan
- Conditional Use Criteria Responses
- M-DT Regulating Plan

SITE CHARACTERISTICS

Area (acres)	.08
Topography	Slopes north to south
Vegetation/Landscaping	None
Watershed/Drainage	Perche Creek
Existing structures	Three-story building.

HISTORY

Annexation date	1826
Zoning District	M-DT, Urban Storefront building form standard
Land Use Plan designation	Columbia Imagine: City Center
Previous Subdivision/Legal Lot Status	Portions of platted lots

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	City of Columbia

ACCESS

East/West Alley between Broadway and Cherry	
Location	Along the south side of property
Major Roadway Plan	NA
CIP projects	None
Sidewalk	NA

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 on February 23. Twenty postcards were distributed.

Report prepared by Clint Smith

Approved by Patrick Zenner