

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 131-22

AN ORDINANCE

granting the issuance of a conditional use permit to Greg and Kelly DeLine to allow a “self-service storage facility” use on property located at 818 E. Broadway in an M-DT (Mixed-use Downtown) zoning district; 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 818 E. Broadway 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 Greg and Kelly DeLine to allow a “self-service storage facility” use on property located at 818 E. Broadway in an M-DT (Mixed-use Downtown) 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. Development of the site shall significantly conform to the proposed site plan as set forth in “Exhibit B” attached hereto and incorporated by reference.
- c. The conditional use shall only be permitted on the ground floor of the building located at 818 E Broadway.
- d. 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.

- e. 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.
- f. 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.
- g. 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.
- h. Loading and unloading activities from vehicles in the alley shall not occur between 7:00 a.m. and 2:30 p.m. on Mondays through Saturdays. Signage will be placed outside the doorway of the use indicating this restriction.
- i. A solid waste management plan shall be submitted and approved by the City's 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.
- j. The property owner shall comply with the requirements of District M-DT (Mixed-use Downtown) and all other applicable regulations unless the property owner is granted a variance pursuant to the City Code.
- k. The allowed uses, 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 between the hours of 10:00 p.m. and 7:00 a.m.;
 - 2. Excessive noise not compatible with the authorized use;
 - 3. Dust and odor;
 - 4. Excessive traffic not compatible with the authorized use or surrounding neighborhood;
 - 5. Storm water impacts; or
 - 6. Physical appearance not compatible with the authorized use or surrounding neighborhood.
- l. 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. 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 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2022.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor