

**BOARD OF ZONING APPEALS
CASE SUMMARY FOR
APPLICATION FOR SPECIAL EXCEPTION**



3000 Devine Street

September 8, 2015 at 10:00 A.M.
City Council Chambers, 1737 Main Street, 3rd Floor
Columbia, South Carolina

| | |
|--------------------------|---|
| Case Number: | 15-063-SE |
| Subject Property: | 3000 Devine Street (TMS# 13804-16-01A and -01B) |
| Zoning District: | C-2 (Neighborhood Commercial district) |
| Applicant: | Will Gillespie, UC HQ-Devine Street |
| Property Owner: | Rhodes Properties of Walterboro Inc. |
| Council District: | 3 |
| Summary Prepared: | 9/3/ 2015 |

| | |
|---|--|
| Requested Action: | Special Exception to establish a drive through facility for a restaurant |
| Applicable Sections of Zoning Ordinance: | §17-258(6) Any drive-through facility shall require review and approval by the Board of Zoning Appeals as a special exception. |
| | §17-112 Standard criteria for special exceptions |
| Case History: | 9/8/15 Application for variance to the parking requirements (15-066-V) pending review by the Board. |

| | |
|------------------------|--|
| Staff Comments: | <p>This application for Special Exception is to permit a drive-through facility for a proposed +/- 3,225 sq. ft. restaurant, <i>Urban Cookhouse</i>. While a restaurant of this size is allowed as of right in the C-2 district, drive through facilities are allowed only by special exception, regardless of the base district.</p> <p>The applicant states that the proposed drive-through will be used for call-ahead and pick-up orders only and will not be utilized for drive-up service. The provided site plan does not show an outside menu board or call box as part of this proposed drive-through.</p> <p>The property is at the southeast corner of Devine Street and Sims Avenue, between the Shandon and Oakwood Court neighborhoods. A real estate office is adjacent to the property and a medical office is to the rear; directly across Devine Street from the property is Incarnation Lutheran Church. A jewelry store is to the northwest, and a commercial center containing several restaurants and a mattress store are across Sims Avenue to the west.</p> <p>The provided plans are not construction drawings and are somewhat schematic in nature, as such it should be noted that minor modifications may be required to conform with the landscape ordinance as it relates to tree preservation requirements and required landscaping within the street protective yards (i.e. additional trees and shrubs may need to be shown). Also, the city's Traffic Engineer has suggested shifting the pickup window to the other side of the building to better accommodate additional stacking of vehicles off of Devine Street.</p> |
|------------------------|--|

Should the Board be inclined to approve this request, staff suggests that you consider as conditions of your approval:

1. Drive-through window to be used for pickup of orders only
2. No exterior menu board or call box permitted.

Persons expressing support or concern about this application submitted the documents outlined below to staff. All documents are attached hereto and made a part of the record of the public hearing.

Jane Blaire; Lynn Bailey; Jennifer Hunt; Kate Fox; Jennifer O'Neill-Whetstone; Brandon and Mallory Cooper; Bob Broom; Mary Dell Hayes; Deborah Thomas; Shannon Bobertz; Helen Foley; Carolyn McKenzie; Stacy Lindenberg; Leah J. Lake; Betsy Hallman; Judy C. Anderson; Stephanie Bridgers; Taryn Whitlark; Misti Crawford; Marian Woolsey; Lewis Browning; Kimberly Yerrick; Bob Hallman; Greg Wilsbacher; Lyn Phillips; Leif Anderson; Rob Ward, Cantina 76; Betty L. Hudgens; Robin Copp; Andrew Hoose; Lucy Walters; M. Elizabeth Crum; Stacey Brennan, MD; Sherrill Owens; Alice Perritt; AnnaBelle Laroque Babcock; Kevin M. Roberts; Jini Lumsden; George and Monica Kessler; Sarah Whitehead; Lauren King; Annie Scott; Avni Gupta-Kagan; Lindsay-Blair Simmons; Bryan Dooley; David C Shea; Jamie McCulloch.

Zoning Map

Special Exception 15-063-SE, Variance 15-066-V

3000 Devine Street
TMS# 13804-16-01A and -01B



Department of Planning & Development Services

Legend

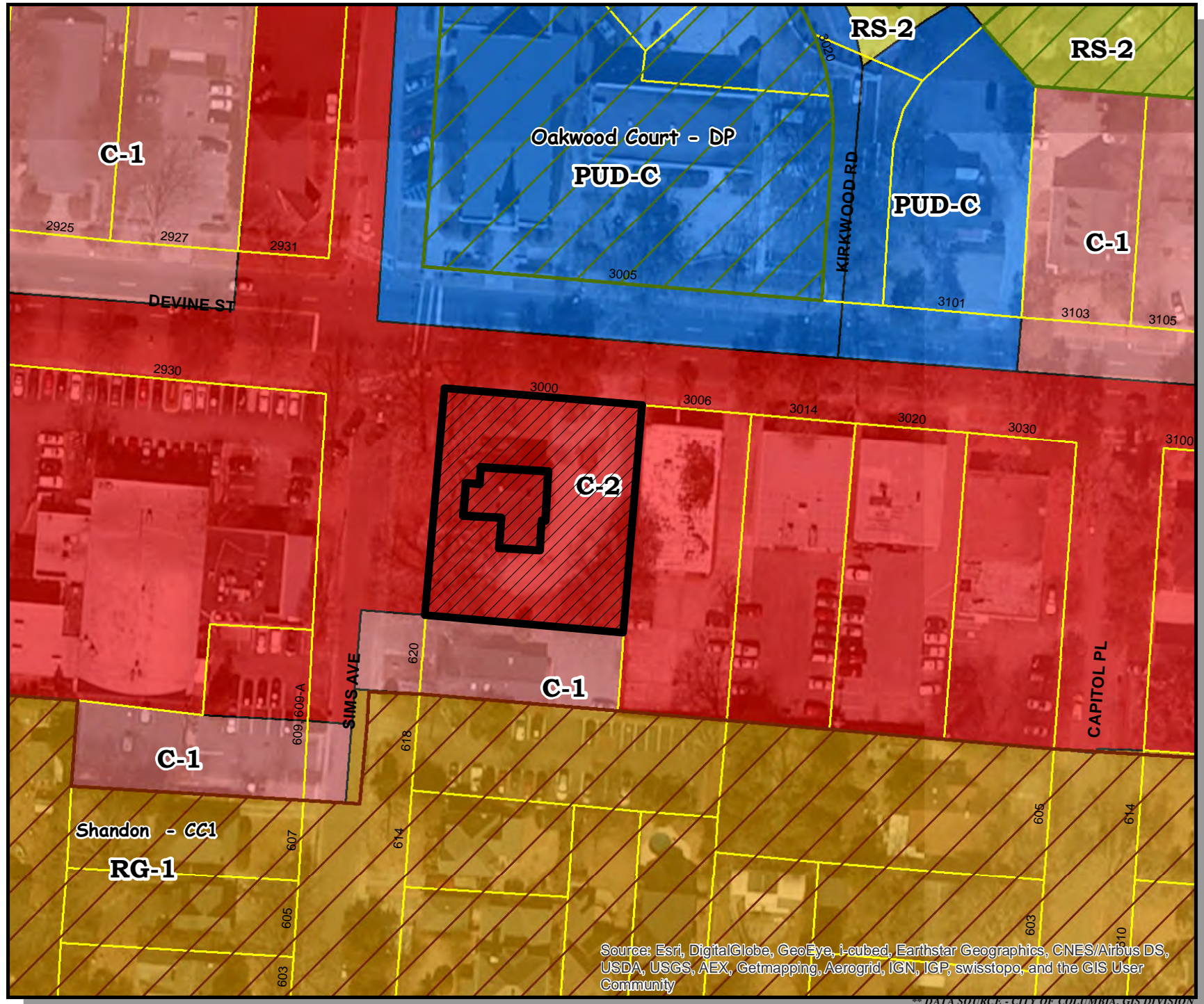
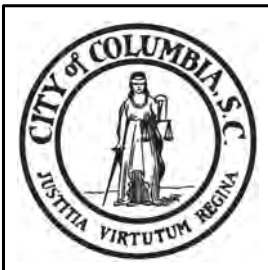
INTERSTATES
 RAILROADS
 CITY LIMITS
 FEMA FP

| ZONING | |
|--------|--------------|
| | D-1 |
| | RS-1 |
| | RS-1A |
| | RS-1B |
| | RS-2 |
| | RS-3 |
| | RD |
| | RD-2 |
| | RG-1 |
| | RG-1A |
| | RG-2 |
| | RG-3 |
| | UTD |
| | MX-1 |
| | MX-2 |
| | C-1 |
| | C-2 |
| | C-3 |
| | C-3A |
| | C-4 |
| | C-5 |
| | M-1 |
| | M-2 |
| | PUD-C |
| | PUD-LS |
| | PUD-LS-E |
| | PUD-LS-R |
| | PUD-R |
| | DD DISTRICT |
| | DP DISTRICTS |
| | PD DISTRICT |
| | CC OVERLAY |
| | OUT OF CITY |

1 inch = 87 feet

ORIGINAL PREPARATION/DATE:
This map was prepared by:
Ralana Wilson
for
September 8, 2015
BoZA meeting

DISCLAIMER:
The City of Columbia Department of Planning and Development Services data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION





DEVINE

DEVINE

DEVINE

SWIS

KIRKWOOD

GREENWOOD

KIRKWOOD

SWIS



SPECIAL EXCEPTION APPLICATION

CITY OF COLUMBIA BOARD OF ZONING APPEALS

Applications for Special Exception are due on or before 4:00pm on the due date (see attached calendar). Please review the following checklist to ensure that your application is complete. You should schedule a pre-application conference with staff (803-545-3333) prior to the application deadline to discuss your specific case and its requirements. **Failure to submit a complete application or to provide requested documentation may result in your application being returned or your case scheduled for a later date.**

- Completed and Signed Application
- Letter of Agency (*if applicant is not the property owner*)
- Calendar (*included in this packet for your information*)
- Application Fee
 - \$50 for residential applications
 - \$75 for commercial applications (projects valued under \$50,000)
 - \$125 for commercial applications (projects valued \$50,000 or more)
- Supporting Materials, i.e.:
 - Site Plan
 - Plat of property
 - Photographs

Staff Contact:

Andrew Livengood
Deputy Zoning Administrator
City of Columbia Zoning Division
1136 Washington Street
Columbia, SC 29201

803-545-3333

www.columbiaplanning.net
atlivengood@columbiasc.net

OFFICE USE ONLY:

Date Received 8/12/15
Staff WW
Fee Paid 125-

Case Number 15 - 063 -SE
Zoning Dist. C-2
Overlay _____

Property and Applicant Information:

Address of Subject Property: 3000 Devine Street, Columbia, SC 29205

Tax Map Number (Example: 12345-67-8910) R13804-16-01

Zoning District: C-2

Describe your proposal in detail:

UC-HO Devine Street is proposing the construction of a 3,225 square foot Urban Lookhouse restaurant with drive-thru located in the Southeast quadrant of the intersection of Devine Street and Sims Avenue.

List pertinent section(s) of City of Columbia Zoning Ordinance: Section 17-258
Requires all drive-thru facilities to be approved as Special exception.

What is the current use of the property?: Vacant / gravel lot

Applicant Name (Please Print): Will Gillespie

Name of Company (If applicable): UC HO - Devine Street

Address: 1751 Shady Lane

City, State, ZIP: Columbia, SC 29206

Email Address: Will @ UrbanLookhouse.com

Phone Number(s) (803) 312-4180

Are you the property owner? Please circle **Yes** or **No**.
If No, please complete and submit a Letter of Agency.

Criteria for approval of special exception applications:

In addition to the definitive standards applicable to the proposed use as detailed in Chapter 17 of the Code of Ordinances of the City of Columbia, the Board of Zoning Appeals shall approve an application for special exception only upon a finding that the following criteria are met.

Please explain *in detail* how your application meets the following criteria (attach separate sheets if necessary):

1. The proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety and adequate provisions are made in the proposed exception for parking and for loading and unloading.

Please See attached

2. The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter.

Please See attached

3. The proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings.

Please See attached

4. The proposed special exception will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response.

Please See attached

5. The establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, which concentration may be detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.

Please See attached

6. The proposed special exception is consistent with the character and intent of the underlying district as indicated in the zoning district description, with any applicable zoning overlay district goals and requirements.

Please See Attached

7. The proposed special exception is appropriate for its location and compatible with the permitted uses adjacent to and in the vicinity of the property.

Please See Attached

8. The proposed special exception will not adversely affect the public interest.

Please See Attached

By signing below, I, the applicant, understand and/or acknowledge that:

1. I have completely read this application and understand all that it includes.
2. While the members of the Board of Zoning Appeals will carefully review and consider this application, the burden of proving conformance with the criteria for grant of special exception rests with me.
3. The Board of Zoning Appeals conducts public hearings on the second Tuesday of each month in City Council Chambers, 3rd floor of City Hall, 1737 Main Street, Columbia, South Carolina, 29201.
4. The Board of Zoning Appeals will render a written order regarding my application as soon as possible following the public hearing.
5. Any time frames related to an appeal of a decision of the Board of Zoning Appeals shall start from the date that the written and signed Order of the Board is mailed to the applicant.
6. The Board may prescribe appropriate conditions and safeguards in conformity with Ch. 17, including, but not limited to items like the following: (1) hours of operation; (2) landscaping; and (3) screening of activities or structures.
7. Violation of the conditions and safeguards prescribed in conformity with Ch. 17, when made a part of the terms under which a special exception is granted, shall be deemed a violation, punishable under the penalties established therein.
8. Failure to begin or complete an action for which a special exception is required, within the time limit specified, when such time limit is made a part of the terms under which the special exception is granted, shall void the special exception.
9. The proposed use and construction complies or will comply with all other requirements of the City of Columbia Zoning Ordinance.

Signature W. M. Gillespie Jr. Date 8/12/15

Print Name William M. Gillespie Jr.



City of Columbia Special Exception Application Summary

Introduction:

UC HQ – Devine Street is requesting a Special Exception for the construction of a drive-thru associated with a proposed 3,225 square foot Urban Cookhouse restaurant located in the southeast quadrant of the intersection of Devine Street and Sims Avenue at 3000 Devine Street, Columbia, SC 29205. The proposed drive-thru will be utilized for call ahead and pick-up orders only and not be available for drive-up service. The dining environment and aesthetic character will very closely match existing restaurant facilities along the Devine Street corridor.

Contact Information:

Applicant
UC HQ – Devine Street
Will Gillespie
1751 Shady Lane
Columbia, SC 29206
(803) 312-4180
will@urbancookhouse.com

Engineer
Alliance Consulting Engineers, Inc.
Travis Basnett, P.E.
P.O. Box 8147
Columbia, SC 29202
(803) 779-2078
tbasnett@alliancece.com

Criteria for approval of special exception applications:

- 1. The proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety and adequate provisions are made in the proposed exception for parking and for loading and unloading.**

The proposed development utilizes two (2) existing curb cut locations for ingress/egress and will not adversely impact the existing vehicular traffic or pedestrian safety. Onsite vehicle parking is provided for the proposed development in addition to alternative parking (bicycle racks). Onsite traffic will flow in a counterclockwise pattern around the proposed facility with the proposed drive-thru traffic exiting from either ingress/egress drive.

- 2. The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter.**

The proposed development will not have a substantial adverse impact on adjoining properties in terms of environmental factors. The surrounding area has many existing restaurant facilities already in place and is located within an entertainment district.

- 3. The proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings.**

The proposed development will be consistent with the existing aesthetic character of the area, orientation and spacing of the existing buildings. Many large existing trees onsite will be avoided by this development and incorporated into the final site plan. The interior and exterior will be monitored and regulated to maintain a professional appearance. The property is currently a vacant lot.

- 4. The proposed special exception will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response.**

The proposed development will not have a substantial adverse impact on public safety, create nuisance conditions or result in an increased law enforcement response.

- 5. The establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, which concentration may be detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.**

The proposed development does not create a concentration or proliferation of the same or similar types of special exception use and will not be detrimental to the development or redevelopment of the area. The drive-thru facility will be one of the few in this area for several blocks located in an existing entertainment district. The drive-thru will be a unique addition to an already established entertainment district. Also it should be noted that the drive-thru is for call ahead and pick-up service only.

- 6. The proposed special exception is consistent with the character and intent of the underlying district as indicated in the zoning district description, with any applicable zoning overlay district goals and requirements.**

The proposed special exception is consistent with the underlying district as indicated in the zoning district description attached.

- 7. The proposed special exception is appropriate for its location and compatible with the permitted uses adjacent to and in the vicinity of the property.**

The proposed special exception is compatible with the permitted uses described in the zoning district description attached.



8. The proposed special exception will not adversely affect the public interest.

The proposed special exception will not adversely affect the public interest. Patrons will be able to dine in a comfortable, clean and well-maintained facility or utilize the proposed drive-thru facility to pick-up food on the go.



Letter of Agency



LETTER OF AGENCY

DATE: August 12, 2015

TO: **ZONING ADMINISTRATOR, CITY OF COLUMBIA**

I, the undersigned PROPERTY OWNER below, do hereby attest that I am the person that holds, or I am authorized to act on behalf of the party that holds, fee simple interest in the following property:

COMMON STREET ADDRESS(ES): 3000 Devine Street, Columbia, SC 29205

also known by TAX MAP NUMBER(S): R13804-16-01

Further, I hereby authorize the person listed as AUTHORIZED AGENT below to act on my behalf for the purpose of submitting documents, amending documents, meeting with staff, attending public meetings and hearings, and as otherwise may be necessary and proper to fulfill the required steps to request (CHECK ALL THAT APPLY):

- a variance from the Board of Zoning Appeals;
- a special exception from the Board of Zoning Appeals;
- an appeal of the decision of the Zoning Administrator from the Board of Zoning Appeals;
- a change to the Zoning Maps of the City of Columbia from City Council, rezoning the property listed above from _____ to _____;
- site plan review by the Planning Commission;
- a minor subdivision; and/or
- other (describe) _____

SIGNATURE OF PROPERTY OWNER: Katherine R. Smith DATE: 8/11/15
 PRINT Name of Property Owner: KATHERINE R. SMITH
 Street Address of Property Owner: 17 DOGWOOD LN
 City, State, ZIP of Property Owner: WATERBORO SC 29408
 Telephone Number of Property Owner: 843.538.3722

SIGNATURE OF WITNESS: Jesse Smith DATE: 8/12/15
 PRINT Name of Witness to Signature of Property Owner: JESSE SMITH

SIGNATURE OF AUTHORIZED AGENT: William M. Gillespie Jr. DATE: 8/12/15
 PRINT Name of Authorized Agent: WILLIAM M. GILLESPIE JR.
 Company/Firm of Authorized Agent: URBAN COOKHOUSE
 Street Address of Authorized Agent: 3200 DEVINE ST
 City, State, ZIP of Authorized Agent: COLUMBIA, SC 29205
 Telephone Number of Authorized Agent: 803.312.4180



Supporting Materials

Sec. 17-258. - Table of permitted uses.

Uses permitted in the general zoning districts shall be as set forth in table 1 and as modified by special provisions, exceptions and conditions contained elsewhere in this article.

- (1) Symbols used in table 1 are as follows:
 - a. "x" means that the indicated use is permitted in the indicated district.
 - b. "e" means that the indicated use is permitted in the indicated district, subject to the granting of a special exception by the board of zoning appeals.
 - c. "a" means that the indicated use is permitted as an accessory use in the indicated districts.
 - d. "a/e" means that the indicated use is permitted as an accessory use in indicated districts, but is also permitted in those districts as a principal use if approved by the board of zoning appeals as a special exception.
 - e. "n.e.c." means "not elsewhere covered" in the Standard Industrial Classification Coding Manual.
 - f. "n.r." means "no requirement."
 - g. "c" means that the indicated use is permitted in the indicated district, provided the owner and/or tenant complies with the associated conditions set forth in this article.
 - h. "o" means indicated use is permitted in the indicated district as office only.
 - i. "a/c" means that the indicated use is permitted as an accessory use in indicated districts, but is also permitted as a primary use provided the owner and/or tenant complied with the associated conditions set forth in this article.
- (2) Any use not permitted in a district is expressly prohibited.
- (3) In residential districts, the following uses are prohibited:
 - a. Storage in connection with a trade;
 - b. Storage or long term parking of commercial vehicles or industrial storage in excess of one day; and
 - c. Storage of building materials except in connection with active construction.
- (4) A section number following the use category means that the use is allowed but must meet the conditions and requirements set forth in the referenced section.
- (5) The zoning administrator may utilize the Standard Industrial Classification Manual to determine the appropriate classification of land use.
- (6) Any drive-through facility shall require review and approval by the board of zoning appeals as a special exception.
- (7) Temporary vendors are prohibited, except where the vendor is:
 - a. A person located upon land owned or otherwise controlled by the City of Columbia and operating with the written permission of the parks and recreation department, city manager, or city council. For the purpose of this exception a. to this subsection (7), land includes private property and/or right-of-way.
 - b. A sidewalk vendor for which city council has approved an ordinance granting a franchise.
 - c. A person who collects fees for permitted parking.
 - d. A corporation, foundation, fund, association, or club that is formally organized and operated exclusively in a not-for-profit manner or for religious, charitable, scientific, literary, artistic, or educational purposes.
 - e. A person participating in a fair, festival, exhibition, bazaar, show, or other like infrequent event sponsored by a corporation, foundation, fund, association, or club that is formally organized and operated exclusively in a not-for-profit manner or for religious, charitable, scientific, literary, artistic, or educational purposes.
 - f. A person participating in a fair, festival, exhibition, bazaar, show, or other like event at and approved by the South Carolina State Fair.
 - g. A concessionaire operating with the authority of the sponsor of the event for which concessions are to be provided.
 - h. A person participating in a garage sale for which a garage sale permit has been issued.
 - i. A person selling only seasonal merchandise, such as fireworks, pumpkin stands, and Christmas trees, provided that the person:
 - i. Locates within a zoning district which would otherwise permit the business;
 - ii. Receives a zoning permit prior to operating, the application for which shall include (a) a site plan showing that the person would not be located within a setback or within a required parking space, and (b) the written permission from the private property owner or authorized lease holder of the private property;
 - iii. Conspicuously posts his zoning permit during all hours of operation at a location visible from the right-of-way and in a manner protected from the elements; and
 - iv. Operates only within 45 days of the associated holiday and for a total period of no more than 45 days.
 - v. For the purpose of this exception i. to this subsection (7), seasonal merchandise does not include food, produce (not including pumpkins), flowers, balloons, and general retail items detailed with holiday accents, decorations, or other accessories.
 - j. A person operating a food truck on private property provided that the person:
 - i. Locates within a zoning district which would otherwise permit the business;
 - ii. Locates at least 100 feet from the door of a lawfully established eating place unless the owner of the eating place provides a letter of consent, a copy of which shall be kept within the food truck;
 - iii. Maintains within the food truck proof of written permission from the private property owner or authorized lease holder of the private property of each vending location;
 - iv. Receives annually a zoning permit to operate a food truck, a copy of which shall remain in the food truck during operation;
 - v. Operates for no more than ten consecutive hours within a calendar day and at all other times removes from the parcel all materials associated with the business. No temporary vendor shall operate between the hours of 9:00 p.m. and 9:00 a.m. if the parcel upon which the vendor is located is within 400 feet of a parcel zoned residentially.
 - k. Any other person upon private property provided that the person:
 - i. Locates within a zoning district which would otherwise permit the business;
 - ii. Receives a zoning permit for each location prior to operating, the application for which shall include (a) a site plan showing that the person would not be located within a setback or within a required parking space, and (b) the written permission from the private property owner or the authorized lease holder of the private property authorizing the temporary vendor;
 - iii. Conspicuously posts his zoning permit during all hours of operation at a location visible from the right-of-way and in a manner protected from the elements; and

| | | | | | | | | | | | | | | | | | | | | | |
|----|--|---|--|--|--|--|--|--|--|---|---|---|---|---|---|---|---|--|---|---|---|
| | 526 | Retail nurseries, lawn and garden supply stores | | | | | | | | x | x | x | | | | | | | x | x | |
| | 527 | Mobile home dealers | | | | | | | | | | | | | | | | | | x | |
| 53 | General merchandise stores | | | | | | | | | | | | | | | | | | | | |
| | 531 | Department stores | | | | | | | | x | x | x | x | x | x | | | | | x | x |
| | 533 | Variety stores | | | | | | | | x | x | x | x | x | x | | | | | x | x |
| | 539 | Miscellaneous general merchandise stores | | | | | | | | x | x | x | x | x | x | x | | | | x | x |
| 54 | Food stores | | | | | | | | | | | | | | | | | | | | |
| | 541 | Grocery stores | | | | | | | | x | x | x | x | x | x | x | | | | x | x |
| | 541.1 | Convenience stores | | | | | | | | e | e | e | e | e | e | e | | | | e | e |
| | 543 | Fruit stores and vegetable markets | | | | | | | | | x | x | | | | x | | | | x | x |
| | 546 | Retail bakeries | | | | | | | | x | x | x | x | x | x | x | | | | x | x |
| | 549 | Miscellaneous | | | | | | | | x | x | | x | x | x | x | | | | x | x |
| 55 | Automotive dealers and gasoline service stations | | | | | | | | | | | | | | | | | | | | |
| | 551 | Motor vehicle dealers (new and used) (17-286) | | | | | | | | | x | | x | | | x | | | | c | c |
| | 552 | Motor vehicle dealers (used only) (17-286) | | | | | | | | | x | | x | | | x | | | | c | c |
| | 553 | Auto and home supply stores (17-286) | | | | | | | | x | x | x | x | x | x | x | | | | c | c |
| | 554 | Gasoline service stations (17-286) | | | | | | | | e | e | x | e | e | e | x | x | | | e | e |
| | 555 | Boat dealers (17-286) | | | | | | | | e | e | | | | | x | | | | c | c |
| | 556 | Recreational and utility trailer dealers (17-286) | | | | | | | | e | e | | | | | x | | | | c | c |
| 56 | Apparel and accessory stores | | | | | | | | | e | x | x | x | x | x | x | | | | x | x |
| 57 | Furniture, home furnishings and equipment stores | | | | | | | | | | x | x | x | x | x | x | | | | x | x |
| 58 | Eating and drinking places | | | | | | | | | | | | | | | | | | | | |
| | | 5812 Eating places | | | | | | | | a | x | x | x | x | x | x | | | | x | x |
| | | 5813 Drinking places (alcoholic beverages) (section 17-269) | | | | | | | | e | e | e | e | x | x | e | x | | | e | e |

Permitted Use

C-2

Sec. 17-239. - C-2 neighborhood commercial district.

The C-2 district is intended to accommodate commercial and service uses oriented primarily to serving the needs of persons who live or work in nearby areas. Certain related structures and uses required to serve the needs of such areas are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to best fulfill the intent of this article.

(Code 1979, § 6-3068)

Sec. 17-270. - Restaurants.

Restaurants under 5,000 square feet are allowed as a permitted use in a C-2 district. Restaurants in excess of 5,000 square feet may be allowed as a special exception by the board of zoning appeals.

(Code 1979, § 6-3091.12; Ord. No. 99-011, § 2, 4-21-99; Ord. No. 2000-024, § 3, 3-29-00)

Note— Formerly numbered as 17-267

Under 5000 SF

Sec. 17-275. - Lot size, setback and height requirements.

Lot, setback and height requirements shall comply with table 2 unless modified by special provisions, exceptions and conditions contained elsewhere in this article.

TABLE 2. SCHEDULE OF MAJOR HEIGHT AND AREA REQUIREMENTS

| District | Minimum Lot Area per Unit (square feet) | | Approximate Maximum Density (units per acre) | Minimum Yard Requirements (feet) | | | Minimum Lot Width (feet) | Maximum Height (feet) | Percent Maximum Lot Coverage |
|----------------------|---|----------------------|--|----------------------------------|-----------|--------|--------------------------|-----------------------|------------------------------|
| | First Unit | Each Additional Unit | | Front | Rear | Side | | | |
| D-1 | 40,000 | NA | 1.1 | 35 | <u>15</u> | 10 | 150 | 40 | 25 |
| RS-1 | 15,000 | NA | | 35 | 15 | 8 | 90 ^h | 40 | 30 |
| RS-1A | 12,000 | NA | 3.6 | 35 | 15 | 6 | 75 ^h | 40 | 30 |
| RS-1B | 10,000 | NA | 4.4 | 25 | 10 | 5 | 60 ^h | 40 | 30 |
| RS-2 | 8,500 | NA | 5.1 | 25 | 10 | 5 | 60 ^h | 40 | 30 |
| RS-3 | 5,000 | NA | 8.7 | <u>20</u> | 10 | 5 | 50 ^h | 40 | 30 |
| RD ^g | 5,000 | 2,500 ^f | 5.8 | 25 | 10 | 5 | 50 ^h | 40 | 50 |
| RD-2 | 3,300 | ^m | 13.2 | 5 | 10 | 5 | 50 ^h | 35 | 50 |
| RG-1 ^g | 5,000 | 5,000 | 8.7 | 25 | 10 | 5 | 50 ^h | 40 | 40 |
| RG-1A ^g | 5,000 | 3,600 | 11.7 | 25 | 10 | 5 | 50 ^h | 40 | 40 |
| RG-2 ^g | 5,000 | 2,500 | 16.4 | 25 | 10 | 5 | 50 ^h | 40 | 40 |
| RG-3 ^{g, i} | NA ^a | NA | NA | 25 | 25 | 25 | 150 | 6x ^b | 40 |
| C-1 ^g | 5,000 | 2,500 | 16.4 | 25 | 10 | 5 | NA ^h | 50 ^c | 50 |
| C-2 | NA | NA | NA | 25 | 10 | 0 or 3 | NA | 50 ^c | NA |
| C-3 | NA | NA | NA | 25 | 10 | 0 or 3 | NA | 50 ^c | NA |
| C-3A | 0 | NA | 0 | 25 | 10 | 0 or | 0 | 50 | 50 |

Vinyl or plastic tarps are not permitted as fencing materials. Notwithstanding the provisions within Division 7 of this article, all fences composed of such material shall be removed or replaced with a permitted material within 180 days of the effective date of the ordinance that established this subsection [March 4, 2009]. This subsection is not intended to prohibit the use of mesh attached to a chain link fence.

- (12) Awnings, canopies, and marquees may project over the public rights-of-way subject to the following regulations:
- a. Awnings, canopies, and marquees shall not extend more than two-thirds of the distance between the building and the curbline or the nearest edge of the street surface, whichever is least and in no case shall any such structure project closer than 12 inches from the curb line or street edge, whichever is least. No portion of any awning, canopy, and/or marquee shall be less than eight feet above the surface of the right-of-way except that the free-hanging valance of an awning or canopy may extend to seven feet.
 - b. Any signage on an awning, canopy, and/or marquee is subject section 17-406
 - c. Prior to the issuance of a permit, the owner/operator shall place on file with the city clerk a proof of continuous general liability insurance naming the city as an additional insured in an amount not less than \$600,000.00 per occurrence for personal injury and property damage.

(Code 1979, § 6-3094; Ord. No. 93-81, 9-15-93; Ord. No. 2000-024, § 3, 3-29-00; Ord. No. 2003-085, 10-15-03; Ord. No. 2009-007, 3-4-09; Ord. No. 2009-007, 3-4-09; Ord. No. 2009-118, 2-23-10; Ord. No. 2010-051, 6-2-10)

Note— Formerly numbered as 17-274

Sec. 17-278. - Orientation of required yards.

In interpretation of requirements related to establishment of required yards, the zoning administrator shall apply the following interpretation to the orientation of those yards:

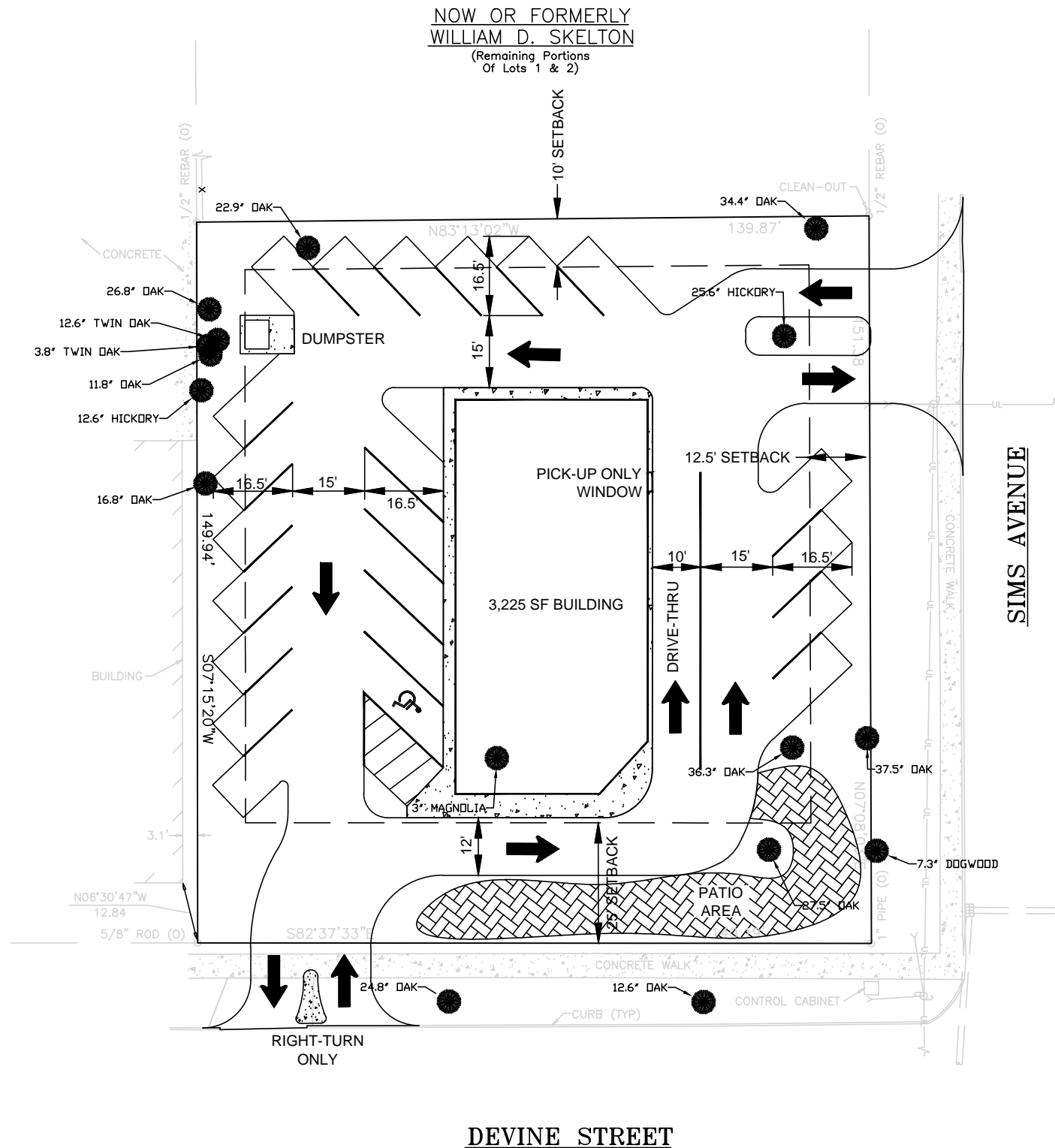
- (1) *Through lots.* In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the zoning administrator may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards existing on lots within the same block.
- (2) *Corner lots with two frontages.* In the case of corner lots with two frontages, a front yard of the required depth shall be provided on the frontage of the street having the higher traffic volume. Where the traffic volumes on both streets are approximately equal, the required depth shall be provided on the street frontage having the minimum lot width. A second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.
- (3) *Corner lots with more than two frontages.* In the case of corner lots with more than two frontages. the zoning administrator shall determine the front yard requirements, subject to the following limitations:
 - a. At least one front yard shall be provided having the full depth required in the district.
 - b. No other front yard on that lot shall have less than half the full depth required generally.
- (4) *Appropriateness of orientation; authority of zoning administrator.* Notwithstanding subsections (1) through (3) of this section, the zoning administrator may determine that the most appropriate orientation for any required yard is different from the orientation as set forth in subsections (1) through (3) of this section in such instance that it appears that such different orientation will further the intent of this article. When a structure is to be built which will contain more than one dwelling unit, the orientation of required yards shall be based upon both the orientation of the lot and the orientation of the structure. The zoning administrator may impose an orientation of yards different from the orientation set forth in this section and elsewhere in this article subject only to appeal of the decision to the board of zoning appeals as an appeal from an administrative decision of the zoning administrator.

(Code 1979, § 6-3095; Ord. No. 99-011, § 2, 4-21-99; Ord. No. 2000-024, § 3, 3-29-00)

Note— Formerly numbered as 17-275

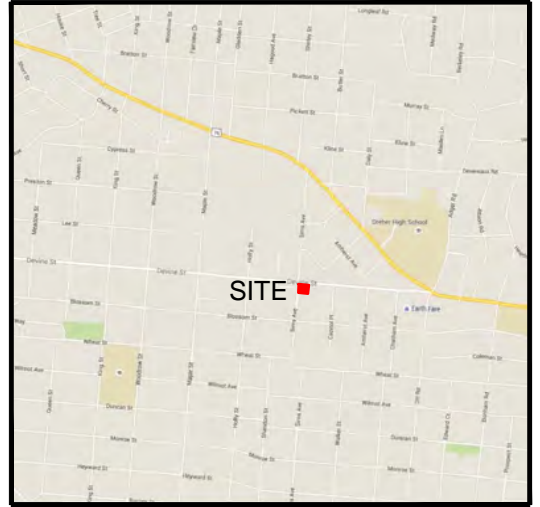


Site Plan



APPLICANT INFORMATION
 UC HQ - DEVINE STREET
 CONTACT: WILL GILLESPIE, PRESIDENT
 1751 SHADY LANE
 COLUMBIA, SC 29206
 TELEPHONE: (803) 312-4180
 EMAIL: WILL@URBANCOOKHOUSE.COM

ENGINEER INFORMATION
 ALLIANCE CONSULTING ENGINEERS, INC.
 CONTACT: TRAVIS BASNETT, P.E.
 P.O. BOX 8147
 COLUMBIA, SC 29202
 TELEPHONE: (803) 779-2078
 EMAIL: TBASNETT@ALLIANCECE.COM



SITE LOCATION MAP
NTS

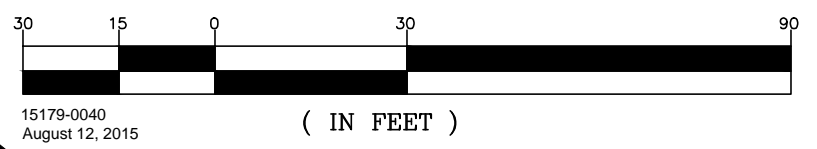
TMS# 13804-16-01
ZONING: C-2
LOT SIZE: 0.48 Acres
BUILDING AREA: 3,225 SF
BUILDING SETBACK: 25' DEVINE ST R/W
12.5' SIMS AVE R/W
10' SIDE

STREET PROTECTIVE YARD
PROTECTIVE YARD REQUIRED:
 10' AVERAGE, 5' MINIMUM

PROTECTIVE YARD PROVIDED:
 2,996 SF BUFFER / 222 LF FRONTAGE =
 13.5' AVERAGE, 5' MINIMUM

PARKING SUMMARY
PARKING STALLS REQUIRED:
 8 STALLS PER 1,000 SF OF BUILDING
 8 STALLS * 3.225 = 25.8 STALLS

PARKING STALLS PROVIDED:
 STANDARD STALLS: 21
 HANDICAP STALLS: 1
 TOTAL STALLS: 22



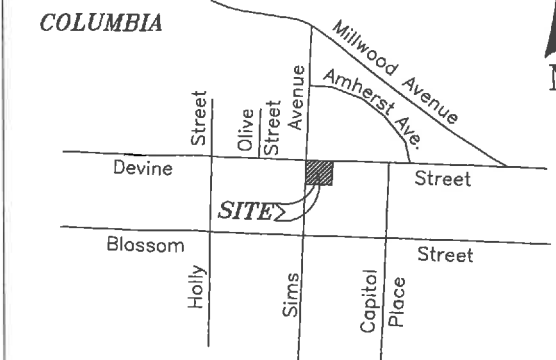
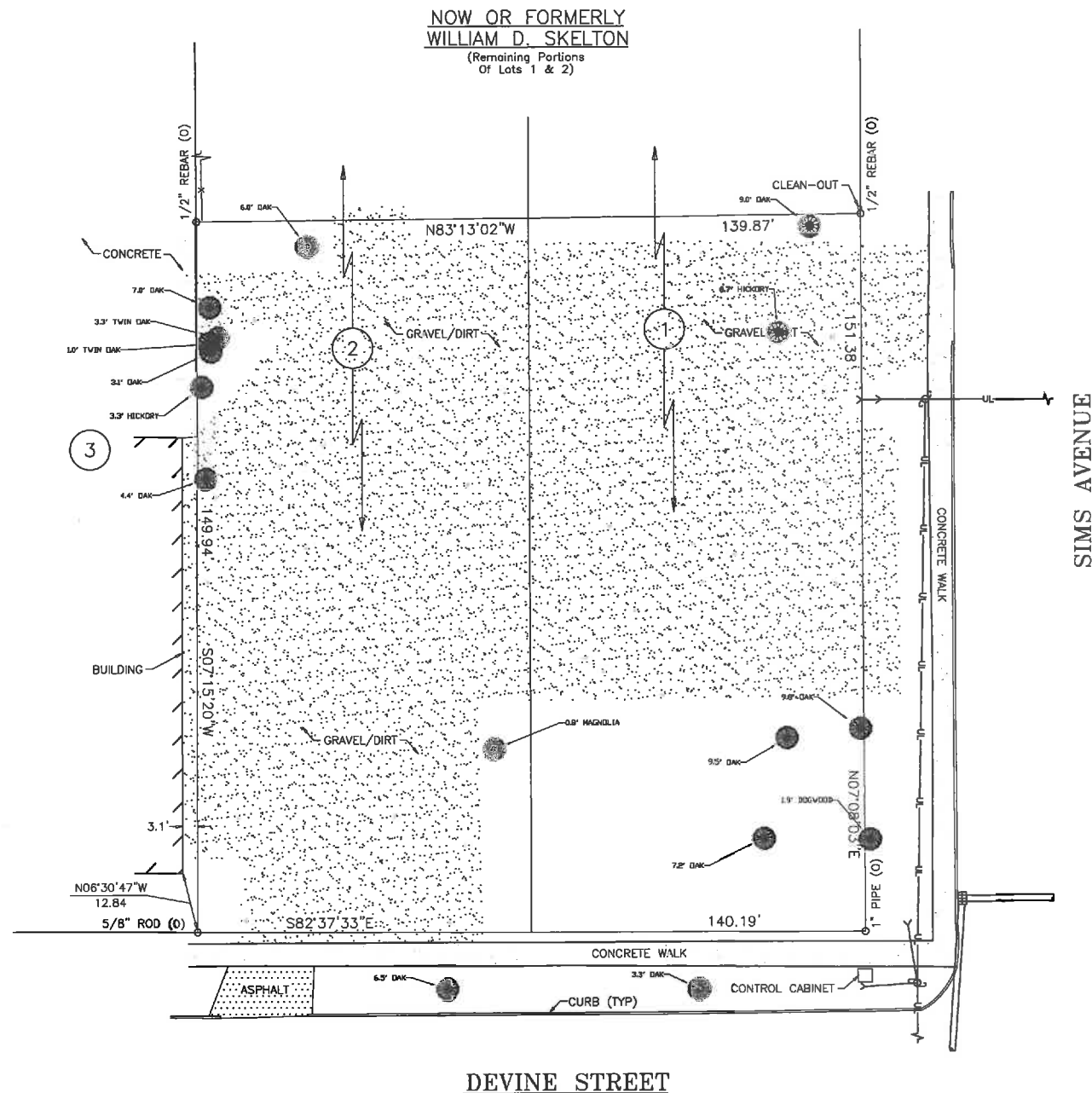
SITE PLAN
URBAN COOKHOUSE
CITY OF COLUMBIA, SOUTH CAROLINA



15179-0040
August 12, 2015



Plat of Property



LOCATION MAP
(Not To Scale)



SYMBOL LEGEND

- Drop Inlet
- Pole
- Reinforced Concrete Pipe
- Overhead Utility Line
- Wood Fence

- NOTES:**
1. THIS PROPERTY IS POSSIBLY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT SHOWN HEREON.
 2. THIS PROPERTY MIGHT HAVE UNDERGROUND UTILITIES THAT ARE NOT VISIBLE AT THE SURFACE.
 3. NO FLOOD ZONE INSPECTION AT THIS TIME.

- REFERENCES:**
1. THE SAME BEING SHOWN AND DESIGNATED ON A PLAT PREPARED FOR INCARNATION DEVELOPMENT FOUNDATION, INC., BY COX AND DINKINS, INC., DATED OCTOBER 21, 1999, AND RECORDED IN THE OFFICE OF REGISTER OF DEEDS FOR RICHLAND COUNTY IN RECORD BOOK 357, PAGE 1284.
 2. PLAT OF CAPITOL HEIGHTS, BY JAS. C. COVINGTON, DATED MARCH 1917, AND RECORDED IN PLAT BOOK "C", PAGE 264.



| | | |
|--|--|-----------------|
| PLAT PREPARED FOR: | | |
| RHODES PROPERTIES OF WALTERBORO, LLC | | |
| RICHLAND COUNTY, COLUMBIA, SOUTH CAROLINA | | |
| DATE: APRIL 13, 2015 | SCALE: 1" = 20' | |
| SURVEY NO.: 15099-00 | TOTAL AREA = 0.48 ACRE RATIO OF PRECISION = 1/10,000 AREA BY COORDINATE METHOD | |
| BOOK 241-64 | T.M.S. NO. 13804-16-01 | S.F. 133 No. 18 |
| INMAN | | |
| 2223 BULL STREET COLUMBIA SOUTH CAROLINA 29201 PHONE 252-1797 FAX 252-1798 | | |
| I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. | | |
| EXEMPTION FROM REVIEW PROCESS THIS PLAT IS A SURVEY OF AN EXISTING LOT OF RECORD WITH NO CHANGES TO EXISTING LOT LINES. | | |
| RICHARD P. INMAN, PLS NO. 13385 | | |



Photographs



Existing Site / Trees



Existing curb cut facing westbound on Devine Street



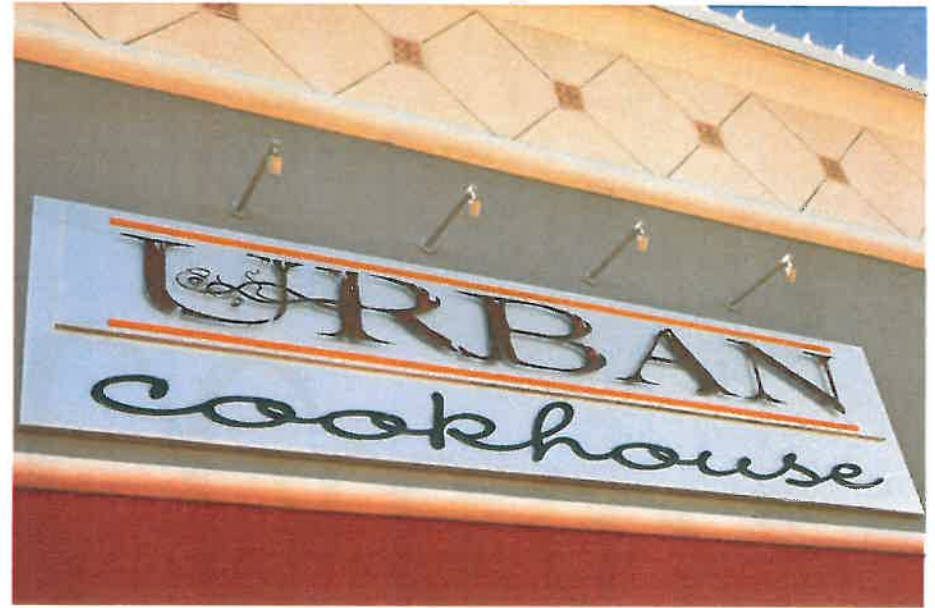
Existing curb cut facing northbound on Sims Avenue



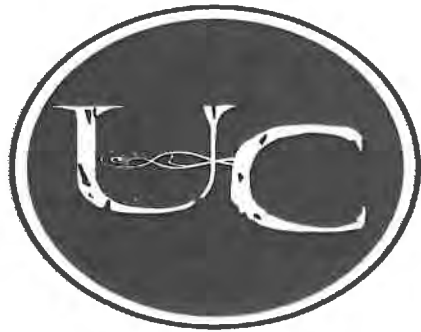
Existing Site



Company Information



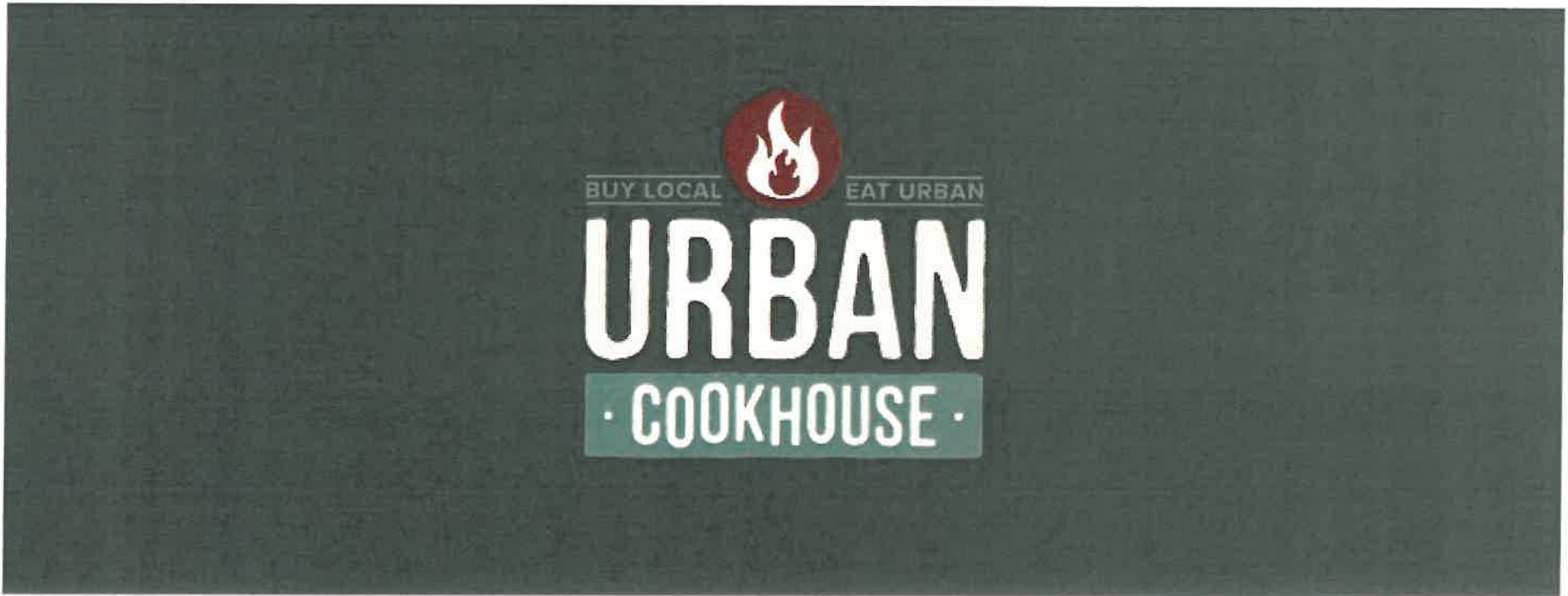
UC Summit (Old Branding)



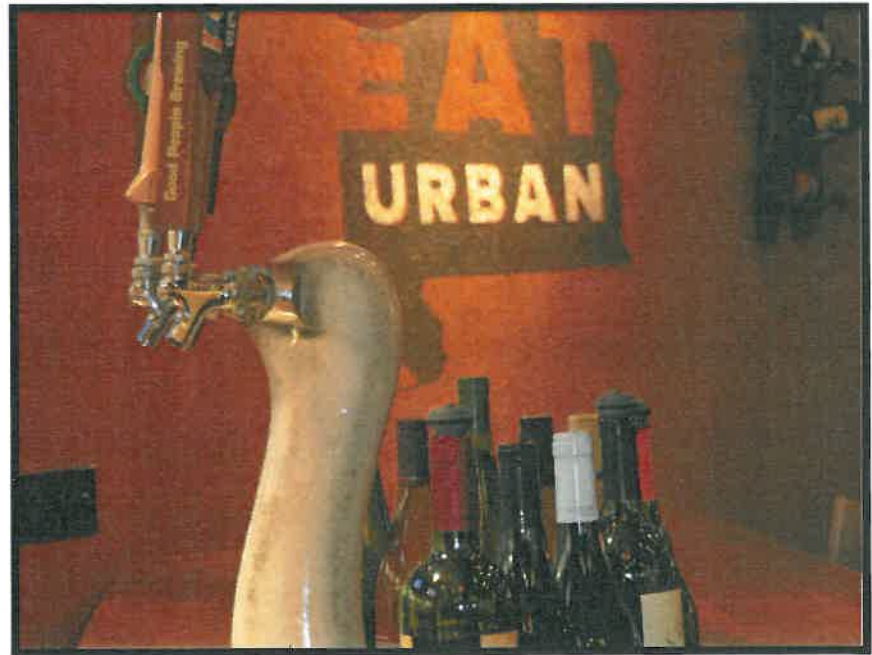
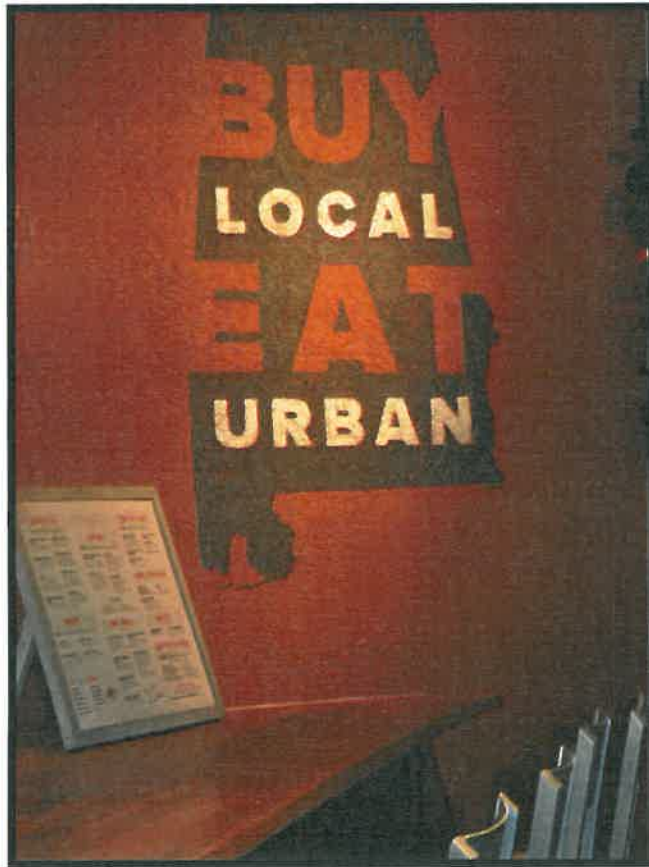
Buy Local
Eat Urban



UC 2015

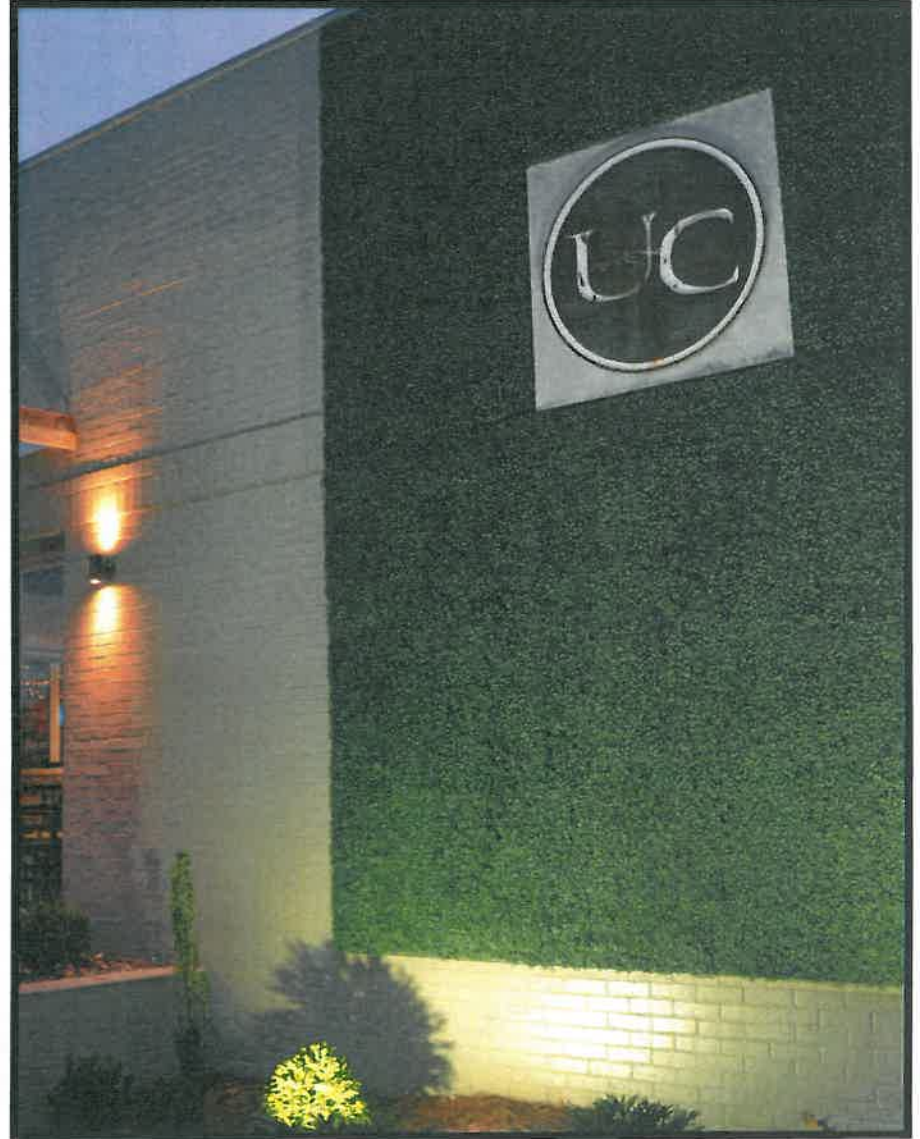
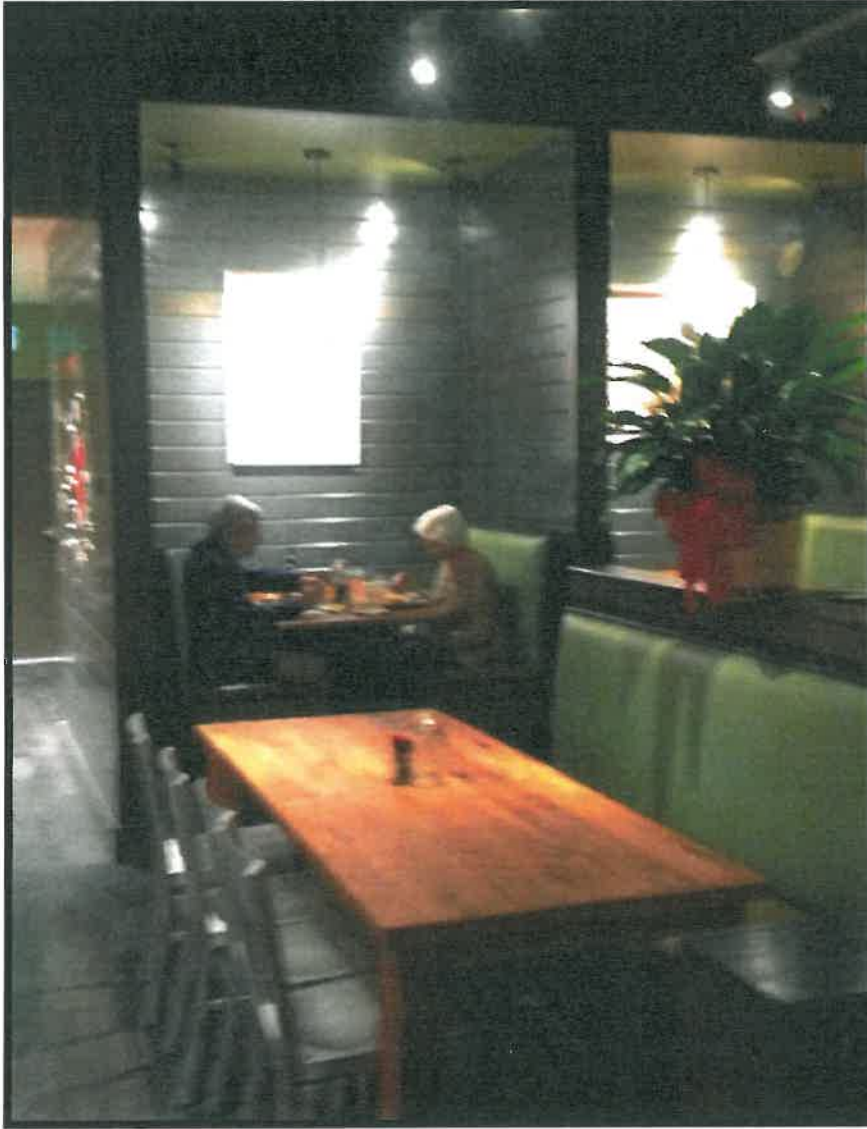


UC Bar/Draft Beer





UC Crestline Interior Dining Room





Half-Baked Cookie



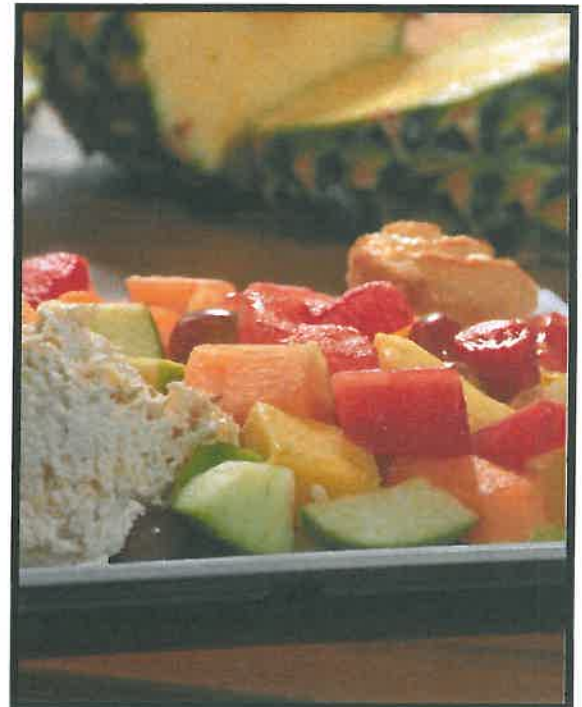
Turkey Crunch w/Hot Cheddar Pasta

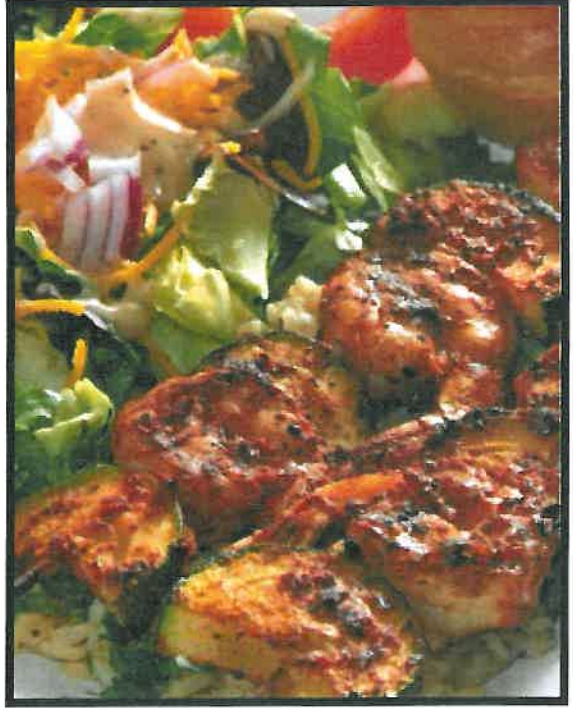
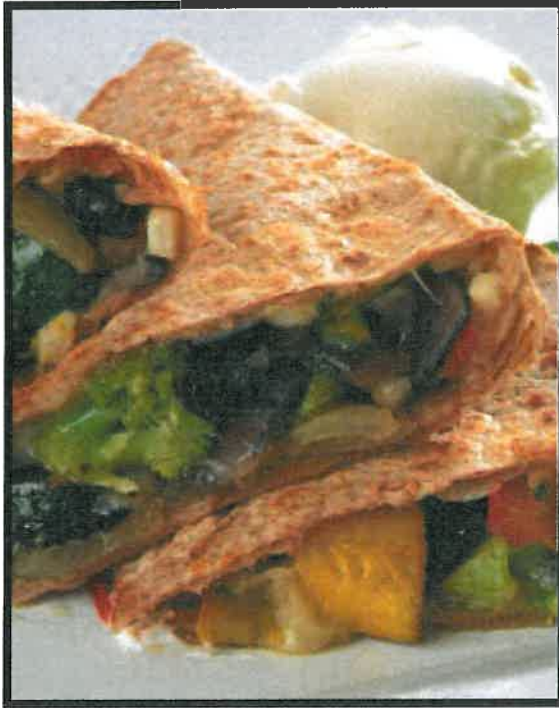


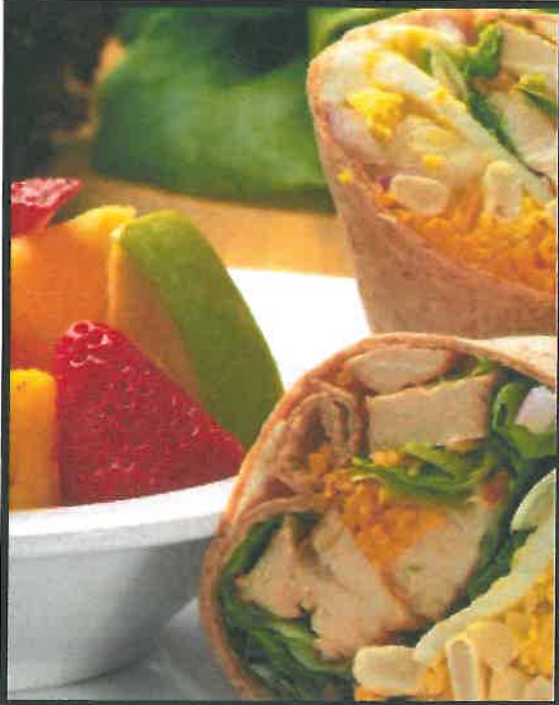
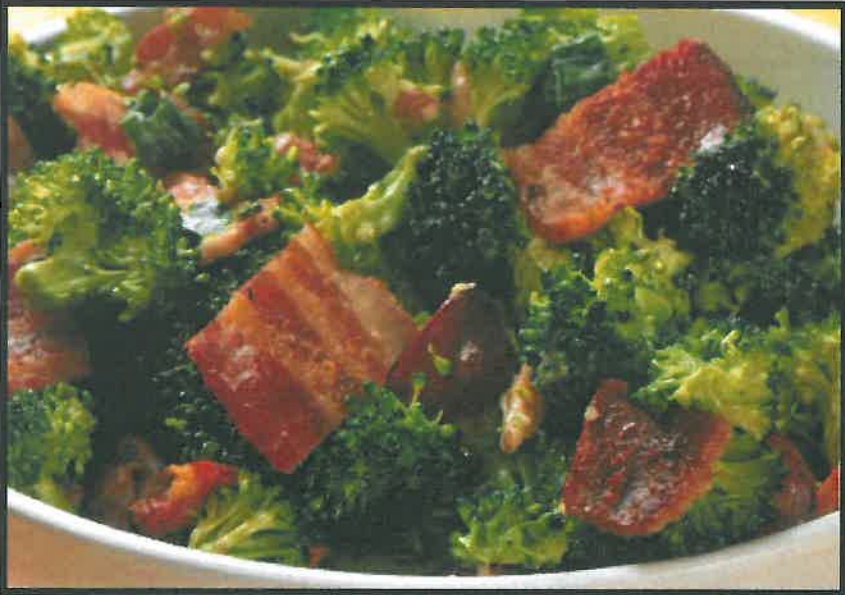
B.A.L.T. (BLT w/ Fresh Avocado)

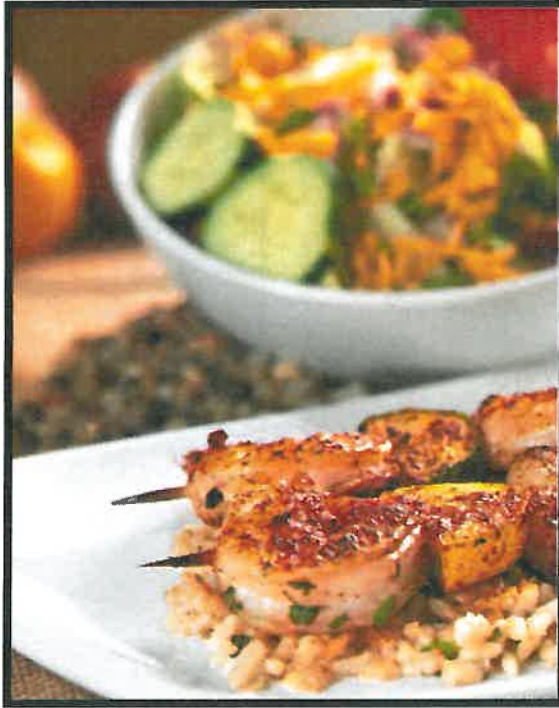


Urban Cowboy









Down Home Dinner



Homemade Salad Dressings



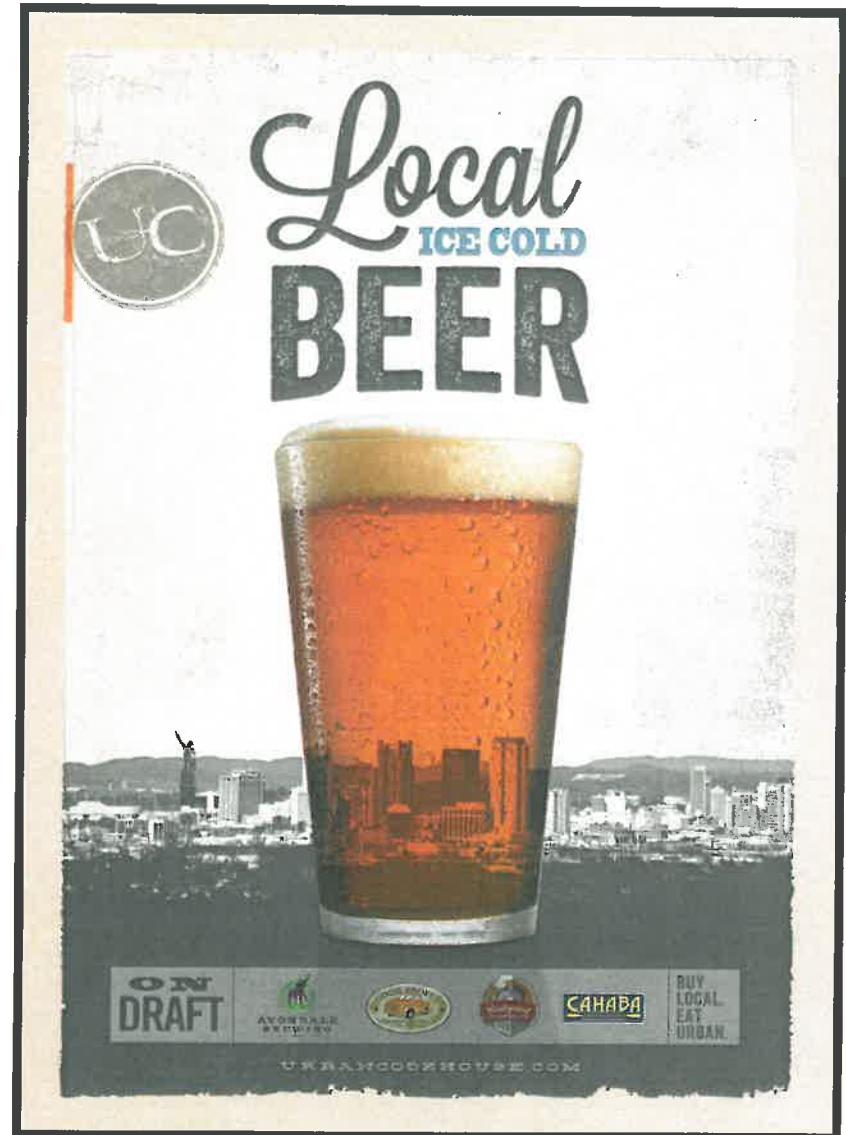
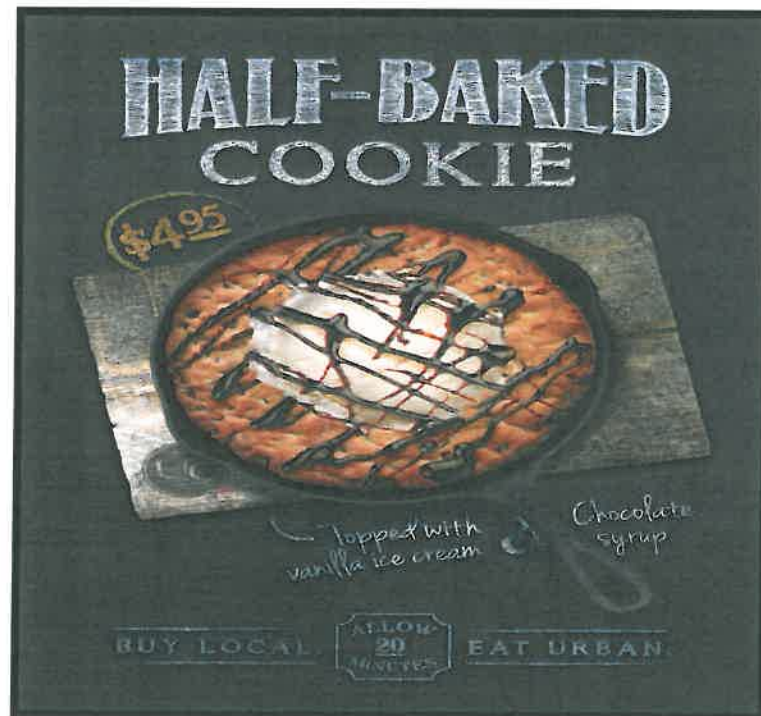
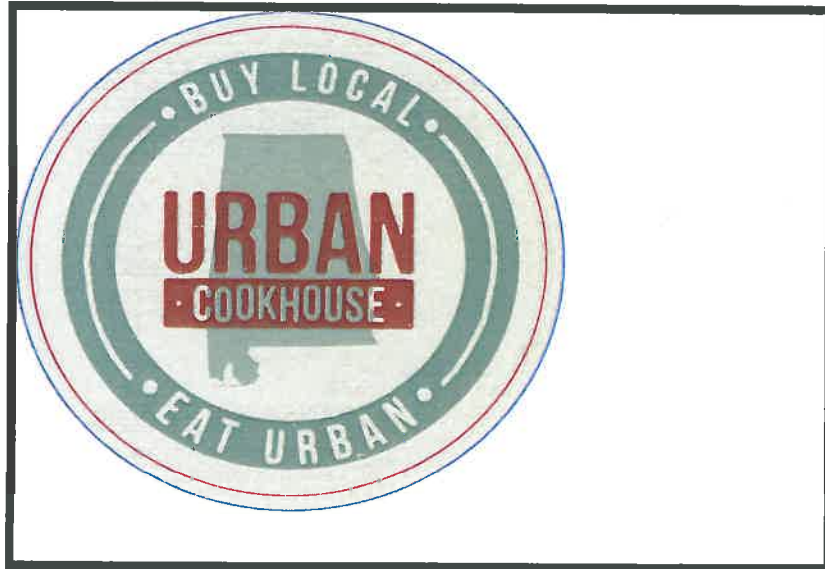
Berry Good Salad



Hickory Smoked Meats on BIG GREEN EGGS



Updated Branding



Locally Brewed Draft Beer

Livengood, Andrew

From: Brewer, David
Sent: Thursday, September 03, 2015 8:26 AM
To: Livengood, Andrew
Subject: RE: Proposed drive through on Devine Street

With that configuration, they would only need about 3 vehicles waiting before it blocks the lane for other vehicles coming in from Devine Street. I would think they would be better off shifting the building to the left and placing the drive-through window on the other side. Also, the driveway throats and turning radii on the Sims entrance are going to make it tough for a delivery vehicle of any size to get in.

David D. Brewer, P.E., City Traffic Engineer
Public Works Department
2910 Colonial Drive, Columbia, SC 29203
Phone: (803) 545-3850
Fax: (803) 733-8648
ddbrewer@columbiasc.net

ColumbiaSC.net

From: Livengood, Andrew
Sent: Tuesday, September 01, 2015 12:48 PM
To: Brewer, David
Subject: Proposed drive through on Devine Street

David,

Good afternoon!

The attached site plan is for a proposed drive-through facility at 3000 Devine Street, at the SE corner of Devine and Sims. Per the applicant, this will be a "pick up window" for call-ahead orders, and will not be a traditional fast food drive-through with order boards, etc. The restaurant will be similar to a Zoë's Restaurant, with deli sandwiches, etc. In an effort to minimize the 'drive-through feel' of the proposal, they have tried to reduce the drives, etc. My question is whether there would be any definitive issues from your point of view in terms of stacking requirements, lane widths, etc. I don't know whether pick-up vs drive-through changes the equations...

Thanks!

-Andrew

Livengood, Andrew

From: Jane Blair <janebl6414@aol.com>
Sent: Monday, August 31, 2015 6:34 PM
To: Livengood, Andrew
Subject: I am opposed to the zoning exception which will allow a drive through and permit a restaurant without appropriate parking spaces.

I live at 3425 Wilmot Ave. and do not want the additional traffic problems that the variance in the ordinance will create.
Jane Blair

Livengood, Andrew

From: Lynn Bailey <lba613@bellsouth.net>
Sent: Monday, August 31, 2015 6:36 PM
To: Livengood, Andrew
Cc: 'Julie Ruff'
Subject: Urban Cookhouse Sims and Devine

Importance: High

Mr. Livengood: My consulting office is on Devine Street, though I live in Rosewood. As much as I'd like another interesting restaurant on Devine, I can't support another eating establishment with **inadequate parking!** Henry's, Cantina 76, Burger 77 and Devine Foods all lack adequate parking but good food. Traveling down Devine in the late afternoon or early evening is hazardous to drivers, bike riders and walkers. The Shandon Fire station send trucks out at least 2 to 3 times an hour during the day and early evening, really sending the fire trucks up Devine with a drive in makes NO SENSE.

I can assure you it is challenging to get in and out of Duncin Donuts with their drive thru. You need only look a Cook Out in 5 Points to see what drive thru does to a congested urban area. This will only get worse as the new construction is completed. We don't need this in a residential neighborhood. The Sims at Devine is in the middle of a primarily residential neighborhood.

Devine street has a balance of residential, commercial and business that works but putting a drive thru in the middle of what is already congested doesn't pass the good sense test.

Thank you. Lynn Bailey 803-254-1278

Livengood, Andrew

From: Jennifer Hunt <hunt_jennifer@yahoo.com>
Sent: Monday, August 31, 2015 6:49 PM
To: Livengood, Andrew
Subject: Zoning for new restaurant on Devine Street and Sims

I am a resident of Shandon, Columbia and live on Sims Street near the proposed drive through restaurant. I am requesting that you consider the interests of the residents here and do not grant an exception for the restaurant to be granted permission to build despite the fact they do not have sufficient parking. Not only do we not need to new drive through restaurant or any drive through restaurant for that matter, the streets around the site are already crammed with cars, not only on Sundays, but every day of the week. This proposal will greatly reduce the quality of the neighborhood and be a problem for residents.

Thank you for your consideration,

Jennifer C. Hunt

SKYPE - jennifer.hunt10025
Jennifer C. Hunt PhD

Livengood, Andrew

From: Kate Fox <katecarlettafox@gmail.com>
Sent: Monday, August 31, 2015 6:53 PM
To: Livengood, Andrew
Cc: Corley, Vernis
Subject: Zoning 3000 Devine St

To Whom it may Concern:

I am a Shandon resident and I am opposed to the variance for parking and for the drive-through at Sims and Devine. I jog this area with my dog, and the traffic is already very bad on that corner.

Kate Fox
3402 Wilmot Ave
Columbia, SC 29205
843 810 5609
Sent from my iPhone

Livengood, Andrew

From: Jennifer O'Neill <jen9oneill@yahoo.com>
Sent: Monday, August 31, 2015 7:01 PM
To: Livengood, Andrew
Subject: Drive thru in the heart of Devine?

Absolutely not!!
Thank you,
15 year Shandon resident, Jennifer O'Neill-Whetstone

[Sent from Yahoo Mail on Android](#)

Livengood, Andrew

From: mallorycooper01@gmail.com
Sent: Monday, August 31, 2015 7:13 PM
To: Livengood, Andrew; Corley, Vernis
Subject: 3000 Devine St

I am a resident of Shandon neighborhood and I am opposed to the zoning variance requested by Urban Cookhouse. I do not want to see a drive through in our neighborhood, and I think the parking variance would cause undue stress on parking all around that address. Please do not let this variance request pass.

Thanks,
Brandon and Mallory Cooper

Livengood, Andrew

From: Bob Broom <bbroom@jhs-architects.com>
Sent: Tuesday, September 01, 2015 4:38 PM
To: Livengood, Andrew
Subject: RE: 3000 Devine Street

Andrew,

I may want to attend the meeting to be held at Sims Park tomorrow night. Maybe I am jumping into conclusions without knowing all of the facts.

I went online of Urban Cookhouse and it looks like it would be good for the neighborhood.

I can't imagine how the parking would work at this site since the Bird on the Wire once down the street was 'very' limited.

Devine and Sims Avenue Streets are very narrow for parking where a lot of parked cars get hit, therefore some parked THEIR CARS over the curb.

Also, Devine Street has excessive speeds.

Concerned.

Bob

From: Livengood, Andrew [<mailto:atlivengood@columbiasc.net>]
Sent: Tuesday, September 01, 2015 4:22 PM
To: Bob Broom
Subject: RE: 3000 Devine Street

Good afternoon Mr. Broom,

I have received your email and will include it with the materials sent to the Board of Zoning Appeals on the matter. As a reminder, the hearing for this case will be at the Tuesday September 8 meeting of the Board of Zoning Appeals, held at 10am in City Council Chambers, 1737 Main Street (3rd Floor). While I will deliver your email to the board, staff always recommends attending the meeting, if possible, if the case is of interest to you. In the days prior to the meeting, an agenda will be posted online at <http://www.columbiasc.net/planning-boards-commissions/boza/agendas-minutes>.

Regards,
Andrew

Andrew Livengood
Deputy Zoning Administrator
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Desk: 803-545-3220
Fax: 803-733-8699
www.columbiaplanning.net

-----Original Message-----

From: Bob Broom [<mailto:bbroom@jhs-architects.com>]
Sent: Monday, August 31, 2015 7:30 PM

To: Livengood, Andrew
Subject: 3000 Devine Street

Please don't allow the change. Not good for the neighborhood and the church across the street. Sims not wide enough traffic as it is. NO to the developer!!! N

Sent from my iPhone

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.6086 / Virus Database: 4409/10556 - Release Date: 09/01/15

Livengood, Andrew

From: Mary Dell Hayes <marydellhayes@gmail.com>
Sent: Monday, August 31, 2015 7:33 PM
To: Livengood, Andrew
Subject: Opposition to Drive Through and Parking Variance For Urban Cookhouse

Dear Mr. Livengood,

I recently became aware the City of Columbia is considering a parking variance and drive-through for a proposed new restaurant at Sims and Devine Streets. I believe this would be a terrible decision and would be dangerous for drivers on both Devine and Sims as well as pedestrian traffic. The area is already impeded enough by restaurants offering limited parking. To further extend the benefit to another restaurant would tax the area beyond it's already strained capacity. My husband and I have lived in Shandon on Yale Avenue for many years and would hate to see an already scary intersection become even more dangerous.

Thank you for your consideration,
Mary Dell Hayes
3607 Yale Avenue
Columbia, SC 29205

Livengood, Andrew

From: dthomas3232@gmail.com on behalf of Deborah Thomas <dthomas32@sc.rr.com>
Sent: Monday, August 31, 2015 7:53 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Zoning on the Corner of Devine & Sims

Good afternoon Andrew, I am on the Shandon Neighborhood Counsel, it was brought to my attention of the request for exception by Urban Cookhouse for a drive thru window. That isn't at all appropriate for that congested area of Devine. Also, I understand they are asking that the parking ordinance not to apply to them. That's why we have ordinances. It has to apply. If this company is granted what they want on parking, & Drive thru, that will only open the door for that type request. Devine is much too crowded for either of their request .

Thank you,
Deborah Thomas
223 S. Holly Street 29205

Livengood, Andrew

From: Shannon Bobertz <shannonfurr@mindspring.com>
Sent: Monday, August 31, 2015 8:12 PM
To: Livengood, Andrew
Subject: Zoning request in Shandon

I am writing to oppose the zoning variance request for a new restaurant that wants to locate at Sims and Devine called Urban Cookhouse. Although we are always excited about new restaurants in our neighborhood, this is not s request that should be allowed. There is already serious parking congestion in the area due to the popularity of cantina, Henry's, za's and Arabesque. There is not sufficient parking for these restaurants alone. Also, a drive through is not appropriate for Devine Street which is upscale. Please consider these oppositions to the zoning variance. Please let me know you received this. Thank you, Shannon Bobertz resident of 515 Woodrow Street. If you have any questions, please call me at 238-0606. Thanks.

Sent from my iPhone, please excuse any typos.

Livengood, Andrew

From: Helen Foley <hc99031@bellsouth.net>
Sent: Monday, August 31, 2015 8:32 PM
To: Livengood, Andrew
Subject: Devine Street and Sims Avenue

I would like to formally state that as a Shandon resident I am opposed to the variance for parking and for the drive-through as proposed by the Urban Cookhouse. This is primarily a quiet residential neighborhood, and across the street from their site are a couple of neighborhood type restaurants. A drive-through would be totally inappropriate for this site. Also, this new place sets up a problem with parking that this neighborhood does not need. Please give consideration to stopping the variance now.

Sincerely,

Helen Foley
338 S. Harden Street
Columbia, SC. 29205

Sent from my iPad

Livengood, Andrew

From: Carolyn McKenzie <CarolynMcKenzie@sc.rr.com>
Sent: Monday, August 31, 2015 10:03 PM
To: Livengood, Andrew
Subject: new restaurant on Divine

There is too much congestion at the area of Zia's to have another restaurant and most particularly a drive thru for our Shandon neighborhood.

Livengood, Andrew

From: srlindenberg@gmail.com on behalf of Stacy Lindenberg <stacy@growyourtalent.com>
Sent: Tuesday, September 01, 2015 5:25 PM
To: Livengood, Andrew
Subject: Re: Zoning Comment: Urban Cookhouse

Thank you, Andrew. I appreciate the response. If it isn't too much trouble, I would appreciate your including the following comments as well:

- 1) Like many in our neighborhood, I am not opposed to the concept of this particular restaurant in the proposed location. It is a good fit with other eateries and far better than a Hardee's or Taco Bell, as far as neighborhood fit. The restaurant is well thought of. I am primarily concerned about the drive-thru concept.
- 2) If the building can accommodate the proper parking without putting nearby local restaurants' parking needs at risk, then that would resolve my concerns for the other businesses operating nearby.

I realized after further reflection that I had not included the more positive side of the proposed restaurant.

Regards,
Stacy

On Tue, Sep 1, 2015 at 4:40 PM, Livengood, Andrew <atlivengood@columbiasc.net> wrote:

Good afternoon Ms. Lindenberg,

I have received your email and will include it with the materials sent to the Board of Zoning Appeals on the matter. As a reminder, the hearing for this case will be at the Tuesday September 8 meeting of the Board of Zoning Appeals, held at 10am in City Council Chambers, 1737 Main Street (3rd Floor). While I will deliver your email to the board, staff always recommends attending the meeting, if possible, if the case is of interest to you. In the days prior to the meeting, an agenda will be posted online at <http://www.columbiasc.net/planning-boards-commissions/boza/agendas-minutes>.

Regards,

Andrew



Andrew Livengood Deputy Zoning Administrator

Planning and Development Services

1136 Washington Street, Columbia, SC 29201

Phone: [803-545-3333](tel:803-545-3333)

Desk: [803-545-3220](tel:803-545-3220)

Fax: [803-733-8699](tel:803-733-8699)

www.columbiaplanning.net

From: srlindenberg@gmail.com [mailto:srlindenberg@gmail.com] **On Behalf Of** Stacy Lindenberg

Sent: Monday, August 31, 2015 11:19 PM

To: Livengood, Andrew

Subject: Zoning Comment: Urban Cookhouse

Dear Andrew:

I am writing to express my opposition to the proposed ordinance requesting a zoning exception for Urban Cookhouse.

Please consider:

1) Where will anyone park to eat there? As it is, Za's, Eggs Up, and Arabesque are challenged by parking. We should not, under any circumstances, cannibalize successful, locally owned restaurants to make room for a new restaurant. Let's not even add Cantina 76 and Henry's to that mix.

2) A drive through will NEVER be acceptable in this location. This compromises the character of our neighborhood and is a ludicrous concept. Seriously????

3) Urban Cookhouse states on their website that anyone seeking a commercial real estate partnership should accommodate 30 square feet storefront minimum, and more importantly, 20,000 vehicles per day. I don't know if we have this on Devine St., but it is an indicator that the franchise is seeking high volume. Again, this is a sign that it is out of character for our neighborhood.

I'm all for new business, but this compromises the character of her neighborhood.

Best regards,

Stacy Lindenberg

Stacy Lindenberg

Owner

Talent Seed Consulting, LLC

3025 Heyward St.

Columbia,SC 29205

[803.238.3989](tel:803.238.3989)

<http://growyourtalent.com/>

<http://linkedin.com/in/stacylindenberg>

<http://www.twitter.com/stacylindenberg>



--

Stacy Lindenberg

Owner

Talent Seed Consulting, LLC

709 Woodrow St., #123

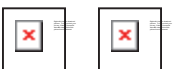
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<http://www.twitter.com/stacylindenberg>



Livengood, Andrew

From: Leah Lake <ljlake@bellsouth.net>
Sent: Tuesday, September 01, 2015 4:48 AM
To: Livengood, Andrew
Subject: Objection to variance for parking at 3000 Devine Street.

I am a resident in the Old Shandon neighborhood at 605 Capitol Place. I oppose the variance for parking and for the drive through at 3000 Devine Street. My home is less than a block from 3000 Devine, the first house on the right when turning onto Capitol Place. It sits directly behind the three existing business parking lots there. For all of the years I have lived here (20), there is a flooding problem anytime there is a hard rain. The concrete parking lots behind the businesses along the 3000 block are made higher due to paving. Rising water running the length of the parking lots, flow toward Capitol Place, a street leveled lower than Sims Avenue. Hard rains flood my garden, has destroyed the wooden flooring at the back of my garage, and items in it. In an effort of cooperation, business owners along the block and my family put out a long border of creosoted cross ties, end to end, that somewhat direct the flood waters to the street. We have a very old sewer system in our neighborhood. So flood water spills over anyway, despite the efforts we've made. Another area of concrete parking lots so close to my home and back yard will further damage my home and the value of my property.

The existing parking lots are regularly used, nightly, by young adults hanging out, smoking, and drinking, even though the three parking lots are fairly well lighted. I hear them easily through the fence. When it floods, hypodermic needles and condoms flood into my garden and yard. This is a regular occurrence when it rains, and I assume these items to be coming from the parking lots. With three exceptions, all of residents in the homes on my block are senior citizens. Another parking lot with a drive through will add to this existing problem.

Thank you for your attention to my concern.

Leah J. Lake
605 Capitol Place
Columbia, SC 29205
(803) 799-7652

Sent from my iPad

Livengood, Andrew

From: betsyhallman <betsychallman@yahoo.com>
Sent: Tuesday, September 01, 2015 6:44 AM
To: Livengood, Andrew
Subject: Variance for urban cookhouse

I am writing as a forty year resident of Shandon to oppose the variance for parking and drive through for urban cookhouse.

Thank you.

Betsy hallman

424 walker st.

Columbia, SC 29205

Sent from my T-Mobile 4G LTE Device

Livengood, Andrew

From: Corley, Vernis
Sent: Tuesday, September 01, 2015 8:04 AM
To: Livengood, Andrew
Subject: FW:

Vernis Corley, Zoning Analyst
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Fax: 803-733-8699

www.columbiaplanning.net

-----Original Message-----

From: Judy Anderson [mailto:anderson_judy@att.net]
Sent: Monday, August 31, 2015 8:56 PM
To: Corley, Vernis
Subject:

I will be unable to attend the Zoning meeting scheduled for Tuesday, September 08, 2015. I understand that 3000 Devine Street is on the agenda for a variance for parking by Urban Cookhouse. I am opposed to granting of this variance and hope that you will deny it. It would cause more traffic issues as well as impact the existing businesses in the area. This appears to be a "followup" to the request for variance across the street that was denied several months ago. Again, I am opposed to the variance for parking and for the drive-thru.

Judy C. Anderson
3119 Heyward Street

Livengood, Andrew

From: Stephanie Bridgers <stephaniegriggsbridgerssc@gmail.com>
Sent: Tuesday, September 01, 2015 7:02 AM
To: Livengood, Andrew
Subject: Zoning for Urban Cookhouse

Another restaurant of this sort is not great. We already have enough. Some may think it is great because they do not live that near Devine Street. We live on Sims Street near the proposed drive-thru / window restaurant. No exception should be granted a restaurant to build, if it does not have sufficient parking, regardless of neighborhood. Not only do we not need to a drive-thru restaurant, the streets around the proposed site are already crammed with cars, not only on Sundays, but every day of the week. This proposal will greatly reduce the quality of the immediate neighborhood and be a problem for its residents in terms of cars and traffic, in particular. There will also be a safety hazard. #eatlocal

Thanks. Stephie Bridgers

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Sent from Gmail Mobile

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Sent from Gmail Mobile

Livengood, Andrew

From: Corley, Vernis
Sent: Tuesday, September 01, 2015 8:05 AM
To: Livengood, Andrew
Subject: FW: Zoning at 3000 Devine St



We Are Columbia

Vernis Corley, Zoning Analyst
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Fax: 803-733-8699
www.columbiaplanning.net

From: T Whitlark [<mailto:whitlarkt@gmail.com>]
Sent: Monday, August 31, 2015 6:37 PM
To: Corley, Vernis
Subject: Zoning at 3000 Devine St

Dear Mr. Livengood,

I would like you to consider my opinion as a long time resident and property owner in the Shandon neighborhood. I believe that the proposed variance for 3000 Devine St would negatively impact the Shandon area. It would cause unwanted traffic congestion, as well as be an eyesore (drive thru) in an otherwise thriving and beautiful corridor. Thank you for your consideration.

Taryn Whitlark
3000 Heyward St
Columbia, SC 29205

Livengood, Andrew

From: Misti Crawford <misticrawford67@gmail.com>
Sent: Tuesday, September 01, 2015 8:50 AM
To: Livengood, Andrew; Corley, Vernis
Subject: Zoning "Exception" Opposed for 3000 Devine Street

I understand that that there has been a request for a zoning exception with regard to parking spaces for 3000 Devine Street. While I support new business coming into the neighborhood, there should be adequate parking to support the business. I have also been advised that they wish to install a drive-through at that location. If there's not enough room for parking, there's certainly not enough for a drive-through at this location. As a resident of Shandon who lives on Sims Avenue, I hope the wishes of the neighborhood will be considered before acting on the Urban Cookhouse request.

Thank you.

Misti Crawford
13 Sims Alley
415 Sims Avenue

--

Misti Crawford
misticrawford67@gmail.com
803.348.2415

Livengood, Andrew

From: Corley, Vernis
Sent: Tuesday, September 01, 2015 8:52 AM
To: Livengood, Andrew
Subject: FW: No Drive Through at 3000 Devine



We Are Columbia

Vernis Corley, Zoning Analyst
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Fax: 803-733-8699
www.columbiaplanning.net

From: M J WOOLSEY [<mailto:woolseym@bellsouth.net>]
Sent: Tuesday, September 01, 2015 8:51 AM
To: Corley, Vernis
Subject: No Drive Through at 3000 Devine

Please vote against the proposed drive through at the restaurant at 3000 Devine. I live on Coleman Street in Shandon and the traffic at that intersection is congested at all times of the day without a drive through. PLEASE vote against that for all of us in Shandon who live near there. Marian Woolsey

Livengood, Andrew

From: Lewis Browning <LewisBrowning@sc.rr.com>
Sent: Tuesday, September 01, 2015 9:40 AM
To: Moe Baddourah; Livengood, Andrew; Devine, Tameika; Benjamin, Steve; Davis, Sam; Plough, Leona; Newman, Brian D; Runyan, Cameron A
Subject: 3000 Devine Zoning Variance ... Noooooooooooooooooooooooooo!!

I am a Shandon resident and oppose the request(s) for zoning variances at 3000 Devine Street. Here are there reasons why:

At 3000 Devine St., across the street sideways from Eggs Up, corner of Sims and Devine, a new restaurant called Urban Cookhouse has asked for a variance on parking as their first issue. This means that the lot does not have the required footage for parking. Businesses must have 8 spaces per 1000 ft. They are asking for this not to apply to them. They have also asked for an "exception" to allow a drive-through window for the restaurant.

I think this will cause not only an eyesore (drive-through) for our neighborhood, but also severe traffic issues, and people parking along Sims and Devine as well as in the parking lot for Eggs Up and Za's and the businesses there.

Lewis Browning
3019 Duncan Street
254-3831

Livengood, Andrew

From: kimyerrick@gmail.com
Sent: Tuesday, September 01, 2015 9:46 AM
To: Livengood, Andrew
Subject: 3000 Devine St zoning

Zoning Dept.

Attn: Andrew Livengood

I am a resident of Shandon and a member of Incarnation Lutheran Church and I am opposed to the variance for parking and drive-thru.

Kimberly Yerrick

Sent from my iPhone

Livengood, Andrew

From: Bob Hallman <bob@bobhallman.com>
Sent: Tuesday, September 01, 2015 12:01 PM
To: Livengood, Andrew
Subject: Objection to Urban Cookhouse Request for Zoning Variance

September 1, 2015

Re: Objection to Urban Cookhouse Request for Zoning Variance

Dear Sir/Madam:

I am a 45 year resident of Shandon and appreciate all the City does for this area.

I respectfully interpose my objection to the proposed variance request by Urban Cookhouse to permit them to open without adequate parking. The lot where UC intends to build is already the overflow parking for the two neighboring restaurants and also a third, Eggs Up, when it is open. Having adequate parking for that area is a critical concern and the guidelines of the Zoning Ordinances should be followed. Just by occupying that lot, there will significant consequences for parking. I worry not for parking in the neighborhood so much as patrons crossing busy Devine Street to find parking. UC should be required to provide proper parking.

I further believe that the proposal for a drive-thru in that area of Devine St. would cause significant and dangerous traffic issues. I don't know what other variances UC may seek, but I have the feeling that the signage for this business and it's desired drive-thru would be out of sync with the existing businesses and the more quaint neighborhood feel that this Devine St. corridor are drawing and developing.

I have nothing against UC, as I don't know anything about this business. It comes down to space and quality of life. Please don't allow a business to squeeze in this area and cause long term problems for the safety of the Shandon Residents.

Thank you for your time, Bob Hallman (803)-252-7350

Livengood, Andrew

From: Greg Wilsbacher <wilsbacher@me.com>
Sent: Tuesday, September 01, 2015 12:57 PM
To: Livengood, Andrew
Subject: proposed variance 3000 Devine St. UC

Dear Andrew:

I am a home owner in Shandon and have learned of the proposed variance for the Urban Cookhouse at 3000 Devine St. I feel strongly that the variance to forego the minimum required parking spaces should NOT be granted. The developers are responsible for assessing the parking needs of their business and ensuring that those needs comply with zoning regulations for the proposed location. If their business model will not work in this particular location they should identify one that will provide them the square footage necessary to compile with zoning laws.

I am sympathetic to variances to allow accommodations to enable businesses to repurpose existing structures (especially if they try to maintain the original look and feel as much as possible). But in this case we are talking about an empty lot. No need to grant a variance.

Sincerely

Greg Wilsbacher

Livengood, Andrew

From: Lyn Phillips <lynphil90@gmail.com>
Sent: Tuesday, September 01, 2015 1:44 PM
To: Corley, Vernis; Livengood, Andrew
Cc: Baddourah, Moe
Subject: Opposition to parking exception and request for drive-through variance by Urban Cookhouse at 3000 Devine St.

Dear Mr Livingood and Mr/Ms Corley:

I am writing regarding the request by Urban Cookhouse for a zoning exception to the rule for parking and also regarding their request to have a drive-through at their proposed restaurant in the 3000 block of Devine Street. I have lived 2 blocks from that site for over 25 years and thus am very cognizant of the traffic and parking problems in that area.

I respectfully submit my strong objection to the proposed variance request by Urban Cookhouse to permit them to open without adequate parking. The lot does not have the required footage for parking. This lot is already used as overflow parking for the three adjacent popular restaurants (Eggs Up, Za's and Arabesque). Having adequate parking for that area is a critical concern and the guidelines of the Zoning Ordinances should be followed. Making that exception would set a bad precedent for Devine Street. Simply by occupying that currently empty lot there will significant consequences for parking. The overflow area for the current three restaurants (and sometimes even for other restaurants down the street such as Cantina 76) would be lost. Where would those people park? The answer is: deeper into our neighborhood residential streets. Of course this would also create more parking on Devine Street itself, which is already risky for the multiple pedestrian crossings that occur daily at peak happy hour and dinner hours. Please note, also, that on at least 2 days/nights a week there is additionally a massive influx of people/need for parking just across the street from 3000 Devine at two large churches (Midtown Fellowship and Incarnation Lutheran). Many times I have witnessed patrons crossing that part of Devine Street nearly getting hit by cars. Urban Cookhouse should be required to provide adequate parking as current zoning laws state.

Also, I very strongly oppose allowing a "drive-through" or "drive-up" at that site. A drive-through would cause serious traffic problems in that very tight area. There is simply not enough room there for a drive through. I walk that area all the time, often with children... there is truly not enough space for a drive-through without causing a backup or glut of cars onto Sims and Devine. Additionally, a drive-through is inappropriate for an area that backs directly up to families' homes. It would be completely out of character with all the existing businesses who have honored the small neighborhood style of Devine Street.

Urban Cookhouse appears to be a nice restaurant -probably a pleasant addition to Devine Street. But *only as a restaurant that is required to have the lawful number of parking spaces and without a drive through/drive up*. It boils down to safety, quality of life, and maintenance of the neighborhood and upscale character of Devine street as it exists now. Please do not allow a business to squeeze into this area and cause long term problems for Shandon and Old Shandon Residents. Thank you very much for your attention to this important issue.

Lyn Phillips
610 Capitol Place, Columbia, SC 29205
(803) 254-7865

PS: I have also copied this email to Moe Baddurauh, our representative, and am sending a copy of this letter to all the businesses along that part of the Devine corridor.

Livengood, Andrew

From: Leif Anderson <andersonusc@icloud.com>
Sent: Tuesday, September 01, 2015 3:56 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Urban Cookhouse

I am a resident of Shandon (2328 Wilmot Ave) and just caught wind of the Zoning hearing next week for Urban Cookhouse. **As a neighborhood resident I am opposed to this moving forward.** This is the wrong location for this set up, parking will become a major issue creating an unsafe environment for children crossing a very busy Devine St.

Leif Anderson

Livengood, Andrew

From: Rob Ward <robwardpi@hotmail.com>
Sent: Tuesday, September 01, 2015 4:16 PM
To: Livengood, Andrew; Corley, Vernis
Subject: 3000 Devine St. Zoning Issue

This email serves as my formal opposition to letting Urban Cookhouse receive their requested variance on parking at 3000 Devine Street. As an owner of two restaurants in the immediate area, I welcome another establishment as it will only make the area as a whole more desirable for patrons to frequent. However, parking is already a nightmare and by granting them said variance it will only cause individuals to use the surrounding lots and side streets...many of which are already full during peak hours.

Thank you for your consideration on this matter.

Rob Ward
Cantina 76
2901-A Devine Street
Columbia, SC 29205
803-708-6004

Livengood, Andrew

From: Corley, Vernis
Sent: Wednesday, September 02, 2015 7:51 AM
To: Livengood, Andrew
Subject: FW: Zoning for lot at Devine & Sims



We Are Columbia

Vernis Corley, Zoning Analyst
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Fax: 803-733-8699
www.columbiaplanning.net

From: Betty L Hudgens [<mailto:blhudg@gmail.com>]
Sent: Tuesday, September 01, 2015 5:53 PM
To: Corley, Vernis
Subject: Zoning for lot at Devine & Sims

I am a resident of Shandon and have been since the late 60s. I have owned my home on Wilmot since 1975. I am adamantly opposed to any zoning easement for the property at Devine & Sims. Parking and access are difficult enough as it is on weekdays. The advent of Eggs up has made traffic, & parking a nightmare on Sundays particularly for 2 churches across Devine. Sims is a gateway to Shandon. Don't make it useless with a drive thru!

Betty Hudgens

Livengood, Andrew

From: Robin Copp <rvhcopp@gmail.com>
Sent: Wednesday, September 02, 2015 9:16 AM
To: Livengood, Andrew; Julie L Ruff; Charles Appleby
Subject: Devine Street Proposal

As a Shandon resident, I am requesting that the Board NOT approve a drive thru restaurant on the corner of Sims and Devine.

the neighborhood has more class than that, and needs to keep it that way. Thank you very much for your consideration.

Robin Copp
3410 Wheat Street

Livengood, Andrew

From: Andrew Hoose <Andrew.Hoose@musicarts.com>
Sent: Tuesday, September 01, 2015 10:00 AM
To: Livengood, Andrew; Corley, Vernis
Cc: lenzahoose@scfbins.com
Subject: Urban Cookhouse

Follow Up Flag: Follow up
Flag Status: Flagged

I oppose the variance for the proposed drive through restaurant at 3000 devine st 29205.

Best Regards,

Andrew Hoose | Educational Representative

Music & Arts | [7201 C Parklane Rd | Columbia, SC 29223](#)

P: [\(301\) 620-4040](tel:3016204040) | **C:** [\(803\)603-9377](tel:8036039377)

E: Andrew.Hoose@musicarts.com | MusicArts.com

The information in this email is confidential. It is intended solely for the addressee and access to this e-mail by anyone else is unauthorized.

Livengood, Andrew

From: lucyhwalters@gmail.com
Sent: Wednesday, September 02, 2015 2:07 PM
To: Livengood, Andrew
Subject: No Parking Variance for 3000 Devine St

I understand that at [3000 Devine St.](#), across the street sideways from Eggs Up, corner of Sims and Devine, a new restaurant called Urban Cookhouse has asked for a variance on parking. There is already a significant parking issue at Za's Pizza and the other businesses between it and Eggs Up. Please do not approve this variance for parking.

Lucy Walters
3428 Wilmot Ave

Livengood, Andrew

From: Crum, Liz <LCrum@MCNAIR.NET>
Sent: Wednesday, September 02, 2015 2:41 PM
To: Livengood, Andrew
Subject: I am a resident of the City and live in Heathwood. I drive

Importance: High

Down and up Devine street every work day and on the weekends when I am in town (which is most of the time). I am totally opposed to having a restaurant, Urban Cookhouse, or any other restaurant, located on the corner of Sims and Devine if the restaurant has a drive through. First, that corner, while it has a traffic light, has significant traffic with the 3 restaurants that are already located there. There is not a left turn lane (and not room for one) and the traffic is heavy. Overlaying a drive through at that corner not will certainly increase the traffic but will also increase the likelihood of wrecks and create a safety hazard. I urge to Zoning Board to deny both the variance on parking (there is already plenty of "parking congestion" at the corner with the churches across the street and the existing businesses) and the "exception"/variance request for the drive through.



M. Elizabeth Crum
Shareholder
lcrum@mcnair.net | 803 753 3240 Direct

McNair Law Firm, P.A.
Columbia Office 1221 Main Street | Suite 1800 | Columbia, SC 29201
803 799 9800 Main | 803 753 3278 Fax
Mailing Post Office Box 11390 | Columbia, SC 29211
[VCard](#) | [Bio URL](#) | [Web site](#)

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Livengood, Andrew

From: Stacey BRENNAN <max_field@msn.com>
Sent: Wednesday, September 02, 2015 2:54 PM
To: Livengood, Andrew
Cc: Plaugh, Leona; Baddourah, Moe; Runyan, Cameron A
Subject: Opposition to variance on parking and for drive through

Dear Mr. Livengood:

As a 30+ year resident of Shandon (207 King St), I am concerned about the action before the Zoning Committee for another restaurant to receive a waiver that would allow them not to have the prescribed number of parking spaces. As well, I understand Urban Cookhouse is requesting a drive-in window. I urge the committee to oppose both of these requests.

Our Devine Street corridor is very congested as it is. I am constantly amazed at the speeds of cars traveling down Devine Street particularly in the areas of popular existing restaurants, despite pedestrians lining up to cross the street! You will recall one traffic fatality from a few years past (a cyclist). How we have not had more is hard to believe. Removing parking requirements pushes us to park farther and farther away which may be inevitable yet causes pedestrian traffic to increase in these areas.

The very block where Urban Cookhouse is requesting these variances is in the midst of such an area. In addition to shops and restaurants, there are churches in this area too which do conduct activities in the evening. I love seeing our local commercial area enjoy popularity, but permitting even more congestion is not prudent. Cars pulling in and out, and more people walking and crossing just heightens the possibility of an accident.

As I approach my golden years, I am reminded that the Devine St. Corridor must also be accessible for me and my peers for our equal access and enjoyment. We continue to be taxpayers! Have you observed the necessary race required to cross Devine Street at 6 PM- across 4 lanes - to attend an existing restaurant? It is just that, a race. Seniors cannot easily participate in this. I would also suggest that the availability of handicapped parking spaces is potentially compromised with more waivers being permitted like this one.

My comments should provoke this question: have city planners considered the traffic patterns on Devine Street recently? What do they have to say to Urban Cookhouse's requests? Or to any business moving into this area which relies upon frequent customers as a restaurant does? Perhaps Devine Street should be converted to one lane in each direction as Main Street was years ago.

Regretfully, I am not able to attend the hearing next week due to my work requirements. I ask that you provide my comments to the committee members. Again, I urge that these requests be denied. Thank you for your consideration of my views.

Sincerely yours,
Stacey Brennan MD

Sent from my iPad

Livengood, Andrew

From: sowens2727@sc.rr.com
Sent: Thursday, September 03, 2015 2:15 AM
To: Livengood, Andrew
Subject: RE: zoning for restaurant on 3000 Devine

Thanks for responding and sorry I omitted my name...Sherrill Owens. I have the feeling that zoning laws must be relatively loose in SC. Dont know a thing about them but development seems to be allowed to run amok and not always in a good way. The integrity of local neighborhoods that are historic or just good, should be maintaied and trees/the environment should be protected. Trenholm and Devine are 2 areas of worry. Too much random growth and traffic congestion. Devince Street should be encoraged to maintain its small town, small shop flavor. There is lots of property that can be developed or re-developed as it converts to Garners Ferry. Again thanks.

---- "Livengood wrote:

> Good morning,

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> I have received your email regarding the proposed special exception and variance at 3000 Devine Street. If you could reply with your name, I will include it with the materials sent to the Board of Zoning Appeals for the record. As a reminder, the hearing for this case will be at the Tuesday September 8 meeting of the Board of Zoning Appeals, held at 10am in City Council Chambers, 1737 Main Street (3rd Floor). Staff always recommends attending the meeting, if possible, if the case is of interest to you. In the days prior to the meeting, an agenda will be posted online at <http://www.columbiasc.net/planning-boards-commissions/boza/agendas-minutes>.

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>

> Regards,

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> Andrew

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> Andrew Livengood

>

> Deputy Zoning Administrator

>

> Planning and Development Services

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> 1136 Washington Street, Columbia, SC 29201

>

> Phone: 803-545-3333

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> Desk: 803-545-3220

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> Fax: 803-733-8699

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> www.columbiaplanning.net

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> -----Original Message-----

> From: sowens2727@sc.rr.com [mailto:sowens2727@sc.rr.com]

> Sent: Tuesday, September 01, 2015 4:40 PM

> To: Livengood, Andrew

> Cc: Corley, Vernis

> Subject: zoning for restaurant on 3000 Devine

>
>
>

> I was surprisied and dishearteded that they tore down the old house on this site that could have been used for various attractive purposes and am now moreso hearing that the someone who tore it down plans on building a large fast food kind of restaurant with a drive thru wondow. While it is unlikely to be a McDonalds type, it would only create more excess traffic and color the future development on Devine in a negative way. I really wonder why this would have been considered before the old home and charm of it was torn down. How long after all do most of these restuarants last..to the longterm negative impact on a community. Its just not worth it. ..and I am a Shandon restaurant who loathes the destruction of our communities. There are so many other vacant lots on Devine/Garners Ferry that would be far more appropriate and welcombed/

>

Livengood, Andrew

From: HOFP Gallery <info@hofpgallery.com>
Sent: Thursday, September 03, 2015 11:54 AM
To: Livengood, Andrew
Subject: Zoning for 3000 Devine St (Devine @ Sims)

Importance: High

Dear Mr. Livengood -

I am writing the City to encourage a deferment of the Zoning decision. I own a commercial property 1.5 blocks way and run a business on that property. I also live 4 blocks away in Old Shandon so I am a stakeholder.

The whole request for variances has come up too suddenly and, once passed, cannot be changed. I'm not necessarily against the proposals. I think the requestor needs to take the time to meet with the affected neighborhoods and the DSA, get petitions signed, etc. That's the way the system is designed to function. One week is not enough time.

Alice Perritt

House of Frames and Paintings, Inc.

dba ~ **HoFP Gallery**

2828 Devine St

Columbia, SC 29205

803-799-7405

www.hofpgallery.com

hours: **Tues - Fri 9:00 - 5:30, Sat 10:00 - 5:00**

Livengood, Andrew

From: AnnaBelle L Babcock <annabelle@shoplaroque.com>
Sent: Thursday, September 03, 2015 1:45 PM
To: Livengood, Andrew
Subject: parking variance at 3000 devine street

to whom it concerns,

i am writing in regard to the prospective drive in restaurant at 3000 devine street. i am opposed to this for many reasons. as a resident of shandon and a business owner at 2700 devine street. i feel that this drive though would not only cause congestion but take away a lot of the charm on our street. my husband also owns two restaurants in walking distance to 3000 devine. Za's pizza, one of my husbands restaurants, share a side street with the prospective new restaurant. i believe this new addition will cause too much congestion. please consider not allowing this to disturb our beautiful street.

thank you!
annabelle laroque babcock

owner designer laroque studio boutique
2700 devine street columbia sc 29205

Livengood, Andrew

From: Kevin Roberts <kevmrob@gmail.com>
Sent: Thursday, September 03, 2015 2:18 PM
To: Livengood, Andrew
Subject: Devine and Sims

As a citizen of Columbia and a business owner with office located at 3103 Devine, I want to thank you for the hard work and energy you devote to keeping our city functioning in a manner that is pleasing to all and conducive to future urban health.

That said, I would like to voice my opposition to granting an "exception" to the proposed restaurant Urban Cookhouse that would allow for a Drive Thru window. Devine Street, while being a lovely shopping district and a coveted business address, is already a parking and traffic challenge for shoppers, business owners and people merely passing thru on this important artery between campus/downtown/Five Points and Ft. Jackson/I-77/Garners Ferry.

A restaurant with a drive-thru would promote congestion and not fit into the overall aesthetic of the Devine Street district. While there may be strong demographic factors that point to this restaurant's success, a "gut feeling" is appropriate to consider. Most patrons and residents would agree that a congested drive thru concept is not best for Devine Street.

Thank You. I hope you will take this into account when addressing the matter.

Sincerely,

Kevin M. Roberts



Rev. Kevin M. Roberts
803-528-9343

www.carolinaweddingvow.com

Livengood, Andrew

From: Jini Lumsden <framerjini@gmail.com>
Sent: Thursday, September 03, 2015 4:46 PM
To: Livengood, Andrew
Subject: 3000 Devine Street

Hello,

I am a full time employee of HoFP Gallery at 2828 Devine Street in Columbia.

I have been working there for just over five years and I travel the Devine Street corridor almost daily.

I would like to voice my opposition to any city ordinance change which would allow a drive thru window restaurant on Devine Street.

The traffic on Devine Street is already very heavy and dangerous in the afternoons and evenings. This proposed restaurant business will surely add to the congestion.

Devine Street really needs traffic bump outs or something to slow down motorists in any event, it seems that it is a matter of time until a pedestrian gets hit by a motorist.

I approve of new local businesses in general, but a drive through in this location is a recipe for big trouble in our corner of Columbia.

Thank you for hearing my concern

Livengood, Andrew

From: George Kessler <ilgiorgionecolumbia@gmail.com>
Sent: Thursday, September 03, 2015 5:55 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Zoning Variance - 3000 Devine St.

My wife and I are Shandon residents, and we also own a business on Devine St. We are opposed to the variance being requested for 3000 Devine St. for parking and for the drive-through. We are very concerned about the traffic issues this may result in on Devine St. In addition we think the drive through window detracts from the type of business establishments that are currently on Devine St.

Thank you,
George and Monica Kessler

--

il Giorgione - Pizzeria & Wine Bar
2406 Devine Street
Columbia, South Carolina
29205
803-521-5063
ilgiorgionecolumbia@gmail.com

"Eat at Gio's"

Livengood, Andrew

From: skw1@sc.rr.com
Sent: Thursday, September 03, 2015 7:09 PM
To: Livengood, Andrew
Subject: 3000 Devine Street

I am a member of Incarnation Lutheran Church, and I am opposed to the variance for parking and drive-thru at 3000 Devine Street.

Sarah Whitehead
4103 Devine Street, Apt. J8
Columbia, SC 29205

Livengood, Andrew

From: laurenking84@gmail.com
Sent: Monday, August 31, 2015 6:44 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Zoning Variance

Good afternoon,

I won't pretend to have a strong knowledge about zoning, but someone posted on our neighborhood Facebook page about a restaurant called Urban Cookhouse asking for a zoning variance for parking and for a drive-thru. I believe the address is 3000 Devine St.

I'm sure most of the emails you will receive are in opposition, but I wanted to voice being **in favor** of granting this variance. I think this restaurant will be a boost to our neighborhood- not a hindrance.

I live on Blossom Street near Amherst. Thank you for the work you do!

Sincerely,

Lauren

Lauren King

Livengood, Andrew

From: eatapp@gmail.com
Sent: Monday, August 31, 2015 8:31 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Urban cookhouse in shandon

To whom it may concern:

I am a shandon resident (3446 Coleman street) and am in support of the urban cookhouse project. Thanks!
Annie scott

Sent from my iPad

Livengood, Andrew

From: Avni & Josh <avniandjosh@gmail.com>
Sent: Monday, August 31, 2015 9:11 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Urban Cookhouse Zoning

I am a Shandon resident and excited about the possibility of this restaurant in our neighborhood. I support giving them a variance.

Thank you,
Avni Gupta-Kagan

--
Avni & Josh

Livengood, Andrew

From: Lindsay Blair Simmons <lindsayblairsimmons@icloud.com>
Sent: Monday, August 31, 2015 10:37 PM
To: Livengood, Andrew; Corley, Vernis
Subject: Urban Cookhouse

To whom it may concern:

As a homeowner who is VERY accustomed to having random cars parked all around my house (I live at the very busy corner of Blossom and Holly, one block from Henry's and Cantina 76), I want to voice my strong support for the new restaurant, Urban Cookhouse. Although parking issues can regularly be a nuisance, I believe the growth of small businesses in our city is imperative. Urban Cookhouse seems to offer local fare on a menu that is very different from anything else nearby. Please please allow this new restaurant the chance to thrive in our city.

Thank you,

Lindsay-Blair Simmons

Sent from my iPhone

Livengood, Andrew

From: Bryan Dooley <bryankdooley@gmail.com>
Sent: Tuesday, September 01, 2015 12:05 PM
To: Livengood, Andrew; Baddourah, Moe
Subject: Support for Urban Cookhouse zoning variance/exception

I'd like to voice my support for zoning changes that would allow the restaurant Urban Cookhouse to be located on the 3000 block of Devine Street. I am a homeowner who lives a few blocks from this location in Shandon. Not only would I enjoy another dining option within walking distance, the restaurant also appears to fit the character of our neighborhood better than other types of businesses that could potentially locate on that property in the future.

Thanks,
Bryan Dooley
2824 Blossom Street
Columbia, SC 29205

Livengood, Andrew

From: David Shea <david@sheabarronlaw.com>
Sent: Wednesday, September 02, 2015 10:29 AM
To: Livengood, Andrew
Subject: RE: Zoning variance for Urban Cookhouse

Yes, please let the board know that I am IN FAVOR of GRANTING the variance, and that my support is simply as a resident of the affected neighborhood. To be very clear, I would like to see the restaurant there with a pick-up window.

Thanks,
David

David C. Shea
Fellow, American Academy of Matrimonial Lawyers
Attorney at Law, Certified Family Court Mediator
Shea & Barron
1916 Henderson Street
Columbia, SC 29201
(803) 779-3099 phone (803) 779-3044 fax
david@sheabarronlaw.com
www.sheabarronlaw.com

From: Livengood, Andrew [<mailto:atlivengood@columbiasc.net>]
Sent: Wednesday, September 02, 2015 10:16 AM
To: David Shea <david@sheabarronlaw.com>
Subject: RE: Zoning variance for Urban Cookhouse

Mr. Shea,

Just to double-check... in light of the disclaimer in your signature, I did want to ensure that you intend to have your opposition presented to the board and part of the record.

Best,
Andrew



Andrew Livengood Deputy Zoning Administrator
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Desk: 803-545-3220
Fax: 803-733-8699
www.columbiaplanning.net

From: Livengood, Andrew
Sent: Wednesday, September 02, 2015 9:49 AM
To: 'David Shea'
Subject: RE: Zoning variance for Urban Cookhouse

Good morning Mr. Shea,

I have received your email and will include it with the materials sent to the Board of Zoning Appeals on the matter. As a reminder, the hearing for this case will be at the Tuesday September 8 meeting of the Board of Zoning Appeals, held at 10am in City Council Chambers, 1737 Main Street (3rd Floor). While I will deliver your email to the board, staff always recommends attending the meeting, if possible, if the case is of interest to you. In the days prior to the meeting, an agenda will be posted online at <http://www.columbiasc.net/planning-boards-commissions/boza/agendas-minutes>.

Regards,
Andrew



Andrew Livengood Deputy Zoning Administrator
Planning and Development Services
1136 Washington Street, Columbia, SC 29201
Phone: 803-545-3333
Desk: 803-545-3220
Fax: 803-733-8699
www.columbiaplanning.net

From: David Shea [<mailto:david@sheabarronlaw.com>]
Sent: Tuesday, September 01, 2015 10:30 AM
To: Livengood, Andrew
Cc: Corley, Vernis; Baddourah, Moe
Subject: Zoning variance for Urban Cookhouse

Mr. Livengood,

This email is to document my support in ALLOWING the parking variance for Urban Cooking on Devine St., including allowing a pickup window. I'm a Shandon homeowner (2832 Wheat Street).

Regards,
David Shea

cc: Moe Baddourah

David C. Shea
Fellow, American Academy of Matrimonial Lawyers
Attorney at Law, Certified Family Court Mediator
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Livengood, Andrew

From: Jamiealexymc@aol.com
Sent: Wednesday, September 02, 2015 8:16 PM
To: Livengood, Andrew
Subject: Change of heart RE: 3000 Devine St Restaurant

Hello, again, Andrew,
I attended the meeting this evening at Sims Park Building, and listened to the lively discussion concerning the proposed restaurant at 3300 Devine St.

After listening to the various opinions of the attendees, and hearing the plans of the owner, I realized I was too hasty in writing to you about my concerns. The explanations on the pick-up window made quite a bit of sense, and the owners will protect the huge trees, crucial in preserving the feel of the neighborhood.

While I do understand that there will be an increase in traffic, it should move along with the convenience of the pick-up window.

A patio is planned, and the trees would be invaluable in providing shade for the outside diners, as well as keeping the atmosphere of Shandon.

So, I withdraw my objection, and I certainly appreciate your previous kind response.

Most Sincerely,
Jamie McCulloch

In a message dated 9/2/2015 10:34:02 A.M. Eastern Daylight Time, atlivengood@columbiasc.net writes:

Good morning Ms. McCulloch,

I have received your email and will include it with the materials sent to the Board of Zoning Appeals on the matter. As a reminder, the hearing for this case will be at the Tuesday September 8 meeting of the Board of Zoning Appeals, held at 10am in City Council Chambers, 1737 Main Street (3rd Floor). While I will deliver your email to the board, staff always recommends attending the meeting, if possible, if the case is of interest to you. In the days prior to the meeting, an agenda will be posted online at <http://www.columbiasc.net/planning-boards-commissions/boza/agendas-minutes>.

Regards,

Andrew

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