
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES
December 13, 2016 - 10:00 AM

City Council Chambers
1737 Main Street, 3rd Floor • Columbia, SC

In attendance: Gene Dinkins, Jr., Tyler Gregg, April Jones, Reggie McKnight, Calhoun McMeekin, III, Chuck Salley

Absent: Regina Williams

Staff: Brian Cook, Andrew Livengood, Tabitha Proffitt, Andrea Wolfe

I. CALL TO ORDER and DETERMINATION OF QUORUM

Chuck Salley, chairperson, called the meeting to order at 10:05AM. Members of the Board of Zoning Appeals (BOZA) were introduced and new members, Gene Dinkins, Jr. and April Jones were welcomed. Staff introduced. Quorum was confirmed.

Mr. Salley asked for a motion to amend the agenda to elect a vice-chairperson as Mr. Hubbard's term on the Board had ended.

Motion by Mr. McKnight to amend the agenda to elect the vice-chair at this time, nominating Mr. McMeekin for the position. *Motion seconded by Mr. Gregg.*

Motion approved 6-0. Mr. McMeekin elected as vice-chair.

Brian Cook, Zoning Administrator, briefed the conduct and order of the meeting. Mr. Cook noted changes to the agenda since publication and proceeded with review of the Consent Agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. Approve November 8, 2016 Minutes

B. OLD BUSINESS

None.

C. NEW BUSINESS

2. 16-067-V Dist. 1 800 Chester Street (TMS# 09012-15-01) Variance to the lot coverage requirements to construct an accessory storage shed (Joseph Turkaly and Candice Morgan) (RS-3, -DP)
3. 16-069-SE Dist. 4 7011 Garners Ferry Road aka 7011 B Old Veterans Road (TMS# 16406-04-05) Special Exception to allow a miniwarehouse (Ryan Hyler, Self Storage Holdings, LLC) (C-3)

No one spoke in favor or opposition of the requests, or requested removal for discussion.

Motion by Mr. McMeekin to approve the items on the Consent Agenda subject to any conditions that may be found within the case file for that application and to adopt as the findings of the Board, those findings in each case prepared by Staff, also found within each case number, and also subject to any exhibits within the file.

Motion seconded by Mr. McKnight. Motion approved 6-0.

III. REGULAR AGENDA

A. OLD BUSINESS

- 4. 16-047-V Dist. 2 933 Main Street (TMS# 08916-06-03)** Variance to the parking requirements to construct apartments (933 Main Street Partners LLC)(C-4, -DD)

Brian Cook, Zoning Administrator, introduced the request for a variance to the parking requirements for new construction of a 12-unit, 3-story apartment building constructed on a podium over an existing parking lot. The parking lot currently serves an existing mid-rise commercial building with 4 apartments above. After the reductions allowed due to the –DD overlay, 35 parking spaces are required (23 for the existing uses and 12 spaces for the new apartments). The applicant is proposing to provide 16 parking spaces instead.

The existing parking lot is currently used for leased parking for state employees and for restaurant patrons.

Wes Bolin, civil engineer for the project, presented the request and reviewed the criteria required for a variance. There are **extraordinary and exceptional conditions that pertain to the subject property, these conditions do not generally apply to other properties in the area, the requirements of the Zoning Ordinance do effectively prohibit or unreasonably restrict the use of the property because of these conditions, approval of the variance would not be of substantial detriment to adjacent property or to the public good, and the character of the district would not be harmed as a new residential building will benefit the public welfare with additional living space, the variance is the minimum necessary to meet zoning requirements, and will be in harmony with the purpose and intent of the Zoning Ordinance, and it will not be injurious to the neighborhood or public welfare.**

Ford Elliott, 933 Main Street Partners LLC, spoke on the shared parking use.

As no one spoke in favor or opposition of the request, testimony was closed for Board discussion.

Motion by Mr. Salley to approve the request for variance based on the testimony of the applicants and criteria provided subject to any other comments by staff.

Motion seconded by Mr. McMeekin. Motion carries 6-0.

- 5. 16-061-SE Dist. 2 875 Catawba Street and NE/S Lincoln Street (TMS# 08913-05-03 and -05)** Special Exception to establish a multifamily use (Brad Brown, BET Investments) (M-2, -PD)

Brian Cook, Zoning Administrator, introduced the request for a special exception for this property that is zoned M-2 (Heavy Industrial), but is within the –PD (Planned Development) overlay. This allows residential uses by special exception approval from the Board of Zoning Appeals.

The applicant is requesting a special exception to establish a four-story multifamily development consisting of 141 apartment units (195 beds), approximately 4,825 square feet of commercial retail space, 161 parking spaces, and storage for 150 bicycles.

Brad Brown, BET Investments, presented the request and spoke on the site, and designs of the dwelling units. Meetings were held with City planning, zoning and stormwater staff, the Capital City Mill District, adjacent property owners, the University of South Carolina, the Foundation of USC, as

well as the Technology Incubator. This project will allow for a variety of uses, a new unit mix which encourages walkability and new forms of transportation. Parking requirements were reviewed, and the landscaping plan discussed.

Per §17-312(c) *Review of site development plans*, the requirements of the –PD overlay directs BoZA to review the site development plan. *Kim Satzger reviewed the additional criteria required for a request for special exception:*

- 1) *Service area for trash disposal, loading and unloading;*
- 2) *Parking and vehicular circulation area;*
- 3) *Location and size of buildings and signs;*
- 4) *Entrances and exits, in relation to vehicular and pedestrian circulation;*
- 5) *Signs, banners and flags to be used;*
- 6) *Urban open space, trees and other planting, including types and placement;*
- 7) *Areas to be landscaped or screened;*
- 8) *Architectural plans and elevation of all portions of the proposed structure; and*
- 9) *Perspective drawing showing the relationship between the proposed structure and other adjoining existing structures within 50 feet of the property line.*

The applicant submitted plans and a narrative addressing the points above, as well as a traffic impact study.

Ms. Satzger then reviewed the standard criteria required for a request for special exception.

Members of the public were then invited to speak in favor or opposition of the request.

Those speaking in favor of the request:

Bob Guild, president of the Granby Mill village Neighborhood Association and Columbia attorney who has practiced environmental law for over 32 years

Ryan Nevius represented the Capital City Mill District Alliance

Brian and Jason Hancock, property owners

Arland Pope, Columbia resident

Those speaking in opposition of the request:

Don Tomlin

John Lumpkin, Columbia resident.

Letter from Chuck Garnett

Todd Avant

Derek Shoemake, USC Columbia Technology Incubator

Chairman Salley requested a brief recess at 12:00PM; meeting reconvened at 12:10PM.

Jeff Ruble, director of economic development at Richland County, spoke in support of project

Derrick Huggins, vice president for facilities and transportation at USC, voiced opposition of request

Brad Brown, applicant, spoke on comments made.

As no one else spoke in favor or opposition of the request, testimony closed for Board discussion.

Chairman asked Mr. Brown with BET to speak on their options and proposals for clean-up of the site.

Ryan Nevius, technical chair of the Rocky Branch Watershed Alliance, commended the applicants on their proposal for clean-up of the site.

Motion by Mr. Salley to approve the special exception based on the testimony heard today from the applicant. It is felt that it has been proven that all criteria for special exception

have been met. This special exception is being approved subject to comments by staff in the application.

Motion seconded by Mr. Tyler. Motion passes 4-2 with Mr. McMeekin and Mr. McKnight opposed.

6. 16-062-V Dist. 2 875 Catawba Street and NE/S Lincoln Street (TMS# 08913-05-03 and -05) Variance to the parking and setback requirements for multifamily and commercial uses (Brad Brown, BET Investments) (M-2, -PD)

Brian Cook, Zoning Administrator, introduced the request for a variance.

Brad Brown, BET Investments, spoke about the setback and parking requirements proposed for the site. The Incubator, the University and the Mill District were contacted regarding the proposal. Plans are to have some retail, perhaps a coffee shop or private business.

The neighboring property on the north has been contacted to see if they will allow for improvements as there is room between the properties to add eleven additional parking spaces. Additional bicycle parking for shoppers will also be added.

Mr. Brown spoke on plans regarding stormwater and ground flow on the site. Permeable pavers are being looked at as well as an underwater vault.

Mr. Brown then reviewed the criteria required for a variance request.

As no one spoke in favor or opposition of the request, testimony closed for Board discussion.

Motion by Mr. Salley to approve the request for a parking variance based on the written application and the testimony received today. It is felt the applicant has shown that all criteria for a variance have been met. Approval is subject to comments by staff in the application.

Motion seconded by Mr. McKnight. Motion carries 6-0.

B. NEW BUSINESS

7. 16-068-SE Dist. 1 3729 Main Street (TMS# 09209-18-02) Special Exception to expand a convenience store (Alexander Shissias, The Shissias Law Firm for the Shiv of Columbia, LLC) (MX-1, -NC)
Item deferred to the February 9, 2017 Meeting.

IV. OTHER BUSINESS

Election of Vice-Chair – Moved to the beginning of the meeting.

V. ADJOURNMENT

There being no further business, meeting to adjourn by Mr. Tyler, seconded by Ms. Jones. Meeting adjourned at 1:15PM.

Respectfully submitted by Andrea Wolfe
Sr. Admin. Secretary
Planning and Development Services Department
City of Columbia