BOARD OF ZONING APPEALS
CASE SUMMARY FOR
APPLICATION FOR VARIANCE

711 Gervais Street

July 8, 2014 at 10:00 A.M.
City Council Chambers, 1737 Main Street
Columbia, South Carolina

Case Number:	14-030-V
Subject Property:	711 Gervais Street (TMS# 08912-07-08)
Zoning District:	M-1, -DD, -DP (Light Industrial district in the Design Development and Design Preservation overlays)
Applicant:	Scott Garvin, City Market LLC
Property Owner:	Highland Properties
Council District:	2
Summary Prepared:	30 June 2014

Requested Action:	Variance to the parking requirements for a mixed use building	
Applicable Sections of Zoning Ordinance:	§17-342	In any zoning district, except C-5, where general office or mixed uses are being proposed, the number of off-street parking spaces required shall be 3.3 spaces per 1,000 square feet of floor space.
	§17-311	50% reduction in required parking allowed within the –DD overlay
	§17-112	Standard criteria for variances
Case History:	None.	

Staff Comments:

This application is a request to vary the parking requirements to allow the renovation and conversion of an existing 8,383 sq. ft. building for mixed uses consisting of 5 residential units and a restaurant and patio area. Specifically, the ordinance requires this proposal to provide 14 parking spaces, and the applicant is requesting to provide zero spaces instead (a reduction of 14 spaces). The lot does not have space available to provide parking on site.

Surrounding the development is a mixture of office, residential, retail and hospitality uses. This building is part of a larger redevelopment of three adjacent lots referred to as "City Market" by the applicant. Proposed for the two adjacent lots to the west of this lot are a microbrewery, retail, and another restaurant space.

Should the applicant receive the necessary approvals from the Board, a Certificate of Design Approval (CDA) will need to be obtained and the project will need to meet all other city codes, including landscaping, building code, fire code, and the requirements of the Utilities and Engineering department (i.e. grease trap and/or tap upgrade fees).

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.

None.

Zoning Map

Variance 14-030-V

711 Gervais Street
TMS# 08912-07-08

Department of Planning & Development Services

Legend

INTERSTATES
CITY LIMITS
RAILROADS
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
OUT OF CITY

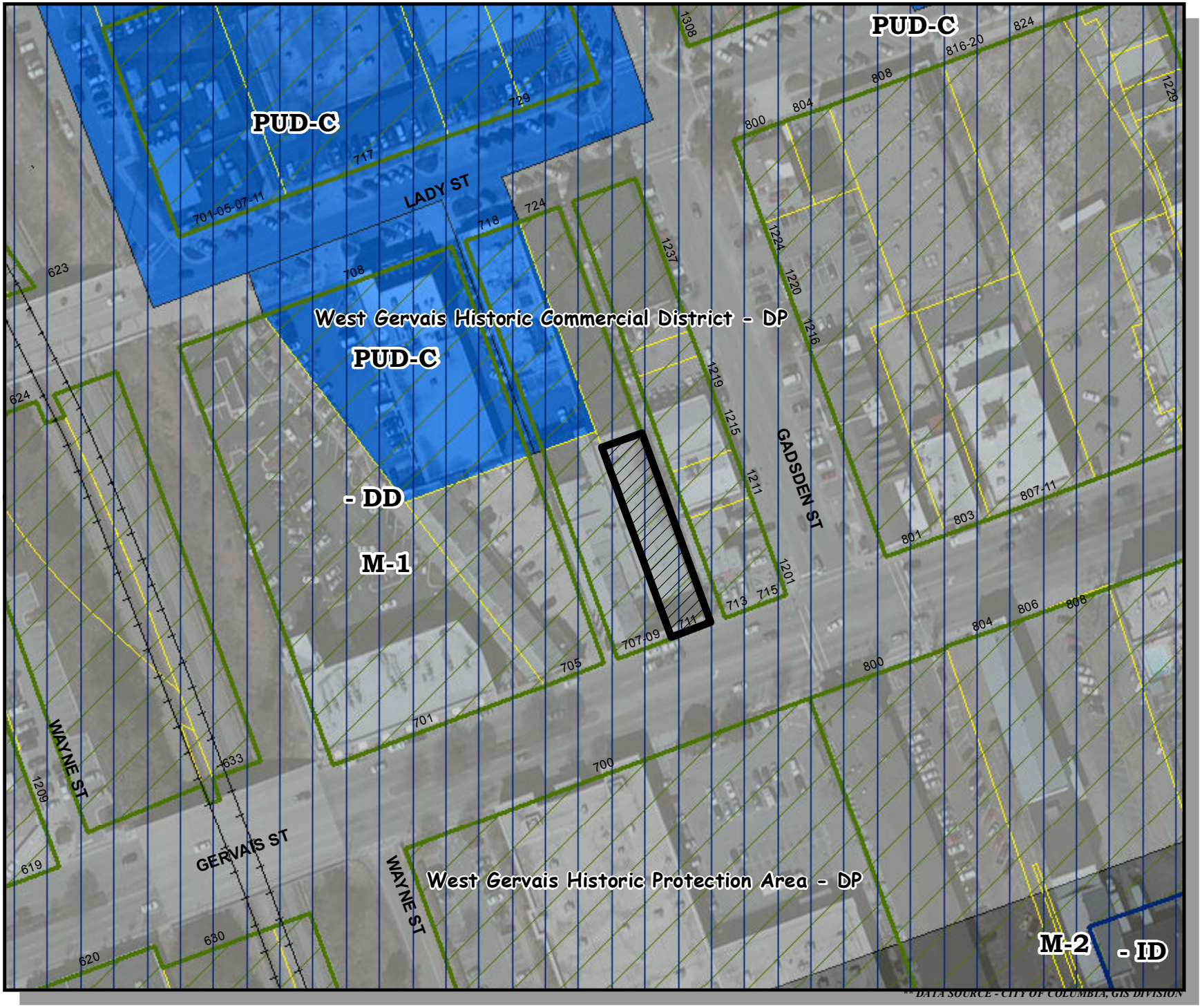
DD DISTRICT
DP DISTRICTS
PD DISTRICT
CC OVERLAY

1 inch = 125 feet

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Andrew Livengood
for
July 8, 2014
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.



*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION

GADSDEN
GERVAIS
GERVAIS
GERVAIS
GERVAIS
GADSDEN
CITY MARKET
© 2013 Pictometry (02/21/2013)

GADSDEN
GADSDEN
GERVAIS
GERVAIS
GERVAIS
GERVAIS
CITY MARKET HALL
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FORM REVISED 4/11/03

CITY OF COLUMBIA
BOARD OF ZONING APPEALS
APPLICATION for VARIANCE

RECEIVED
JUN 24 2014
ZONING DIVISION

OFFICE USE ONLY:
Date Received _____ By _____
Case Number 14-030-V Fee (CODE 05) $ 125- pd

*****VERY IMPORTANT – PLEASE READ THIS SECTION THOROUGHLY*****
APPLICATION MUST BE SUBMITTED AND COMPLETE BY 12:00 NOON ON DEADLINE DATE!

City staff cannot place this application upon the agenda of the Board of Zoning Appeals unless the applicant performs the following tasks prior to the deadline date:

1. **Answer all questions** upon this application.
2. **Sign and date** this application.
3. **Include a site plan** drawn to scale, showing the shape and dimensions of the lot; the location and size of existing and/or proposed structures, if any; the location and size of required parking spaces, if any; and the location of required landscaping and bufferyards, if any.

In addition, City staff recommends that you:

1. **Provide photographs** of the subject property and contiguous property.
2. **Contact the neighborhood association and the property owners of contiguous property** and inform each of your application. Opinions of these persons are best communicated to the Board in writing.
3. **Attach additional paper** if you feel that any portion of this application does not provide enough space.

THE APPLICANT MUST BE PRESENT AT THE PUBLIC HEARING!

THE BOARD OF ZONING APPEALS CONDUCTS PUBLIC HEARINGS ON THE SECOND TUESDAY OF EACH MONTH AT CITY HALL, CITY COUNCIL CHAMBERS, THIRD FLOOR 1737 MAIN STREET (Southwest Corner of Main and Laurel Streets) COLUMBIA, SOUTH CAROLINA, 29201

Location/Subject Property: City Market 711 Gervais Street
Tax Map Number (Sheet, Block, and Lot(s)): 8912-7-10
Zoning District: M-1, DD, DP

Describe your proposal in detail: City Market will be redeveloped into a mixed use property including a restaurant and residential.

The Zoning Ordinance classifies this use as a (include SIC Code Number): 58-5812 (Eating Places) 88-8811.2 (MP)
Area Attributed to Your Proposal (in square feet): 7170 SF of building
Are other uses located upon the subject property? (if YES, list each use and the square feet attributed to each use):
Proposed: Restaurant = 2392 SF, Residential = 4778 SF.

Total Number of Parking Spaces Upon the Subject Property: 15 existing, 0 proposed

14-030-V

FORM REVISED 4/11/03

This proposal does not conform to the Zoning Ordinance in the following way:	
Zoning Ordinance Section & Requirement	Proposed Instead
1. REQUIRED PARKING FOR RESTAURANT = 10	VARIANCE REQUEST FOR 10 SPACES
2. REQUIRED PARKING FOR RESIDENTIAL = 5	VARIANCE REQUEST FOR 5 SPACES
3.	TOTAL REQUEST FOR 15 SPACES
4.	

Please demonstrate how you satisfy the following **CRITERIA FOR VARIANCE** (see §17-112 (3) b. of the Zoning Ordinance). Please note that the members of the Board of Zoning Appeals will use your answers, among other things, as they evaluate your application:

1. **Extraordinary and exceptional conditions** pertain to the subject property: THIS IS A VISTA PROPERTY, AN HISTORIC PROPERTY AND THERE IS LIMITED LAND AREA TO ACCOMODATE PARKING.
2. The conditions noted above **do not generally apply to other property** in the area: IT IS TYPICAL IN THE VISTA TO NOT HAVE ADEQUATE PARKING ON SITE AND TO WALK.
3. Because of the conditions noted above, the requirements of the Zoning Ordinance effectively **prohibit or unreasonably restrict the use** of the property: THIS PROPERTY WILL NOT BE REDEVELOPED OR REPURPOSED WITHOUT A VARIANCE.
4. 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:** NOT AT ALL, IT WOULD BE CONSISTANT WITH THE VISTA DISTRICT AND FURTHER CONTRIBUTE TO THE REVITALIZATION.

Section 17-112 (3) b.6. asks, "Is the variance the **minimum necessary?**" YES, WE ARE PROVIDING AS MUCH PARKING AS POSSIBLE.

And §17-112 (2) b.7. asks, "Is your proposal in harmony with the **purpose and intent of the Zoning Ordinance,** and will it not be injurious to the neighborhood or otherwise detrimental to the public welfare?" YES IT IS IN HARMONY AND IT WILL HELP IMPROVE THE DISTRICT.

Applicant (PLEASE PRINT CLEARLY): SCOTT GARVIN
Name of Company: CITY MARKET, LLC
Address: 1209 LINCOLN STREET
City, State, ZIP: COLUMBIA SC 29201
Office Telephone Number: 212-1032 Home Telephone Number:
Cellular Telephone Number: 360-6416 Fax Number:
Do you check email at least once per day? (✓)Y ( )N Email Address: SCOTT@GARVINDESIGNGROUP.COM
Relationship to Property Owner:

( ) Same; ( ) Lessee;
( ) Agent of property owner; ( ) Contract lessee;
(✓) Contract purchaser; ( ) Other _____.

Unless the applicant is property owner, the applicant must complete and submit a LETTER OF AGENCY.

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 variance rests with me;
3. The proposed use and construction complies or will comply with all other requirements of the City of Columbia Zoning Ordinance;
4. The Board of Zoning Appeals will render a written final decision regarding my application as soon as possible following the public hearing; and
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 final decision is signed by the Chairman of the Board of Zoning Appeals.

Signature _____ Date 6/24/2014

Lady St
Lady St
Carolina Golf Promotions
Gadsden St
Gadsden St
378
378
GARVINDESIGNGROUP

Lady St
Lady St
Carolina Golf Promotions
Gadsden St
Gadsden St
RETAIL/COFFEE SHOP
1600 NSF
OPEN
PATIO
1413 NSF
RESIDENTIAL/OFFICE
5000 NSF
RESTAURANT
11,110 NSF
INCLUDING BASEMENT
(2553 NSF)
MICRO BREWERY
4272 NSF
RESTAURANT
2392 NSF
PATIO
491 NSF
PATIO
991 NSF
378
378
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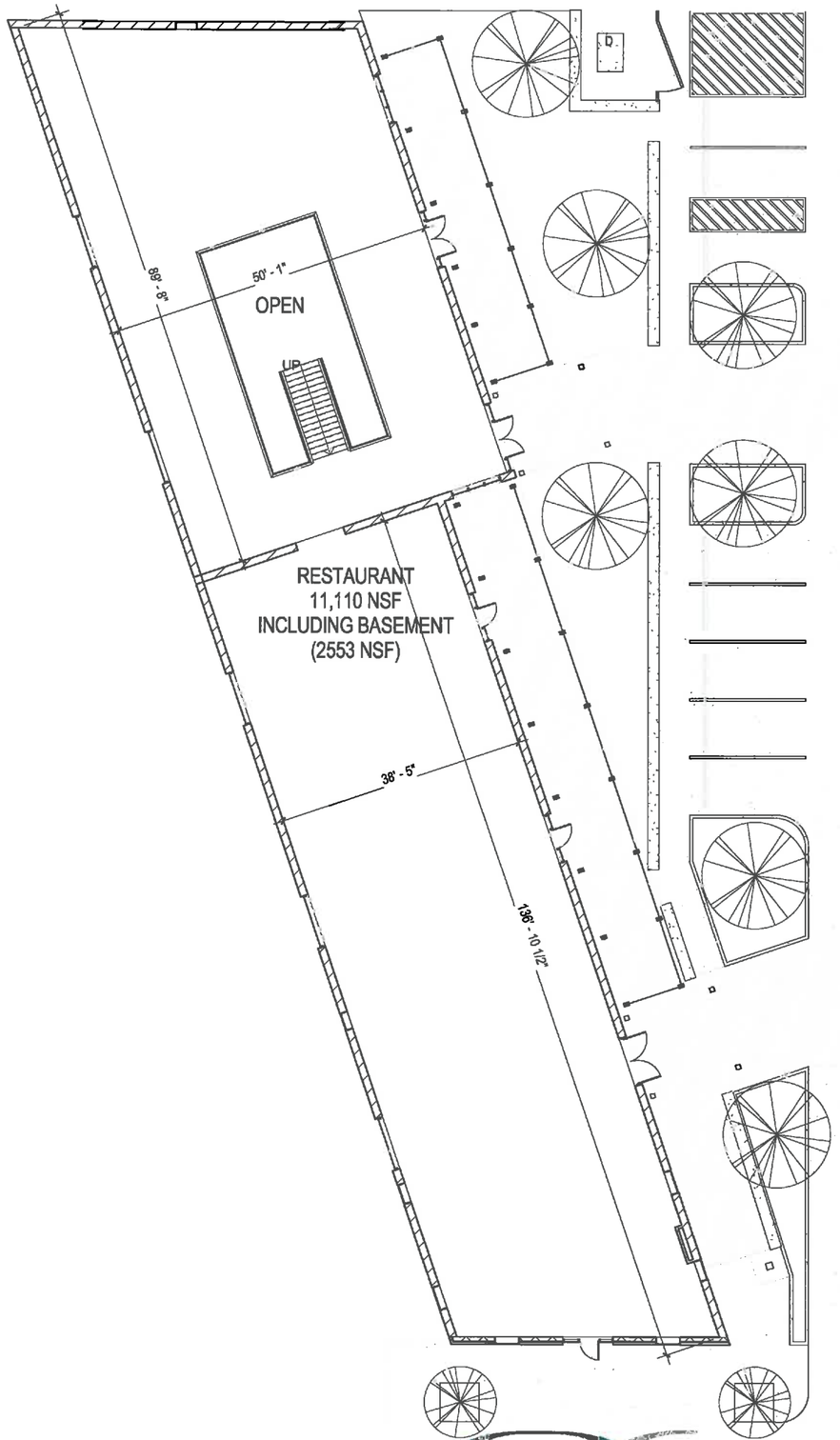

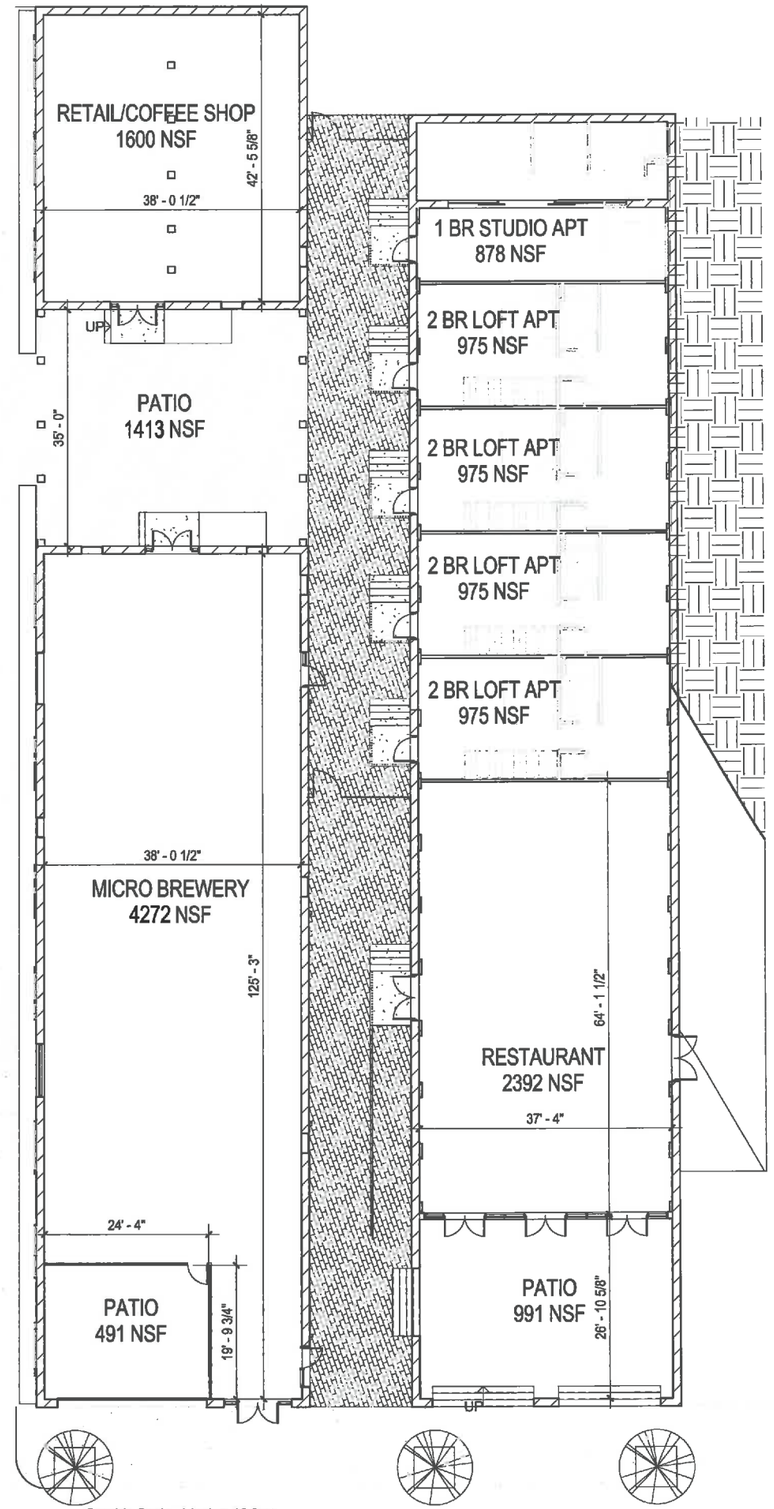

GARVINDESIGNGROUP

Graphic Scale: 1 inch = 16 feet

0 16' 32' 48' 64'

GERVAIS ST. VIEW

COURTYARD VIEW

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