
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES
JUNE 10, 2014- 10:00 AM

City Hall Council Chambers
1737 Main Street • Columbia, SC

In attendance: Ernest Cromartie, III, Dr. Pat Hubbard, Reggie McKnight, Chuck Salley, Preston Young

Absent: Patricia Durkin, Calhoun McMeekin

Staff: Brian Cook, Andrew Livengood, Andrea Wolfe

I. CALL TO ORDER and DETERMINATION OF QUORUM

Ernest Cromartie, chairperson, called the meeting to order at 10:02AM, and introduced the members of the Board of Zoning Appeals (BOZA).

II. APPROVAL OF MINUTES

Approve May 13, 2014 Minutes

Motion by Mr. Salley to approve the May 13, 2014 Minutes; seconded by Mr. Young. Motion approved 5-0.

III. CONSENT AGENDA

A. OLD BUSINESS

None.

B. NEW BUSINESS

None.

IV. REGULAR AGENDA

A. OLD BUSINESS

None.

B. NEW BUSINESS

1. 14-026-SE Dist. 3 +/- 13.18 acres, Shop Grove Road (TMS# 16202-03-03) Special Exception to reduce parking requirements for warehouses (Darnell Boyd, Shop Grove Warehouses, LLC) (M-1)

Mike Gray of HB Engineering, site consultants for the proposed project, presented on the request for a reduction in parking spaces due to a reduction in the number of employees, and to reduce impervious parking areas. Day-to-day activities will utilize 20-25 employees on-

site; the remaining employees will be truck drivers. Trucks will park temporarily at the bays to unload and load.

Mr. Gray reviewed the criteria for special exception.

- **The proposed special exception will not have an 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 with the reduction in the number of parking spaces.**
- **The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, fumes, glare, vibration, odors, obstruction of air or light, and litter as the site is located in an industrial area.**
- **There will be no substantial adverse impact on the aesthetic character of the area, to include a review of orientation and spacing of buildings as the site is located in an industrial area, and the reduced parking will cut down on paved surface and create more opportunity for greenspace.**
- **There will be no adverse impact on public safety or any nuisance conditions created detrimental to the public interest or conditions likely to result in increased law enforcement response.**
- **The establishment of the proposed special exception will not create a concentration or proliferation of similar special exceptions.**
- **It is consistent with the industrial park.**
- **It is an appropriate use for this area.**
- **The proposed special exception will not adversely affect the public interest. The buildings will be a private warehouse and have very little, if any, public traffic.**

Staff voiced no concerns for the request.

Testimony closed for Board discussion.

Mr. Salley said he has great expertise in this type of business, and stated the Zoning Ordinance is antiquated and requires too many parking spaces for a commercial use. He feels the request is appropriate.

Motion by Mr. Salley to approve request for special exception for +/- 13.18 acres, Shop Grove Road to reduce parking requirements for warehouses based on the criteria and testimony of the applicant, review of the criteria by the chair, and staff comments.

Motion simultaneously seconded by Mr. Hubbard and Mr. Young. Request for special exception approved 5-0.

Mr. Cromartie agreed with Mr. Salley's comments regarding the zoning code.

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|----|-----------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | 14-027-SE | Dist. | 1011 Assembly Street and 1000 and 1016 Park Street (TMS# 08916-09-08, -09, & -10) Special Exception to exceed maximum density per acre for a student housing development (Paul Levine, Park7 Group) (C-4, -DD) |
| | | 2 | |

Paul Levine, principal of Park 7 Group, presented on the request for special exception to exceed the maximum allowed density of 150 beds per acre for a student housing

development. The applicant is proposing 848 beds which are approximately 490 beds per acre. As of right, approximately 259 beds would be allowed on site.

Mr. Levine addressed the criteria required for a special exception:

- **The proposed special exception will not have an 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. Adequate parking will be provided to satisfy the parking requirement in the parking structure to the building. There will also be structural improvements to the sidewalk to allow pedestrian access from Pendleton up to Assembly. A traffic study was performed and conducted that the development will have a minimal impact on the roadway networking.**
- **The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, fumes, glare, vibration, odors, obstruction of air or light, and litter as additional exterior amenities are on the rooftop or on top of the parking deck which will be contained, as well as on-site monitoring by staff.**
- **The proposed special exception is compatible with several different types of uses surrounding the property.**
- **There will be no substantial adverse impact on the aesthetic character of the area, to include a review of orientation and spacing of buildings as the building fits in with the surrounding area. Most of the exterior building materials are glass and masonry with some composite panels. It will be a nice addition to the area.**
- **There will be no adverse impact on public safety or any nuisance conditions created detrimental to the public interest or conditions likely to result in increased law enforcement response because the location of the outdoor spaces are in an area that will not create conflict with the surrounding uses.**
- **The establishment of the proposed special exception will not create a concentration or proliferation of similar special.**
- **The proposed special exception is consistent with the character and intent of the underlying zoning district because it is a use permitted within the C-4 district and density.**
- **The proposed special exception is compatible with adjacent uses.**
- **The proposed special exception will not adversely affect the public interest as has been explained in all previous criteria.**

Mr. Levine discussed the operational and management plan. The reception lobby area will be on the Assembly Street ground level where the full-time property management staff will be housed. Pendleton and Park will have retail areas, to include a local market. The majority of tenants will be upper classman and graduate students.

Hours of operation:

- Property management office will be staffed from 9am to 8pm with full-time staff (property manager, assistant property manager, and bookkeeper).
- Amenity/common areas will be staffed by at least ten community assistants (CAs) who will supervise the area and ensure residents adhere to lease agreement conduct, and will contact the subcontracted security company if there are any issues. Another option would be to have a residential on-site law enforcement officer.
- Indoor amenity centers will be open until midnight, with the exception of the fitness center which will have 24-hour access.

There will be three elevators as shown in the plan: one at the far side, one at the lobby in the center of the building, and one near the parking area on Park Street.

Mr. Levine stated that since the company was formed, the occupancy rate has been above 98% portfolio wise, which is a real indicator of success.

Board members voiced concerns regarding the massing of the building, safety of the students, and requested more detail on the security plan.

Chip Johnson, Johnson Group LLC, spoke on the security plan which very closely follows the security plan recommended by the Johnson Group for The Hub on Main Street. This will be a very comprehensive security plan:

- consisting of HD cameras, electronic control access system that will manage all the doors on the exterior and interior of the building, and an emergency call box.
- cameras will be set up on all of the ingress/egress locations to view entry and exit
- the parking garage will have areas monitored by two cameras in those areas to monitor and capture images that may be altered due to lighting change because of conditions in the garage.
- hallways, common areas, amenity areas, storages areas, any areas felt important by the developer will be monitored and access controlled. This will prevent access to areas that should not be entered except by certain individuals.
- cameras come with smart analytics to allow set up of specific parameters that will notify staff if there is anything suspicious or out of place. Cameras can be accessed remotely, and will provide real time situation awareness and response time.

Thursday, Friday and Saturday nights are considered the three busiest nights in that district. Therefore having a security office or off-duty law enforcement that will be contracted with outside of the normal hours that protection will be provided by the City of Columbia will be provided by Johnson Group LLC. The opportunity to have a resident law enforcement officer on-site will be reviewed to see if it fits the needs and plan of the proposed development.

Mr. Levine stated the number of on-site staff will vary from 10 to 18 people, with a minimum of 10 people after the property management office closes at 8pm. These 10 people, who are CA's, can be supplemented with a resident law enforcement security, or a third party security firm that will be contracted with. The first choice would be an on-site law enforcement officer. CA's are upper classman who go through a training process.

The maximum number of 18 on-site staff will be from 9 am to 8 pm, consisting of the property manager, assistant property manager, bookkeeping staff, maintenance crew, and CA's. The ten CA's will be the staff on-site after 8 pm; someone will always be on-site to monitor the activities of the building and be available after hours for contact in the event of an incident or emergency.

Lighting in the parking areas will be enhanced to provide a sense of security. Efforts will be made to educate the residents.

Mr. Cromartie reviewed the security concept for clarity. The applicant has committed:

- Private third party security will be provided on Thursday, Friday, and Saturday/dedicated security;
- For the other four nights, will have the same private security for patrols on call;
- On-site manager from 8 pm to 9 am as the property management suffices from 9 am to 8 pm, on-site manager will be on site 24/7, seven days a week;

- During business hours when property management staff is on site, there will be a minimum of five CA's on site, and a minimum of ten CA's on site at all other hours/evening hours;
- To include all other security issues included in testimony and in the application submission.

Mr. Levine stated by testimony, Park 7 agreed to accept all conditions stated by Mr. Cromartie as part of their application.

No one spoke in favor or opposition of the request.

Testimony closed for Board discussion with the right for Mr. Cromartie to open testimony if needed.

Mr. Salley stated this is an excellent location for student housing, and a much better solution than having 800+ beds on Shop Road as this is a better area for security control, and better to have the students closer to the University and for law enforcement control. Land cost is too high for a smaller number of beds in that area of Columbia; whatever is planned, student housing some other type of housing, must be high density high rise housing to be cost efficient. He feels this is a really good thing for the future of student housing, keeps the students closer to the campus, and is a better and more secure environment than The Hub.

Testimony reopened for comments by Mr. Levine. The issue of the number of beds is because there is a demand; and regarding economics, it is not just the land cost, it is also construction cost having to provide parking.

Testimony has been sufficient

Motion by Mr. Hubbard to approve the request for special exception for 1011 Assembly Street and 1000 and 1016 Park Street to exceed maximum density per acre for a student housing development. This is a better place to accept density. Request is approved subject to all statements made by the applicants in the materials and in today's testimony. There will be a property manager with experience in this type of property on-site 24/7; on-site law enforcement or security team during peak times; and CA's can call resident property manager, security or 911.

The general criteria for special exception has been satisfied, as well as the specifics for dormitory use.

Motion seconded by Mr. Salley. Request for special exception granted 5-0.

- 3. 14-028-SE Dist. 2 1527 Ontario Street aka 1500 North Millwood Avenue (TMS# 11411-02-02) Special Exception to allow limited outdoor display of used merchandise (Shepard Drayton, God Cares Thrift Store) (C-3)**

Shepard Drayton, manager of God Cares Thrift Store, presented on the request to display some of the store's merchandise (furniture, statues, appliances) outside of the store from 9-10 am to 5-5:30 pm. The store is a non-profit store and an extension of the church ministry with proceeds going back into the community. Being able to display items outside increases sales for the store.

In addition to the criteria required for a special exception; other key points with regard to how merchandise would be displayed, and whether the manner of the display was pleasing to the surrounding community were noted for consideration.

Hours of operation –

Areas of display – specific areas that will not affect parking and is away from the highway, does not obstruct businesses in vicinity; but shows there are marketable items in the store. Mr. Drayton diagramed the specific areas that will be used for displaying of merchandise.

Proximity to adjacent property lines -

Items to be displayed – there is no clothing; these are new items consisting of furniture and appliances.

Maintenance of display area in a clean and orderly condition –

Based upon the diagrams and testimony provided, it is the applicant's conclusion that:

- this request will not have any adverse impact on vehicular traffic or vehicular and pedestrian safety
- this request will not have any adverse impact on environmental factors;
- this request will not have any adverse impact on aesthetics;
- the location provided to place items outside will not have any adverse impact upon public safety, the character, and is compatible with adjacent property;
- the manner with which these items will be displayed is consistent with the public interest;

Mr. Drayton agreed with staff comments regarding the hours of display of the merchandise; and no clothing or non-solid items will be displayed that may blow away in the wind.

No one spoke in favor or opposition of the request.

Testimony closed for Board discussion.

Motion by Mr. Hubbard to approve the request for special exception for 1527 Ontario Street aka 1500 North Millwood Avenue as the concerns with vehicular and pedestrian safety; environmental factors; aesthetics; public safety; nuisance conditions; concentration; character; compatibility; and public interest have all been addressed. Satisfied in addition are the discussion of hours of display, the area devoted to display, proximity to adjacent property lines, the items to be displayed, and the maintenance in a clean and orderly fashion have been addressed and understood by the applicant.

Motion seconded by Mr. Salley and Mr. McKnight. Request for special exception granted 5-0.

V. OTHER BUSINESS

Plan Columbia Update

Workshops will be held June 24th, June 25th and June 26th at the Convention Center. Mr. Fellows stressed the importance of attending the workshops as this process is the rewriting of the land use element of the Comprehensive Plan. This process has not been done in a very long time. Input provided will have heavy impact on future rewrites.

Packets of information cards were provided to all members to distribute. Attendees are encouraged to RSVP. A template dialogue will be provided to the Commission use for distribution of invitations to attend the workshops.

VI. ADJOURNMENT

There being no further business, motion by Mr. Cromartie to adjourn the June 10th, 2014 meeting. Meeting adjourned at 12:22 p.m.

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