

**BOARD OF ZONING APPEALS
CASE SUMMARY FOR
VARIANCE REQUEST**



1801 Assembly Street

August 6, 2020 at 4:00 P.M.

Case Number: 2020-0036-V
Subject Property: 1801 Assembly Street (TMS# 09015-15-04)
Zoning District: C-1 (Office & Institutional District), -DD (City Center Design/Development District)
Applicant: Andrew Garvin, Garvin Design Group
Property Owner: SC Property Builds, LLC
Summary Prepared: July 20, 2020

Requested Action: Variance to the off-street parking requirement for a proposed mixed-use project

**Applicable Sections
of Zoning Ordinance:**

- §17-258 Parking requirements for multifamily buildings (SIC 8811.2) is per unit based on unit size, as follows:
- 500 sq. ft. and less: 1.5 spaces per unit
 - 501 to 750 sq. ft.: 1.75 spaces per unit
 - 751 and over: 2 spaces per unit
- §17-342(b) 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(c)(2) Off-street parking requirements: Leased and off-site parking within 400 feet of the site may satisfy up to 50% of the off-street parking requirements of the underlying zoning classification
- §17-112 Standard criteria for variances

Case History: **PENDING** ZMA-2020-0018 – Request to rezone parcel from C-1, -DD to C-4, -DD

Staff Comments:

The applicant is requesting a variance to the off-street parking requirement for a mixed-use project. The parking required is 238 spaces; 119 spaces with the -DD allowed reduction. Applicant is instead requesting 0 off-street spaces.

Subject property consists of a +/- 91,833 square foot 5 floor building on a +/- 29,415 square foot lot. There are no parking spaces on-site as the building takes up the majority of the parcel. Applicant intends to renovate the existing building to include 83 residences, residential amenities and +/- 23,000 sqft of commercial space.

The applicant has provided a conceptual site plan and peripheral parking assessment, which is included in this packet for your review. This project will require Site Plan Review and any exterior changes will fall under D/DRC purview.

Should the Board approve this request, the following items shall be conditions of approval:

- Construction and operation to be in substantial conformance with the application and supporting materials submitted by the applicant and shall conform to all relevant city development regulations, to include land development and landscaping.

Any documents submitted by persons expressing support or concern about this application are attached hereto and made part of the record of the public hearing.

Zoning Map

Variance 2020-0036-V

1801 Assembly Street
TMS# 09015-15-04



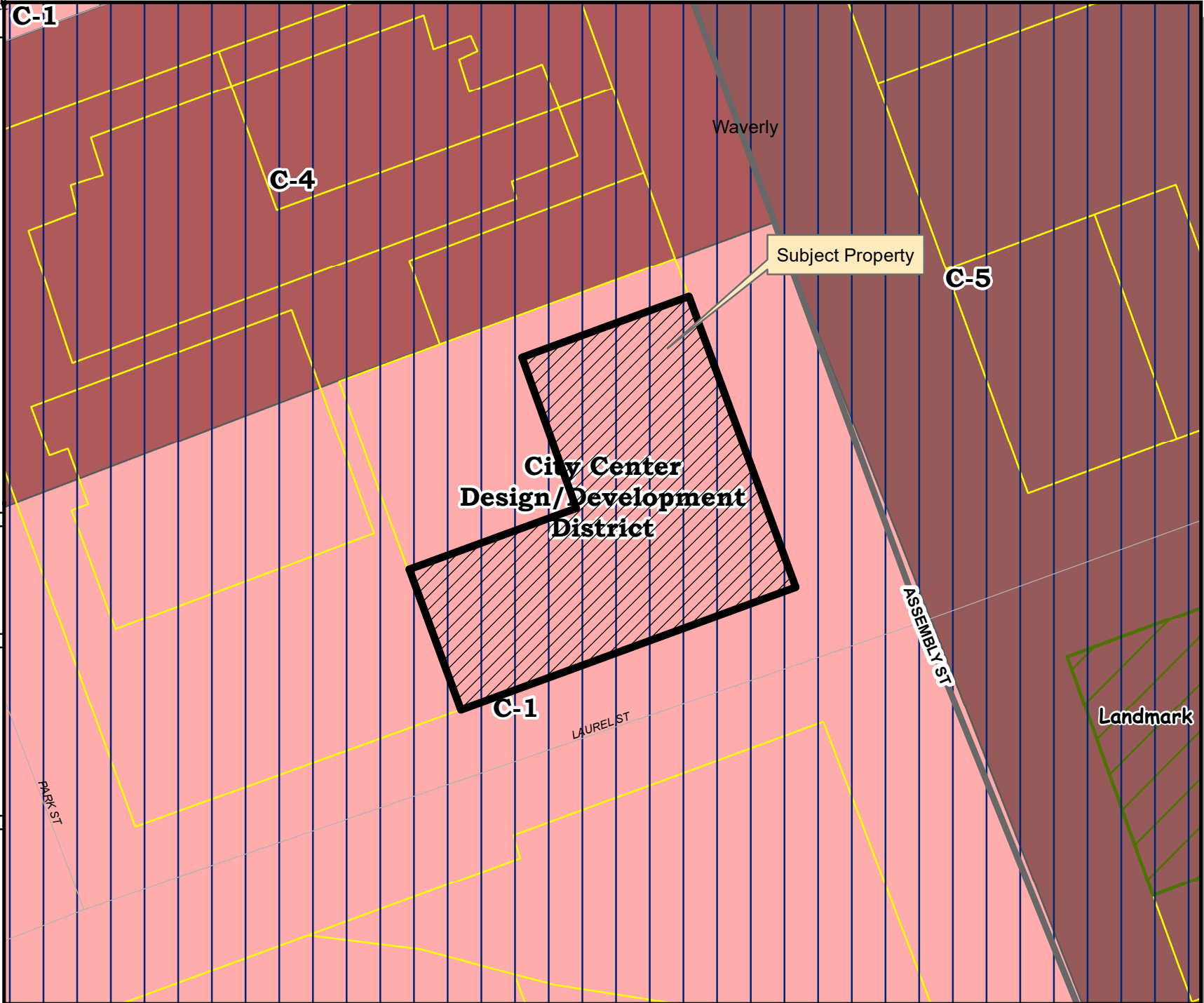
Department of Planning & Development Services

- Legend**
- RAILROADS
 - CITY LIMITS
 - FEMA FP
- | | |
|-------|-----------------|
| D-1 | C-1 |
| RS-1 | C-2 |
| RS-1A | C-3 |
| RS-1B | C-3A |
| RS-2 | C-4 |
| RS-3 | C-5 |
| RD | M-1 |
| RD-2 | M-2 |
| RG-1 | PUD-C |
| RG-1A | PUD-LS |
| RG-2 | PUD-LS-E |
| RG-3 | PUD-LS-R |
| UTD | PUD-R |
| MX-1 | OUT OF CITY |
| MX-2 | DD DISTRICT |
| | DP DISTRICTS |
| | PD DISTRICT |
| | CC OVERLAY |
| | ★ City Landmark |

1 inch = 81 feet

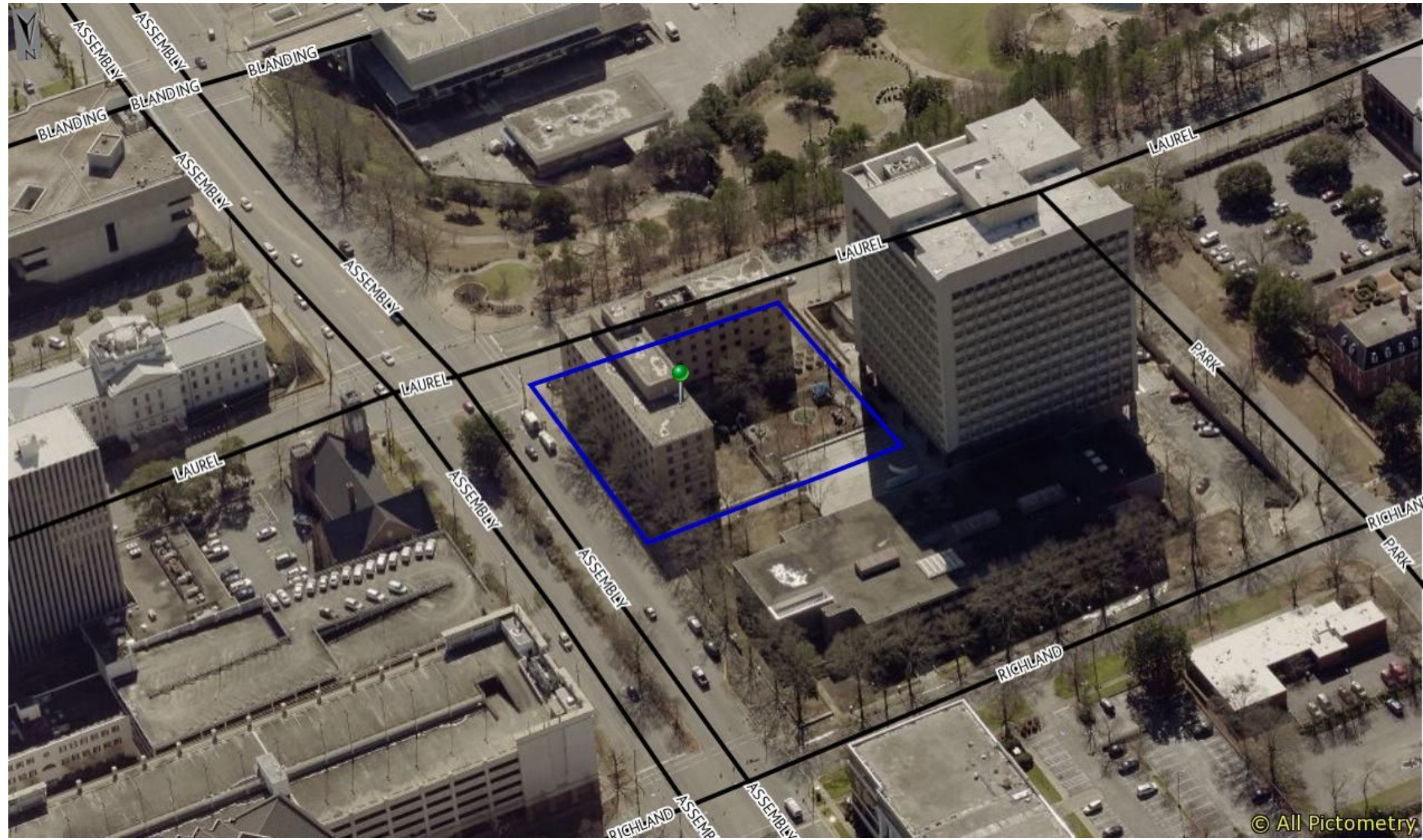
ORIGINAL PREPARATION/DATE:
This map was prepared by:
Hope Hasty
for
August 6, 2020
BoZA Meeting

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.





01/26/2019 - 02/08/2019



© All Pictometry

02/18/2019



02/21/2013



We Are Columbia

Office Use Only

Date Received:	Case #:
Staff Initial:	Invoice:

CITY OF COLUMBIA ZONING DIVISION
 1136 Washington Street, 1st Floor
 Columbia, SC 29201
 Office: 803-545-3333 E-mail: zoning@columbiasc.gov
 www.columbiasc.net

VARIANCE APPLICATION

CITY OF COLUMBIA BOARD OF ZONING APPEALS

PLEASE READ:

So that we can better serve all applicants, completed applications must be submitted by the 4:00 PM published application deadline (please refer to the official BoZA Calendar, available on our web site at www.columbiasc.net). Any failure to submit all required documentation and payment by the published deadline shall result in applications being returned, withdrawn, or scheduled at a later date.

*** In some instances, a pre-application meeting with staff is encouraged. Applicant is **strongly** advised to contact and/or meet with the adjacent neighborhood association(s) to communicate details of the proposed project prior to application submittal. Neighborhood Association contact information may be obtained from Zoning staff.*

Property Information

Address of Subject Property: 1801 ASSEMBLY ST.
 Tax Map Number(s): R09015-15-04 Zoning District: C-1 Overlay District: -DD
 Current Use of Property: BUSINESS
 Estimated Value of Project: _____ Type of Development: MIXED-USE REHAB

Applicant Information

Applicant: ANDREW ROGERSON
 Name of Company (if applicable): GARVIN DESIGN GROUP
 Mailing Address 1209 LINCOLN ST.
 City: COLUMBIA State: SC Zip: 29201
 E-mail Address: AROGERSON@GARVINDESIGNGROUP.COM Phone: (803) 212-1032

Are you the property owner? Yes No

If no, please ensure the Letter of Agency is completed in its entirety and submitted with application

Variance Request:

Chapter 17 of the City of Columbia Code of Ordinances is available online at www.municode.com.

What is the section of the Zoning Ordinance from which a variance is being requested? (Ex. 17-258)

SEC. 17 - 258 - OFF-STREET PARKING REQUIREMENTS

What is the requirement of this section?

1.75 PARKING SPACES PER DU 501 - 750 SQ FT / 2 PER DU OVER 750 SQ FT.

Detailed Description of Alternative Proposal:

Please describe your proposal in detail. You may attach a separate sheet if necessary. Additionally, you may provide any supporting materials that are applicable to your request (i.e. site plan, landscaping plan, plat of property, etc.)

WE PROPOSE TO REDEVELOP THIS HISTORIC 5-STORY OFFICE BUILDING INTO A MIXED-USE BUILDING WITH 5 FLOORS OF RESIDENTIAL APARTMENTS, BASEMENT COMMERCIAL OFFICE AND RESTAURANT/BAR, AND A ROOFTOP BAR/POOL/ AND BANQUET HALL AMENITY SPACE.

Applicant Response to Section 17-112(3):

The Board of Zoning Appeals shall approve an application for a variance only upon a finding that the required criteria are met (see section 17-112(3) of the Zoning Ordinance). In evaluating your request, the members of the Board will review your answers below as part of the case record. You may attach a separate sheet if necessary.

*Please note: The Board may not grant a variance the effects of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably should a variance be granted, may not be considered grounds for a variance (17-112(3)b(2)).

1. Describe the extraordinary and exceptional conditions (i.e. size, shape, topography, etc.) that pertain to the subject property.

THE EXISTING PROPERTY DOES NOT ALLOW FOR OFF-STREET PARKING ONSITE.

2. Explain how the conditions noted above do not generally apply to other property or structures in the vicinity.

DOWNTOWN STRUCTURES OFTEN RELY ON OFF SITE PARKING TO MEET DEMAND.

3. Describe the ways in which the application of the requirement(s) of the Zoning Ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.

THE EXISTING BUILDING CANNOT BE REDEVELOPED WITHOUT A PARKING VARIANCE BECAUSE THE SITE HAS NO ROOM FOR OFF-STREET PARKING.

Case #:

4. Describe the ways in which granting of the variance will not be of substantial detriment to adjacent parcels or to the public good. Additionally, explain how the granting of the variance will not harm the character of the district.

THE VARIANCE WILL PLACE THIS PROJECT IN KEEPING WITH SIMILAR DEVELOPMENTS IN THE CITY CENTER THAT RELY ON STRUCTURED PARKING AND WILL ALLOW THE HISTORIC BUILDING TO MAINTAIN THE CHARACTER OF THE DISTRICT.

5. Explain how this variance request is the minimum necessary to make possible the reasonable use of the land, building or structure.

ONLY BY GRANTING AN OFF-STREET PARKING VARIANCE CAN THIS PROPERTY BE REDEVELOPED.


6. Describe how your proposal is in harmony with the purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

WE WILL BE ABLE TO RETAIN THE CHARACTER OF THE NEIGHBORHOOD BY RETAINING THE HISTORIC BUILDING. CREATING PARKING ON THIS SITE WOULD BE DETRIMENTAL TO THE NEIGHBORHOOD AND PUBLIC WELFARE.

Residential:	\$50.00	Commercial Projects:	Valued ≤ \$50,000 -	\$75.00	FEE TO BE PAID AT TIME OF SUBMITTAL
			Valued > \$50,000 -	\$125.00	

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

1. I have completely read this application and understand that, while the Board will carefully review and consider this application, the burden of proving conformance with the variance criteria lies with me.
2. I understand that no nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures or buildings in other districts, shall be considered grounds for the issuance of a variance.
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, SC 29201.
4. The proposed use and/or construction complies or will comply with all other requirements of the City of Columbia Zoning Ordinance.
5. The Board of Zoning Appeals will render a written order regarding my application. Any time frames related to an appeal of a decision of the Board of Zoning Appeals shall start from the date the written and signed Order of the Board is mailed to the applicant via certified mail.
6. The Board may prescribe appropriate conditions and safeguards to any approval in conformity with the ordinance (i.e. (1) time limit within which the action for which the variance is requested shall be begun or completed, or both; (2) landscaping; and (3) screening of activities or structures).
7. Violations of the conditions of a Board approval shall be punishable under the penalties established in the Zoning Ordinance.
8. As the applicant, I affirm that the subject parcel is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity. (See Section 6-29-1145 of the South Carolina Code of Laws).

Signature: 
Date: 6/22/2020

Print Name: ANDREW P. ROGERSON



LETTER OF AGENCY BOARDS AND COMMISSIONS

TO: Planning and Development Services, City of Columbia

I, the undersigned property owner, do hereby attest that I am the person that holds, or I am authorized on behalf of the party that holds, fee simple interest in the following parcel(s):

COMMON STREET ADDRESS(ES): 1801 Assembly St

TAX MAP NUMBER(S): R09015-15-04

Further, I hereby authorize the persons and/or entities listed as AUTHORIZED AGENT(S) 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 the following:

1. Variance, Special Exception, and/or Administrative Appeal (Board of Zoning Appeals)
2. Zoning Map Amendment (Planning Commission and City Council, if applicable)
3. Site Plan Review (Planning Commission or D/DRC)
4. Design Review (D/DRC)
5. Minor Subdivision (Staff)
6. Major Subdivision (Planning Commission)

***Please strike-through and initial any of the above-listed steps that do not fall under the scope of this Letter of Agency*

Name, Company/Firm, Telephone Number

AUTHORIZED AGENT(S): Scott Garvin and/or Andrew Rogerson
Garvin Design Group, (803)212-1032

Please note that the Authorized Agent(s) will be the designated contact for all correspondence related to the above-listed steps

SIGNATURE OF PROPERTY OWNER:  DATE: 22/6/2020
PROPERTY OWNER NAME (PRINTED): Daniel Justin Etzin

WITNESS TO SIGNATURE: Krystal Noel DATE: 22/6/2020
WITNESS NAME (PRINTED): Krystal Noel

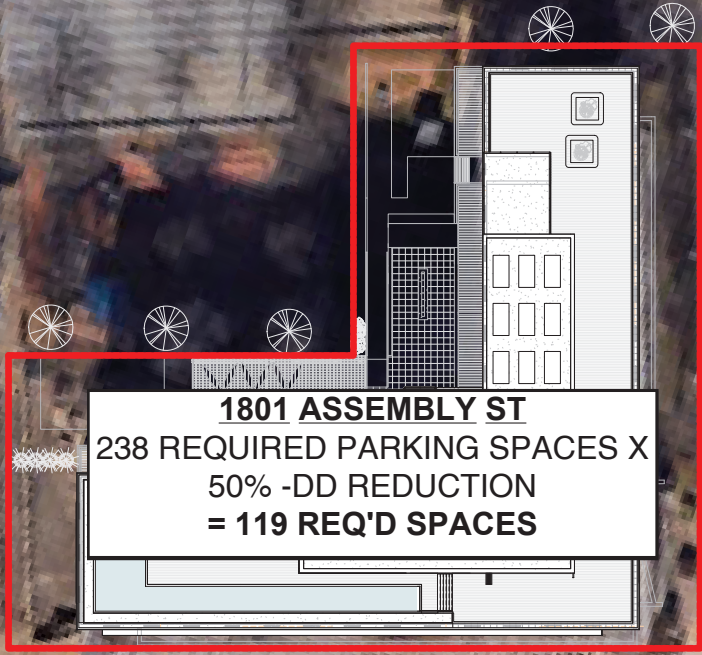
8 ON-STREET PARKING SPACES

RICHLAND ST

9 ON-STREET PARKING SPACES



1100 RICHLAND ST
- 2 LEVELS @ 90 SPACES EACH
= 180 PARKING SPACES



1801 ASSEMBLY ST
238 REQUIRED PARKING SPACES X
50% -DD REDUCTION
= 119 REQ'D SPACES

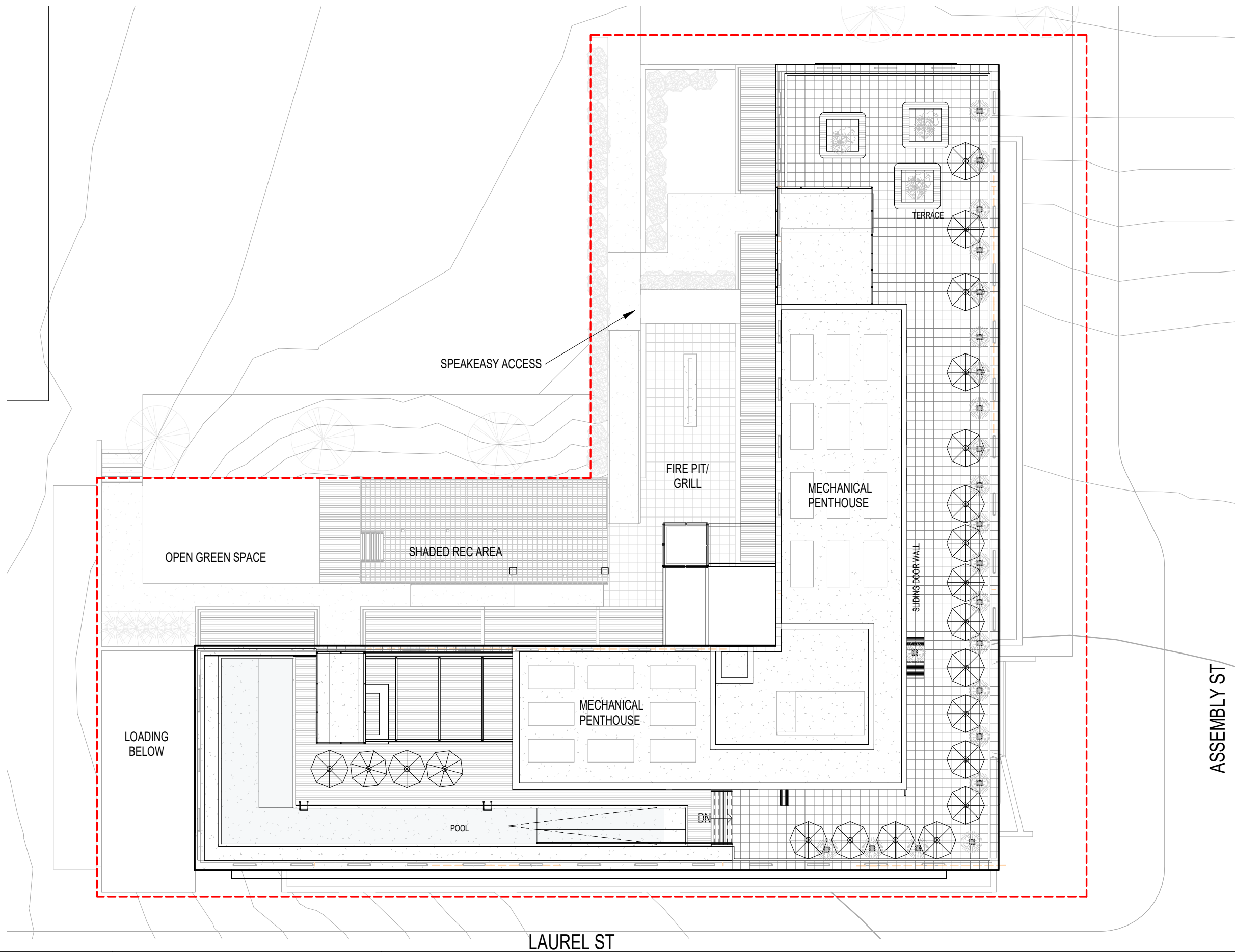
ASSEMBLY ST

10 ON-STREET PARKING SPACES

MAIN ST

LAUREL ST

15 ON-STREET PARKING SPACES



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1801 ASSEMBLY STREET, COLUMBIA SC 29201

SITE PLAN

ARCH PROJECT NO:

V564.20

DATE:

06/24/20

UNITS PER FLOOR		UNIT COUNT	
■	1 BR - 5	1 BR - 52	
■	2 BR - 0	2 BR - 20	
■	3 BR - 0	3 BR - 11	
■	HEALTH CLUB	_____	
■	CO-WORK	83 UNITS TOTAL	
■	SPEAKEASY		
■	BATHROOM		
■	AMENITIES		
■	ELEC/MECH		



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1801 ASSEMBLY STREET, COLUMBIA SC 29201
BASEMENT PLAN

ARCH PROJECT NO:

V564.20

DATE:

06/24/20

UNITS PER FLOOR

UNIT COUNT

- 1 BR - 9
- 2 BR - 4
- 3 BR - 2

- 1 BR - 52
- 2 BR - 20
- 3 BR - 11

- PRIVATE PATIO
- GREEN SPACE
- PATHWAYS
- OUTDOOR SPACE

83 UNITS TOTAL



Glass Box Elevator



Discreet Speakeasy Entrance



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1801 ASSEMBLY STREET, COLUMBIA SC 29201

FIRST FLOOR PLAN

ARCH PROJECT NO:

V564.20

DATE:

06/24/20

UNITS PER FLOOR		UNIT COUNT	
■ 1 BR - 11		1 BR - 52	
■ 2 BR - 4		2 BR - 20	
■ 3 BR - 2		3 BR - 11	
■ ELEC/MECH		83 UNITS TOTAL	



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1801 ASSEMBLY STREET, COLUMBIA SC 29201
SECOND - FOURTH FLOOR PLAN

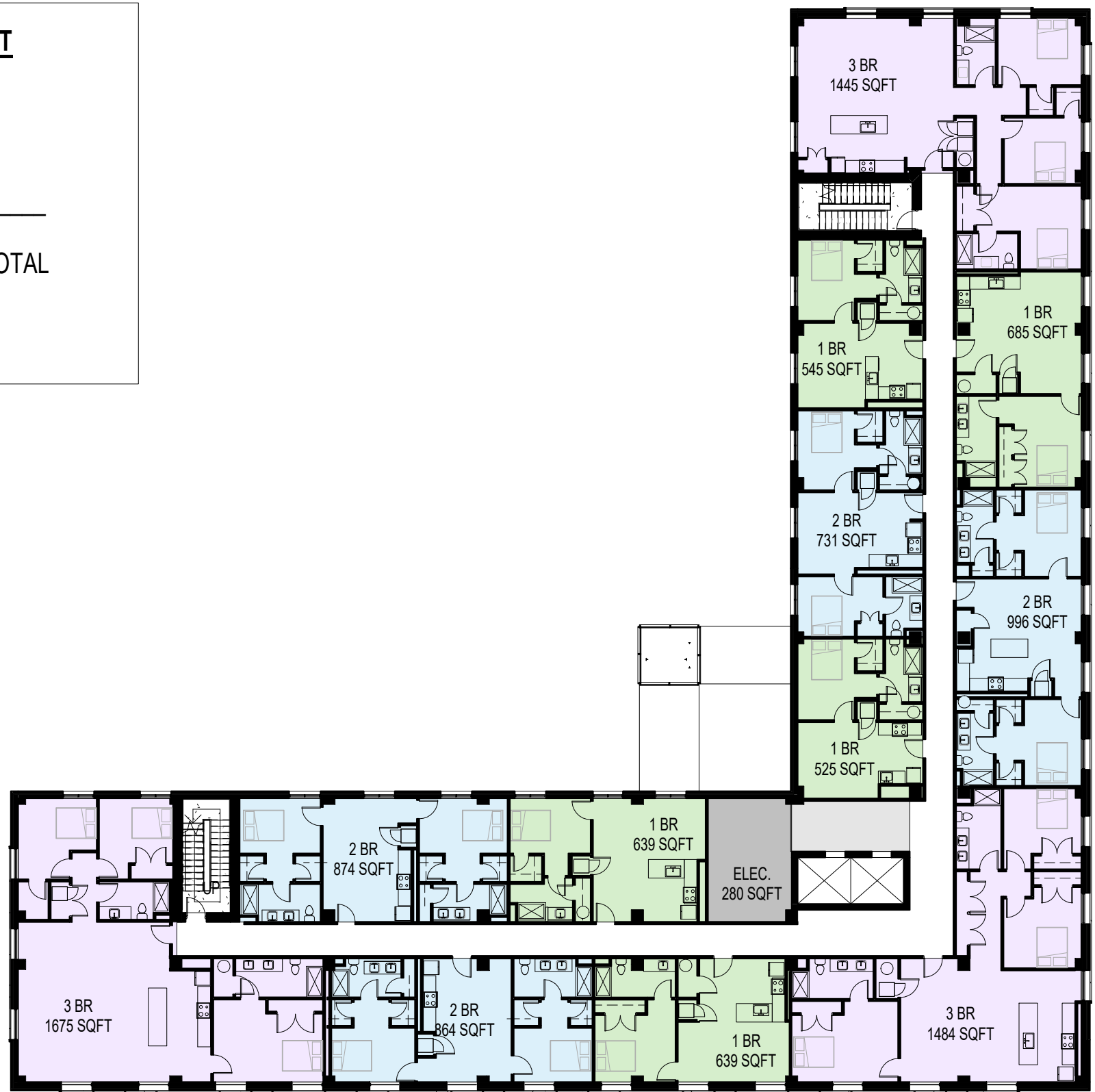
ARCH PROJECT NO:

V564.20

DATE:

06/24/20

<u>UNITS PER FLOOR</u>		<u>UNIT COUNT</u>	
■ 1 BR - 5		1 BR - 52	
■ 2 BR - 4		2 BR - 20	
■ 3 BR - 3		3 BR - 11	
■ ELEC/MECH		<hr/>	
		83 UNITS TOTAL	



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1801 ASSEMBLY STREET, COLUMBIA SC 29201

FIFTH FLOOR PLAN

ARCH PROJECT NO:

V564.20

DATE:

06/24/20

UNITS PER FLOOR

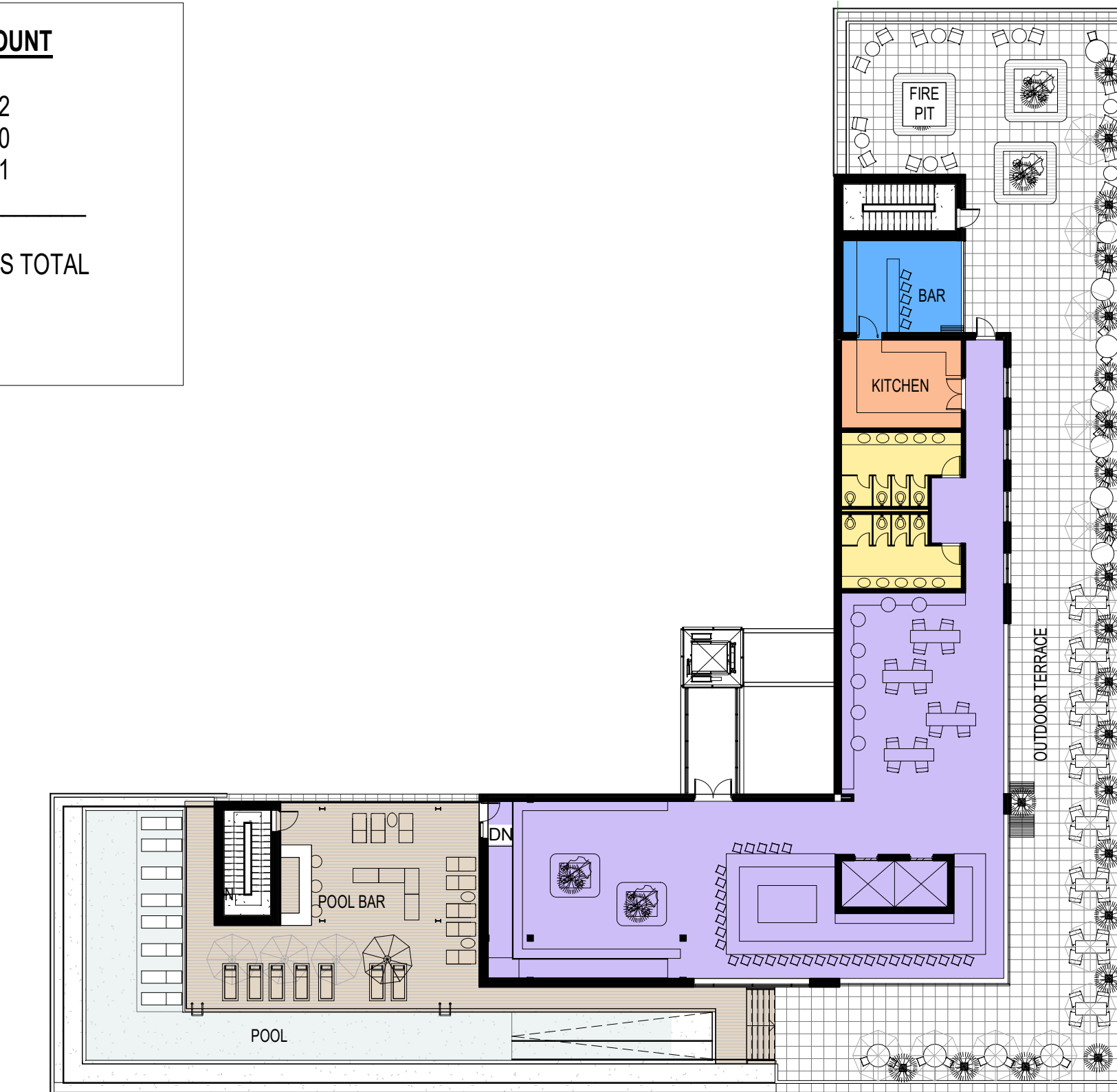
UNIT COUNT

- 1 BR - 0
- 2 BR - 0
- 3 BR - 0

- 1 BR - 52
- 2 BR - 20
- 3 BR - 11

ELEC/MECH

83 UNITS TOTAL



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1801 ASSEMBLY STREET, COLUMBIA SC 29201

ROOF PLAN

ARCH PROJECT NO:

V564.20

DATE:

06/24/20

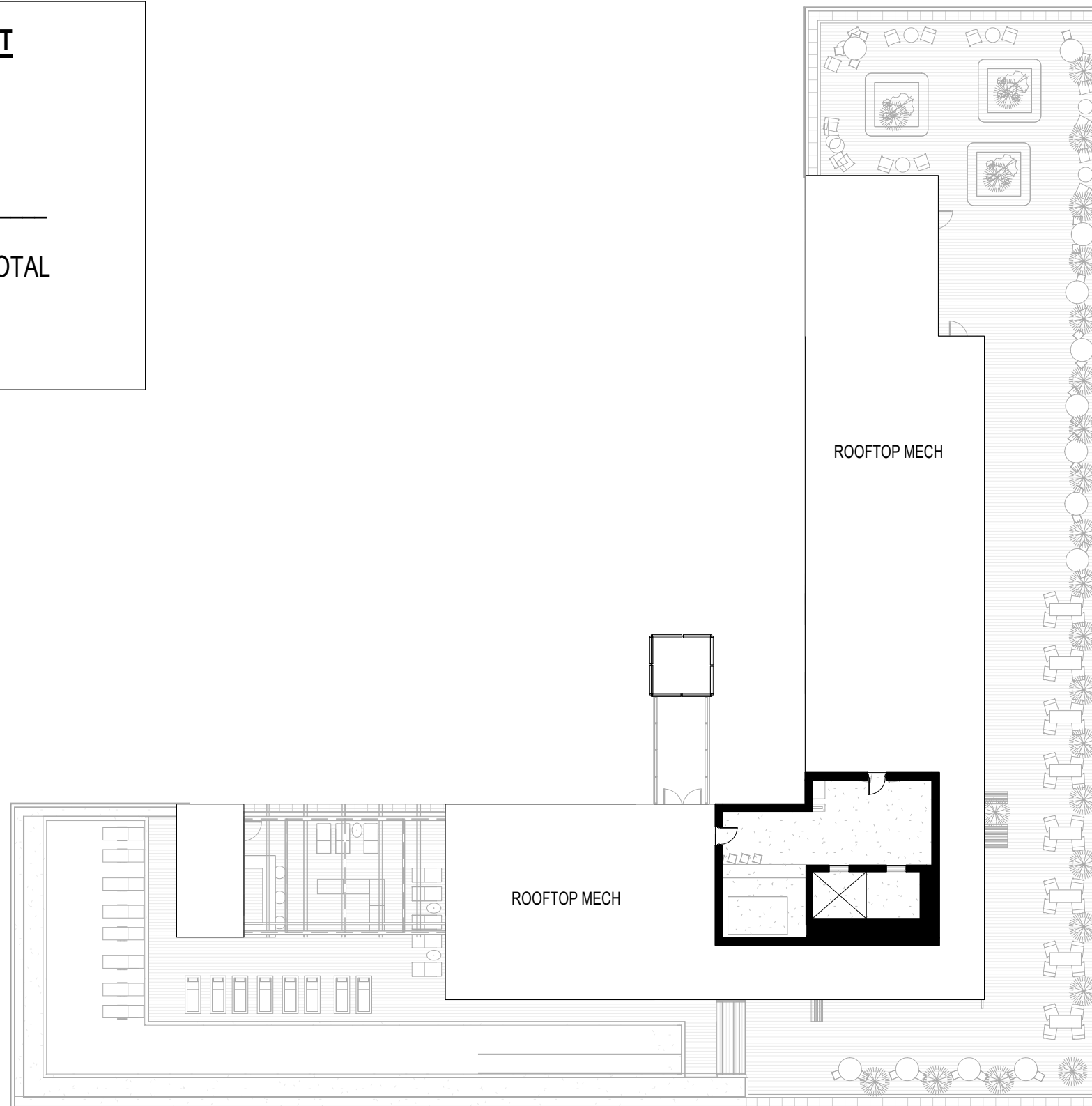
UNITS PER FLOOR

UNIT COUNT

- 1 BR - 0
- 2 BR - 0
- 3 BR - 0

- 1 BR - 52
- 2 BR - 20
- 3 BR - 11

83 UNITS TOTAL



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1801 ASSEMBLY STREET, COLUMBIA SC 29201

PENTHOUSE PLAN

ARCH PROJECT NO:

V564.20

DATE:

06/24/20



Assembly

Laurel

TURNING TRAFFIC MUST YIELD TO PEDESTRIANS