

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

September 9th, 2021

4:00 PM

The City of Greenville Board of Zoning Appeals will hold an in-person Public Hearing for the following items on Thursday, September 9th, 2021 at 4:00 PM at the Greenville Convention Center at 1 Exposition Drive. Those wishing to provide comment on an item may either provide written comment to staff or attend the in-person meeting.

Citizens may also view the meeting at the following web address:

<https://www.greenvillesc.gov/1694/Online-Meetings>

1. Call to Order
2. Welcome and Opening Remarks from the Chair
3. Roll Call
4. Approval of Minutes
 - A. August 10th – Workshop
 - B. August 12th – Regular Meeting
5. Call for Public Notice Affidavit from Applicants
6. Acceptance of Agenda

7. Conflict of Interest Statement

8. New Business

. A.

S 21-583

Application by **Leroy Dyer & Sons Signs, LLC** for a **SPECIAL EXCEPTION** to install an electronic message board in an RM-1 zoning district at 28 Bolt Street (TM# 009500-03-04500).

Documents:

[AGENDA PACKET S 21-583 - LONG BRANCH CHURCH - 28 BOLT ST..PDF](#)

. . B.

S 21-634

Application by **Eric Speckman** for a **SPECIAL EXCEPTION** to establish a restaurant with a drive-through at 515 Pendleton Street (TM#s 008000-05-00300; -00301; -00400; and -00200).

Documents:

[AGENDA PACKET S 21-634 - DRIVE THROUGH - 515 PENDELTON ST..PDF](#)

. . . .

9. Other Business

A. Staff update on current planning projects.

10. Adjournment

Documents:

[09-09-21 BZA REGULAR MEETING AGENDA.PDF](#)



**Planning Staff Report to
Board of Zoning Appeals
September 3, 2021**
for the September 9, 2021 Public Hearing

Docket Number: S 21-583
Applicant: Steve Dyer
Leroy Dyer & Son Signs, LLC
Property Owner: Long Branch Baptist Church
Property Location: 28 Bolt Street
Tax Map Number: 009500-03-04500
Acreage: 4.97 acres
Zoning: RM-1, Single- & Multi-Family Residential District
Proposal: Special Exception to allow an Electronic Message Board
Staff Recommendation: Approve with conditions

Applicable Sections of the City of Greenville Code of Ordinances:

Sec. 19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*
Sec. 19-2.3.5, *Special Exception Permit*
Sec. 19-4.1, *Table of Uses*
Sec. 19-6.6, *Sign Regulations*

Staff Recommendation: Staff concludes that the application complies with the standards to grant a Special Exception Permit for an '**electronic message board**' in an RM-1 district. If the Board decides to grant the Permit, Staff recommends the following conditions:

1. The sign shall be subject to the stipulations set forth in Section 19-6.6.4(C)(4), *Electronic Message Boards*, as follows:
 - a. The electronic message board shall incorporate a photocell, or similar technology, that adjusts brightness of the sign relative to outdoor ambient light; and
 - b. The electronic message shall maintain a static message for at least 12 seconds; and
 - c. The sign shall display no message between 9:00 p.m. and 6 a.m.; and
 - d. The sign shall not utilize any of the techniques prohibited by subsection 19-6.6.2(B).
2. The top cabinet of the existing monument sign shall be brought into compliance with Section 19-6.6.4(C)(1), *Lighting*.
3. The sign shall substantially conform to the testimony of the Applicant and the content of the application.

Staff Analysis:

The Applicant proposes to install an electronic message board on an existing freestanding monument sign at Long Branch Baptist Church, located at the northwest corner of Bolt Street and Wilkins Street. The subject property is zoned RM-1, Single and Multi-Family Residential. Per Section 19-6.6.4(C)(4)(b), *Electronic Message Boards*, electronic message boards located within residential districts may be approved only as a special exception by the Board of Zoning Appeals.

The existing monument sign is 9 ft. tall and features a 24 square-foot manual changeable copy sign and a 16 square-foot illuminated cabinet. The applicant proposes to replace the changeable copy sign with a 10 sq. ft. electronic message board, which comprises approximately 25 percent of the overall allowable sign area.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates **all** of the following are met:

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates this property 'Urban Residential' which is intended to allow a mix of residential densities, compact development, walkable streets, and uses complementary to residential uses, such as community recreation facilities, places of worship, and schools.

Staff finds that, with appropriate conditions, the proposed request will be consistent with the intent of the future land use designation and the GVL 2040 Comprehensive Plan.

2. Complies with use specific standards

Sign regulations for electronic message boards (subsection 19-6.6.4(C)(4)) provides the following:

- *Electronic message boards shall incorporate a photocell, or similar technology, that adjusts brightness of the sign relative to outdoor ambient light; and*
- *The area of the electronic sign face shall not exceed 30 percent of the overall sign face area; and*
- *The electronic message shall maintain a static message for at least 12 seconds; and*
- *The sign shall display no message between 9:00 p.m. and 6:00 a.m.*

Further, Section 19-6.6.4(C)(1), *Lighting*, states that monument signs may be illuminated internally, "provided that the background is opaque allowing only the letters and logo to light, or with a shielded spotlight located at the base of the sign." Per the applicant, the entire cabinet at the top of the sign with the text 'Long Branch Baptist Church' currently illuminates, including the white background. To bring the sign into conformance with the Land Management Ordinance, the top cabinet shall be modified so that only the text illuminates. Per the submitted application, the top cabinet will be modified to include an opaque vinyl background.

Staff finds that, with appropriate conditions, the proposed request will comply with use specific standards.

3. Compatibility with the surrounding lands

Adjacent property is zoned and used as follows:

East (across Bolt St.): Single-family residential (RM-1)

North: Institutional (RM-1)

West: Vacant (RM-1)

South (across Wilkins St.): Vacant/ Single-family residential (RM-1)

The surrounding area features several single-family detached homes. To ensure that the proposed electronic message board does not cause a visual nuisance to these properties, staff recommends that the Board of Zoning Appeals include the stipulations listed in subsection 19-6.6.4(C)(4) as formal conditions for approval.

Staff finds that, with appropriate conditions, the request will be compatible with surrounding lands.

4. Design does not have substantial adverse impacts

To ensure that the proposed electronic message board does not cause a visual nuisance to these properties, staff recommends that the Board of Zoning Appeals include the stipulations listed in subsection 19-6.6.4(C)(4) as formal conditions for approval.

Staff finds that, with appropriate conditions, the design will not have substantial adverse impacts.

Departmental Comments

Traffic Engineering:

Sign marquee must meet illumination specifications.



Office Use Only:

Application# _____

Fees Paid _____

Date Received _____

Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE* Leroy Dyer & Son Signs LLC

* permit may be limited to this entity.

Name	Title / Organization
_____	_____

APPLICANT'S REPRESENTATIVE: (Optional)	Name	Title / Organization
	<u>Steve Dyer</u>	<u>President</u>

MAILING ADDRESS: PO Box 14096 Greenville, SC 29610

PHONE: 864-269-4826 EMAIL: office.dyersignco@att.net

PROPERTY OWNER: Long Branch Baptist church

MAILING ADDRESS: 28 Bolt St Greenville, SC

PHONE: _____ EMAIL: _____

PROPERTY INFORMATION

STREET ADDRESS: 28 Bolt Street

TAX PARCEL #: 0095000304500 ACREAGE: 4.97 ZONING DESIGNATION: R-M1

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE:

Replacing Changeable copy sign to an electronic message center sign.

INSTRUCTIONS

1. The application and fee, **made payable to the City of Greenville**, must be received by the planning and development office no later than 5:00 pm of the date reflected on the attached schedule.

2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a special exception). See also **Section 19-2.3.5, Special Exception Permit**, for additional information. You may attach a separate sheet addressing these questions.

3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

4. You must attach the required application fee: \$250.00

5. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

6. You must post the subject property at least 15 days (but not more than 18 days) prior to the scheduled hearing date.

_____ 'Public Hearing' signs are acknowledged as received by the applicant

Debbie Campbell
Applicant Signature

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☐ or is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity. ☐

Debbie Campbell

APPLICANT / REPRESENTATIVE SIGNATURE

DATE

7-16-21
Deacon John H. Hackney X

PROPERTY OWNER SIGNATURE

DATE

APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(1), STANDARDS – SPECIAL EXCEPTION

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED SPECIAL EXCEPTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

The new sign falls within the limits provided in the sign design rules for the city.

2. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL COMPLY WITH THE STANDARDS IN **SECTION 19-4.3, USE SPECIFIC STANDARDS.**

The sign complies with this section as it is identified the church to the public and causes no nuisance as to the odor or glare to public.

3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

This would compliment the front grounds while being able to announce church events.

4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

the sign should not effect any surrounding properties. The sign identifies the church and upcoming events.

APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(2), STANDARDS – CHANGE IN NONCONFORMING USE

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED NONCONFORMING USE IS MORE IN CHARACTER WITH, OR EQUAL TO, THE USES OTHERWISE PERMITTED IN THE ZONING DISTRICT THAN THE EXISTING OR PRIOR NONCONFORMING USES.

The sign will replace changeable copy sign already in place.

2. DESCRIBE THE WAYS IN WHICH THE PROPOSED NONCONFORMING USE WILL NOT SUBSTANTIALLY AND PERMANENTLY INJURE THE USE OF NEIGHBORING PROPERTY FOR THOSE USES PERMITTED WITHIN THE RELEVANT ZONING DISTRICT(S).

We believe our sign will improve the site's appearance and will compliment the surrounding area.

3. IS ADEQUATE INFRASTRUCTURE CAPACITY AVAILABLE TO SERVE THE PROPOSED NONCONFORMING USE?

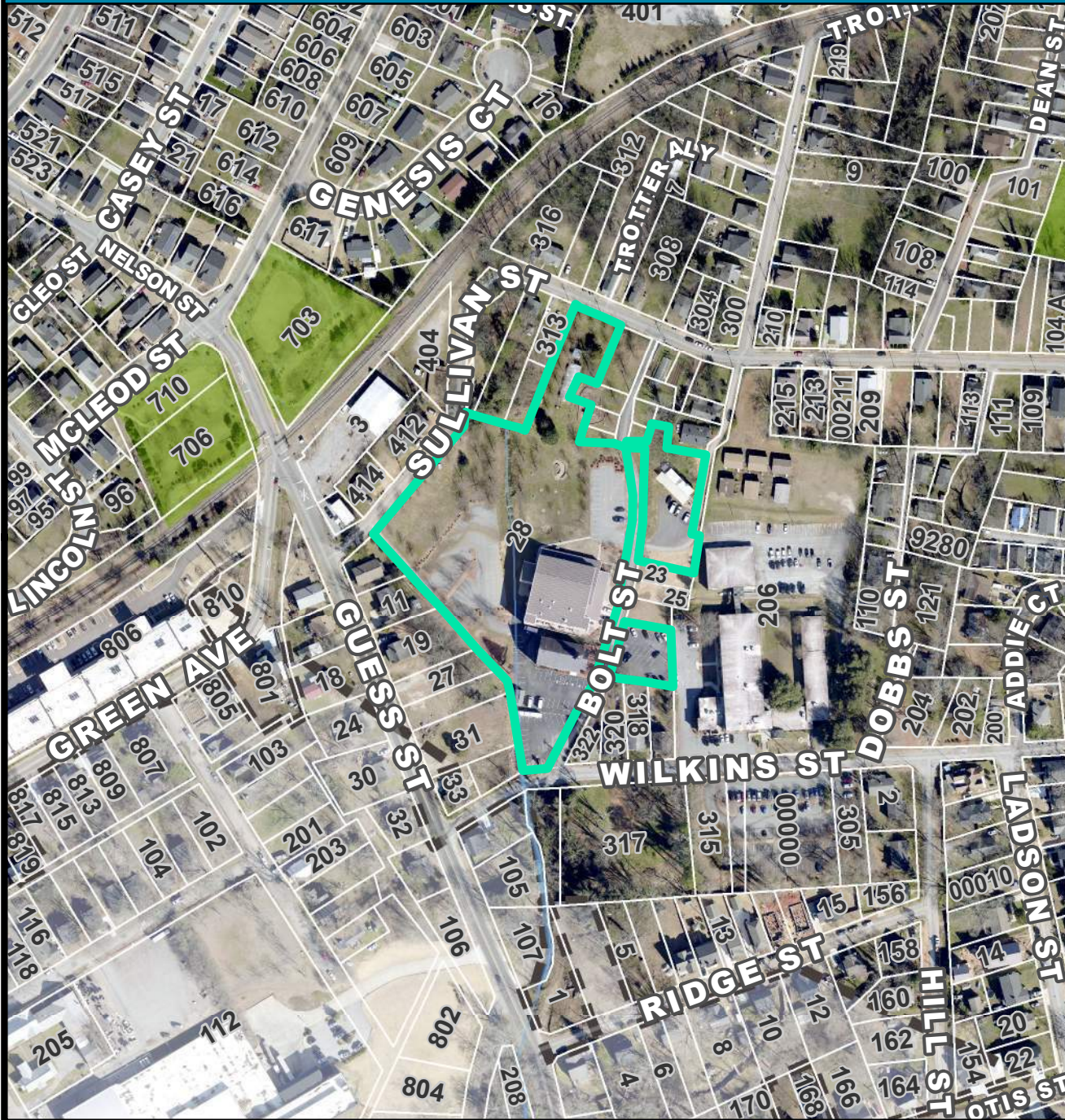
Yes, The sign will replace one already in place.

4. IS THE PROPOSED USE ONE THAT IS OTHERWISE PERMISSIBLE IN ANOTHER ZONING DISTRICT WITHIN THE CITY?

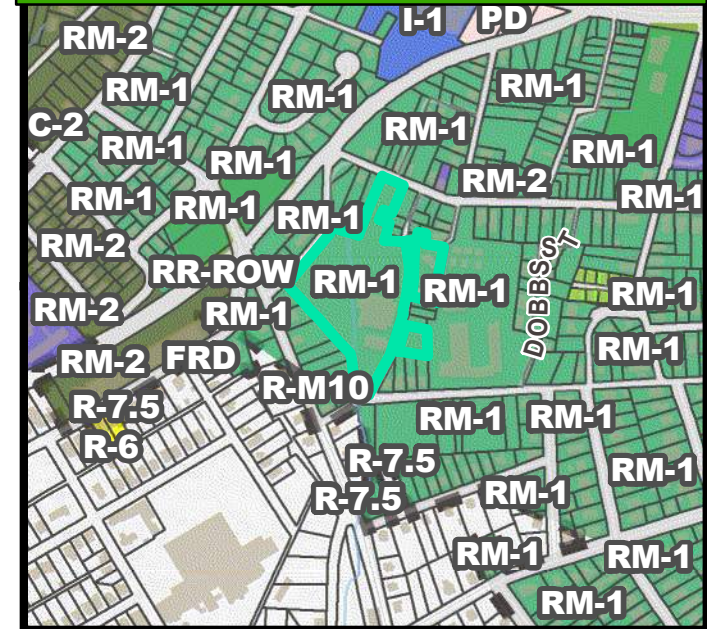
Yes this type permanent display is allowed within the city.

S 21-583 • 28 BOLT STREET

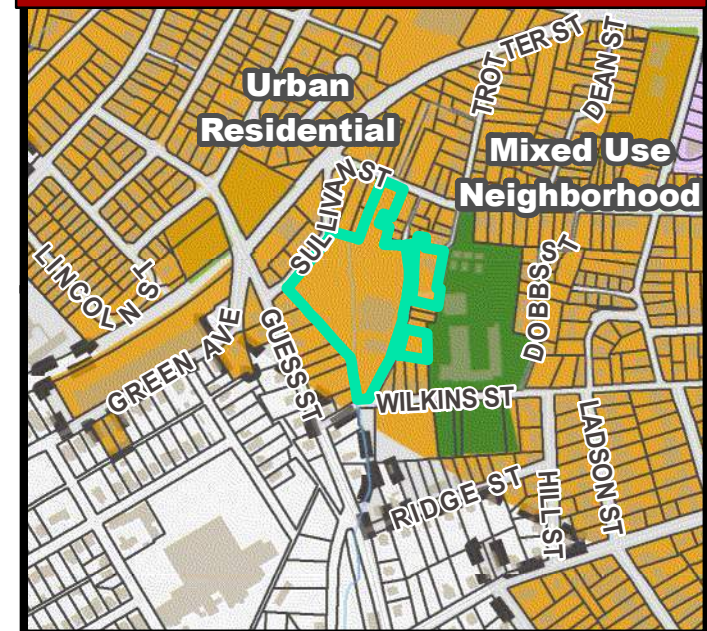
AERIAL VIEW



CURRENT ZONING

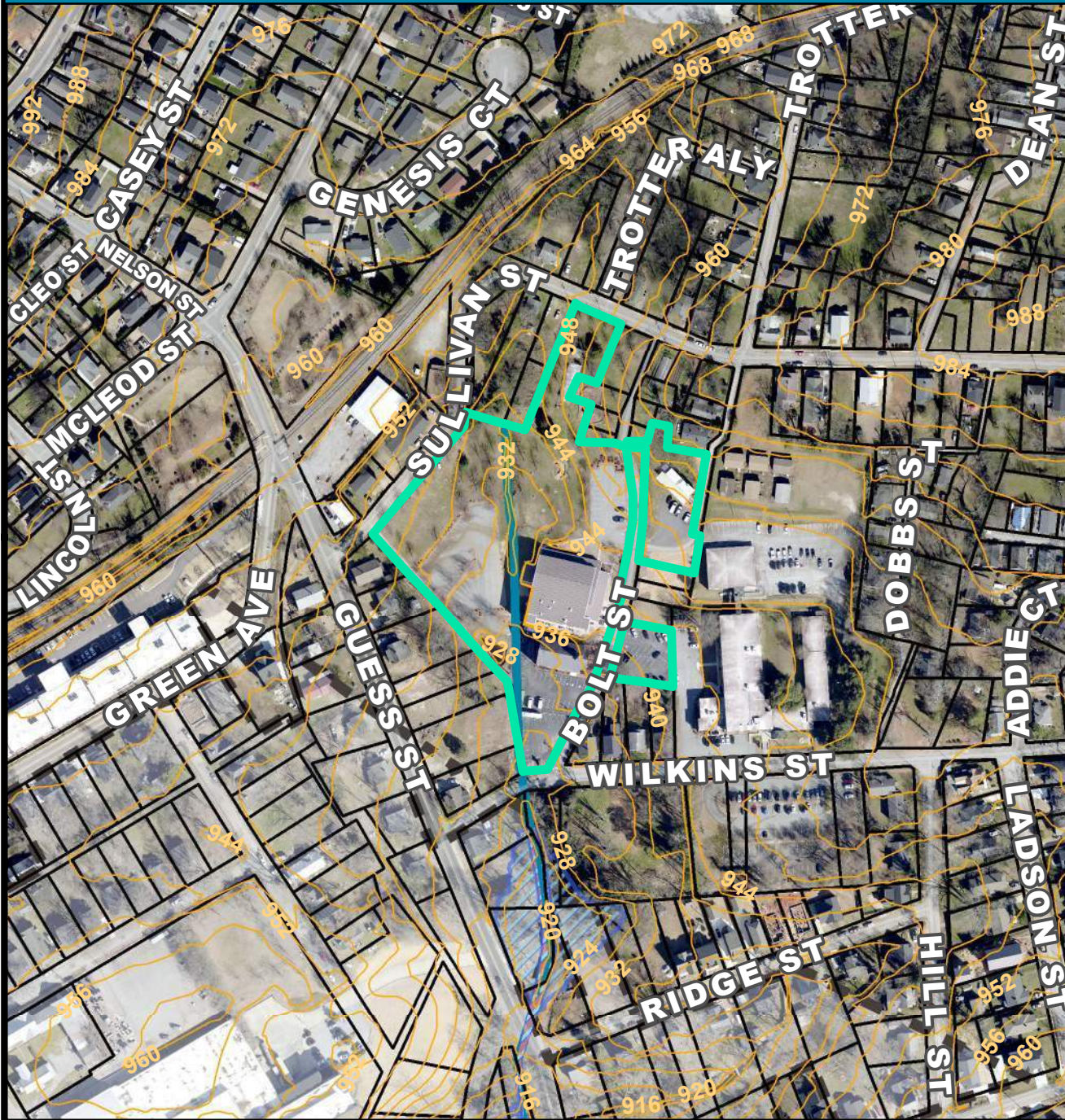


FUTURE LAND USE



S 21-583 • 28 BOLT STREET

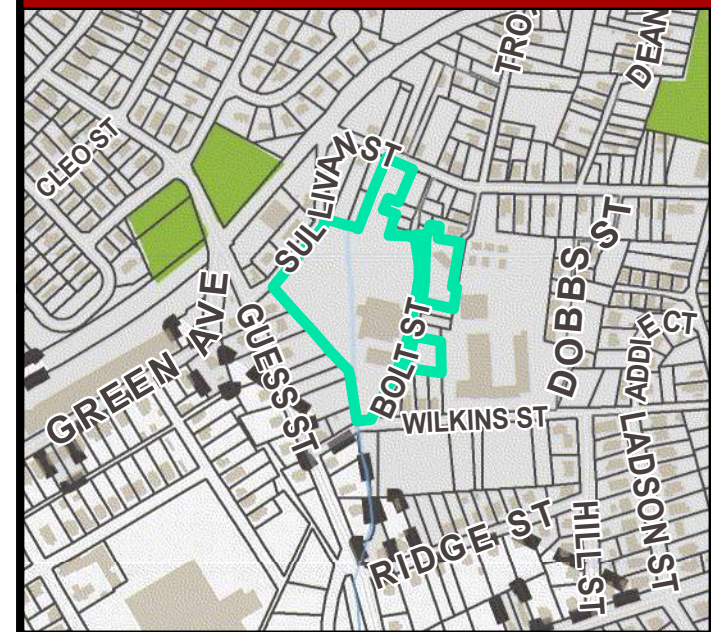
NATURAL / ENVIRONMENTAL FEATURES



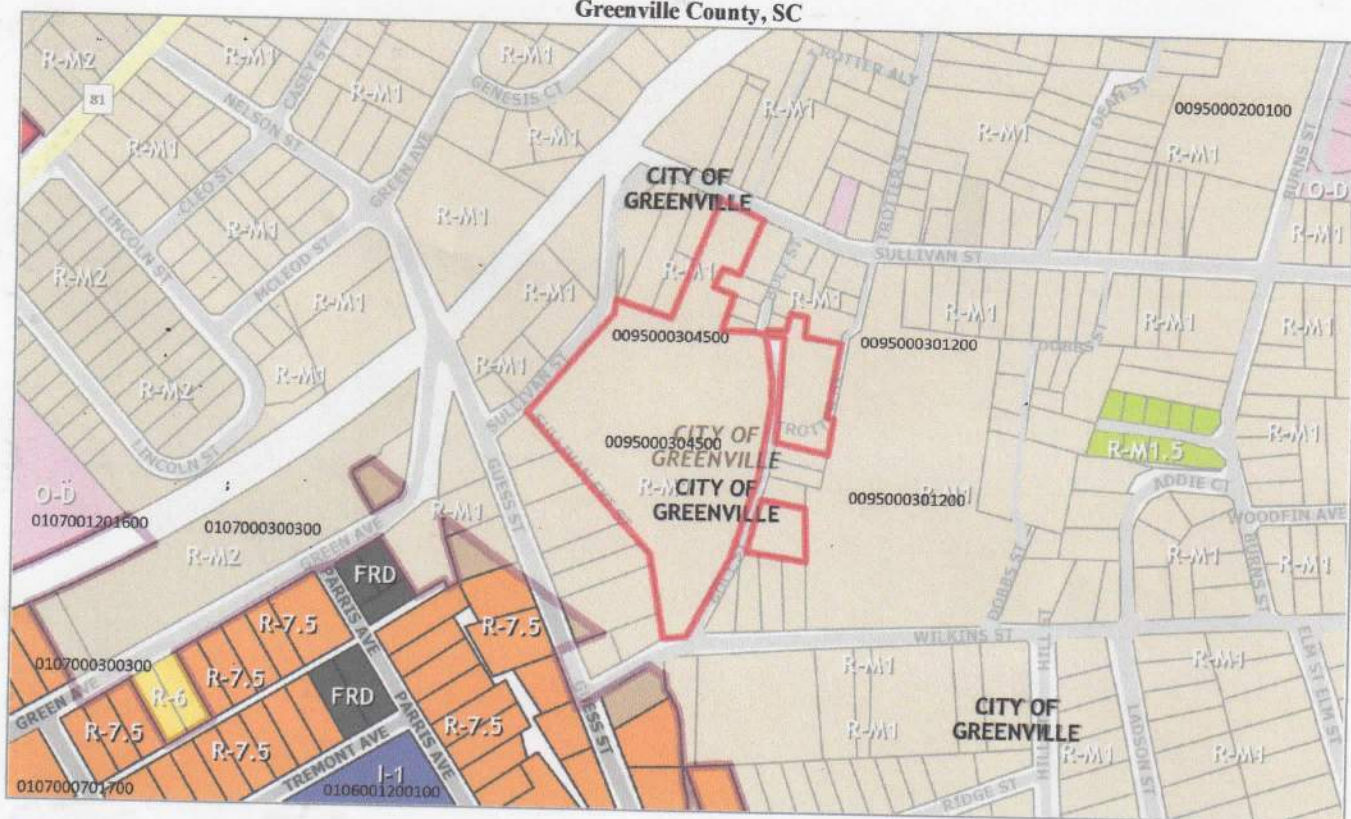
SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



Greenville County, SC



Disclaimer: This Map is not a LAND SURVEY and is for reference purposes only. Data contained in this map are prepared for the inventory of Real Property found within this jurisdiction, and are compiled from recorded deeds, plats, and other public records. Users of this map are hereby notified of aforementioned public primary information sources should be consulted for verification of the information contained in this map. Greenville County assumes no legal responsibility for the information contained in this map.

Map Scale
1 inch = 267 feet
7/13/2021

SIGNS

**Leroy Dyer
& Sons**
SINCE 1966

© 2006 DYER SIGN CO. ALL RIGHTS RESERVED.
THIS DRAWING IS AN ORIGINAL UNPUBLISHED
WORK OF DYER SIGN CO. AND MAY NOT BE
DUPLICATED, USED OR DISCLOSED WITHOUT
THE WRITTEN CONSENT OF DYER SIGN CO.

CLIENT Long Brach Church
LOCATION S.C.
DRAWING 10509
SALESPERSON Steve Dyer
DATE 7.12.21
DRAWN BY Steve

REVISIONS

COLORS

Bronze

Drk. Blue copy

Black

White

COLORS ARE FOR
REFERENCE ONLY

**CUSTOMER
APPROVAL**

DATE
7/12/21

SCALE

LEROY DYER SIGN CO.
3600 Calhoun Mem. Hwy.
Greenville S.C. 29611
P.O. Box 14096 Greenville S.C. 29610



EXISTING SIGN

SIGNS

**Leroy Dyer
& Sons**
SINCE 1966

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**CUSTOMER
APPROVAL**

DATE
7/12/21

SCALE

LEROY DYER SIGN CO.
3600 Calhoun Mem. Hwy.
Greenville S.C. 29611
P.O. Box 14096 Greenville S.C. 29610



FRONT ELEVATION
DOUBLE FACE ILLUMINATED SIGN

**SIGN CHANGE FROM STATIC MARQUEE
TO ELECTRONIC MARQUEE
24 SQ. FT. AREA EXISTING
TO 10 SQ. FT. AREA ELECTRONIC LED**

SIGNS

**Leroy Dyer
& Sons**
SINCE 1966

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CLIENT Long Brach Church
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SALESPERSON Steve Dyer
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DRAWN BY Steve

REVISIONS

COLORS

	Bronze
	Drk. Blue copy
	Black
	White
	
	
	
	
	
	

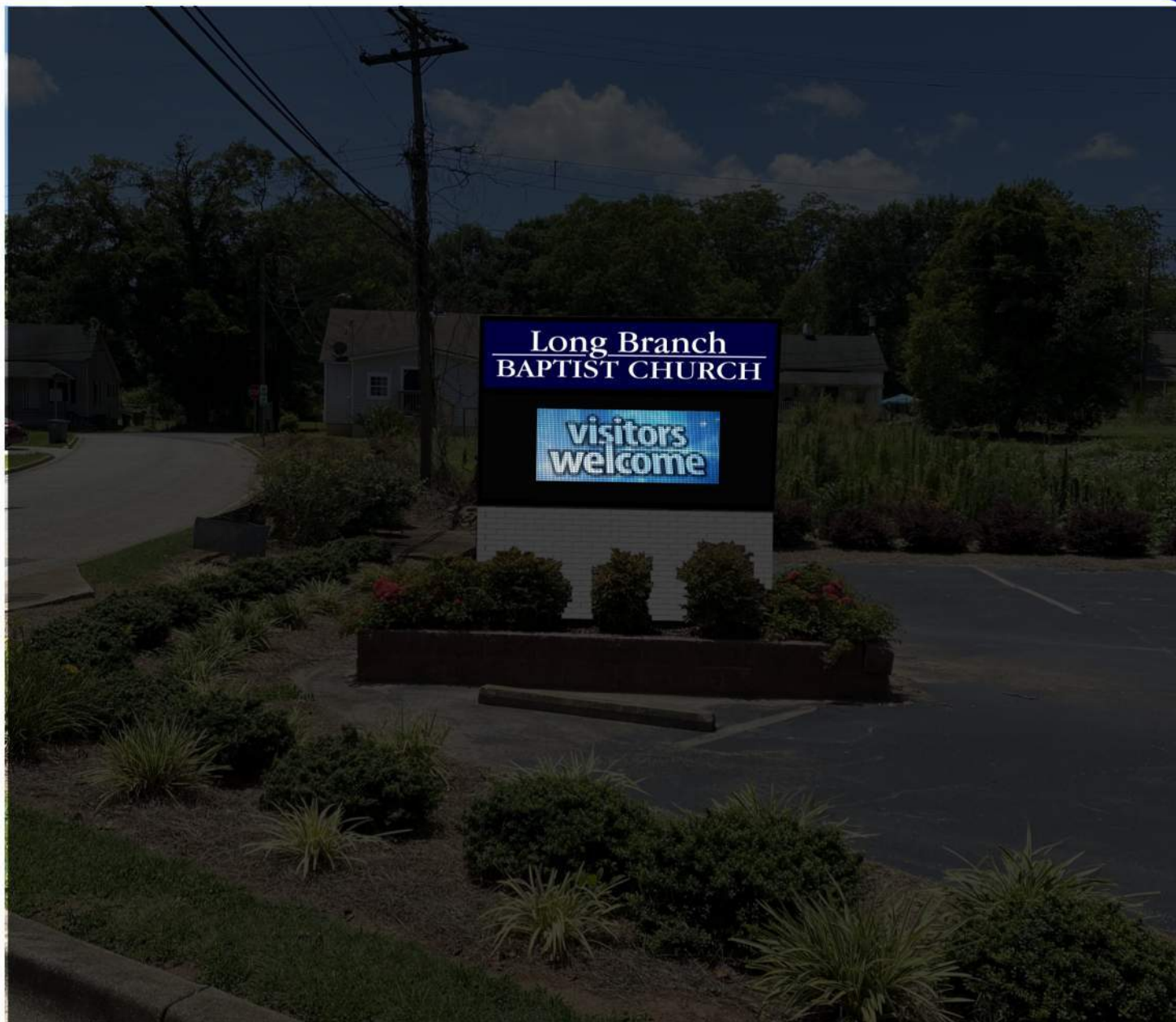
COLORS ARE FOR
REFERENCE ONLY

CUSTOMER APPROVAL

DATE
7/12/21

SCALE

LEROY DYER SIGN CO.
3600 Calhoun Mem. Hwy.
Greenville S.C. 29611
P.O. Box 14096 Greenville S.C. 29610



NITE VIEW ILLUMINATED
TOTAL ILLUMINATED AREA
26 SQ. FT



**Planning Staff Report to
Board of Zoning Appeals
September 3, 2021**
for the September 9, 2021 Public Hearing

Docket Number:	S 21-634
Applicant:	Eric Speckman Pendleton OZB, LLC
Property Owner:	Pendleton OZB, LLC
Property Location:	UNADDRESSED – Southeast corner of Pendleton Street and Mallard Street
Tax Map Number:	008000-05-00200; 008000-05-00300; 008000-05-00301; and 008000-05-00400
Acreage:	1.3 acres
Zoning:	RDV, Redevelopment District and RM-2, Single and Multi-Family Residential
Proposal:	Special Exception to establish a restaurant with drive-through
Staff Recommendation:	Approve with conditions

Applicable Sections of the City of Greenville Code of Ordinances:

Sec. 19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*

Sec. 19-2.3.5, *Special Exception Permit*

Sec. 19-4.1, *Table of Uses*

Sec. 19-4.3.3(C), *Use-specific standards for Eating Establishments*

Sec. 19-6.5.7(G), *Non-Residential Design Standards – Drive Throughs*

Staff Recommendation: Staff concludes that the application complies with the standards to grant a Special Exception Permit for a '**restaurant with drive-through.**' If the Board decides to grant the Permit, Staff recommends the following conditions:

1. The drive-through window shall close no later than 10 p.m.
2. The Applicant shall submit a sign permit application for the proposed menu board consistent with requirements in Land Management Ordinance Section 19-6.6.4(C)(4)(b).
3. The menu board shall incorporate a photo-cell or similar technology that adjusts the brightness of the sign relative to outdoor ambient light.
4. The pedestrian crosswalk at the drive through exit at Pendleton Street shall be raised and made prominent to ensure pedestrian visibility and safety. Appropriate features will be decided by mutual consent of the developer and City Planning and Engineering Staff.
5. Drive-through vehicle queuing shall substantially conform to the plan provided within this application; vehicular queuing shall at no time act to obstruct the movement of pedestrians along adjoining sidewalks or obstruct other areas intended for public usage, circulation, ingress or egress.

6. The operation of the establishment shall substantially conform to the testimony of the Applicant and the content of the application.
7. The approval of the “Restaurant, with drive-through” use will not apply to the portion of the site zoned RM-2; however a Conditional Use Permit may be sought to allow parking and driveways associated with this use to occur on this portion of the site.

Staff Analysis:

The Applicant requests approval of a special exception permit to establish a drive-through for a coffee shop as part of a proposed mixed-use development at the southeast corner of Pendleton Street and Mallard Street. The subject site is comprised of four parcels totaling 1.3 acres and is primarily zoned RDV, Redevelopment District; the southwestern parcel, 9 Mallard Street, is zoned RM-2, Single and Multi-Family Residential. The Applicant states that the proposed tenant will be a “*local coffee shop*” with approximately 10 drive-through customers per hour.

As proposed, the mixed-use development will contain 24 residential condominiums on the upper levels and retail space at the ground floor. Planning Commission approval will be required for the project as it features a multi-family residential component. The coffee shop is proposed at the eastern end of the development. The drive-through window is proposed on the east façade of the building and vehicular stacking is proposed to in a dedicated lane that wraps around the southeastern corner of the property.

Although included as part of the project site on the application, the “Restaurant, with drive through” use request for Tax Map Number 008000-05-00400, zoned RM-2, is not reviewable as a “Special Exception Use” by the Board of Zoning Appeals as indicated by Land Management Ordinance Table 19-4.1-2: Table of Uses. According to the submitted plans, this parcel does not include activities specific to a drive-through use, neither including a portion of the restaurant/coffee shop building space nor the ordering/required queuing area. A Conditional Use Permit reviewable by Planning Staff will be required to utilize this parcel for parking or driveways associated with this use or other nonresidential uses planned for the site.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates all of the following are met:

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City’s GVL 2040 Comprehensive Plan designates this property ‘*Neighborhood Mixed Use*’ which is intended to allow compact a combination of vertical and horizontal mixed-use developments that includes “small retail and commercial uses along with a variety of residential types. These areas are pedestrian friendly and in close proximity to downtown. It is anticipated that single uses will not exceed 10,000 square feet and “drive-thrus” are restricted due to the close proximity to downtown and adjacent neighborhoods.”

A restaurant with a drive-through is not typically considered a desirable land use in the “Neighborhood Mixed Use” category. However, staff believes that drive-throughs that are designed with pedestrian safety and comfort in mind can achieve compatibility with this land use designation. Further, the location of the drive-through queuing at the rear of the building minimizes the impact to the Pendleton Street streetwall.

Staff finds that, with appropriate conditions, the proposed use will be consistent with the Comprehensive Plan.

2. Complies with use specific standards

Section 19-4.3.3(C), *Eating Establishments*, contains use-specific standards for restaurants. Additionally, Section 19-6.5, *Non-Residential Design Standards*, contains design requirements for drive-through uses.

19-4.3.3(C), Eating establishments.

(1) *General.*

- (a) *Eating establishments that encroach onto public property shall comply with the city's outdoor displays and cafes ordinance (see chapter 8, article VIII, of this Code).*
- (b) *Eating establishments on private property shall comply with the following standards:*
 - 1. *The eating establishment shall not obstruct the movement of pedestrians along adjoining sidewalks, or through other areas intended for public usage, ingress, or egress.*
 - 2. *Outdoor live entertainment shall not be allowed, unless separate approval is obtained for an outdoor entertainment use.*
 - 3. *In approving eating establishments, the decision-making body may impose conditions relating to the location, configuration, and operational aspects (including hours of operation, noise, and lighting) to ensure that eating establishments will be compatible with surrounding uses and will be maintained in an attractive manner.*

Sec. 19-6.5.7(G), Non-Residential Design Standards – Drive Throughs

- (1) *If covered, the roof over a drive-through shall have the same architectural design and materials as the primary portion of the structure.*
- (2) *A drive through shall not be located in front of a building or on the same building façade as the primary entrance.*
- (3) *Drive-throughs shall be located so as to not compromise the quality of the pedestrian experience at any public street edge.*
- (4) *Pedestrian pathways that cross queuing or stacking lanes shall be raised and made prominent to ensure pedestrian visibility and safety.*
- (5) *In no instance shall a drive-through face residential dwellings.*
- (6) *Speakers shall be directed away from residential dwellings and shall not be audible beyond shared lot lines.*

The submitted site plan denotes the minimum required number of queuing spaces. Staff believes that the plans provided by the applicant are generally compliant with the applicable use-specific standards. However, to ensure compliance with the non-residential design standards relating to pedestrian comfort and safety, Staff recommends including as a condition of approval that the pedestrian crosswalk at Pendleton Street exit be raised and made prominent.

Staff finds that, with appropriate conditions, the use will comply with the specific use standards and non-residential design standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is zoned/used as follows:

East: Institutional (RDV)

North (across Pendleton St.): Institutional (C-4)

West (across Mallard St.): Vacant/ Single-Family Attached Residential (PD)

South: Parking/Single-Family Detached Residential (RDV and RM-1)

By placing the drive-through stacking area at the rear of the building, Staff finds that visual impacts of the drive-through operation will be minimized. However, in order to minimize impacts to the single-family residential uses to the south of the site, Staff believes that additional stipulations relating to hours of operation and menu board lighting are warranted. Recommended conditions include: the drive-through window shall close no later than 10 p.m.; the Applicant shall submit a sign permit application for the proposed menu board consistent with requirements in Land Management Ordinance Section 19-6.6.4(C)(4)(b); and the menu board shall incorporate a photo-cell or similar technology that adjusts brightness of the sign relative to outdoor ambient light.

Staff finds that, with appropriate conditions relating to drive-through hours of operation and menu board lighting, the use will be compatible with surrounding lands.

4. Design does not have substantial adverse impacts

To minimize impacts on site circulation, staff recommends the following condition related to the drive-through use: Drive-through vehicle queuing shall substantially conform to the plan provided within this application; vehicular queuing shall at no time act to obstruct the movement of pedestrians along adjoining sidewalks or obstruct other areas intended for public usage, ingress or egress.

Staff finds that, with appropriate conditions, the design will not have substantial adverse impacts.

Departmental Comments

None



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: _____

* _____ Name _____ Title / Organization _____

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: _____

(Optional) _____ Name _____ Title / Organization _____

MAILING ADDRESS: _____

PHONE: _____ EMAIL: _____

PROPERTY OWNER: _____

MAILING ADDRESS: _____

PHONE: _____ EMAIL: _____

PROPERTY INFORMATION

STREET ADDRESS: _____

TAX PARCEL #: _____ ACREAGE: _____ ZONING DESIGNATION: _____

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE: _____

INSTRUCTIONS

1. The application and fee, **made payable to the City of Greenville**, must be received by the planning and development office no later than 5:00 pm of the date reflected on the attached schedule.

2. The applicant/owner must respond to the “standards” questions on page 2 of this application (you must answer “why” you believe the application meets the tests for the granting of a special exception). See also **Section 19-2.3.5, Special Exception Permit**, for additional information. You may attach a separate sheet addressing these questions.

3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

4. You must attach the required application fee: \$250.00

5. The administrator will review the application for “sufficiency” pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to placing the application on the BZA agenda. If the application is determined to be “insufficient”, the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for “sufficiency” at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

6. You must post the subject property at least 15 days (but not more than 18 days) prior to the scheduled hearing date.

_____ ‘Public Hearing’ signs are acknowledged as received by the applicant

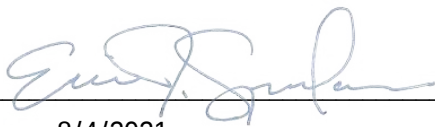
Applicant Signature

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant’s behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is _____ or is not _____ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.



8/4/2021

APPLICANT / REPRESENTATIVE SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

**APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(1), STANDARDS – SPECIAL EXCEPTION**

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED SPECIAL EXCEPTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

2. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL COMPLY WITH THE STANDARDS IN **SECTION 19-4.3, USE SPECIFIC STANDARDS.**

3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

**APPLICANT RESPONSE TO
SECTION 19-2.3.5(D)(2), STANDARDS – CHANGE IN NONCONFORMING USE**

(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED NONCONFORMING USE IS MORE IN CHARACTER WITH, OR EQUAL TO, THE USES OTHERWISE PERMITTED IN THE ZONING DISTRICT THAN THE EXISTING OR PRIOR NONCONFORMING USES.

2. DESCRIBE THE WAYS IN WHICH THE PROPOSED NONCONFORMING USE WILL NOT SUBSTANTIALLY AND PERMANENTLY INJURE THE USE OF NEIGHBORING PROPERTY FOR THOSE USES PERMITTED WITHIN THE RELEVANT ZONING DISTRICT(S).

3. IS ADEQUATE INFRASTRUCTURE CAPACITY AVAILABLE TO SERVE THE PROPOSED NONCONFORMING USE?

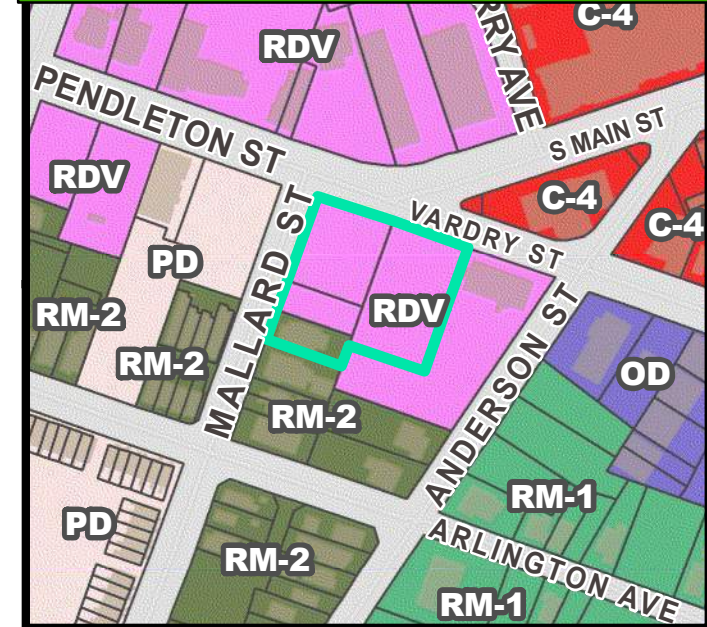
4. IS THE PROPOSED USE ONE THAT IS OTHERWISE PERMISSIBLE IN ANOTHER ZONING DISTRICT WITHIN THE CITY?

S 21-634 • 515 PENDLETON STREET

AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE

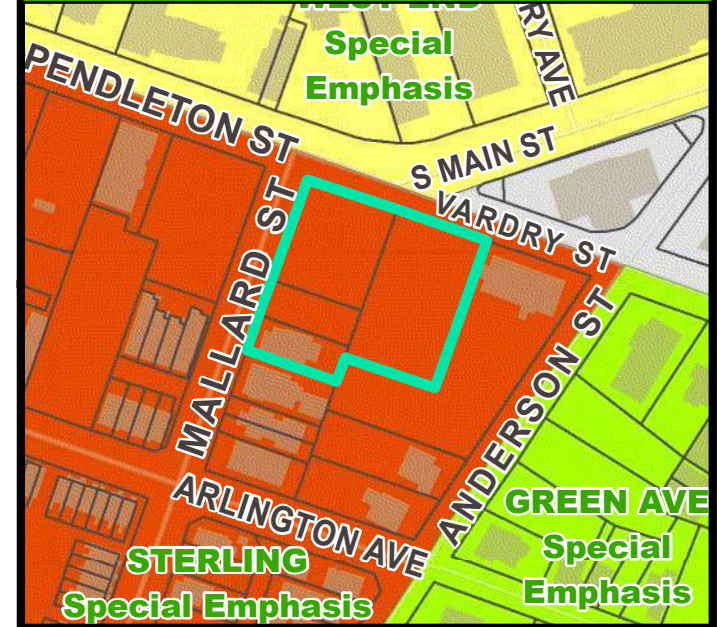


S 21-634 • 515 PENDLETON STREET

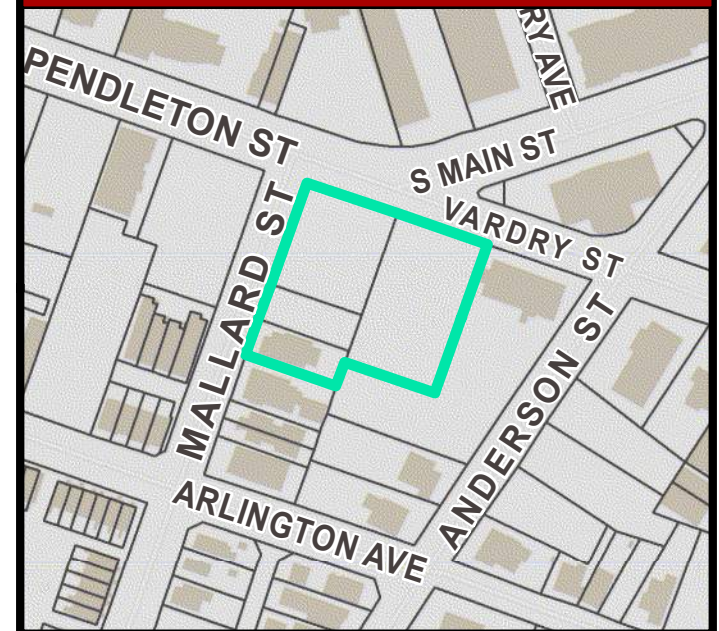
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



SHARED PARKING TABLE PER TABLE 19-6.1-7				
WEEKDAY-DAY	WEEKDAY-EVENING	WEEKEND-DAY	WEEKEND-EVENING	NIGHTTIME
37 SPACES	52 SPACES	49 SPACES	51 SPACES	39 SPACES

SITE DATA:

LAND AREA = 1.31± ACRES

ZONING = RDV

BUILDING FOOTPRINT = 16,910± S.F.

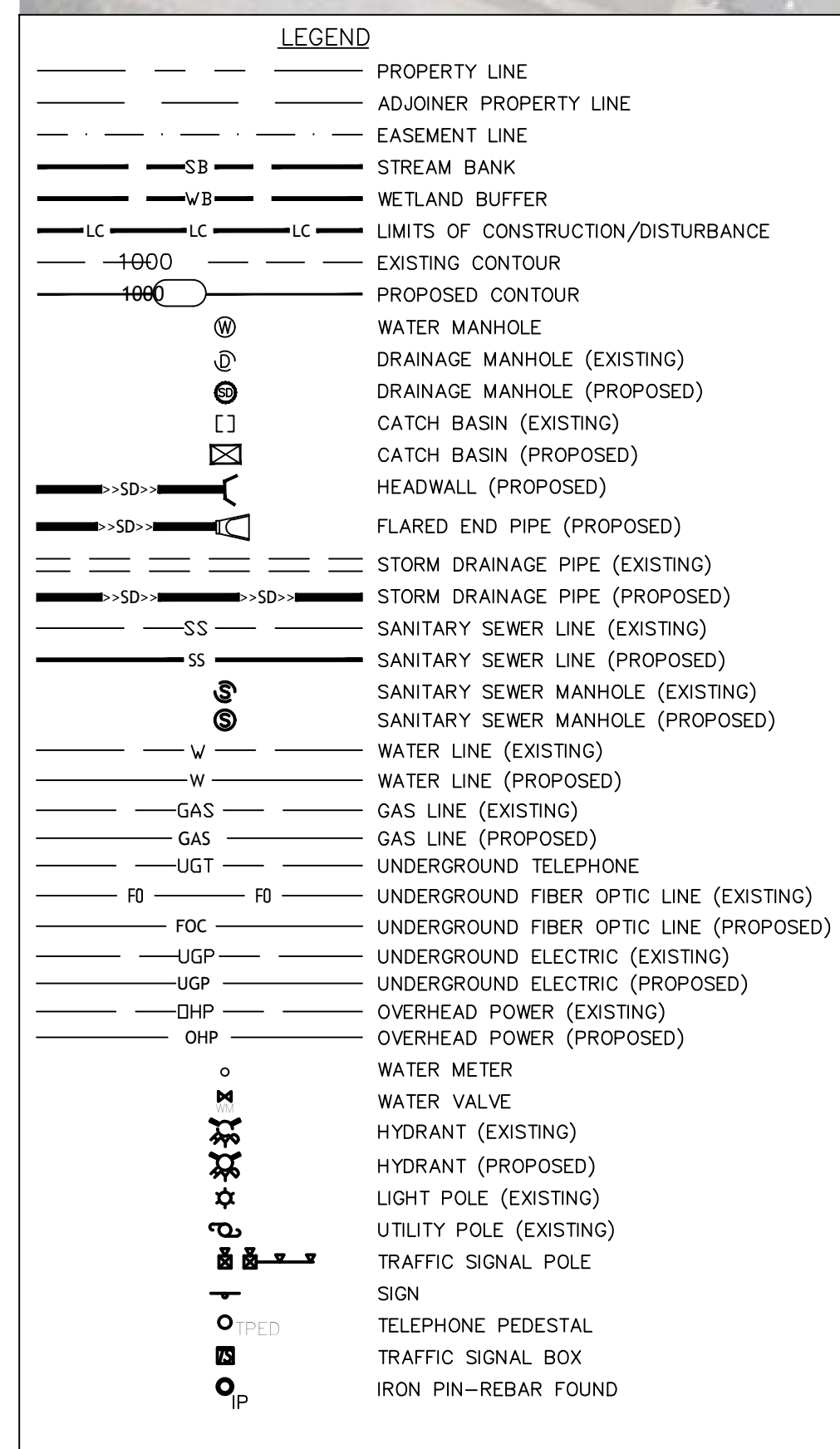
GROSS FLOOR AREA = 48,000± S.F.

RESTAURANT W/ DT = 2,546± S.F.

OFFICE = 10,400± S.F.

RESIDENTIAL = 24 UNITS

PARKING = 53 SPACES



VACANT LOT
ZONING: PD

TOWNHOMES
ZONING: RM-2

RESTAURANT
ZONING: RDV

COMMERCIAL
ZONING: RDV

**SIGNALIZED
INTERSECTION**

PROPOSED MEDIAN

ST. PAUL UMC
ZONING: C-4

RIGHT-OUT ONLY
FINAL CONFIGURATION TO
BE REVIEWED AND
APPROVED BY S.C.D.O.T.

UNITED MINISTRIES
ZONING: RDV

VEHICLE EXIT
DURING
OFF-PEAK
FOR DRIVE THRU

VEHICLE STACKING PER TABLE
19-6.1-5 OF C.O.G. LAND
MANAGEMENT ORDINANCE

RYDASS LANE

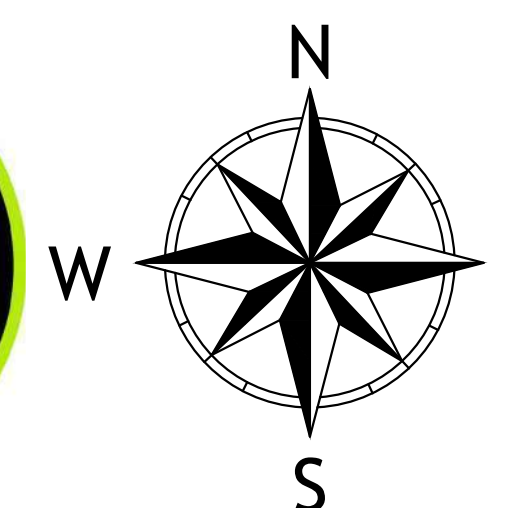
SINGLE-FAMILY
ZONING: RM

FAMILY
: RM-2

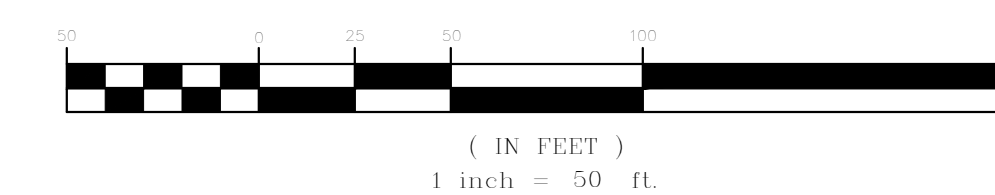
UNIT
ZONING

SCREEN WALL AND BUFFER
SHALL MEET SECTION 19-6.2
LAND MANAGEMENT ORDINANCE

SITE PLAN NOTE: THIS PLAN IS SUBJECT TO REVIEW BY AUTHORITIES HAVING JURISDICTION AND SUBJECT TO CHANGE DUE TO CODES, TITLE RESTRICTIONS, AND REVIEW COMMENTS.



GRAPHIC SCALE



blue
civil design, llc
718 Lowndes Hill Road • Greenville, SC 29607
www.bluewatercivil.com • info@bluewatercivil.com

Project Number:
DWG Name: 2020-120 bcta.dwg
Drawing Scale: as noted
Date of Project:
Engineer of Record:

Certificates of Authorization:
SC CD4212 - GA PEF0075865
NC P0868 - AL CA4065E

515 PENDLETON
MIXED-USE
515 Pendleton Street
Greenville, South Carolina

[illegible]

SITE PLAN
ZOOM OUT

SP-3.1

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Matt Lonnerstater

From: Eric Speckman <eric.speckman@beauxwright.com>
Sent: Friday, August 20, 2021 3:00 PM
To: Matt Lonnerstater
Cc: Kris Kurjiaka; Mike MacNabb
Subject: Re: 515 Pendleton Street Drive Through - Additional Questions for Special Exception Permit - S 21-634

CAUTION: This email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or opening attachments.

Yes, please feel free to forward. Thank you Matt

Sent from my iPhone

On Aug 20, 2021, at 10:17 AM, Matt Lonnerstater <mlonnerstater@greenvillesc.gov> wrote:

Thank you, Eric.

To confirm, can I forward your message onto the Board of Zoning appeals as part of the public record?

Best,

Matthew D. Lonnerstater, AICP

Development Planner | Planning & Development
MLonnerstater@greenvillesc.gov | www.greenvillesc.gov
864-467-6681

<image001.jpg>

From: Eric Speckman <eric.speckman@beauxwright.com>
Sent: Friday, August 20, 2021 9:56 AM
To: Matt Lonnerstater <mlonnerstater@greenvillesc.gov>
Cc: Kris Kurjiaka <kkurjiaka@greenvillesc.gov>; Mike MacNabb <mike@bluewatercivil.com>
Subject: RE: 515 Pendleton Street Drive Through - Additional Questions for Special Exception Permit - S 21-634

CAUTION: This email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or opening attachments.

Hi Matt, the proposed tenant that requires a drive through is a local coffee shop. The drive through is crucial to the success of their business and in the wake of the pandemic, it has become more important to have the ability to provide customers with a minimal touch experience. The coffee shop serves approximately 10 drive through customers per hour at their other location.

We are excited about the opportunity to transform this former gas station into a property that complements and enhances the neighborhood. Our goal for the first floor commercial space is to provide the area with some walkable amenities and we are focused on finding local Greenville businesses. In addition to coffee, we are actively seeking a small market/bodega that would provide the neighborhood with an option for groceries.

Please let me know if you have any questions or if I can provide any additional information.

Thanks,
Eric

From: Matt Lonnerstater <mlonnerstater@greenvillesc.gov>
Sent: Wednesday, August 18, 2021 9:42 AM
To: Eric Speckman <eric.speckman@beauxwright.com>
Cc: Kris Kurjiaka <kkurjiaka@greenvillesc.gov>; Mike MacNabb <mike@bluewatercivil.com>
Subject: 515 Pendleton Street Drive Through - Additional Questions for Special Exception Permit - S 21-634
Importance: High

Good morning, Eric:

This morning, staff met internally to discuss your Special Exception application for a drive-through use at 515 Pendleton Street – SPEX # 21-634.

Staff has a few additional questions relating to the proposed use:

- 1) Can you provide a formal statement regarding the proposed tenant? At minimum, could you provide the type of restaurant tenant proposed (e.g. coffee/sandwich/chicken)?
- 2) Can you provide a drive-through traffic generation count for the proposed user? For example, if the tenant has existing drive-throughs in other locations, could you reach out to them to find out average drive-through uses per hour?

Any additional information that you can formally provide will help the Board of Zoning Appeals to make an informed decision.

Please be informed that, unless otherwise noted, we will forward your responses onto the Board of Zoning Appeals as part of the public record.

Thank you,

Matthew D. Lonnerstater, AICP
Development Planner | Planning & Development
MLonnerstater@greenvillesc.gov | www.greenvillesc.gov
864-467-6681

<image001.jpg>



**BOARD OF ZONING APPEALS
A G E N D A
Regular Meeting
September 9th, 2021
4:00 PM**

The City of Greenville Board of Zoning Appeals will hold an in-person Public Hearing for the following items on **Thursday, September 9th, 2021 at 4:00 PM** at the Greenville Convention Center at **1 Exposition Drive**. Those wishing to provide comment on an item may either provide written comment to staff or attend the in-person meeting.

Citizens may also view the meeting at the following web address:

<https://www.greenvillesc.gov/1694/Online-Meetings>

- 1. Call to Order**
- 2. Welcome and Opening Remarks from the Chair**
- 3. Roll Call**
- 4. Approval of Minutes**
 - A. August 10th – Workshop
 - B. August 12th – Regular Meeting
- 5. Call for Public Notice Affidavit from Applicants**
- 6. Acceptance of Agenda**
- 7. Conflict of Interest Statement**
- 8. New Business**
 - A. **S 21-583**
Application by Leroy Dyer & Sons Signs, LLC for a **SPECIAL EXCEPTION** to install an electronic message board in an RM-1 zoning district at **28 Bolt Street** (TM# 009500-03-04500).
 - B. **S 21-634**
Application by Eric Speckman for a **SPECIAL EXCEPTION** to establish a restaurant with a drive-through at **515 Pendleton Street** (TM#s 008000-05-00300; -00301; -00400; and -00200).
- 9. Other Business**
 - A. Staff update on current planning projects.
- 10. Adjournment**