

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

December 9, 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, December 9, 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. November 9, 2021 – Agenda Workshop
 - B. November 11, 2021 – Regular Meeting
5. Call for Public Notice Affidavit from Applicants

6. Acceptance of Agenda

7. Conflict of Interest Statement

8. Old Business

. . . A.

S 21-781

Application by Group Therapy Pub & Playground (Matthew Hubbard) for a **SPECIAL EXCEPTION** to establish a "Bar" and "Indoor entertainment facility" use open after 12:00 midnight in a C-4, Central business district at **320 Falls Street, STE G** (TM# 006100-03-04114 & 006100-03-04115)

Documents:

[S 21-781 - 320 FALLS ST_AGENDAPACKET.PDF](#)

. . . . B.

S 21-782 - DEFERRED UNTIL JANUARY 2022 BZA MEETING

Application by Gringos Cantina LLC (Robert Starcher) for a **SPECIAL EXCEPTION** to establish a "Restaurant" and "Bar" use open after 12:00 midnight" in a C-4, Central business district at **11 Falls Park Drive** (TM# 007000-01-02400)

. C.

S 21-795 - DEFERRED UNTIL JANUARY 2022 BZA MEETING

Application by ABW Greenville, LLC d/b/a New Realm Brewing Company (Brian McAlpine) for a **SPECIAL EXCEPTION** to establish an "Indoor entertainment facility" and "Outdoor entertainment" use in a C-4, Central business district at **912 S Main Street** (TM# 007200-02-01600, 007200-02-01700, 007200-02-01900 & 007200-02-02000)

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9. New Business

.A.

A 21-696

Application by Verizon/Cellco Partnership SC Gen Part (Jarod Yerg) for an **APPEAL** of the administrator's decision requiring removal of a non-conforming sign at **469 Congaree Road** (TM# 054303-01-00501)

Documents:

[A 21-696 - 469 CONGAREE RD_AGENDAPACKET.PDF](#)

.B.

S 21-805

Application by Brass Monkey LLC (Matthew Gourley) for a **SPECIAL EXCEPTION** to operate a "Restaurant" use open after 12:00 midnight in a C-2, Local commercial district at **723 Congaree Road** (TM# 054301-01-01906)

Documents:

[S 21-805 - 723 CONGAREE RD_AGENDAPACKET.PDF](#)

.C.

S 21-892

Application by Hertz Rental Car (Carissa Sturghill) for a **SPECIAL EXCEPTION** to establish an "Automobile rental" use in a C-3, Regional commercial district located at **408 N Pleasantburg Drive** (TM# 028200-02-01202)

Documents:

[S 21-892 - 408 N. PLEASANTBURG DR_AGENDAPACKET.PDF](#)

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10. Other Business

A. Staff update on current planning projects

11. Adjournment

Documents:

[12-09-21 - BZA REGULAR MEETING AGENDA.PDF](#)



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

Docket Number:	S 21-781
Applicant:	Group Therapy Pub & Playground (Matthew Hubbard)
Property Owner:	CAP Camperdown Retail, LLC
Property Location:	320 Falls Street, Suite G
Tax Map Number:	006100-03-04114; 006100-03-04115
Acreage:	2.1
Zoning:	C-4, Central Business District
Proposal:	SPECIAL EXCEPTION to operate a 'Bar' use and 'Indoor entertainment facility' use, with operation after midnight

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 (A), *Use Specific Standards, Commercial Uses, General*

Sec. 19-4.3.3 (F) (10), *Nightclub or Bar*

Staff Recommendation: Approve with Conditions

Staff concludes that the Application complies with the standards to grant a Special Exception Permit as an **'Indoor entertainment facility'** and **'Bar', with operation after midnight**. If the Board decides to grant the Permit, Staff suggests the following conditions:

1. The Special Exception Permit is limited to the Applicant, Group Therapy Pub & Playground (Matthew Hubbard), and is not transferrable.
2. Operation of the facility shall be limited to a "nightclub/bar," as defined by this Code, and shall substantially conform to the statements of the applicant and the content of the application. Modification of the facility's operation shall require the applicant to seek a modification of the special exception permit. Operation of the business shall always comply with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the department of revenue.
3. Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 12:00 midnight and 7:00 a.m.
4. Loitering, solicitation, and disorderly conduct is always prohibited. Rules, consistent with the provisions of the Greenville Code of Ordinances, shall be posted in conspicuous locations on the building and throughout the parking lot and shall be enforced by the proprietors.
5. Exterior sound amplification is prohibited, except in areas specifically authorized on the approved site plan and/or floor plan. All amplified sound shall be directed inward toward the facility and

away from any adjoining use or public property. No exterior amplified sound shall be permitted between the hours of 10:00 p.m. and 11:00 a.m.

6. Interior sound amplification shall be located only as reflected on an approved floor plan and shall be directed away from the principal entrance or directed toward the interior of the building.
7. Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.
8. At all times during its occupancy, the applicant shall assign a manager on the premises who shall ensure compliance with the terms of the special exception permit, this Code, and the applicable S.C. Code of Laws and Regulations.
9. The applicant and all its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors approved by the city police department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of approval of a special exception permit and future personnel shall receive training within 30 days of hire.
10. The applicant shall retain a minimum of two (2) security guards, of which one (1) shall be off-duty sworn law enforcement officer positioned outside the business on Fridays and Saturdays between the hours of 10:00 PM and 2:15 AM and at any time, while open for business, when it is reasonably anticipated that a larger-than-average number of patrons may occupy the premises. The security person(s) must possess a "Security Officer Registration Certificate" pursuant to Chapter 18 of Title 40 of the SC Code of Laws, or as an alternative, may be an off duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.
11. Occupant capacity of the establishment shall be established by the city building codes administrator. The applicant shall designate staff at all ingress/egress points as responsible to monitor the flow of patrons.
12. The Applicant shall take reasonable measures to ensure that the business and its patrons comply with City ordinances and State laws intended to preserve the public peace, safety and order, including but not limited to: occupancy loads, prohibitions on disorderly conduct and public intoxication, prohibitions on noise in violation of the City's noise ordinance, smoking, encroachment ordinances, adequate patron parking and applicable parking restrictions.
13. The applicant shall provide executed shared parking agreements, with the owners of the parking garages and any valet service parking site, cited in the applicant's testimony, that provide the required number of parking spaces indicated by the Land Management Ordinance for the use, on or before the time of the request for a Certificate of Occupancy (CO).
14. A copy of the special exception permit shall be maintained on premises with other related inspection, licensing, and occupancy information.

Update:

This application was deferred from the November 11, 2021 Meeting due to lack of quorum for this business item. Prior to the public hearing posting deadline, the applicant did submit a letter requesting a reduction in security recommended by the Technical Advisory Committee and Staff's recommendation.

Staff Analysis:

The Applicant, Matthew Hubbard, with Group Therapy Pub & Playground, requests a special exception for an "indoor entertainment facility" use to operate after midnight in a C-4, Central business district. The

subject site is located at 320 Falls Street, Suite G, with its main entry at the rear corner of the plaza, within the retail section of the Camperdown development.

Per Sections 19-4.1 (*Table of Uses*) and 19-4.3.3(A) and (F)(10) (*Use-specific standards for Commercial, General and Nightclubs or Bars*), a special exception permit is required for indoor entertainment facilities, bars, and any business in the C-4 district, with operations after midnight. The proposal includes establishment of a restaurant space, a bar area for beer, wine, and cocktails, entertainment and games, to include mini golf, axe throwing, ice curling, ping pong, and in addition to trivia, karaoke, and bingo nights. Hours of operation extend as late as 2 am all days of the week.

The Technical Advisory Committee (TAC) met with the applicant on October 18, 2021 and recommended approval of the special exception permit with conditions. These recommended conditions are listed at the end of this report.

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

1. The Use Is Consistent with the Comprehensive Plan(s):

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates this property 'Center City' which is described as follows:

Center City is Greenville's downtown central business district. It contains a mix of land uses that includes but is not limited to office, service, retail, entertainment, cultural, government, civic, light manufacturing, and residential. Development is expected to be pedestrian-oriented and designed to actively engage streets, parks, plazas, the riverfront, and other public spaces.

The proposed use aligns directly with the desired "entertainment" use in the Center City FLUM classification and will bring additional pedestrian traffic through the new plaza constructed with the Camperdown development.

Staff finds that the proposed use is consistent with the GVL 2040 Comprehensive Plan.

2. The Use Will Comply with the Use Specific Standards:

Use-specific standards for commercial uses and 'Bars', open after midnight, are listed below:

19-4.3.3(A) General.

- (1) *Design standards. Except where specifically exempted by this chapter, nonresidential uses shall comply with the standards in subsection 19-6.5.*
- (2) *Commercial uses located within the OD, C-1, C-2, C-4, RDV, and PD districts open to the public between the hours of 12 midnight and 5:00 a.m. require a special exception permit, except when a conditional use permit is required, and, at a minimum, are subject to the following standards:*
 - (a) *The standards for granting a special exception permit.*
 - (b) *On-site traffic shall be directed away from abutting residential uses or residential districts between the hours of 12:00 midnight and 5:00 a.m.*
 - (c) *Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 12:00 midnight and 5:00 a.m.*
 - (d) *Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by the proprietors.*
 - (e) *Exterior sound amplification is prohibited except in areas specifically authorized on the approved site plan and/or floor plan; all amplified sound shall be directed inward toward the facility and away from any adjoining use or public property. No exterior amplified sound shall be permitted between the hours of 10:00 p.m. and 11:00 a.m. Interior sound amplification*

shall be located only as reflected on an approved floor plan and shall be directed away from the principal entrance or directed toward the interior of the building.

- (f) Drive-through facilities shall be closed between the hours of 12:00 midnight and 5:00 a.m.*
- (g) Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.*
- (h) The required permit, either special exception permit or conditional use permit, shall be limited to the applicant and shall not be transferrable. Copy of the special exception permit or the conditional use permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.*

19-4.3.3(F)(10) *Nightclub or bar. In addition to complying with the standards for granting a special exception, such use shall comply with the location standards established by the state and:*

- (a) A conditional use permit shall be limited to the applicant or a legal entity authorized to be represented by the applicant, and shall not be transferrable.*
- (b) Operation of the facility shall be limited to a "nightclub/bar," as defined by this Code, and shall substantially conform to the statements of the applicant and the content of the application. Modification of the facility's operation shall require the applicant to seek a modification of the conditional use permit. Operation of the business shall comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the department of revenue.*
- (c) At all times during its occupancy, the applicant shall assign a manager on the premises who shall ensure compliance with the terms of the conditional use permit, this Code, and the applicable S.C. Code of Laws and Regulations.*
- (d) The applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors approved by the city police department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of the granting of a conditional use permit and future personnel shall receive training within 30 days of hiring.*
- (e) As may be recommended by the technical advisory committee, the administrator may require the applicant to retain outdoor security persons during operation of the establishment. The security persons must possess a security officer registration certificate pursuant to S.C. Code 1976, title 40, chapter 18, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.*
- (f) Occupant capacity of the establishment shall be established by the city building codes administrator. The applicant shall designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons.*
- (g) Exterior sound amplification shall be prohibited except in areas specifically authorized on the approved site plan; all amplified sound shall be directed inward toward the facility and away from any adjoining use or public property. Specified hours of exterior sound amplification shall be limited by the permit.*
- (h) Interior sound amplification shall be located only as reflected on the approved floor plan and shall be directed away from the principal entrance or directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows shall remain closed after 10:00 p.m.*
- (i) Rooftop decks shall have perimeter guard railing above table surfaces.*
- (j) Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of this Code shall be posted in conspicuous locations on the building and throughout the parking lot and shall be enforced by the proprietors.*

- (k) *The application shall comply with city noise, smoking, and encroachment ordinances.*
- (l) *A copy of the conditional use permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.*
- (m) *The administrator may attach additional conditions to the conditional use permit which will protect nearby uses from any adverse impacts reasonably expected to occur as a result of the operation of the nightclub/bar.*

The applicant states the intent to comply with these use-specific criteria within their application. Upon discussion with the Technical Advisory Committee, the applicant displayed awareness of potential issues about noise, security, monitoring occupant capacity, training for management and staff, and overall hours of operation. Staff recommends formally incorporation of TAC's recommended conditions, listed at the end of this report, into any motion for approval.

Staff finds, with appropriate conditions, the use complies with the specific use standards of the Land Management Ordinance.

3. The Use Is Compatible with the Character of Surrounding Lands:

The subject property is surrounded by C-4, Central business district zoning. Adjacent uses, within the development, include office to the west, multifamily residential to the east, a parking garage to the south, and the plaza and entry to the facility to the north. There is no second story to the applicant's area of use. The building area above the area of use is covered primarily with the chillers for the office use and a pool for the multifamily section of the development. Other adjacent uses to the overall development are office, retail, and park/open space.

The area requested for use in this application is relatively insulated from adjacent land uses, and where this is not the case, uses are of a similar character and classification.

Staff finds that the use is compatible with surrounding lands.

4. The Design Does Not Have Substantial Adverse Impact:

The proposed use is located within the Camperdown development. Impacts of service delivery and parking will not exceed those already anticipated for the development. With area requested insulated from adjacent properties by the development, issues such as odors, noise, glare, and vibration should be relatively minor. If outdoor noise amplification is limited and appropriate levels of outdoor security are provided during the later hours of the night, potential negative impacts of the development should be manageable and should have minimal effect.

To minimize detrimental impacts on adjacent residential land uses, staff recommends approval of the special exception permit be conditioned upon the findings and recommendations of TAC, listed at the end of this report and within the Staff Recommendation.

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

TAC Findings and Recommendation:

FINDINGS OF THE COMMITTEE:

1. The application, including the Application for Special Exception, Zoning Compliance Application, and all other documents submitted supplemental to those applications and received as part of the Board of Zoning Appeals files for this case prior to the Technical Advisory Committee review, is hereby incorporated and made a part of the findings of this Committee.

2. The applicant indicates the intent to operate an indoor entertainment facility, bar, and restaurant.
3. The applicant indicates expected hours of operation of Monday thru Sunday, 11 am to 2 am, and age restricted to 21 years old and over after 7 pm.
4. The applicant indicates the layout of the business will include restaurant seating on one side, games on the other side, and bar services throughout, with dedicated spaces for private, VIP, or corporate functions.
5. The applicant indicates weekday programming will include dedicated karaoke nights, bingo, and trivia nights, that begin approximately 5pm - 6pm, and end 2am, or close of business, if there is insufficient demand.
6. The applicant indicates on weekends including Friday and Saturday nights, live entertainment will be available, which includes DJ's, bands, musicians, and singers, and additional karaoke opportunities that begin as early as 5 pm to close on Fridays, and from time of open to time of close on Saturdays and Sundays.
7. The applicant indicates that security will be provided by CAP Camperdown LLC, as provided for all tenants in the Camperdown development. The initial plan indoors is to have no in house security Sunday – Thursday open to close; Friday and Saturday from 7pm till close there will be one security staff member at the front door dedicated to security, checking ID's, and occupancy control during transition to 21+ only.
8. The applicant indicates that parking is available in the parking garage directly below the business, the adjacent garage connected by breezeway, and through valet service off Falls Street, with most of the parking made available when the office uses on site vacate spaces.

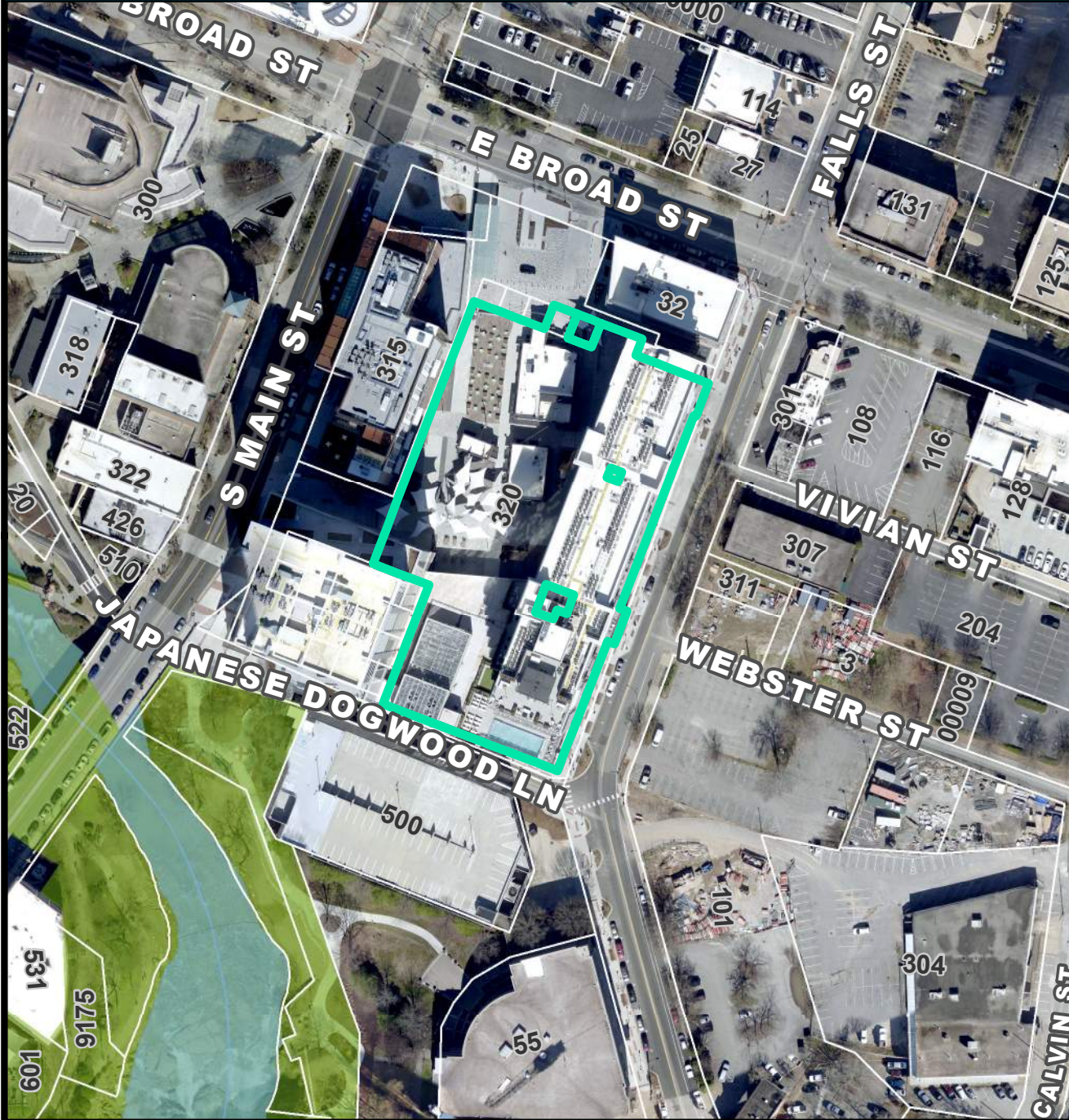
RECOMMENDATIONS OF THE COMMITTEE:

1. This Committee recommends that the Board of Zoning Appeals **approve** the application for a Special Exception Use Permit.
2. In order to prevent and/or minimize any potential adverse effects from the Applicant's business on surrounding uses, this Committee recommends that the Board of Zoning Appeals make the following recommendations a condition or conditions of the permit. These conditions are related in type and scale to the impact the proposed use would have on the public and surrounding land uses and are in addition to the standard requirements outlined in Section 19-4.3.3(C) of the Land Management Ordinance:
 - a. This Committee recommends the Applicant maintain hours of operation that are substantially consistent with those stated by the applicant.
 - b. This Committee recommends that all interior amplification be located only as reflected on the approved floor plan and be directed away from the principal entrance or directed toward the interior of the building.
 - c. This Committee recommends that, except to provide ingress and egress, exterior doors and windows shall remain closed after 10:00 pm.
 - d. This Committee recommends that any exterior sound amplification is prohibited except in areas specifically authorized on an approved site plan and/or floor plan; all amplified sound shall be directed inward toward the facility and away from any adjoining use or public property. No exterior amplified sound shall be permitted between the hours of 10:00 pm and 11:00 am.

- e. This Committee recommends that the Applicant take reasonable measures to ensure that the business and its patrons comply with City ordinances and State laws intended to preserve the public peace, safety and order, including but not limited to: occupancy loads, prohibitions on disorderly conduct and public intoxication, prohibitions on noise in violation of the City's noise ordinance, adequate patron parking and applicable neighborhood parking restrictions.
- f. This Committee recommends that at all times during its occupancy, the applicant shall assign a manager on the premises who shall ensure compliance with the terms of the special exception permit, this Code, and the applicable S.C. Code of Laws and Regulations.
- g. This Committee recommends that the applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center, or comparable program offered by other vendors approved by the city police department. Evidence of satisfactory completion of this training, for each employee, shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of the granting of a conditional use permit and future personnel shall receive training within 30 days of hiring.
- h. This Committee recommends that the applicant shall retain a minimum of two (2) security guards, of which one (1) shall be off-duty sworn law enforcement officers positioned outside the business on Fridays and Saturdays from the hours of 10:00 PM and 2:15 AM and at any time while open for business, when it is reasonably anticipated that a larger-than-average number of patrons will occupy the premises. The security person(s) must possess a "Security Officer Registration Certificate", pursuant to Chapter 18 of Title 40 of the SC Code of Laws, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.

S 21-781 • 320 FALLS STREET, STE G

AERIAL VIEW



CURRENT ZONING

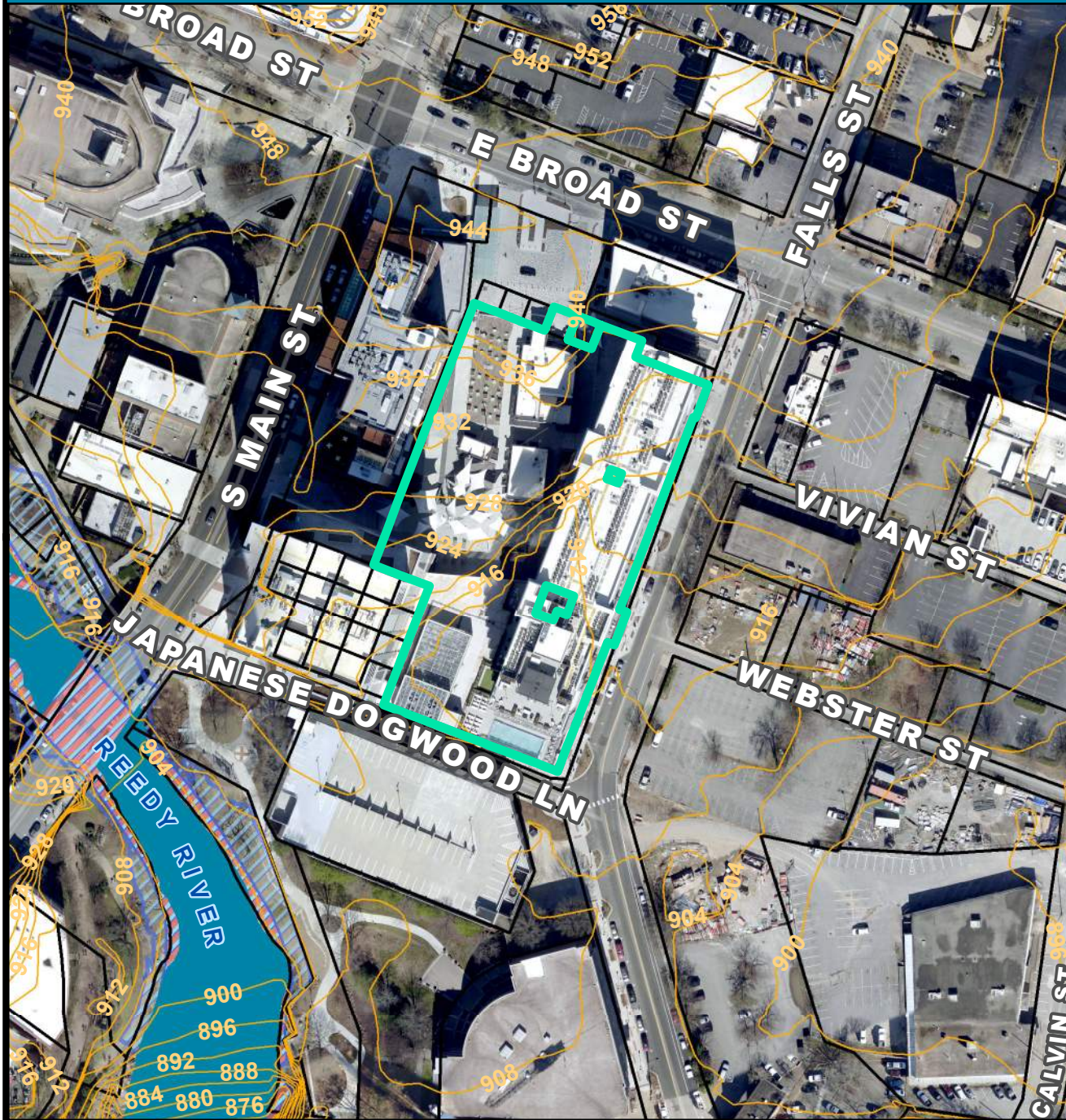


FUTURE LAND USE



S 21-781 • 320 FALLS STREET, STE G

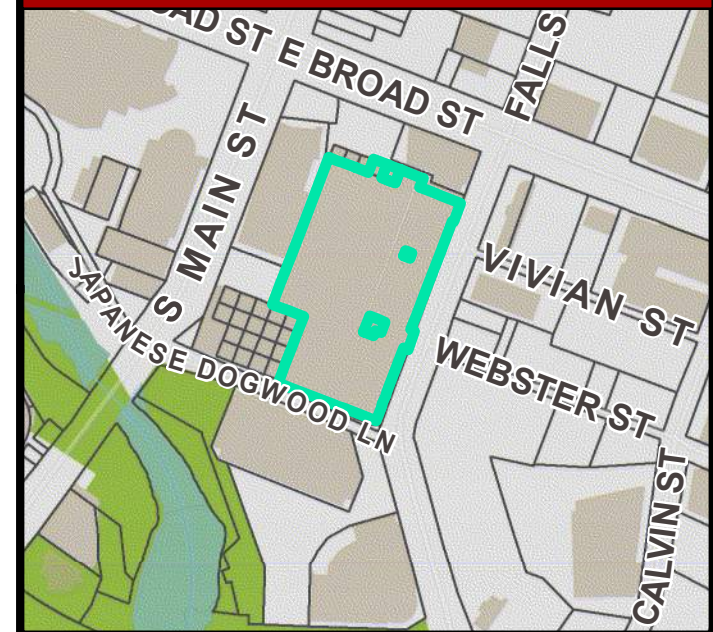
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Matthew Hubbard

Member / GT Greenville, LLC

* _____ Name

_____ Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: _____

(Optional)

_____ Name

_____ Title / Organization

MAILING ADDRESS: P.O. BOX 731 GREENVILLE, SC 29601

PHONE: 7066141758

EMAIL: MATT@GROUPTHERAPY.FUN

PROPERTY OWNER: CAP CAMPERDOWN RETAIL, LLC

MAILING ADDRESS: 423 S. MAIN STREET SUITE 702 GREENVILLE, SC 29601

PHONE: 8646163606

EMAIL: REBECCAG@CAPLLC.COM / REBECCA GAULT

PROPERTY INFORMATION

STREET ADDRESS: 320 FALLS STREET SUITE G GREENVILLE, SC 29601

TAX PARCEL #: #0061000304114

#0061000304115

ACREAGE: _____

ZONING DESIGNATION: C4

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Property will be used as a restaurant serving alcohol with entertainment and games staying open till 2.am

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.

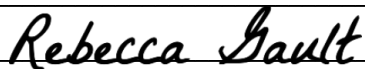
To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☐ or is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.



APPLICANT / REPRESENTATIVE SIGNATURE

10/5/2021

DATE



PROPERTY OWNER SIGNATURE

10 / 05 / 2021

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.

Group Therapy Pub & Playground will bring to downtown Greenville a new restaurant, Bar, and entertainment venue. We will feature traditional pub food, beer, wine, Cocktails, and games. Games include mini golf, axe throwing, ice curling, and ping pong. We will also offer trivia, karaoke, bingo, league, and tournament nights. We will also offer trivia, karaoke, bingo, league, and tournament nights.

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

We Will Comply with the uses stated in section 19-4.3

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.

The proposed use matches the mix of retail and restaurants adjacent to our Restaurant including CAMP and Juniper. This concept is of the highest quality finishes That will help to greatly increase the value of offerings to downtown Greenville For its locals and visitors and increase traffic to other local businesses.

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.

Group Therapy will be located within the Camperdown development which has A dedicated parking garage, space for loading and deliveries, it's own trash shoots And many of our interior design features and equipment will limit or rid of all odors, Noise, glare, and vibration from neighboring retail and offices spaces.

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.

Group Therapy is consistent with the other currently permitted businesses that are also bars, restaurants and entertainment venues also in downtown Greenville.

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).

Group Therapy will be bringing a first class bar, restaurant, and entertainment venue to help support and bring even more locals and visitors to the downtown Greenville area.

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

The Camperdown property development infrastructure was designed to adequately support the capacity for our proposed use of a restaurant and bar and entertainment venue.

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

Yes, there are other currently permitted businesses that also offer bar, restaurant, and entertainment in the downtown Greenville area.



Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name GT Greenville, LLC Phone 7066141758
Mailing Address P.O. Box 731 Greenville, SC 29602
Email Matt@grouptherapy.fun
Signature of Applicant  Date 10/5/2021

Property Owner

Name CAP CAMPERDOWN RETAIL, LL Phone 8646163606
Mailing Address 1 423 S. Main Street, Suite 702 Greenville, SC 29601
Email rebeccag@capllc.com
Rebecca Gault
Signature of Property Owner  Date 10/5/2021

Property Information

Address 320 Falls Street Suite G Greenville, SC 29601
TMS# #0061000304114 Zoning District Designation C4
#0061000304115

Description of Proposed Use

Provide details for each of the following, as applicable, on a separate sheet:

Operating Plan

1. Type of Use (Restaurant, Nightclub, Event Venue, Etc.)
2. Days and Hours of Operation
3. Staffing Schedule
4. Kitchen Equipment Schedule
5. Menu and Hours of Food Service
6. Parking for Customers and Employees
7. Designated Smoking Area
8. Type of Entertainment and Duration
9. Closing / "Last Call" Procedures

Seating Plan

1. Provide a floor plan, drawn to scale, by a registered South Carolina architect. The plan must demonstrate the proposed occupancy with calculations based on the current adopted building code.
2. Schedule a feasibility inspection of the property: 864.467.4457

Security Procedures

1. Number and Type of Designated Security Staff
2. Training / Certification of Staff
3. Specific Duties / Responsibilities of Staff
4. Entry / Exit / Re-Entry Procedures
5. Crowd Management
6. Crime Prevention through Environmental Design (CPTED)

Business Plan

1. Business Plan Summary: Target Audience, Theme, Objectives / Goals
2. Projected Revenue: % Alcohol Vs. Food Sales
3. Fees For Entry / Membership / Entertainment
4. Status Of City Business License Application
5. Status Of SCDHEC 'Retail Food Establishment' Permit, If Applicable
6. Status Of Abl-901 Application To SC Department Of Revenue
7. Provide Documentation That Sled Requirements Have Been Met



Provide a response for each of the following:

1. Describe the ways in which the proposed use is consistent with the comprehensive plan.
Group Therapy Pub & Playground will bring to downtown Greenville a new resta
Bar, and entertainment venue. We will feature traditional pub food, beer, wine,
Cocktails, and games. Games include mini golf, axe throwing, ice curling, and pi
We will also offer trivia, karaoke, bingo, league, and tournament nights.
2. 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.
The proposed use matches the mix of retail and restaurants adjacent to our
Restaurant including CAMP and Juniper. This concept is of the highest quality fi
That will help to greatly increase the value of offerings to downtown Greenville
For its locals and visitors and increase traffic to other local businesses.
3. 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.
Group Therapy will be located within the Camperdown development which has
A dedicated parking garage, space for loading and deliveries, it's own trash sho
And many of our interior design features and equipment will limit or rid of all odo
Noise, glare, and vibration from neighboring retail and offices spaces.

Meet With the Technical Advisory Committee

Applications for Zoning Compliance will be reviewed by the Technical Advisory Committee (TAC), a City Staff committee comprised of representatives from the following City Departments and appointed by the City Manager:

Building Codes and Inspections
Business Licensing
Economic Development
Public Information and Events

Police
Fire
Planning
Legal

The Technical Advisory Committee convenes once-a-month to meet with Applicants and review Conditional Use Permit applications that may be granted by the Zoning Administrator. This process promotes a more comprehensive understanding of the Applicant's proposal, which in turn conveys a more comprehensive understanding of the multiple Departments' operating requirements and expectations.

The Applicant, Business Owner, and Property Owner (if different) are required to attend a regularly scheduled TAC meeting prior to granting a Conditional Use Permit. Managers and anyone involved in operating the business are also encouraged to attend. The meeting date, time, and exact location within City Hall will be confirmed upon submittal of this application to the Planning and Development office on the 5th floor of City Hall.

Group Therapy Technical Advisory Committee Application

Operating Plan

1. **Type of use:** Full service restaurant, bar, and entertainment venue serving food, beer, wine, and alcohol.
2. **Hours of operation:** 7 days a week from 11am to 2am. Hours could change seasonally based on demand but will never extend past 11am or 2am.
3. **Staffing schedule:** Afternoon from 11am - 6pm and evening from 6pm to 2am.
4. **Kitchen equipment schedule:** See exhibit A.
5. **Menu and hours of food service:** See exhibit B. Our food service hours will be consistent with the hours we are open from 11am to 2am.
6. **Parking for customers and employees:** The Building and Lease offer no dedicated parking for either customers or employees and the establishment will rely on public parking. The Camperdown development has two nearby parking garages and valet service directly underneath and adjacent to the location.
7. **Designated smoking area:** N/A
8. **Type of entertainment and duration:** Weekday programming will include dedicated karaoke nights, bingo, and trivia nights. These programs will start and end consistent with the end of the work day starting at approximately 5pm - 6pm, and lasting till 2am or close of business if there is sufficient demand. On weekends including Friday and Saturday nights, we will include live DJ's, live bands, musicians, and singers, and additional karaoke opportunities. These programs will be consistent with demand and could start as early as 5pm - close on Fridays, and open to close on Saturdays and Sundays. Mini Golf, Synthetic Ice Curling, Ping Pong, and Axe Throwing will also be available 7 days a week, open to close.
9. **Closing / last call procedures:** An announcement over our sound system will announce the last call which will be at 1:45am with all the customers gone from the building by 2am.

Security Procedures

1. **Number and type of designated security staff:** The Camperdown development provides all tenants a 24/7 onsite security personnel. The initial plan for Group Therapy indoors is to have no in house security Sunday – Thursday open to close. Friday and Saturday from 7pm till close there will be one security staff member at the front door dedicated to security, checking ID's, and occupancy control as we transition to 21+ only. We will make adjustments to this plan as we see the need.

2. **Training / certification of the staff:** We plan to train each employee to whatever the required level or certification may be for that role which may include but not limited to ServSafe, TIPS, and other restaurant and bar industry training.

3. **Specific duties / responsibilities of staff:**

Bartender – The Bartenders will be the primary customer service contact and will have the majority of the floor responsibilities. Make and serve drinks, take food orders, countdown cash and credit card receipts every night. Clean the bar at the end of the night and prepare the restaurant for the next shift.

Barback – Keep the bar and surrounding area clean and free for movement, keep all needed items stocked and easily reachable for the bartenders, and to handle random issues that may occur. Clean the bar at the end of the night and prepare the restaurant for the next shift.

Kitchen Staff – Prep food for cooking, cook orders, keep the kitchen clean during and after shift and to keep the kitchen in compliance with all relevant laws and codes.

Security – Check ID's for legal drinking age, maintain the order and safety of everyone in the venue, crowd management and occupancy enforcement, help clean and prepare the restaurant for the next shift at the end of the night.

Assistant Managers - They will float from different areas of the venue to assist as needed. They will also handle all customer service complaints and issues.

Kitchen and Bar Manager - They will oversee the kitchen, waiter, bartender staff to ensure compliance with all applicable laws and codes. Hold staff accountable for their duties and responsibilities. Provide support in other areas as needed.

General Manager - They will oversee all operations of the business and provide support as needed including the day to day operations.

Event Manager - Responsible for booking events, parties, and team builders and setting up these events as they happen.

4. **Entry / exit and re-entry procedures.** The front door will act as the primary entrance and exit for normal hours of operation. When security is needed all ID's will be checked at the front door and occupancy number will be counted continually. In the case of an emergency all of the patrons will be directed to

leave via the front door/main entrance. The restaurant will be in compliance with all state and local laws in regards to Exit Signs and maintaining each exit.

5. **Crowd management** - When necessary there will be staff security located at the front door continually counting for occupancy to maintain crowd control and manage the occupancy numbers. Should the venue reach occupancy capacity a line will be formed down in front of the venue with stanchion lines. There is plenty of Camperdown plaza space in this area and there is no other business in operation.
6. **Crime prevention through environmental design** - The venue has been designed in such a way that almost every area is open and can be observed by security and employees at a single glance. The primary entrance being the only viable method of entry or exit unless there is an emergency and the kitchen exit needs to be used makes controlling who comes in and out of the venue possible.

Operating Plan

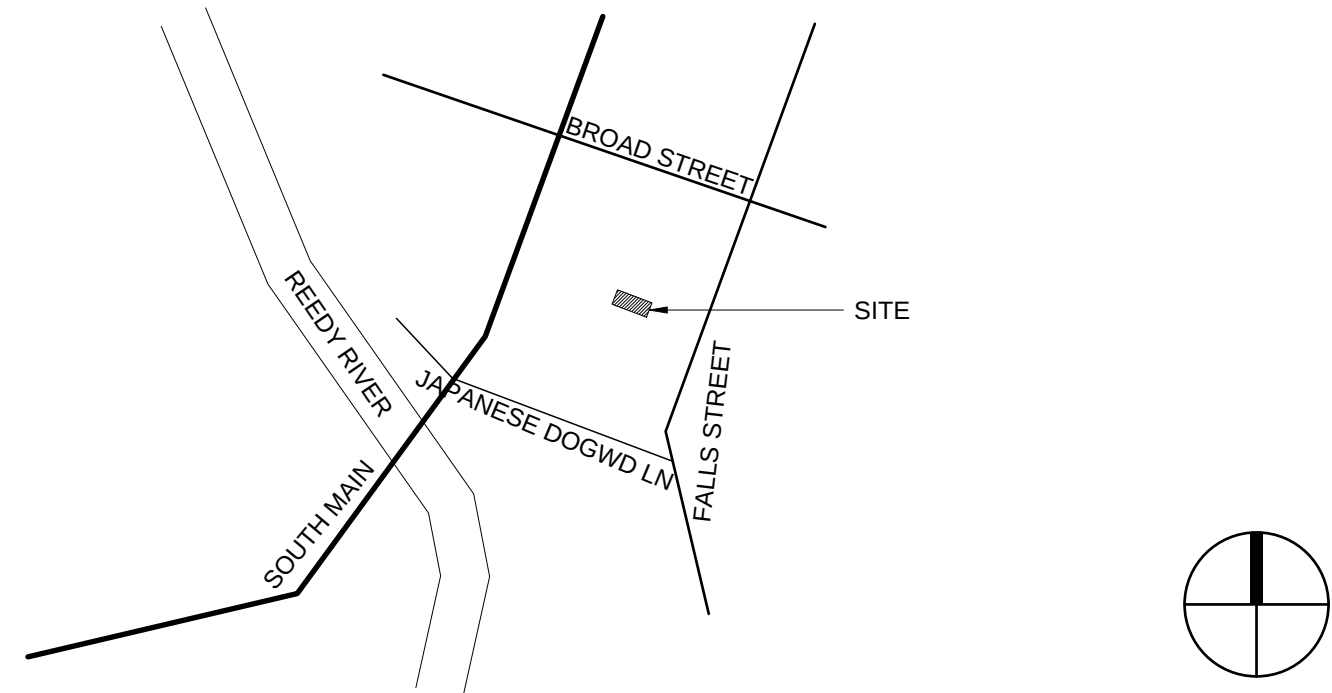
1. **Seating plan** - See exhibit C.
2. **Schedule a feasibility inspection of the property** - We will schedule the inspection and be available to reply with any reasonable request made by the inspector.

Business Plan

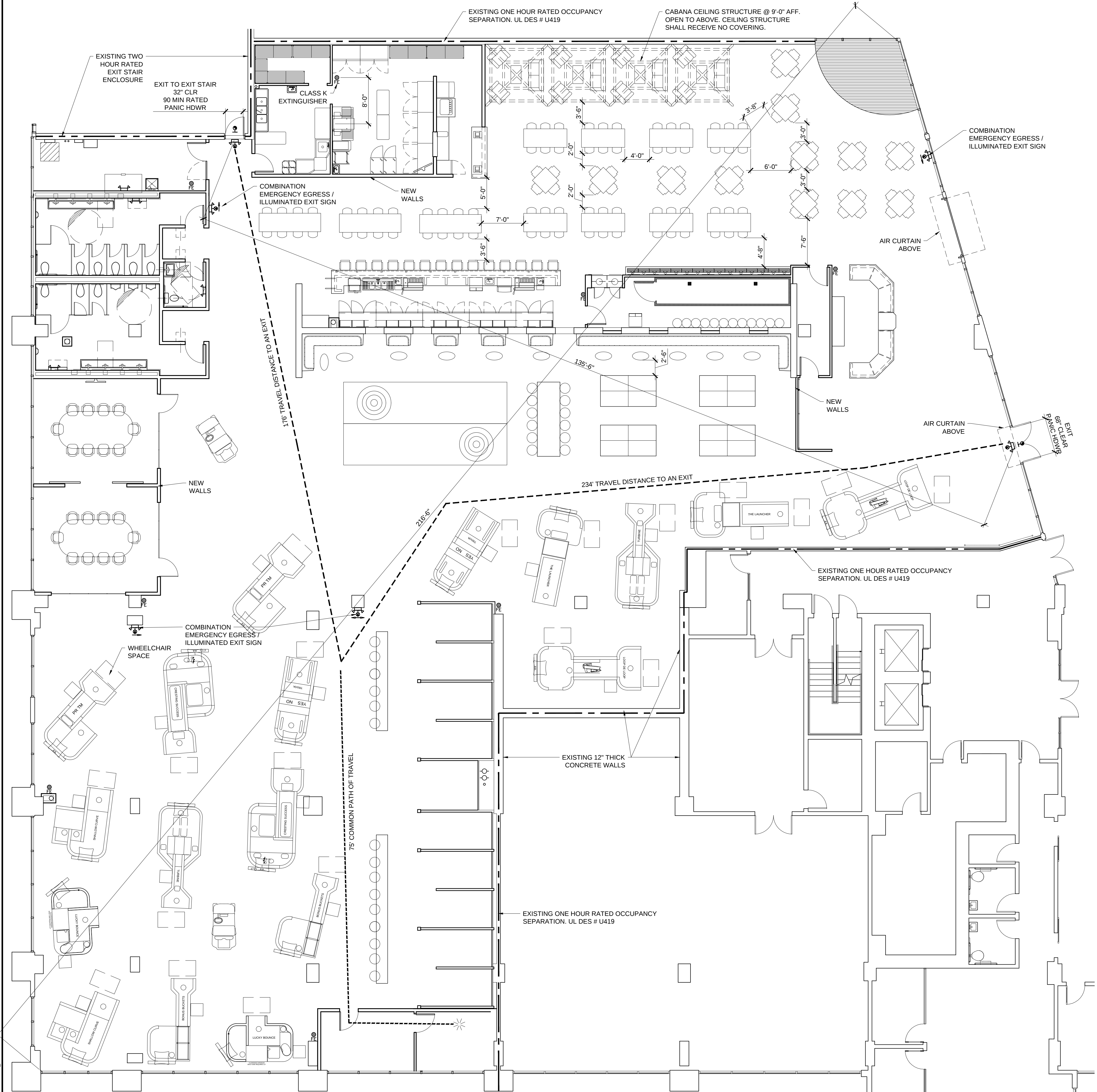
1. **Business Plan Summary: Target Audience, Theme, Objectives / Goals** - Our target audience is young professionals aging from 18 - 40. Our theme is to redefine and create a new modern take on therapy by providing a fun atmosphere for all ages to have fun, eat, and play. Our objective and goal is to bring to downtown Greenville their first entertainment concept and to inspire play through community with others.
2. **Projected revenue % alcohol vs. food sales** - 75 % alcohol vs 25 % food.
3. **Fees for entry / membership / entertainment** - There will not be a fee for entry. We are considering memberships, but not immediately when we open. Since we will offer various entertainment options within our venue those will be priced per person, and per rental bay consistent with other entertainment businesses such as Top Golf. Entertainment prices could also vary depending on peak vs off peak hours. Right now our pricing model includes \$15 9 holes of mini golf, and \$40 per hour for a bay rental for axe throwing, ice curling, and ping pong which includes up to 6 guests.
4. **Status of city business license application** - Was told we couldn't apply until November since we are not opening until early 2022.

5. **Status of SCDHEC retail establishment permit if applicable** - Awaiting the start of construction to schedule our first inspection. Approximate time frame will be in November 2021.
6. **Status of ABL-901 application to SC department of revenue** - Waiting for final background checks on all members and to send in application in the next few weeks.
7. **Provide documentation that SLED requirements have been met** - See exhibit D of background checks. Please do not publish these as they include sensitive personal information.

INTERIOR UPFIT FOR
GROUP THERAPY
A "BARCADE"



D1 ###
NO SCALE PROJECT TITLE



A1 ###
1/8"=1'-0" LIFE / SAFETY PLAN

D5 ###
NTS LOCATOR MAP

ARCHITECTURAL
CV DRAWING INDEX, LIFE SAFETY PLAN, GENERAL NOTES AND CODE ANALYSIS
A-1 FLOOR PLAN, WALL TYPES AND DOOR AND WINDOW INFORMATION
A-2 REFLECTED CEILING PLAN AND DETAILS
A-3 ENLARGED PLANS AND INTERIOR ELEVATIONS
A-4 INTERIOR ELEVATIONS

MECHANICAL
M-1 HVAC FLOOR PLAN
M-2 HVAC DETAILS
M-3 HVAC SCHEDULES

PLUMBING
P-1 SANITARY PLUMBING FLOOR PLAN
P-2 POTABLE PLUMBING FLOOR PLAN
P-3 PLUMBING SCHEDULES

ELECTRICAL
E-1 LIGHTING PLAN AND LUMINAIRE SCHEDULE
E-2 POWER PLAN
E-3 ELECTRICAL SPECS, SCHEDULES AND LEGENDS

C4 ###
NO SCALE DRAWING INDEX

1. ALL WORK SHALL COMPLY WITH:
INTERNATIONAL BUILDING CODE, 2018 EDITION; INTERNATIONAL MECHANICAL CODE, 2018 EDITION; INTERNATIONAL PLUMBING CODE, 2018 EDITION; INTERNATIONAL INTERNATIONAL ENERGY CONSERVATION CODE, 2009 EDITION; INTERNATIONAL FIRE CODE, 2018 EDITION; NATIONAL ELECTRIC CODE, 2017 EDITION; ANSI A117.1, 2017 EDITION

2. STORING, HANDLING AND INSTALLATION OF MATERIALS SHALL COMPLY WITH THE CUSTOMARY PROCEDURES AND PRACTICES OF EACH TRADE AS PRESCRIBED BY THEIR RESPECTIVE TRADE ORGANIZATION AND THE REQUIREMENTS OF THE MATERIAL MANUFACTURER.

3. CONTRACTOR AND SUBCONTRACTORS SHALL REVIEW AND COORDINATE INFORMATION BETWEEN THE VARIOUS DISCIPLINES' DRAWINGS AND SHALL BE RESPONSIBLE FOR KNOWING THE EFFECT OF ANOTHER TRADES SCOPE OF WORK ON THEIR OWN SCOPE OF WORK.

4. CONTRACTOR SHALL REPORT ANY DISCREPANCIES IN THE DRAWINGS TO THE ARCHITECT BEFORE PROCEEDING WITH WORK.

5. TRADES SHOULD INSPECT EXISTING CONDITIONS AND FIELD VERIFY ALL DIMENSIONS PRIOR TO OFF SITE FABRICATION OR ORDERING MATERIAL AND EQUIPMENT.

6. U.N.O. FURNISH AND INSTALL MATERIALS, EQUIPMENT AND ACCESSORIES REQUIRED TO COMPLETELY FINISH WORK DEPICTED IN DRAWINGS.

7. DO NOT ASSUME THAT THE INFORMATION SHOWN IN THE DRAWINGS IS COMPLETE. THE CONTRACTOR AND SUBCONTRACTORS SHALL CONSIDER CUSTOMARY PRACTICE AND PAST EXPERIENCE FOR THE WORK SHOWN. THE CONTRACTOR AND SUBCONTRACTORS SHALL REQUEST CLARIFICATION FROM THE ARCHITECT IF THERE IS A QUESTION REGARDING THE ENTIRE SCOPE OF WORK FOR THEIR SPECIALTY AS IT IS SHOWN IN THE DRAWINGS.

8. RENOVATIONS THAT AFFECT THE FIRE ALARM AND AUTOMATIC SPRINKLER SYSTEM REQUIRE SEPARATE PERMITS THAT MUST BE OBTAINED FROM THE FIRE MARSHAL'S OFFICE VIA ON-LINE APPLICATION. PERMITS MUST BE OBTAINED AND ON SITE PRIOR TO MODIFICATION THE ASSOCIATED SYSTEMS.

A4 ###
NO SCALE GENERAL NOTES

ARCHITECTURAL
GROUP 1.6 LLC
210 ALTAMONT ROAD
GREENVILLE, SC 29609
(864) 640-6014
CONTACT: DAVID NOCELLA

MECHANICAL/PLUMBING
NATHAN REECE
10 RUSSTON LANE
TAYLORS, SC 29687
(864) 238-4292
CONTACT: NATHAN REECE

ELECTRICAL
RANDALL K. BIRCH
408 ASHLEY OAKS DRIVE
MOORE, SC 29369
(864) 621-5868
CONTACT: RANDALL BIRCH

**C4 ###
NO SCALE DRAWING INDEX**

OCCUPANCY: MIXED USE UNSEPARATED, F-1 AND ASSEMBLY (A-2) ANALYZED AS A-2
CONSTRUCTION TYPE: TYPE IIB, SPRINKLERED
AREA PER STORY:
ALLOWABLE: 28,500 SF (IBC TABLE 506.2)
ACTUAL: 18,790 SF
HEIGHT:
ALLOWABLE: 75 FEET
ACTUAL: 18 FEET TENANT SPACE, PLAZA LEVEL
STORIES:
ALLOWABLE: 3
ACTUAL: 1 TENANT SPACE, PLAZA LEVEL
OCCUPANT LOAD:
F-1: TABULAR (COMMERCIAL KITCHEN: 780 / 200 SF PER PERSON = 4 PEOPLE
A-2:
BASED ON MINIMUM REQUIRED BATHROOM FIXTURES: 12 WC'S X 40 PEOPLE PER WC = 480 PEOPLE
BASED ON EGRESS CAPACITY: 100' / 15' PER PERSON = 667 PEOPLE
ACTUAL:
SEATING: 260
PUTTING STATIONS: 6 PEOPLE PER STATION (MAX) X 19 STATIONS = 114 PEOPLE
AXE THROWING: 6 PEOPLE PER LANE X 10 LANES = 60 PEOPLE
STAFF: 20 PEOPLE
ADDITIONAL STANDING PATRONS: 25 PEOPLE
TOTAL PEAK OCCUPANT LOAD: 479 PEOPLE
NUMBER OF EXITS:
REQUIRED: 2
PROVIDED: 3
EGRESS CAPACITY:
REQUIRED: 484 PEOPLE X .15" = 72.6"
PROVIDED: 2 DOORS
MAIN ENTRANCE: 68" CLR / 15" PER PERSON = 453 PEOPLE
EXIT STAIR DOOR: 32" CLR / 15" PER PERSON = 213 PEOPLE
EXISTING STAIR: 48" CLR / 2" PER PERSON = 240 PEOPLE
COMMON PATH OF TRAVEL:
ALLOWABLE: 100 FEET
ACTUAL: 100 FEET
TRAVEL DISTANCE TO AN EXIT:
ALLOWABLE: 250 FEET
ACTUAL: 234 FEET
FIRE RESISTANT RATED ASSEMBLIES:
ONE HOUR RATED OCCUPANCY SEPARATION FIRE BARRIER:
UL DES # 419 (EXISTING)
SOLID CONCRETE (TABLE 721.1(2) ITEM # 4-1.1 SILICEOUS AGGREGATE CONCRETE MINIMUM 3.5"

FIRE EXTINGUISHERS:
F-1: ABC TYPE 2A:20B:C EXTINGUISHER / ONE EXTINGUISHER / 1500 AND 50 FEET OF FREE TRAVEL. CLASS K EXTINGUISHER WITHIN 30 FEET OF COOK LINE.
A-2: ABC TYPE 2A:10B:C EXTINGUISHER / ONE EXTINGUISHER / 3000 SF AND 75 FEET OF FREE TRAVEL
LOCATION OF FIRE EXTINGUISHERS ON LIFE SAFETY PLAN ARE SUGGESTED. FIRE MARSHAL CAN SELECT ALTERNATE LOCATION. FIRE EXTINGUISHERS HAVING A GROSS WEIGHT INSTALLED SO THAT TOP OF THE EXTINGUISHER IS NOT MORE THAN 5 FEET FROM THE TOP OF THE EXTINGUISHERS AT 4'-0" AFF.

INTERIOR FINISHES
EXIT ENCLOSURE: CLASS B
CORRIDORS: NA
ALL OTHER SPACES: CLASS C OR BETTER
CLASS A FINISH: FLAME SPREAD INDEX 0-25; SMOKE DEVELOPED INDEX 0-10
CLASS B FINISH: FLAME SPREAD INDEX 26-75; SMOKE DEVELOPED INDEX 11-50
CLASS C FINISH: FLAME SPREAD INDEX 76-200; SMOKE DEVELOPED INDEX 51-100
MINIMUM # OF REQUIRED PLUMBING FIXTURES (STAFF PER IBC TABLE 506.2)
MEN 6 4
WOMEN 6 4 NR 1

City of Greenville Building Division
www.greenville.gov | (864) 467-4550
Plans Reviewed for Code Compliance.
"CONTRACTOR'S COPY MUST BE KEPT ON JOBSITE AT ALL TIMES"
1. Any review or acceptance by this department does not relieve the contractor from meeting code or ordinance requirements.
2. Inspections will not be made unless permit and approved drawings are on job site. Penalty will be a \$40 re-inspection fee.
Permit #: 21-3296
Date: 9/27/2021

DRAWING INDEX, LIFE SAFETY PLAN, GENERAL NOTES AND CODE ANALYSIS

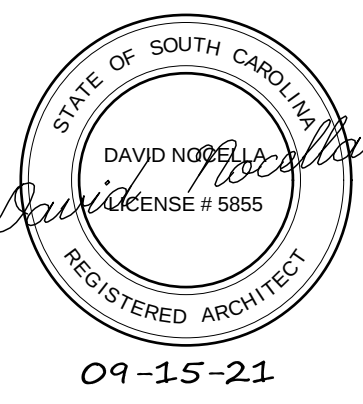
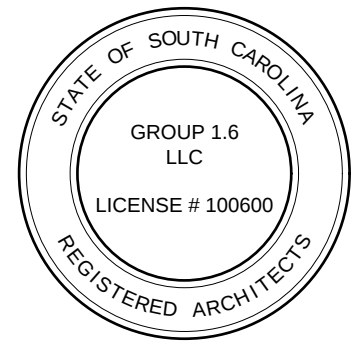
CV

G1.6 PROJECT # 2124

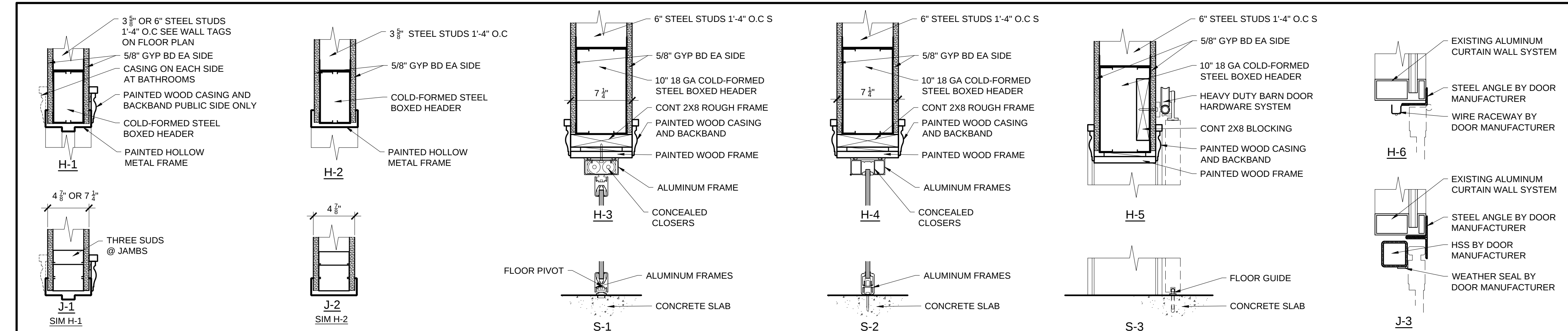
A5 ###
NO SCALE CODE ANALYSIS

GROUP THERAPY

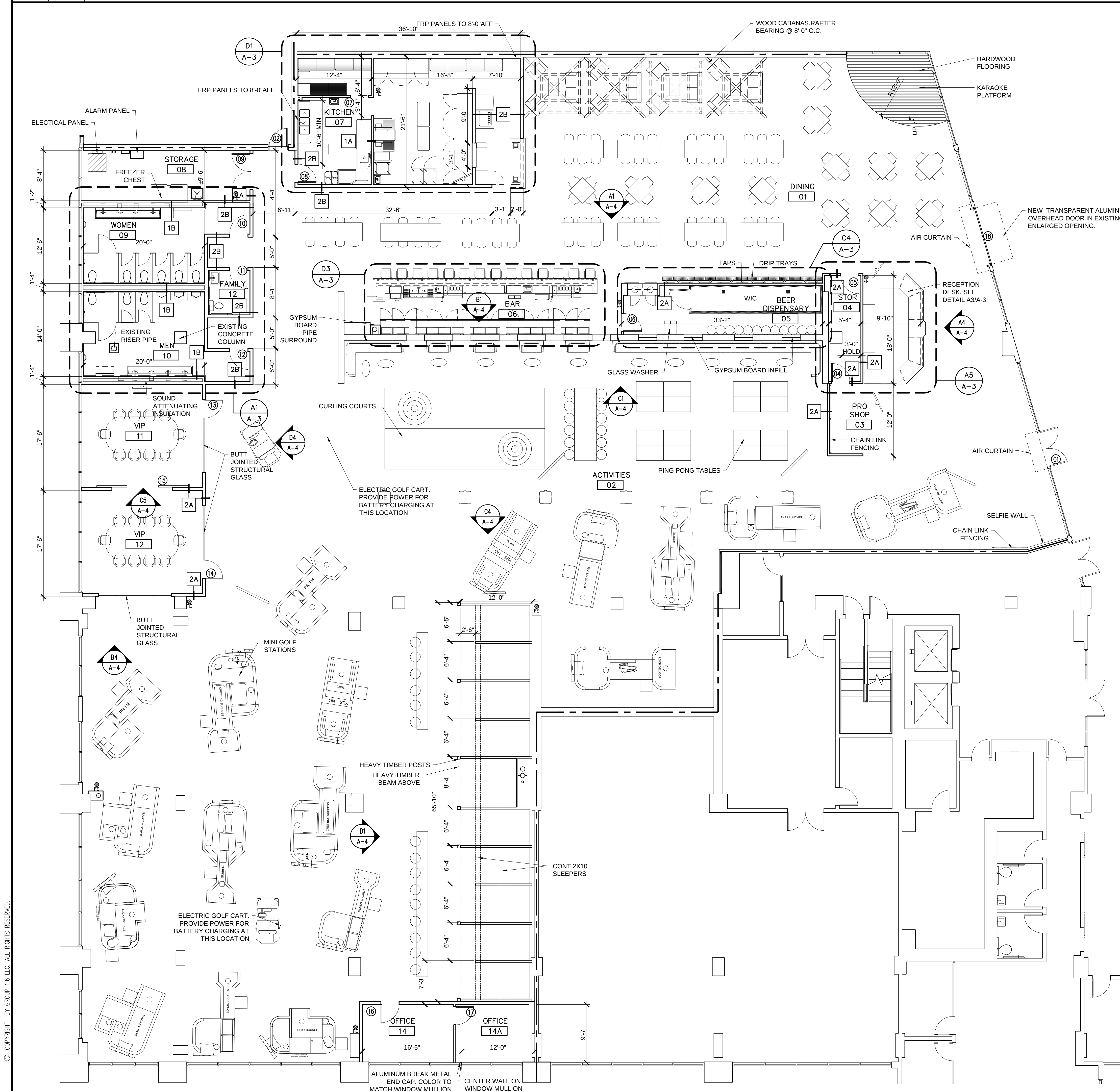
320 FALLS STREET SUITE G
GREENVILLE, SC 29601
PERMIT # 21-3296



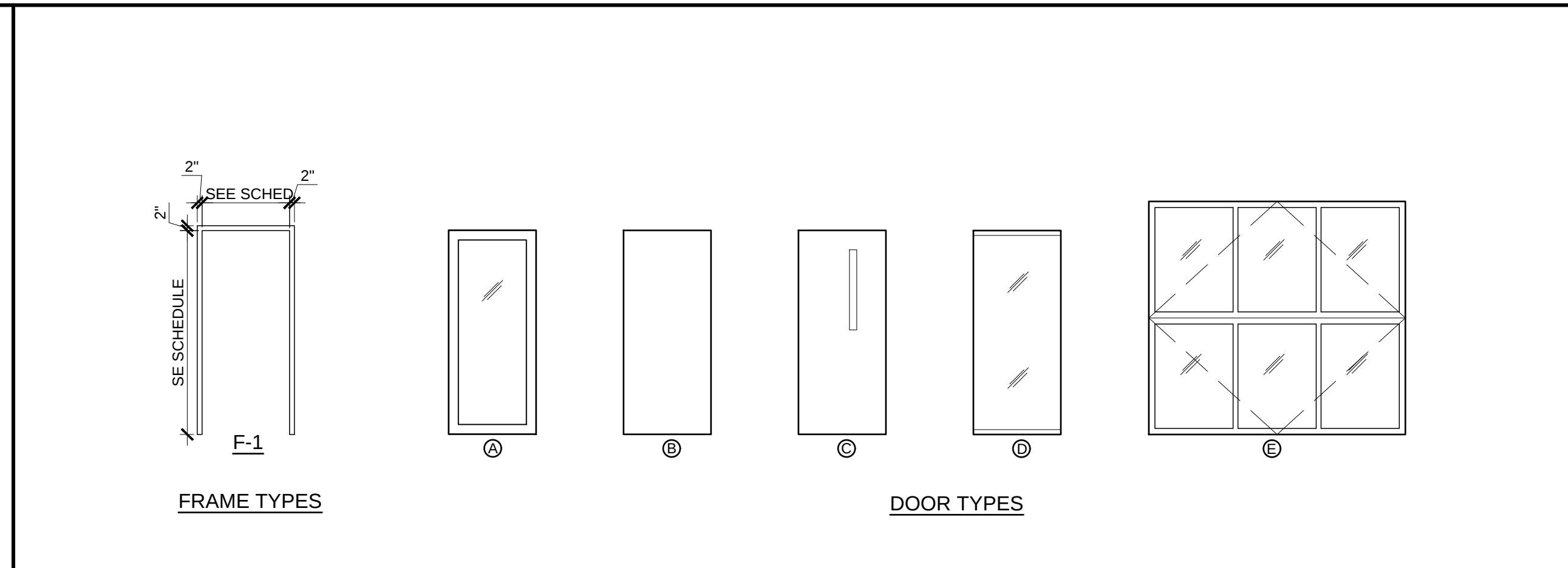
ISSUED FOR:
PERMITS: 08/2021
REVISIONS
A. 08/30/21 OWNER DIRECTED REVISIONS. AIRLOCK REMOVED
B. 09/15/21 PER REVIEW COMMENTS



D1 1/2"=1'-0" HEAD, JAMB AND SILL DETAILS



A1 1/8"=1'-0" FLOOR PLAN



D4 1/4"=1'-0" FRAME AND DOOR TYPES

DOOR #	DOOR SIZE	TYPE	MATERIAL	GLAZING	LABEL	FRAME TYPE	MATERIAL	GLAZING	HEAD	JAMB	SILL	HWDR SETS	COMMENTS
01	PR 3'-0" X 8'-0"	A	ALUM	1" INSUL/TEMP	-	-	ALUM	1" INSUL/TEMP	-	-	-	-	EXISTING DOOR WITH EXISTING PANIC HARDWARE
02	3'-0" X 7'-0"	B	WOOD	-	90 MIN	-	HOL MTL	-	-	-	-	-	EXISTING DOOR WITH EXISTING PANIC HARDWARE
03	NOT USED	-	-	-	-	-	-	-	-	-	-	-	-
04	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 2	-
05	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 2	-
06	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 2	-
07	3'-0" X 7'-0"	-	-	-	-	F-1	HOL MTL	-	H-2	J-2	-	-	CASED OPENING
08	3'-0" X 7'-0"	C	SOLID WOOD	1/2" TEMP	-	F-1	HOL MTL	-	H-1	J-1	-	SET 4	-
09	PR 3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 3	-
10	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 3	-
11	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 5	-
12	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 4	-
13	3'-0" X 7'-0"	D	STRUCT GLASS	-	-	D4A-4	ALUM / WOOD	STRUCT GLASS	H-3	-	S-1	PROPR. STARY	CRL / US ALUM CLEARVIEW GLASS WALL OFFICE SYSTEM OR APPROVED EQ
14	3'-0" X 7'-0"	D	STRUCT GLASS	-	-	D4A-4	ALUM / WOOD	STRUCT GLASS	H-3	-	S-1	PROPR. STARY	CRL / US ALUM CLEARVIEW GLASS WALL OFFICE SYSTEM OR APPROVED EQ
15	PR 5'-0" X 8'-0"	B	WOOD	-	-	F-1	WOOD	-	H-5	S-3	-	SET 7	CUSTOM DOOR. DOOR WEIGHT SHALL NOT EXCEED HARDWARE CAPACITY
16	3'-0" X 7'-0"	B	SOLID WOOD	-	-	F-1	HOL MTL	-	H-1	J-1	-	SET 6	-
17	3'-0" X 7'-0"	C	SOLID WOOD	1/2" TEMP	-	F-1	HOL MTL	-	H-1	J-1	-	SET 6	NO PAINTED WOOD CASING
18	9'-0" X 8'-0"	E	METAL	1" INSUL/TEMP	-	F-1	MTL	-	H-6	J-3	-	-	FIELD VERIFY ENLARGED OPENING PRIOR TO DOOR FABRICATION

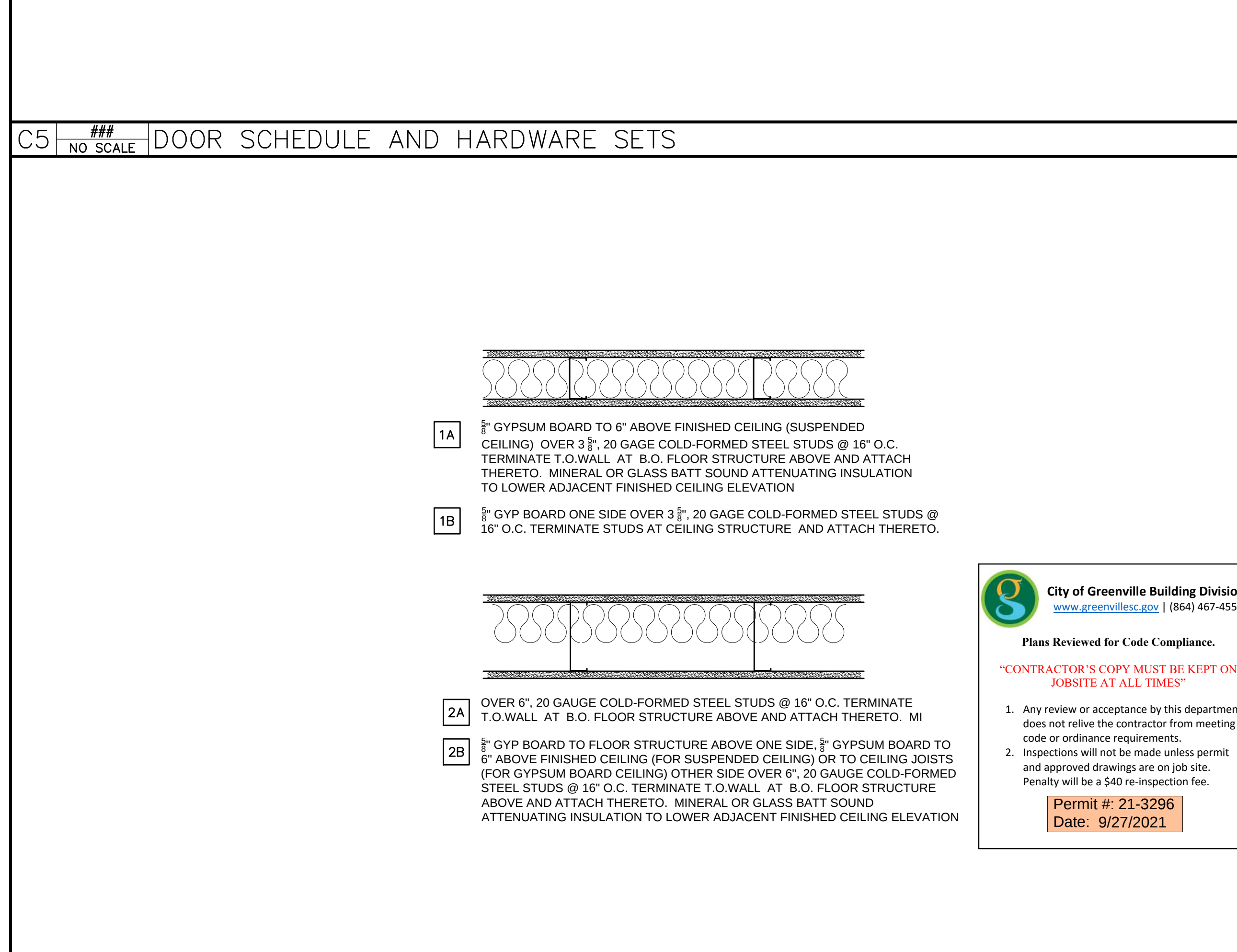
DOOR SCHEDULE

SET 1 HINGES PER MANUF. REQ SURFACE MOUNTED CLOSER PUSH AND PULL BARS WEATHER SEALS	SET 2 LOCKSET: LEVER TYPE STORE ROOM FUNCTION ANSI TYPE F86 3 SETS OF BALL BEARING BUTT HINGES WEATHER SEALS AND SWEEP ACCESSIBLE ALUM THRESHOLD	SET 2 LOCKSET: LEVER TYPE STORE ROOM FUNCTION ANSI TYPE F86 SURFACE BOLTS ON INOPERABLE LEAF ONLY 3 SETS OF BALL BEARING BUTT HINGES WEATHER SEALS AND SWEEP ACCESSIBLE ALUM THRESHOLD	SET 4 LOCKSET: PUSH PLATES AND PULLS 3 SETS OF BALL BEARING HINGES SURFACE MOUNTED CLOSER KICK PLATES
SET 5 LOCKSET: LEVER TYPE PRIVACY FUNCTION ANSI TYPE F76 3 SETS OF BALL BEARING BUTT HINGES SILENCERS DOOR STOP	SET 6 LOCKSET: LEVER TYPE OFFICE FUNCTION ANSI TYPE F81 3 SETS OF BALL BEARING BUTT HINGES SILENCERS DOOR STOP	SET 7 HEAVY DUTY BARN DOOR TRACK AND TROLLIRS FLOOR GUIDE PULLS DOORMERICA PREMSLIDE WD 1 T8 BARN DOOR HARDWARE KIT OR EQUAL	

HARDWARE SETS

- DOORS SHALL BE READILY OPERABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT.
 - LOCK SHALL BE MASTER KEYED
 - ACCEPTABLE MANUFACTURERS: HAGER, DORMA, SCHLAGE, SARAGENT/ASSA ABLOY OR APPROVED EQUAL
 - HARDWARE FINISH: BRUSHED NICKLE
- HARDWARE NOTES

C5 1/8"=1'-0" DOOR SCHEDULE AND HARDWARE SETS



A4 1/2"=1'-0" WALL TYPES

g16

roup

LLC

ARCHITECTS

210 ALTAMONT ROAD
GREENVILLE, SC 29609
864.640.6014

GROUP THERAPY

320 FALLS STREET SUITE G
GREENVILLE, SC 29601
PERMIT # 21-3296

STATE OF SOUTH CAROLINA

GROUP 1.6

LICENSE # 100000

REGISTERED ARCHITECTS

STATE OF SOUTH CAROLINA

DAVID NODDLE

LICENSE # 5885

REGISTERED ARCHITECT

09-15-21

ISSUED FOR:
PERMITS:08/20/21

REVISIONS

A. 08/30/21 OWNER DIRECTED
REVISIONS. AIRLOCK REMOVED

B. 09/15/21 PER REVIEW COMMENTS

City of Greenville Building Division

www.greenville-sc.gov | (864) 467-4550

Plans Reviewed for Code Compliance.

"CONTRACTOR'S COPY MUST BE KEPT ON
JOBSITE AT ALL TIMES"

1. Any review or acceptance by this department
does not relieve the contractor from meeting
code or ordinance requirements.

2. Inspections will not be made unless permit
and approved drawings are on job site.
Penalty will be a \$400 re-inspection fee.

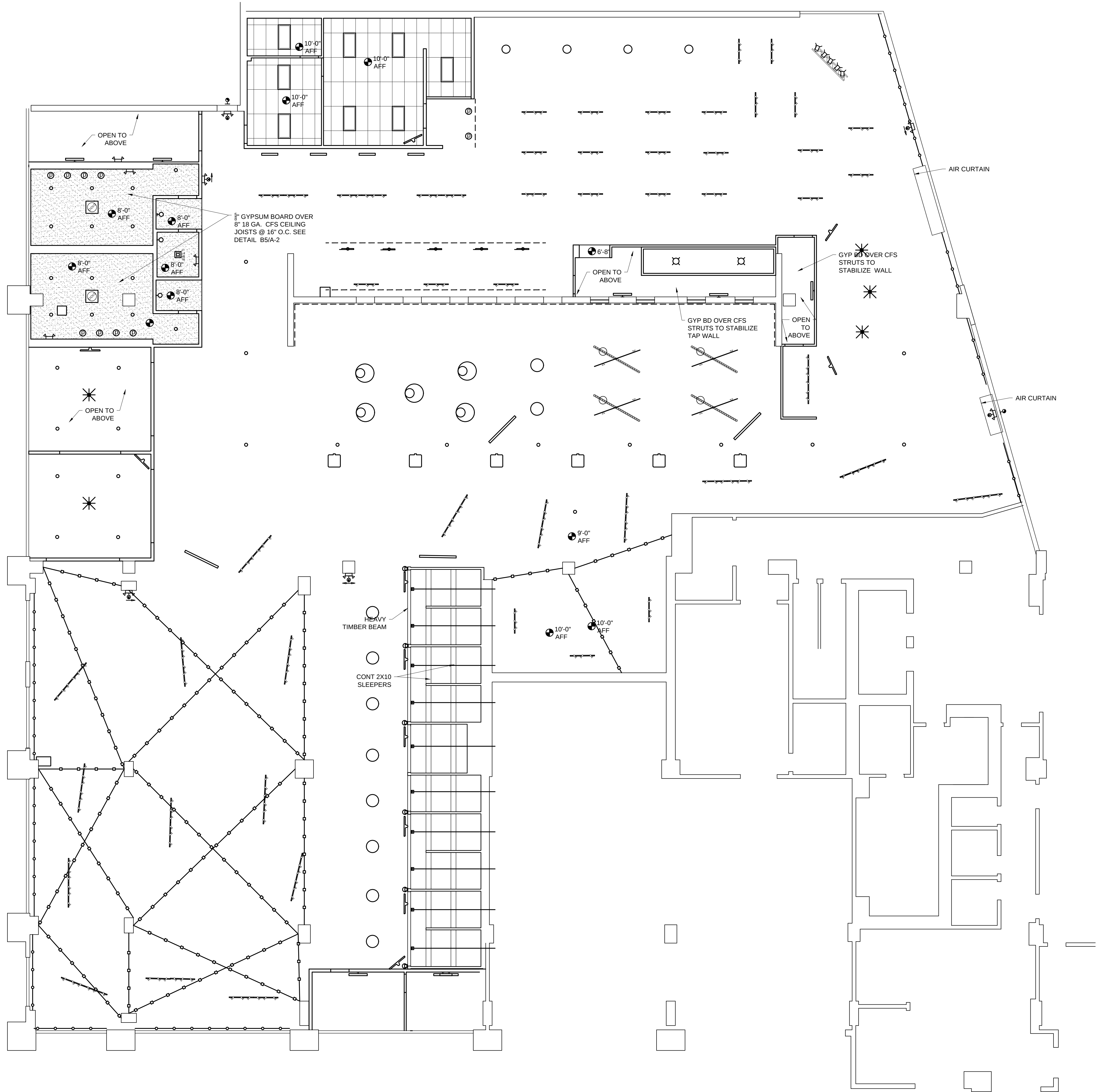
Permit #: 21-3296
Date: 9/27/2021

FLOOR PLAN,
WALL TYPES
AND DOOR AND
WINDOW
INFORMATION

A-1

G1.6 PROJECT # 2124

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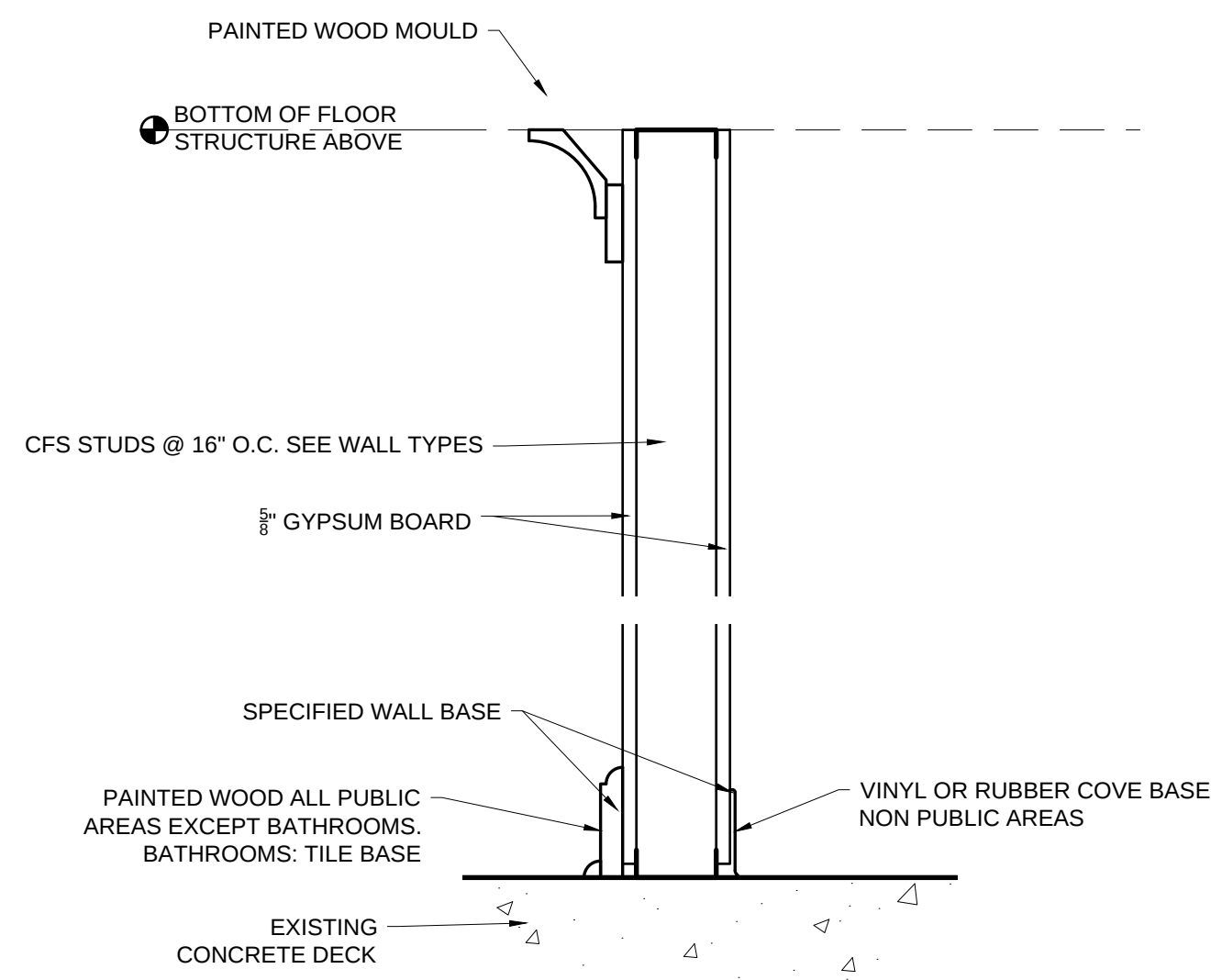


A1 REFLECTED CEILING PLAN

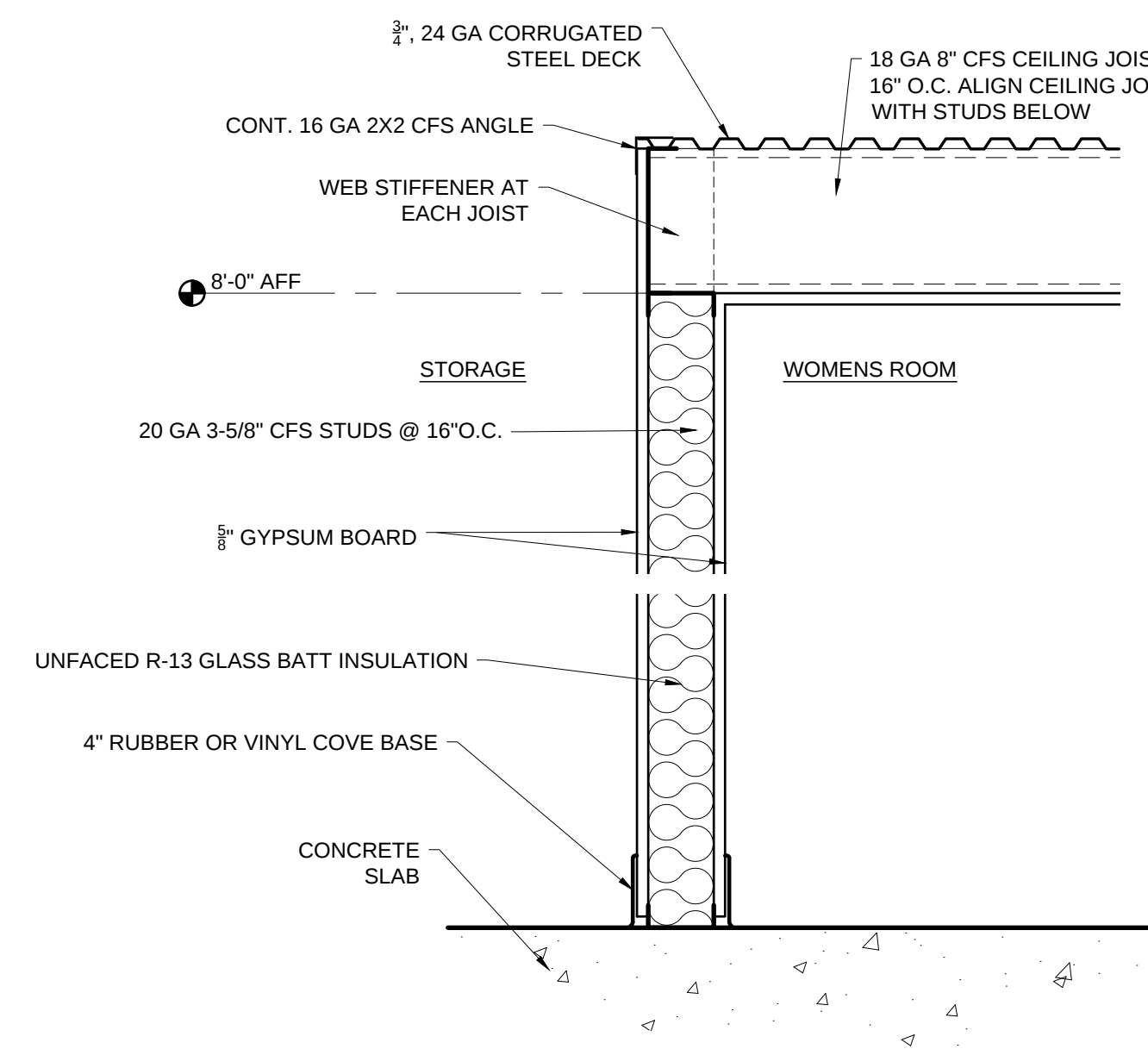
- EMERGENCY EGRESS LIGHT
- COMBINATION EMERGENCY EGRESS LIGHT/ILLUMINATED EXIT SIGN
- EMERGENCY EGRESS EXIT DISCHARGE LIGHT
- SURFACE MOUNTED LED
- WALL MOUNTED STRIP LIGHT
- TRACK LIGHTING
- EXPOSED BULB STRING LIGHT
- COLORLED CYLINDRICAL STRING LIGHT
- ILLUMINATED ACTIVITY SIGN
- PROJECTOR
- UNDERCOUNTER LED STRING LIGHT
- FLAT PANEL TV SCREEN
- CHANDELIER
- SMALL PENDANT LIGHT
- RECESSED OR SURFACE MTD CAN LIGHT
- CEILING MOUNTED LIGHT FIXTURE
- COMBINATION LIGHT / EXHAUST FAN
- EXHAUST FAN
- THEATRICAL LIGHTING

NOTE:
SEE ELECTRICAL DRAWINGS FOR LIGHT FIXTURES
THAT ARE DEPICTED BUT NOT ANNOTATED

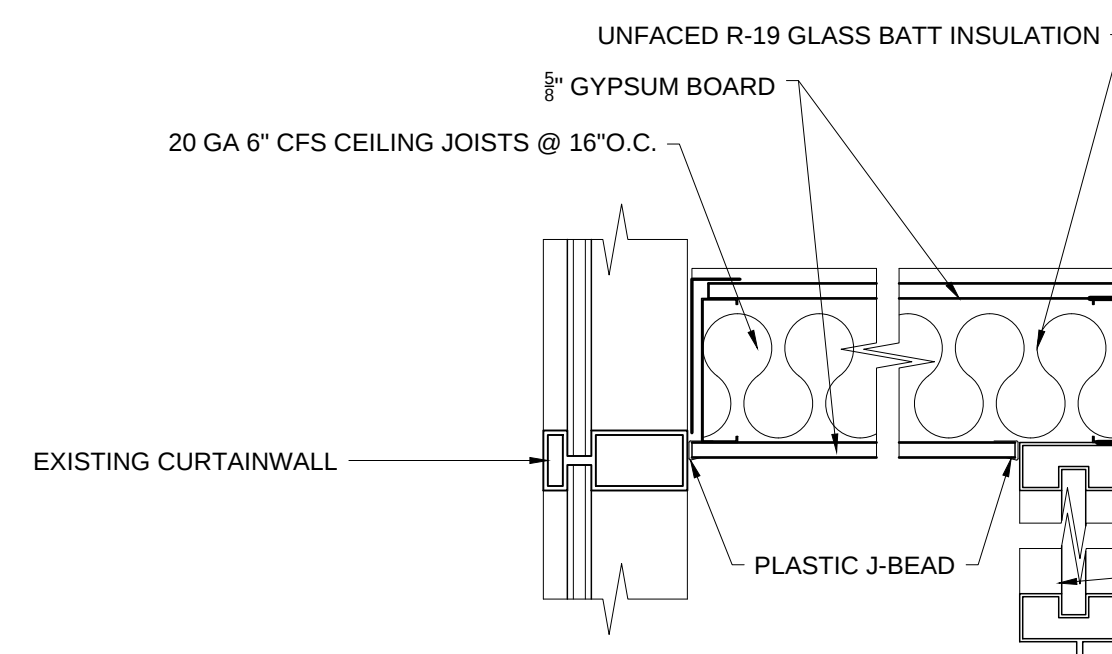
D5 CEILING FIXTURE LEGEND



C5 PARTITION TRIM DETAILS



B5 WOMENS ROOM AND STORAGE DEMISING WALL



City of Greenville Building Division
www.greenvillesc.gov | (864) 467-4550

Plans Reviewed for Code Compliance.
"CONTRACTOR'S COPY MUST BE KEPT ON JOBSITE AT ALL TIMES"

1. Any review or acceptance by this department does not relieve the contractor from meeting code or ordinance requirements.

2. Inspections will not be made unless permit and approved drawings are on job site. Penalty will be a \$40 re-inspection fee.

Permit #: 21-3296

Date: 9/27/2021

A5 AIR LOCK CEILING DETAIL

ARCHITECTS
LLC

210 ALTAMONT ROAD
GREENVILLE, SC 29609
864.640.6014

GROUP THERAPY

320 FALLS STREET SUITE G
GREENVILLE, SC 29601
PERMIT # 21-3296

STATE OF SOUTH CAROLINA
GROUP 16
LLC
LICENSE # 100600
REGISTERED ARCHITECTS

STATE OF SOUTH CAROLINA
DAVID NODD
LICENSE # 5885
REGISTERED ARCHITECT
09-15-21

ISSUED FOR:
PERMITS:08/2021

REVISIONS

A. 08/30/21 OWNER DIRECTED REVISIONS. AIRLOCK REMOVED

B. 09/15/21 PER REVIEW COMMENTS

REFLECTED CEILING PLAN AND DETAILS

A-2

G1.6 PROJECT # 2124

D1	### 3/8"=1'-0"	ENLARGED KITCHEN PLAN
----	-------------------	-----------------------

C1	### 1/4"=1'-0"	FOOD SALES
----	-------------------	------------

C2	### 1/4"=1'-0"	FOOD SALES
----	-------------------	------------

D3	### 3/8"=1'-0"	ENLARGED BAR PLAN
----	-------------------	-------------------

C4	### 3/8"=1'-0"	ENLARGED BEER DISPENSARY PLAN
----	-------------------	-------------------------------

A1	###	ENLARGED BATHROOM PLAN
	3/8"=1'-0"	

B3	$\frac{1}{4}'' = 1' - 0''$	MENS ROOM
----	----------------------------	-----------

NOTE: INSTALL BLOCKING IN WALL WHERE REQUIRED TO MOUNT ACCESSORIES

B4	$\frac{###}{1/4''=1'-0''}$	WOMENS ROOM
----	----------------------------	-------------

LABORATORY

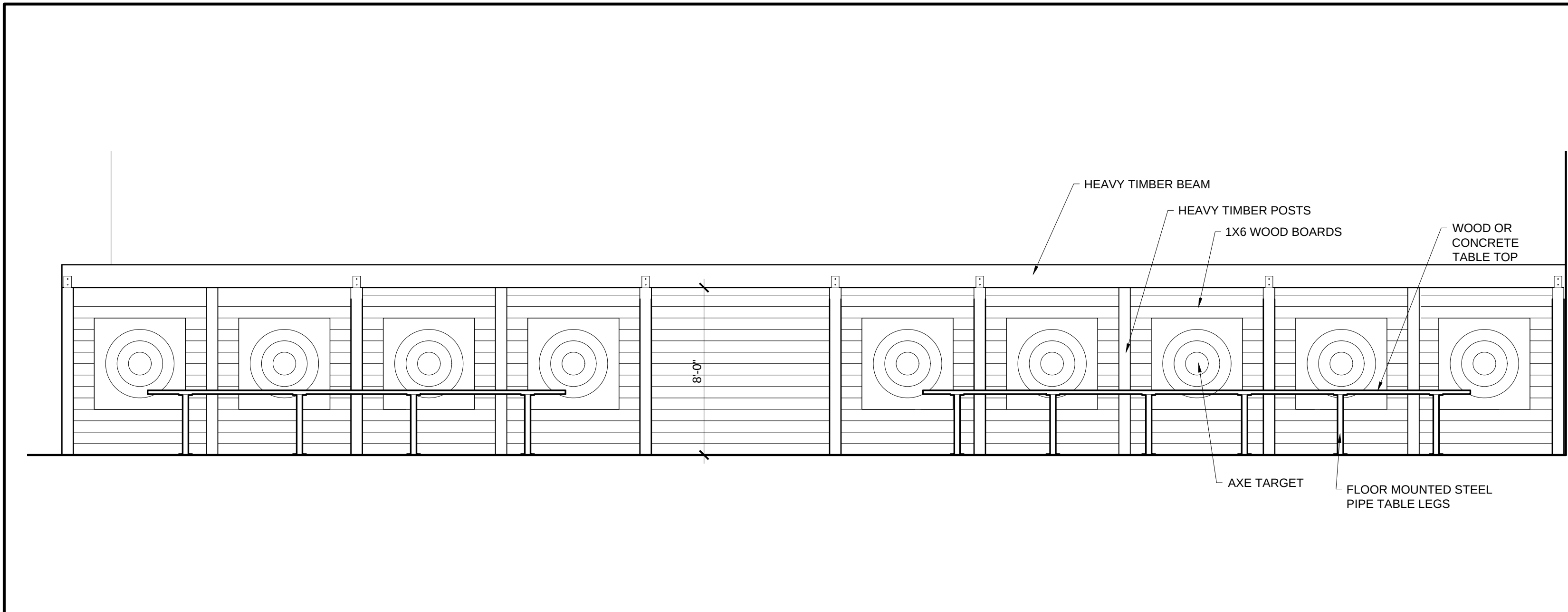
WATER CLOSE

The logo for the City of Greenville Building Division is located in the top left corner. It features a green circular emblem with a stylized 'G' and a tree. To the right of the emblem, the text reads "City of Greenville Building Division" in bold, followed by the website "www.greenvillesc.org" and the phone number "(864) 467-4550". Below this, a bold heading states "Plans Reviewed for Code Compliance." and a red-bordered box contains the text "CONTRACTOR'S COPY MUST BE KEPT ON JOBSITE AT ALL TIMES". At the bottom, a list of two items is provided: "1. Any review or acceptance by this department does not relieve the contractor from meeting code or ordinance requirements." and "2. Inspections will not be made unless permit and approved drawings are on job site. Penalty will be a \$40 re-inspection fee." Below the list, a white box with a black border contains the permit number "Permit #: 21-3296" and the date "Date: 9/27/2021".

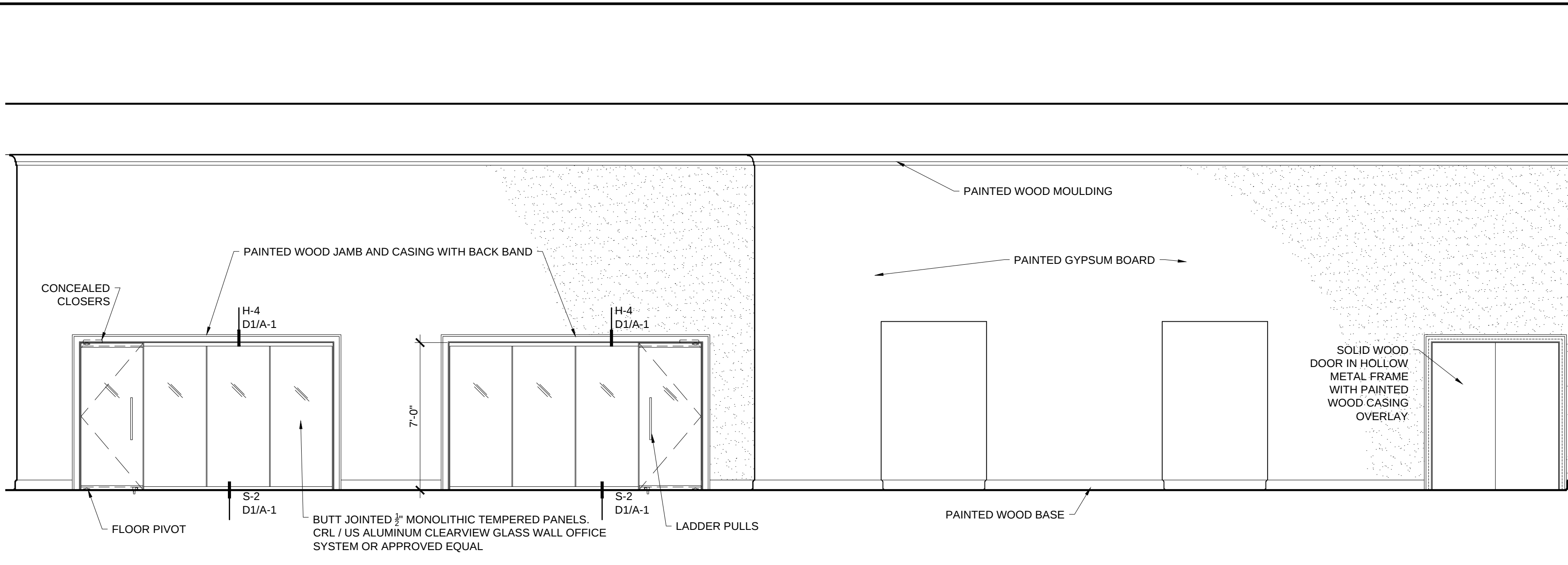
ENLARGED
PLANS AND
INTERIOR
ELEVATIONS

A-3

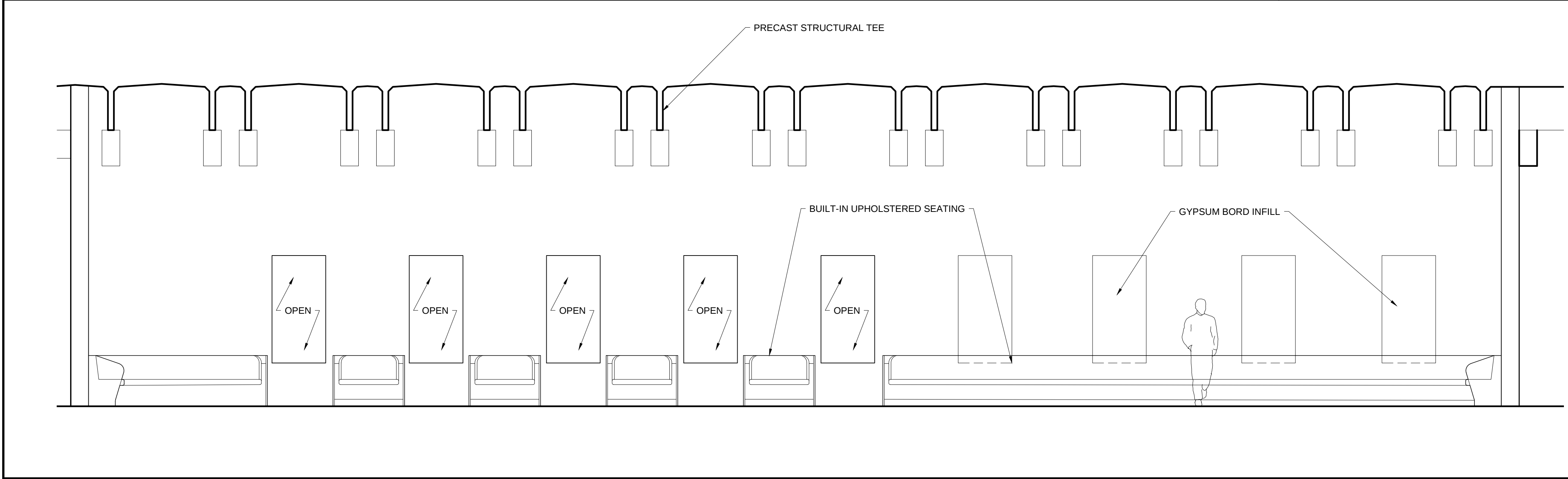
G1.6 PROJECT # 2124



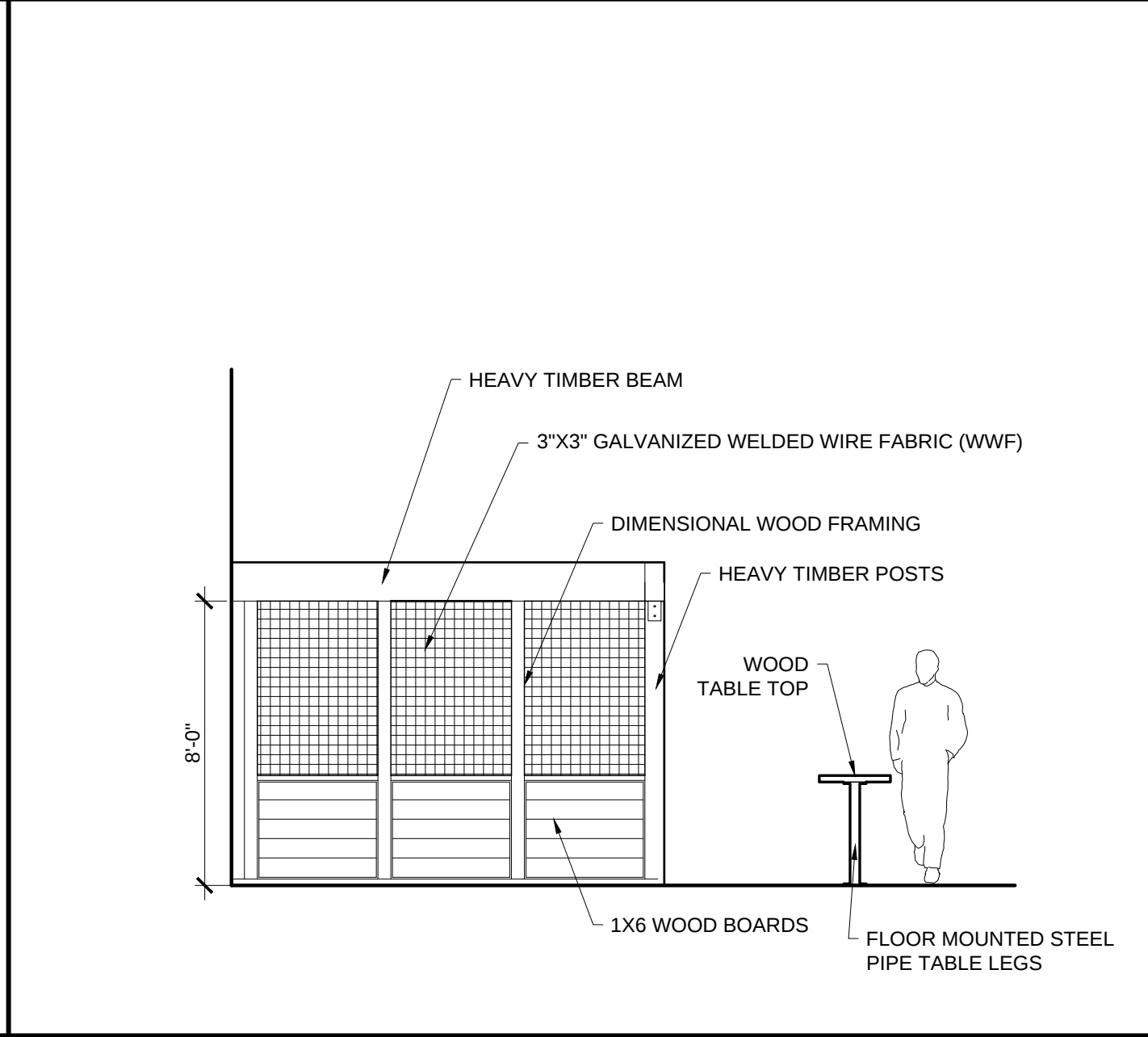
D1 1/4"=1'-0" AXE THROWING



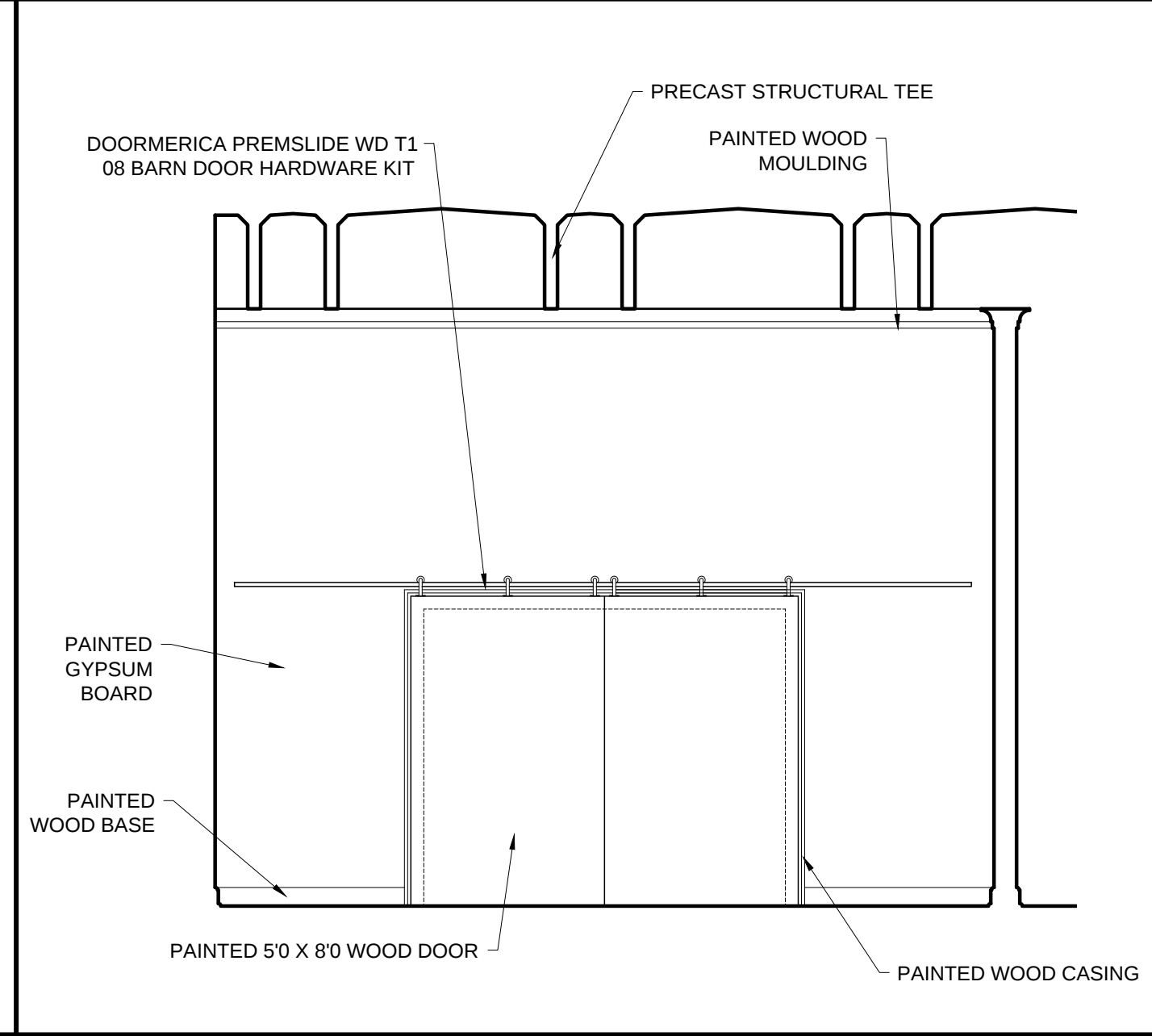
D4 1/4"=1'-0" VIP ROOMS



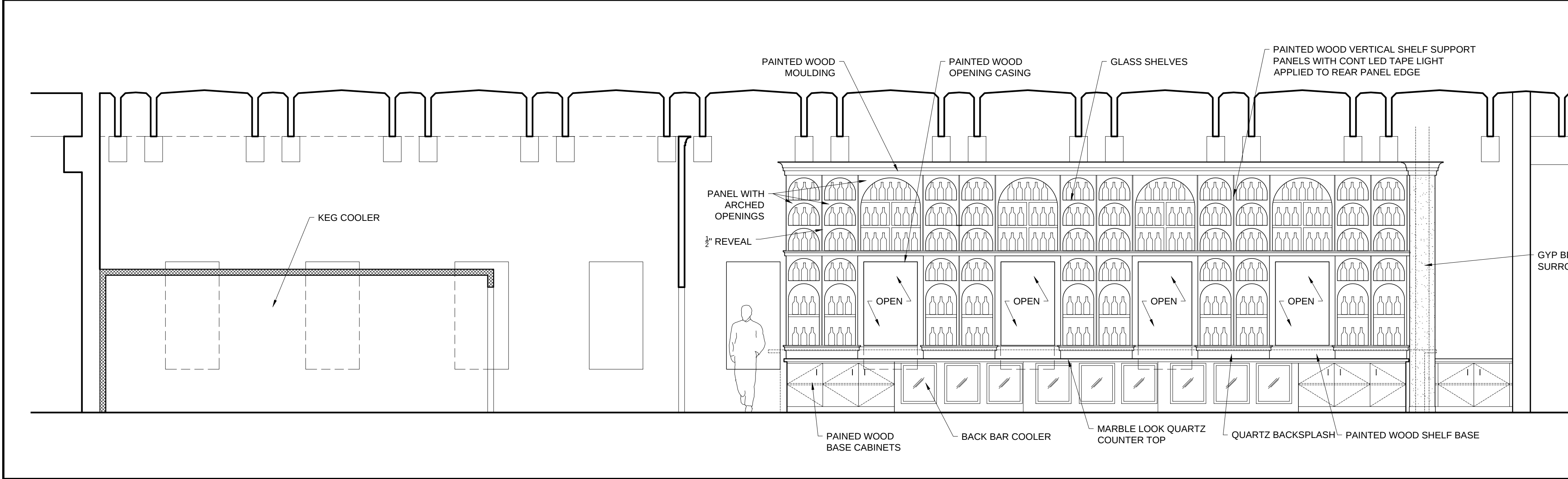
C1 1/8"=1'-0" VIP ROOMS



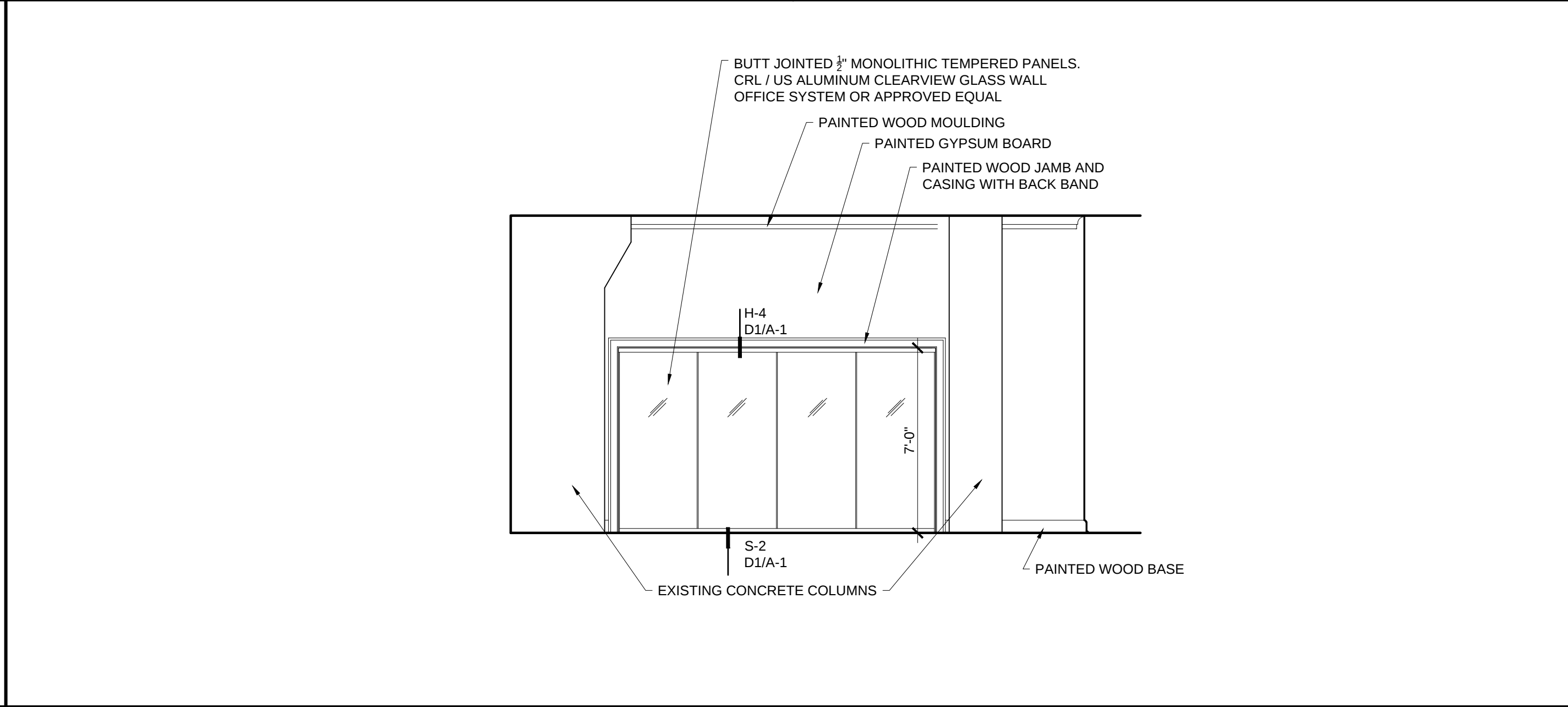
C4 1/4"=1'-0" AXE THROWING



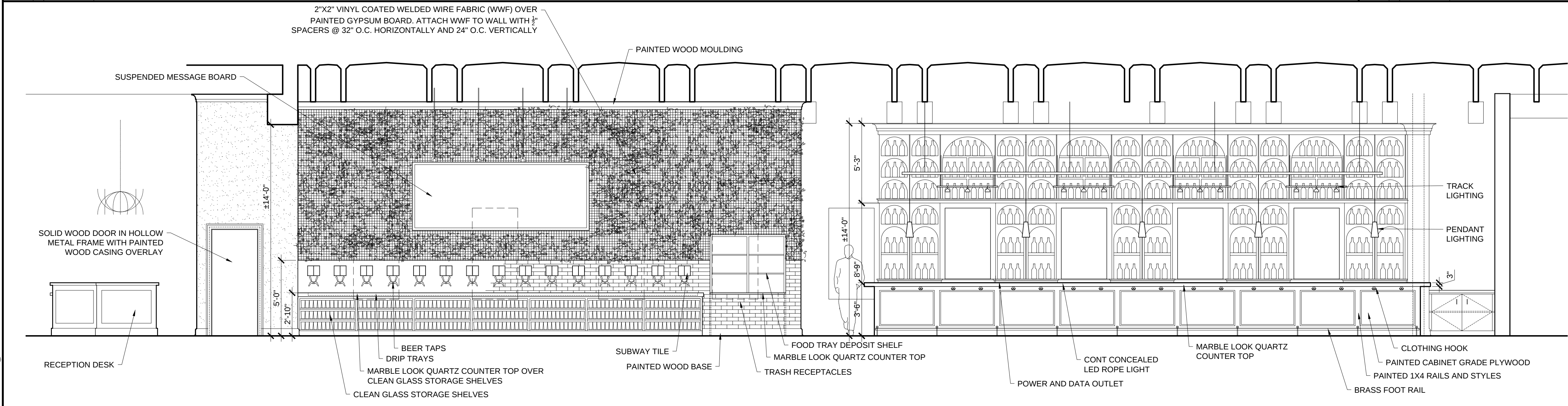
C5 1/4"=1'-0" VIP ROOM DIVIDER



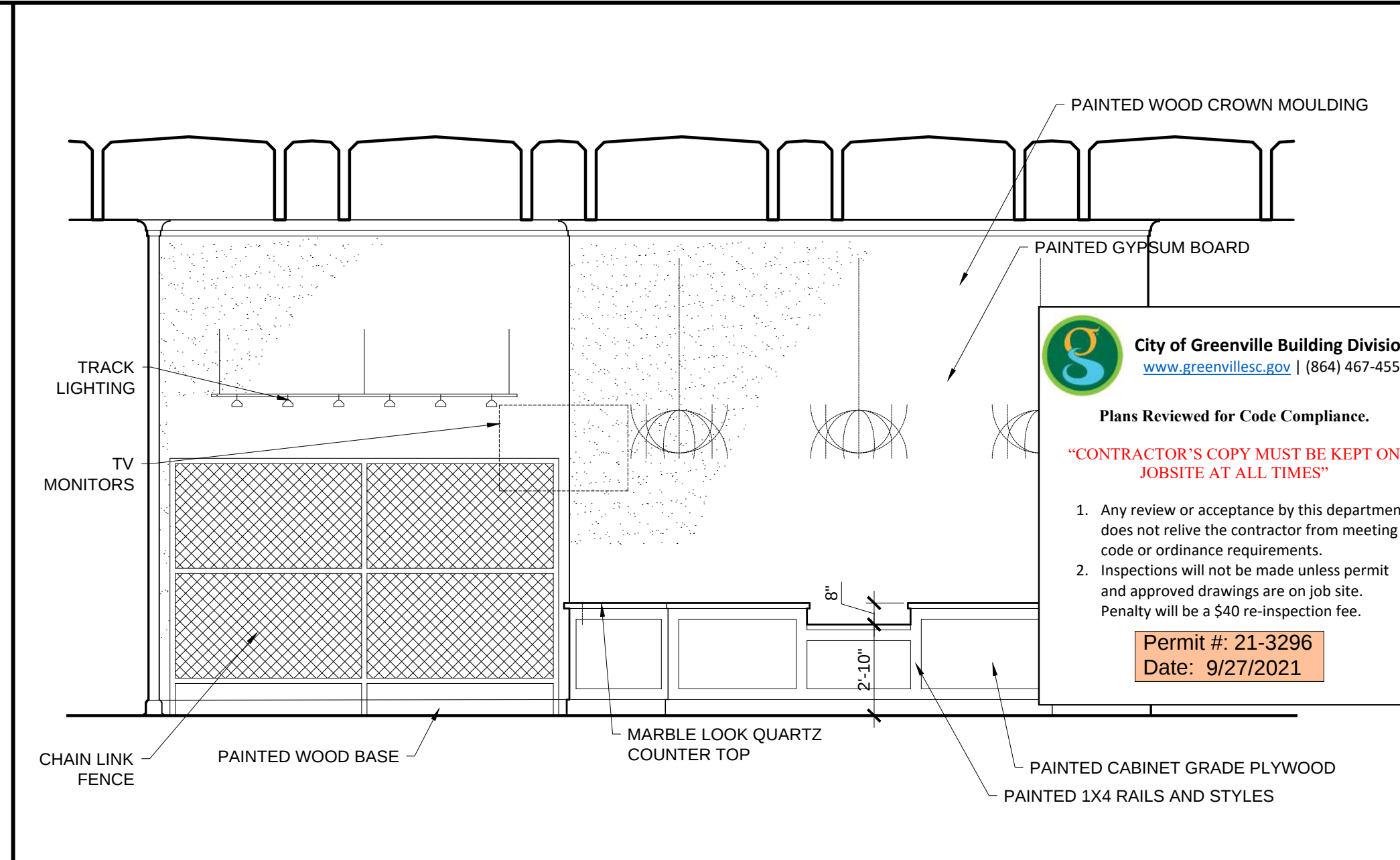
B1 1/4"=1'-0" BACK BAR



B4 1/4"=1'-0" VIP ROOMS



A1 1/4"=1'-0" BAR



A4 1/4"=1'-0" RECEPTION DESK/PRO SHOP

g16

roup

LLC

ARCHITECTS

210 ALTAMONT ROAD

GREENVILLE, SC 29609

864.640.6014

GROUP THERAPY

320 FALLS STREET SUITE G

GREENVILLE, SC 29601

PERMIT # 21-3296

STATE OF SOUTH CAROLINA

GROUP 1.6

LIC. # 100600

REGISTERED ARCHITECTS

STATE OF SOUTH CAROLINA

DAVID NOBLE

LIC. # 5855

REGISTERED ARCHITECT

09-15-21

ISSUED FOR:

PERMITS:08/20/21

REVISIONS

A. 08/30/21 OWNER DIRECTED REVISIONS. AIRLOCK REMOVED

B. 09/15/21 PER REVIEW COMMENTS

CITY OF GREENVILLE BUILDING DIVISION

www.greenvillesc.gov | (864) 467-4550

Plans Reviewed for Code Compliance.

"CONTRACTOR'S COPY MUST BE KEPT ON JOBSITE AT ALL TIMES"

1. Any review or acceptance by this department does not relieve the contractor from meeting code or ordinance requirements.

2. Inspections will not be made unless permit and approved drawings are on job site. Penalty will be a \$400 re-inspection fee.

Permit #: 21-3296

Date: 9/27/2021

INTERIOR ELEVATIONS

A-4

G1.6 PROJECT # 2124

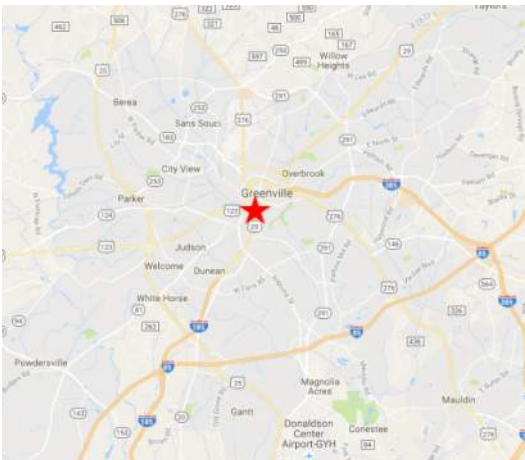


CAMPERDOWN

BROAD STREET & SOUTH MAIN STREET
GREENVILLE, SC

LEASING | Cortney Carter
direct: 864.752.0302
ccarter@collettre.com

Rebecca Gault
direct: 864.331.2965
rebeccag@capllc.com



DEMOGRAPHIC SNAPSHOT (2018)

	1 mile	2 mile	3 mile
Population	9,101	39,735	79,469
Projected Pop. (2023)	9,863	43,740	87,061
Avg. Household Income	\$72,813	\$70,716	\$68,640

DAYTIME POPULATION

Total Businesses	2,541	3,986	6,597
Total Employees	28,913	41,786	72,643

WEEKEND PEDESTRIAN COUNTS

Broad Street - Japanese Dogwood Lane

30,711 • Co-tenants include: Bank of America, Elliott Davis, Larkin's

THE PEACE CENTER

Over 600 Events Per Year

PROPERTY DETAILS

- Phase I - Gannett Building - 5,546 SF of retail space available
- Phase II - mixed use development - delivery 1st QTR 2020
- 250 apartment units
- +/-70,000 SF of retail / restaurant available for lease
- 196 room AC Hotel by Marriott
- 18 luxury condos
- 150,000 SF of office space
- 900 parking spaces with valet services

217-A EAST WASHINGTON STREET
GREENVILLE, SC 29601
864.752.0300 | WWW.COLLETTRE.COM



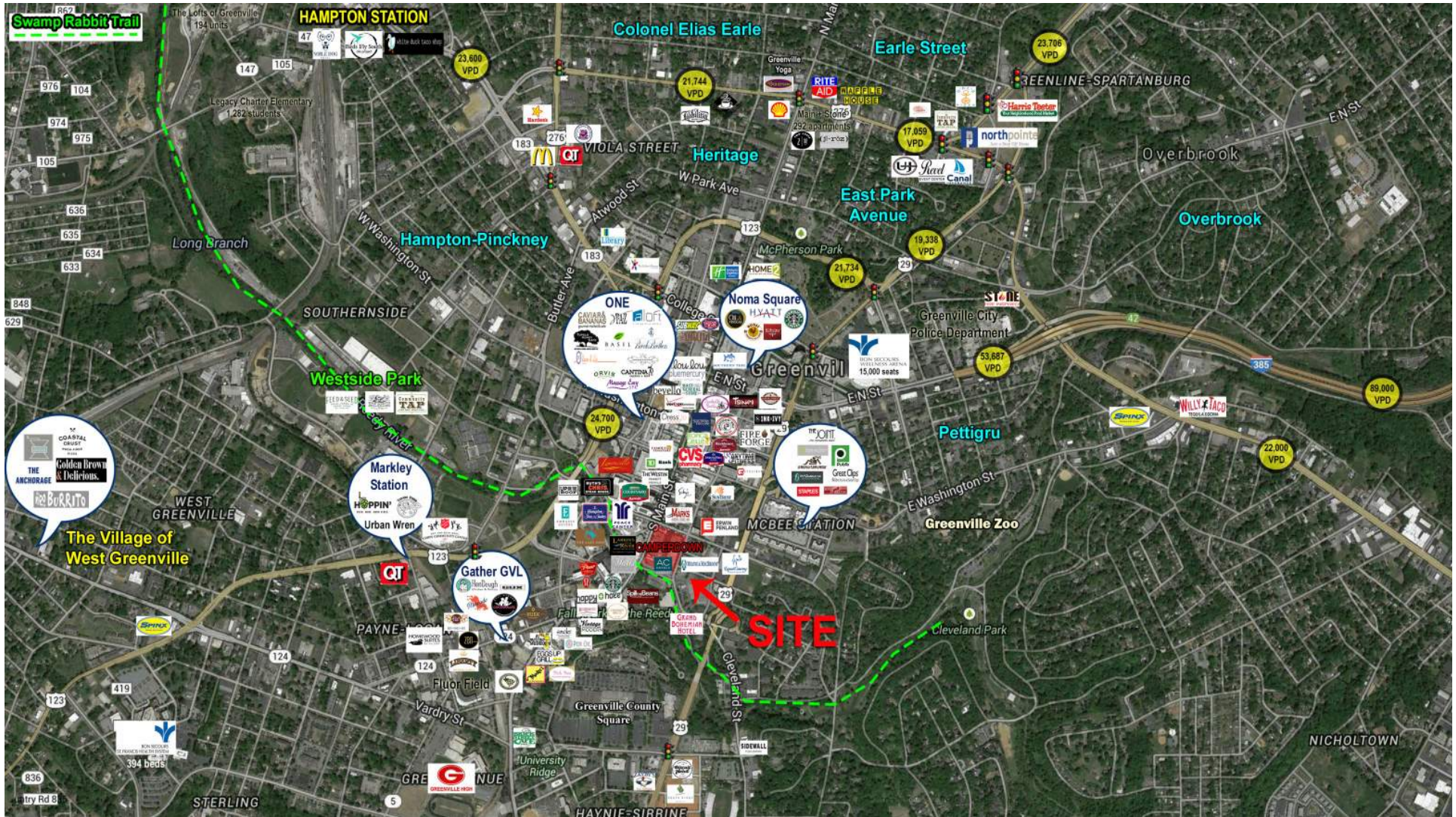


CAMPERDOWN

AERIAL

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ccarter@collettre.com

Rebecca Gault
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rebeccag@capllc.com



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Collett



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rebeccag@capllc.com

Collett 



CAMPERDOWN

SITE PLAN

LEASING | Cortney Carter
direct: 864.752.0302
ccarter@collettre.com

Rebecca Gault
direct: 864.331.2965
rebeccag@capllc.com



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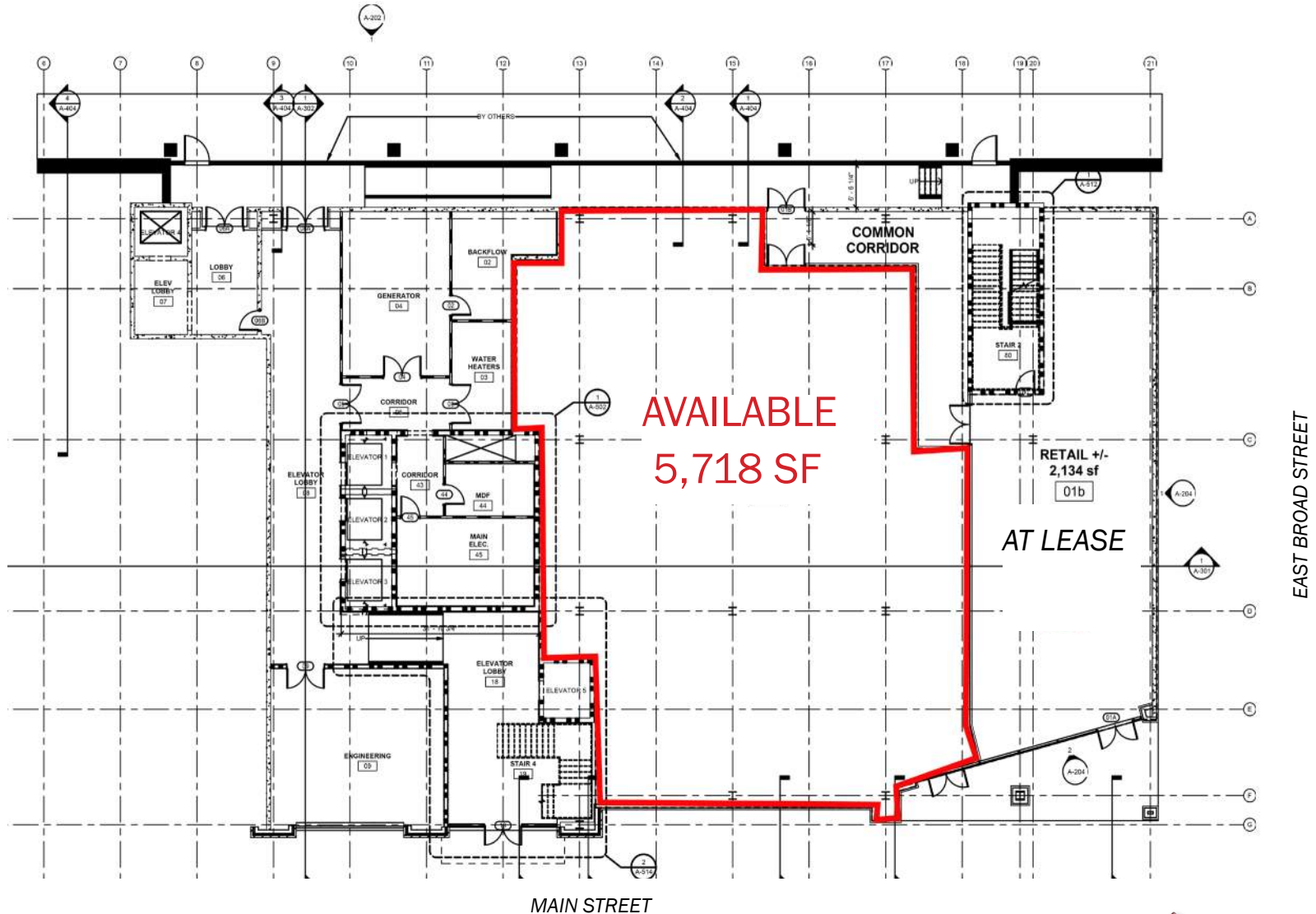


CAMPERDOWN

RETAIL UNDER AC HOTEL

LEASING | Cortney Carter
direct: 864.752.0302
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Rebecca Gault
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rebeccag@capllc.com



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Collett



CAMPERDOWN

RETAIL UNDER OFFICE BUILDING - FACING MAIN STREET

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rebeccag@capllc.com



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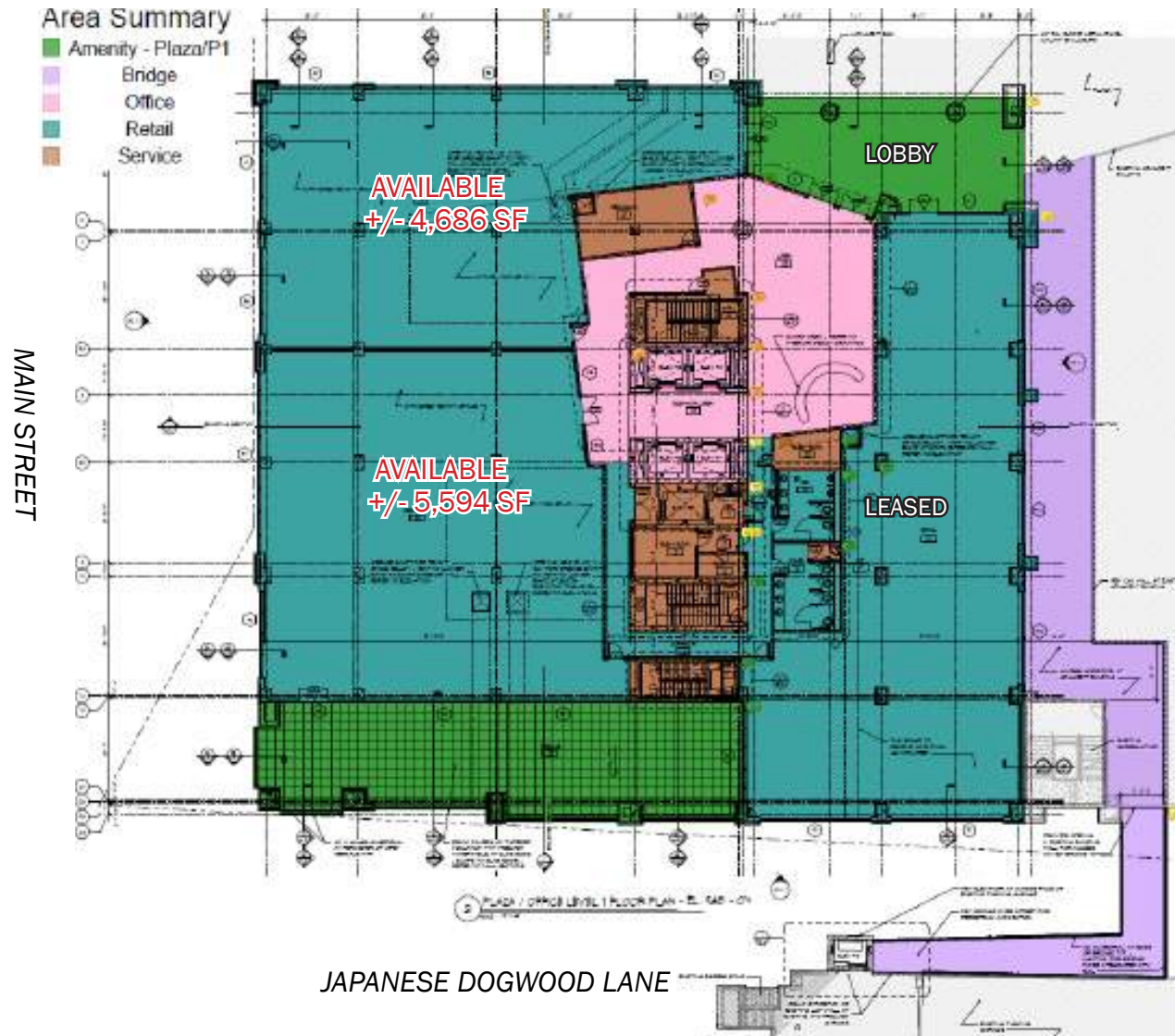


CAMPERDOWN

RETAIL PLAZA LEVEL - OFFICE BUILDING

LEASING | Cortney Carter
direct: 864.752.0302
ccarter@collettre.com

Rebecca Gault
direct: 864.331.2965
rebeccag@capllc.com



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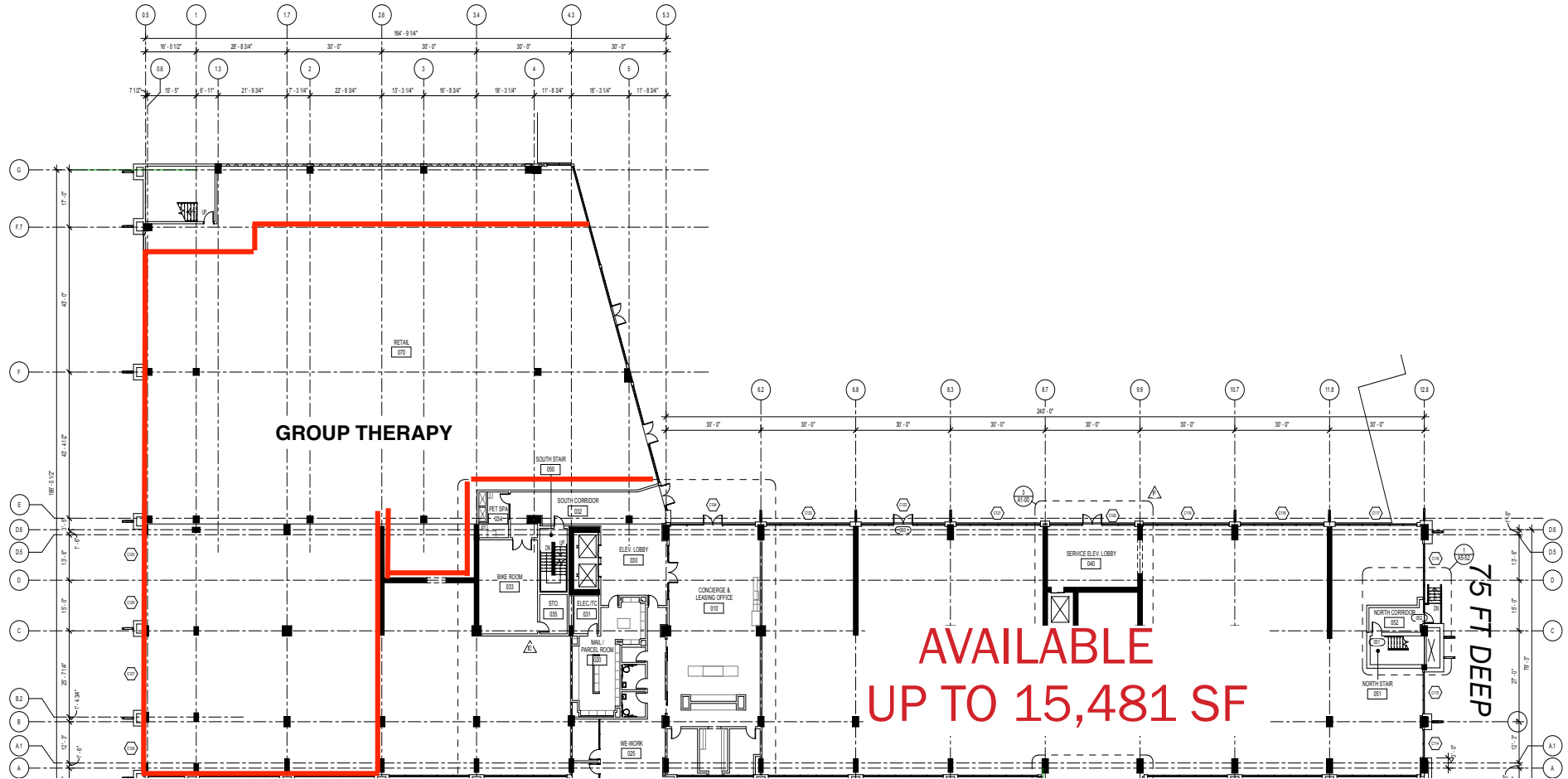


CAMPERDOWN

RETAIL SPACES UNDER APARTMENT BUILDING

LEASING | Cortney Carter
direct: 864.752.0302
ccarter@collettre.com

Rebecca Gault
direct: 864.331.2965
rebeccag@capllc.com



FALLS STREET

217-A EAST WASHINGTON STREET
GREENVILLE, SC 29601
864.752.0300 | WWW.COLLETTRE.COM





CAMPERDOWN

GREENVILLE FACTS & FIGURES

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rebeccag@capllc.com

- "Best Small Cities in the US" (National Geographic Traveler 2018)
- "Top 10 Traveler's Choice Destinations on the Rise" (Trip Advisor 2018)
- "4th Fastest Growing City in the US" (US Census 2017)
- "The 24 Coolest Towns in the USA - 2017" (Matador 2017)
- "Top 5 Places in the US to Retire" (Conde Nast Traveler 2017)
- "America's Best Downtowns" (Forbes 2017)
- Office space downtown totals over 3 million square feet, accounting for 1/3 of the total office space in the Greenville/Spartanburg area
- Bon Secours Wellness Arena (15,000 seat sports & entertainment arena)
- The Peace Center (2,100 seat concert hall, 430 seat outdoor amphitheater, over 300 events per year)
- With more than 250 international firms, from more than 24 different countries, the Upstate boasts the highest international investment per capita in the nation. Greenville is home to such national and international corporations as Fluor, Hubbell Lighting, BMW and Michelin North America
- 9th fastest growing city in America
- Greenville is home to Bon Secours St. Francis Health System and Greenville Hospital System, which is the nation's first multi-hospital system
- Ranked 7th for economic development among all MSA's across nation



Kris Kurjiaka

From: Matthew Hubbard <matt@grouptherapy.fun>
Sent: Tuesday, November 16, 2021 3:27 PM
To: Kris Kurjiaka
Subject: Amendment to S 21-781 320 Falls Street Suite G

Follow Up Flag: Follow up
Flag Status: Flagged

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

Group Therapy Pub & Playground

MEMO:

To: Kris Kurjiaka TAC Special Committee and Board of Zone Appeals

From: Matthew Hubbard Managing Member GT Greenville, LLC DBA Group Therapy Pub & Playground

Date: 12.16.2021

Re: BZA Amendment to S 21-781

GT Greenville, LLC would like to request that the board propose an alternative requirement for both the security requirement and parking requirement consistent with the other approved adjacent bars, restaurants, and nightclubs in the Camperdown property and elsewhere downtown.

Currently the committee has proposed 2 security guards, 1 of which needs to be an off-duty sworn law enforcement officer positioned outside the business on Friday and Saturdays between 10PM and 2:15AM.

We believe a single security guard who is also an off-duty officer is sufficient since Camperdown provides 2 security guards for the plaza area, both hired from American Security Company. One of which sits adjacent at the desk beside Group Therapy at the business tower, and the other roams the plaza 24/7. Both are available to Group Therapy in an instance they are needed. The off-duty officer can check IDs however our staff will be checking IDs at all times as well.

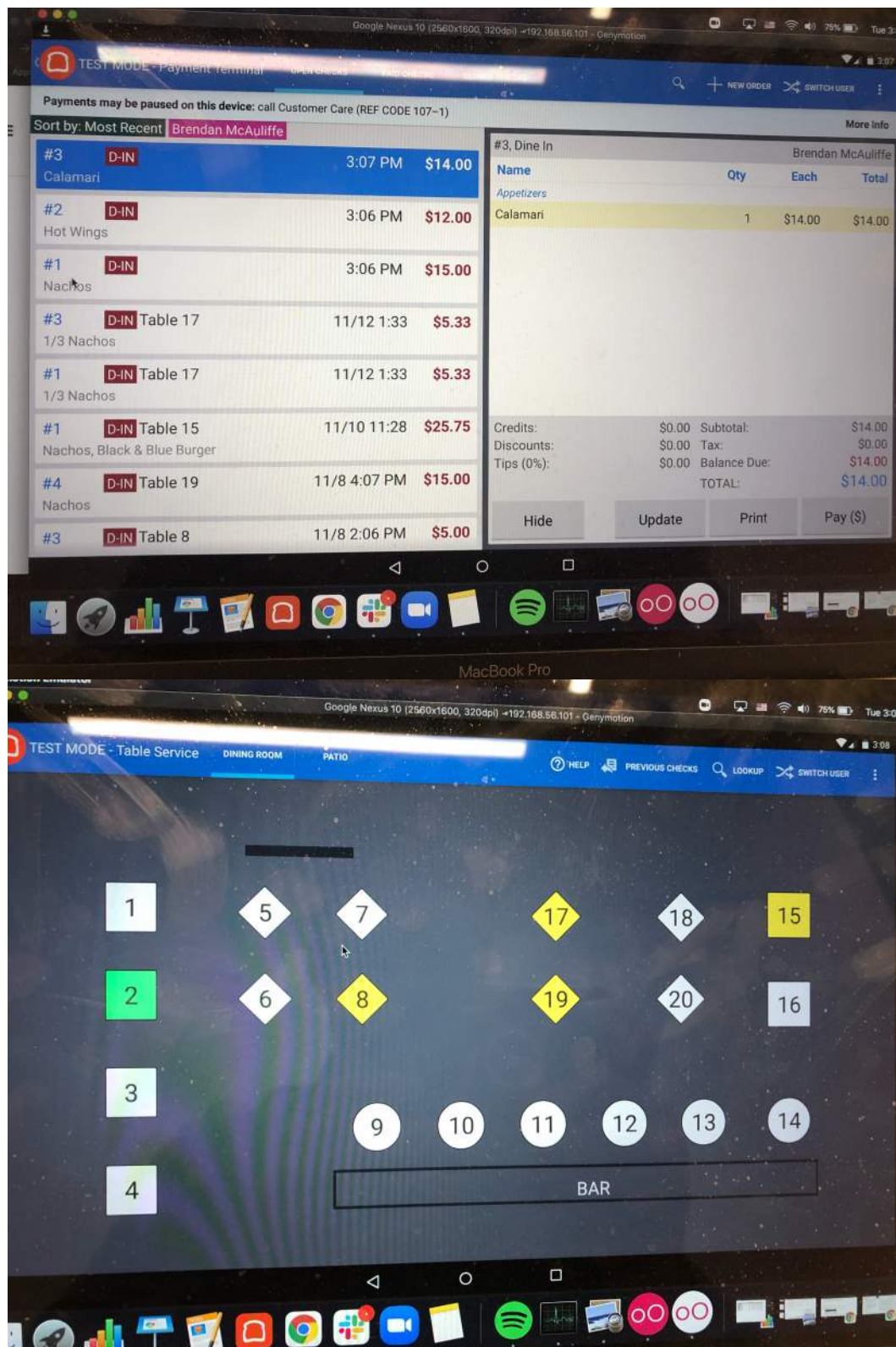
Part of our customer journey through Group Therapy is an ID check to use our self-serve beer tap wall and to establish an open tab. Checking IDs will be something our staff does all day regardless of what the hours of operation are.

Finally our Toast Point of Sale system and reservation booking system will be keeping track of real time occupancy vs capacity limits. See the two exhibits attached. Exhibit F details blue numbers on the side which keep track of guests and exhibit G shows we will have a kitchen map that gives us a real time visual on occupancy in our dining room.

In regards to parking. Directly underneath us is an available Camperdown public parking deck. If spaces are available guests may park there. Directly beside us with an entrance from Falls Street is another parking deck that is often

completely vacant. From the 3rd floor of the parking deck there is a walkway to the hallway that splits the business tower and Group Therapy space. It exits into the plaza with quick easy access to Group Therapy. Downtown Greenville also has a variety of other parking decks. Group Therapy is central to the heart of downtown. The Greenville Trolley also drives by our space with exit on Main Street. Our core demographic visiting our space are also accustomed to Uber and Lyft which provides easy drop off and pick up from the Camperdown Valet circle.

Thank you for your consideration and we look forward to reviewing our application in December.



Thank You,

Matthew Hubbard

Owner | Lead Therapist

Group Therapy Pub & Playground

C: 706.614.1758

E: matt@grouptherapy.fun

W: www.grouptherapy.fun

IG: [@grouptherapy.fun](https://www.instagram.com/grouptherapy.fun)



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

Docket Number: A 21-469
Appellant: Jared Yerg, Verizon/Cellco Partnership SC Gen Part
Property Owner: Crown Atlantic Company LLC
Property Location: 469 Congaree Road
Tax Map Number: 054303-01-00501
Acreage: 1.56
Zoning: C-3, Regional Commercial District
Proposal: **APPEAL OF ADMINISTRATOR'S DECISION**
Recommendation: **Affirm Administrator's Decision**

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. 19-2.3.16, *Appeals from decisions and interpretations of administrator*
Sec. 19-6.6.2, *Prohibited signs*
Sec. 19-6.6.4(C), *Permanent signs, Freestanding signs*
Table 19-6.6.3, *Freestanding signs*
Sec. 19-9.5, *Nonconforming signs*

Staff Analysis:

Summary

On August 26, 2021, Zoning Enforcement Officer John Hamlett issued a Notice of Violation to Verizon Management at 469 Congaree Road. This violation was issued to cite the "Large pylon sign at the northwest corner of the parking lot: Sign face on one side is dilapidated." Because this sign is a nonconforming pylon sign and replacement/changing the sign would not be permitted, corrective action to remove the sign is required, with a compliance date of 30 days of the letter date, or by September 27, 2021 via code enforcement case CE 21-741.

On September 1, 2021, Planning Staff received an Application for Appeal of the Administrator's Decision or Interpretation from Appellant Jared Yerg. The request for appeal to applicable code section 19-9.5.1(A)(1) was described on the application as follows:

We believe that the request to remove the non-structural sign panel(s) by citing section 19-9.5.1(A)(1) is not applicable to Verizon's legally existing non-conforming pylon sign, and request relief by presenting our position to the Zoning Board of Appeals.

An additional statement is attached to the application which provides further justification of the Appellant's position.

Background

In an application, dated September 4, 2018, a sign permit was requested for 469 Congaree Road via Sign Permit Application 18-3300. The sign permit and plans requested replacement of the nonconforming sign and proposed a 25-foot-tall sign with a skirted pylon support. On October 3, 2018, Planning Staff disapproved this application, stating that the proposed sign requires Design Review Board (DRB) approval due to its height. Furthermore, as a proposed pylon sign, the sign could not be approved by DRB. Pylon signs are a prohibited free-standing sign type for properties located outside the designated Special Sign Overlay District – the subject parcel is located outside the Special Sign Overlay District.

An application was submitted for the Design Review Board, dated August 31, 2018 via case CA 18-775, to request approval of a 25-foot-tall monument sign. The sign request was eventually approved by the DRB-Urban Panel at their February 7, 2019 meeting. No subsequent sign permits were obtained for this sign and the DRB approval 'vested rights period' has lapsed.

On May 13, 2021, a Sign Permit Application was received to replace the south-facing sign face, on the existing pylon sign at 469 Congaree Road, via application 21-1835. On June 14, 2021, this application was disapproved by Planning Staff with comments that "The existing sign is considered a legal, non-conforming sign in both sign size and type. Non-conforming signage is subject to the regulations in Land Management Ordinance Sec. 19-9.5. Non-conforming signs may not be altered to extend their useful life." No other revised plans were submitted in response to this disapproval.

With Planning Staff not in receipt of revised plans or any communications to indicate that the dilapidated sign face would be replaced, a zoning enforcement case was initiated on August 26, 2021.

Staff Findings:

Staff offers the following findings:

- Staff finds that the existing legal, nonconforming sign is a non-conforming sign type. Pylon type, freestanding signs are prohibited in the C-3 district, except where located in a Special Sign Overlay District; and
- Staff finds that the existing legal, nonconforming sign's current height is also non-conforming. The existing sign is 33 feet tall. The Maximum height that may be approved by Staff, for a freestanding sign, is 10 feet tall, with allowance for a 25-foot-tall sign that may be approved by application and review of the Design Review Board; and
- Staff finds that non-conforming signs "Shall not be changed to or replaced with another non-conforming sign" per Land Management Ordinance Section 19-9.5.1(A)(1). Replacement of the sign face on this sign would constitute a change to and replacement of a non-conforming sign; and
- Staff finds that without an option to replace the plastic sign faces, the nonconforming pylon sign can no longer be permitted in any manner, and a full replacement of the sign and sign structure will be necessary to bring the sign into conformance with current standards; and
- Staff finds that the current sign, dilapidated in its current condition, must be removed.

Based on these findings, staff recommends that that the Board of Zoning Appeals affirm the administrator's decision to require removal of the dilapidated, nonconforming pylon sign at 469 Congaree Road.

Applicable Sections of the Code of Ordinances

The Administrator rendered his interpretation based on the following specific code sections:

19-2.1.3. Board of zoning appeals.

(A) *Powers and duties.* The board of zoning appeals shall have the following powers and duties under this chapter:

- (1) *Special exceptions.* To review and decide special exception permits specifically authorized under this chapter (subsection 19-2.3.5).
- (2) *Variance permits.* To review and decide applications for variance permits (section 19-2.3.7).
- (3) *Appeals.* To hear and decide appeals taken by any person aggrieved by a decision or interpretation of the administrator, as related to this chapter, other than sections 19-6.7 through 19-6.10 (subsection 19-2.3.16); and to hear appeals from decision of the city engineer as provided in section 19-4.3.2(G).
- (B) *Membership.* The board of zoning appeals shall consist of seven residents of the city, appointed by city council. Terms of office shall be three years. Terms shall be staggered. No member shall serve more than two consecutive full terms, nor more than eight consecutive years.
- (C) *Board of zoning appeals procedures.* All procedures of the zoning board of appeals shall comply with the provisions of section 2-333.

19-2.3.16. Appeals from decisions and interpretations of administrator.

(A) *Right of appeal.* Any person aggrieved or affected by a decision or interpretation of the administrator may appeal such decision or interpretation to the board of zoning appeals or to the planning commission, according to the following:

- (1) *Planning commission.* Appeals of decisions or interpretations of the administrator regarding the design and specifications manual, final PD plans, subdivision, and waivers to stormwater provisions shall be considered by the planning commission.
- (2) *Board of zoning appeal.* Appeals of decisions or interpretations of the administrator regarding all sections of this chapter, except the design and specifications manual, final PD plans, subdivision, waivers to stormwater provisions, and all matters under the purview of the design review panels, shall be considered by the board of zoning appeals.

(B) *Appeal procedure.*

- (1) *Initiation.* An appeal pursuant to this section may be initiated with the administrator by filing a written notice of appeal within ten business days of the date of mailing of the written decision or interpretation.
- (2) *Contents of appeal.* The written notice of appeal shall specify the grounds for the appeal, a statement of the improper decision or interpretation, the date of that decision or interpretation, and all supporting materials related to the decision.
- (3) *Record.* Upon receipt of the written notice of appeal, the administrator shall transmit all the papers, documents, and other materials relating to the decision or interpretation appealed to the board of zoning appeals or planning commission (whichever is appropriate). These materials shall constitute the record of the appeal.
- (4) *Scheduling of notice and hearing.* The board of zoning appeals or planning commission (whichever is appropriate) shall hear the appeal at the first meeting that allows sufficient time to prepare the record and meet required notice provisions of this chapter.
- (5) *Hearing by the board of zoning appeals.* At the hearing, the person making the appeal may appear in person, or by agent or attorney, and shall state the grounds for the appeal and identify any materials or evidence from the record to support the appeal. The administrator shall be given an opportunity to respond as well as any other city staff or other person the board of zoning appeals deems necessary. After the conclusion of the hearing, the board of zoning appeals shall affirm, partly affirm, modify, or reverse the decision or interpretation based on the record and the requirements and standards of this

chapter. The concurring vote of a majority of the members of the board of zoning appeals shall be necessary to reverse any decision or interpretation on appeal.

- (6) *Hearing by the planning commission.* At the hearing, the person making the appeal may appear in person or by agent or attorney, and shall state the grounds for the appeal and identify any materials or evidence from the record to support the appeal. The administrator shall be given an opportunity to respond, as well as any other city staff or other person the planning commission deems necessary. After the conclusion of the hearing and within 60 days of the filing of the appeal, the planning commission shall affirm, partly affirm, modify or reverse the decision or interpretation, based on the record and the requirements and standards of this chapter. The concurring vote of a majority of the members of the planning commission shall be necessary to reverse any decision or interpretation on appeal.
- (C) *Effect of appeal.* An appeal pending before the board of zoning appeals or the planning commission stays all proceedings in furtherance of the action appealed from unless the administrator certifies to the board of zoning appeals or planning commission (whichever is appropriate) after the notice of appeal is filed that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of zoning appeals or the planning commission (whichever is appropriate) or by a court of record on application, on notice to the administrator, and on due cause shown.
- (D) *Appeal from the board of zoning appeals.* A person having a substantial interest affected by a decision of the board of zoning appeals may appeal from the decision of the board to the circuit court of Greenville County by filing with the clerk of the court a petition setting forth plainly, fully, and distinctly why the decision is contrary to law. This notice of appeal may be accompanied by a request for pre-litigation mediation in accordance with S.C. Code 1976, § 6-29-825. The appeal shall be filed within 30 days after the written decision of the board is mailed.
- (E) *Appeal from the planning commission.* A person having a substantial interest affected by a decision of the planning commission may appeal from the decision of the board to the circuit court of the county by filing with the clerk of the court a petition setting forth plainly, fully, and distinctly why the decision is contrary to law. This notice of appeal may be accompanied by a request for pre-litigation mediation in accordance with S.C. Code 1976, § 6-29-825. The appeal shall be filed within 30 days after the written decision of the commission is mailed.

19-6.6.2. Prohibited signs. Unless specifically permitted elsewhere in this section, the following signs shall be prohibited:

- (R) Pylon Signs except as noted in Table 19-6.6-3: Freestanding Signs.

19-6.6.4. Permanent signs.

- (C) *Freestanding signs.* Freestanding signs are those types of signs that are supported by a structure secured to the ground and are wholly independent of any building, other than a sign structure, for support. Freestanding signs include monument signs, decorative post signs, freestanding suspended signs, and pylon or pole signs. Allowances for the number and size of freestanding signs are provided in table 19-6.6-3, freestanding signs. Applicants are encouraged to submit sign plans for evaluation during the site plan permit review process.
 - (1) *Lighting.* Freestanding signs may be illuminated internally, provided the background is opaque allowing only the letters and logo to light, or with a shielded spot light located at the base of the sign.
 - (2) *Address.* The address of the property shall be displayed on the freestanding signs oriented to the street on which the address is assigned. The address shall be displayed using a character size of at least six inches tall.
 - (3) *Landscaping.* It is the intent of this section to ensure that freestanding signs are an integral part of the overall built and landscaped environment of a site. Landscaping around the base of a freestanding sign may be used to soften a blank base of a sign and to help integrate a sign into its surroundings. Guidelines for the use of landscaping around a sign base are provided in the administrative manual. General landscape requirements are listed in subsection 19-6.2.2, landscaping requirements.

- (4) *Electronic messages boards.* Electronic message boards shall incorporate a photo cell, or similar technology, that adjusts brightness of the sign relative to outdoor ambient light, and may be included on monument and pylon signs, subject to the following conditions:
- (a) When such signs are to be located within the OD, C-1, C-2, C-3, C-4, S-1, RDV, or I-1 districts, the area of the electronic sign face shall not exceed 30 percent of the overall sign face, and the electronic message shall maintain a static message for at least six seconds, and shall not utilize any of the techniques prohibited by subsection 19-6.6.2(B).
 - (b) When such signs are to be located in the R-9, R-6, RM-1, RM-1.5, RM-2, or RM-3 districts, such signs may be approved only as a special exception by the board of zoning appeals, 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., and shall not utilize any of the techniques prohibited by subsection 19-6.6.2(B). The size of such signs may not exceed the limits provided in subsection 19-6.6.4(C)(6)(d), unless an exception to the sign standards is granted pursuant to subsection 19-6.6.4(C)(7).
- (5) *Standards for group development.* For group developments where multi-tenant freestanding signs are used, the number of tenant panels on each sign shall be limited to five, plus the name of the development; provided, however, that each tenant which occupies at least 10,000 square feet of space in the development shall be allowed a panel on one of the development's multi-tenant signs on each street frontage of the development.
- (6) *Design review.*
- (a) All signs proposed in the C-4, central business district, or a PO, preservation overlay district, require review by the design review board, which shall supersede subsections 19-6.6.4(C)(6)(c) and (d).
 - (b) The application of extraneous information to a sign, such as services provided by the business, telephone numbers, hours of operation, etcetera, is not permitted. This information may be allowed in certain cases as window graphics.
 - (c) Freestanding signs that do not exceed the size and height limits provided in table 19-6.6-3, freestanding signs, do not require design review.
 - (d) The applicant for a sign permit may obtain an increase in sign area and/or sign height by requesting design review by the administrator. The administrator may allow sign height up to ten feet and or sign area up to 36 square feet for a sign that meets the design standards listed in the administrative manual. All signs are reviewed on a case-by-case basis for quality of design, compatibility with the aesthetic quality of the site, and the character of the district, in which they are proposed.
- (7) *Exceptions to sign standards.* Unusual site conditions or other design factors may warrant signs not otherwise permitted by these regulations. The design review board, through an application for a certificate of appropriateness, is authorized to grant an exception to allow an increase in sign area and or sign height, up to 25 feet, or other design-related modifications based on the following findings:
- (a) There are exceptional or unusual circumstances associated with the property involved, such as, but not limited to:
 - 1. Size of the development parcel.
 - 2. Frontage on an interstate highway.
 - 3. Visual obstructions.
 - 4. Unusual building location on-site.
 - 5. Certain uses which are primarily for entertainment, recreation, conference, or exhibition venues, which are open to the public and which have regularly-changing events, such as convention and exhibition halls, theaters and cinemas, sports stadiums and arenas.

- (b) The exception is consistent with the intent and purpose of the sign regulations and will not constitute a grant of special privilege or entitlement inconsistent with limitations applied to other properties in the vicinity with the same zoning.
- (c) The sign exception is for superior design that will not result in visual clutter and is consistent with the intent and purpose of these sign regulations.

When an electronic message board is proposed as a special exception in the R-9, R-6, RM-1, RM-1.5, RM-2, RM-3 districts, the board of zoning appeals is authorized to grant similar exceptions to sign standards, provided the sign meets the standards in subsection 19-6.6.4(C)(7)(a), (b), and (c), as well as the special exception criteria.

19-6.6.7. Sign tables. The tables referred to in this section are set out below:

Table 19-6.6-3: Freestanding Signs (monument signs, decorative post signs, freestanding suspended signs, pylon signs)					
Zoning District	Sign Type	Number ¹	Height	Size	Applicable Standards
All nonresidential districts, all nonresidential uses permitted in residential districts, multifamily residential developments, and single-family residential subdivisions	Monument sign	Two per street front for group development or one per street front for freestanding business or use ²	5 feet ^{3, 4}	16 square feet ^{3, 4}	Downtown Design Guidelines in C-4 and Preservation Overlay Districts, plus standards in subsection 19-6.6.4(C) and administrative manual
	Decorative post sign	Same as above	5 feet ³	16 square feet ^{3, 4}	
	Freestanding suspended sign	Same as above	8 feet	16 square feet	
Special Sign Overlay District-1	Pylon/Monument Sign	2 per street front for group development or one per street front for freestanding business or use ²	Pylon 10 feet ⁴ Monument 5 feet ^{3, 4}	16 square feet ^{3, 4}	
NOTES: ¹ Allowed number of signs includes all freestanding sign types. ² Group development is a building or group of buildings which consists of more than one business functioning as a unit, and which are inter-dependent on required site amenities such as parking, site access, landscaping and trash collection, regardless of the number of parcels the group development may be separated into. A freestanding business is a single business or use on a single parcel that is not dependent on another parcel for compliance with required site amenities. ³ Sign height may be increased up to a ten foot height and size may be increased up to 36 square feet based on standards described in subsection 19-6.6.4(C), and the administrative manual, and approval of the administrator. ⁴ Sign height may be increased up to 25 feet and size may be increased based on standards described in subsection 19-6.6.4(C), and the administrative manual, and compliance with exceptions described in subsection 19-6.6.4(C) and approval by the design review board.					

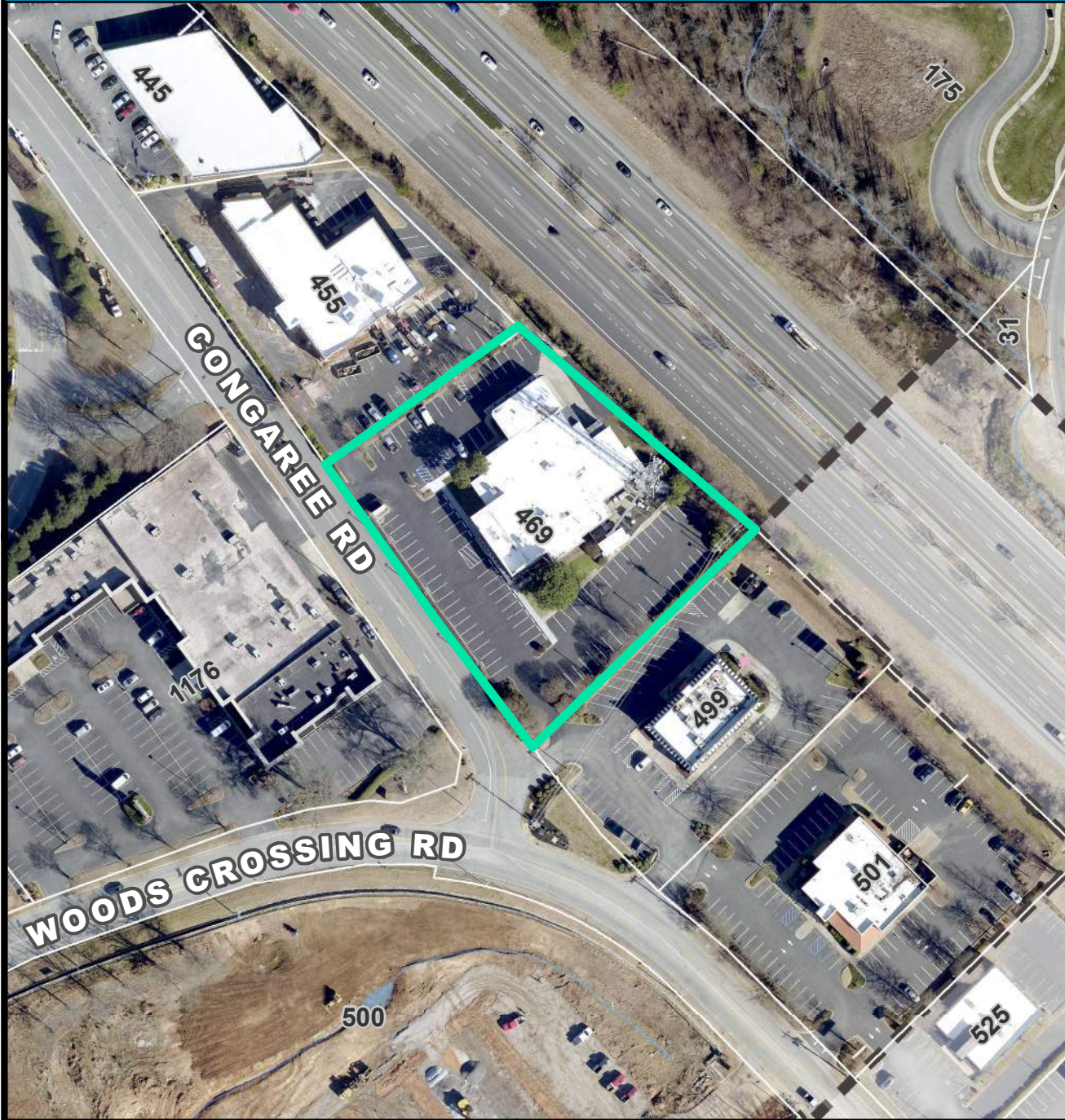
Sec. 19-9.5. Nonconforming signs.

19-9.5.1. General.

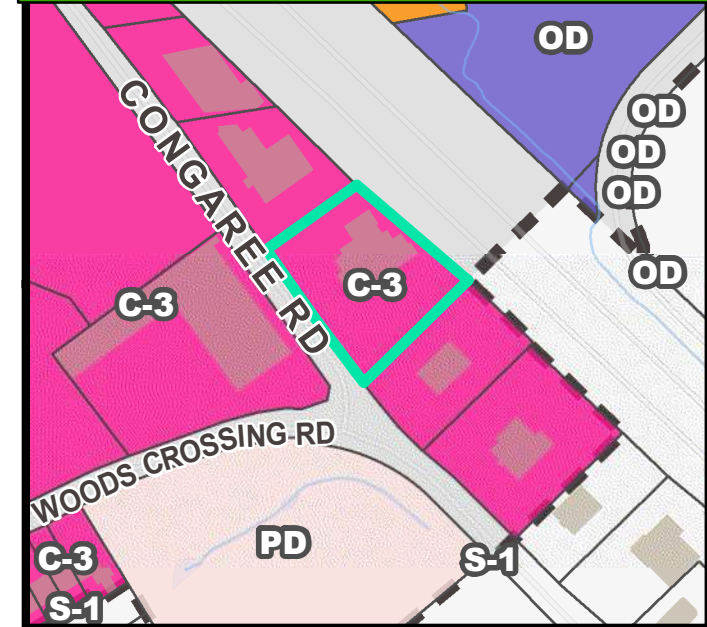
- (A) Subject to the conditions set forth in this section, nonconforming signs may continue in operation and maintenance, provided that nonconforming signs:
 - (1) Shall not be changed to or replaced with another nonconforming sign.
 - (2) Shall not be structurally altered to extend useful life;
 - (3) Shall not be expanded;
 - (4) Shall not be relocated, except in compliance with this article; or
 - (5) Shall not be re-established after damage or destruction of more than 50 percent of the replacement value of the same type of sign at the time of such damage or destruction. Any damage to a nonconforming sign that is not repaired constitutes damage or destruction for purposes of this subsection, and that damage shall be cumulative;
 - (6) Shall be removed when the business or other activity which the sign advertises is no longer in operation on the same parcel as the sign; and
 - (7) Shall be removed if the site and/or building on the same parcel as the sign is demolished and/or redeveloped or reconstructed.
- (B) This section shall not prevent normal maintenance operations performed on a nonconforming sign or sign structure, provided structural elements are not removed and replaced. Nonconforming signs declared to be structurally unsafe by the administrator shall be removed and not repaired.

A 21-696 • 469 CONGAREE ROAD

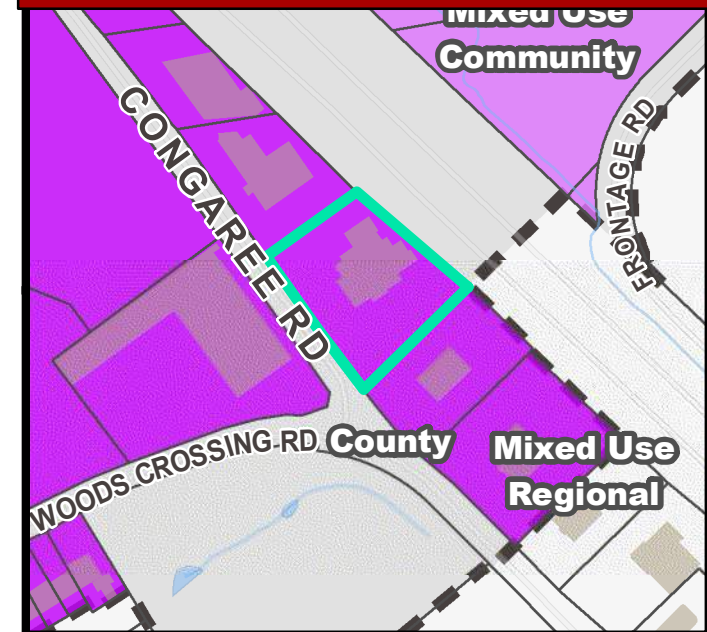
AERIAL VIEW



CURRENT ZONING

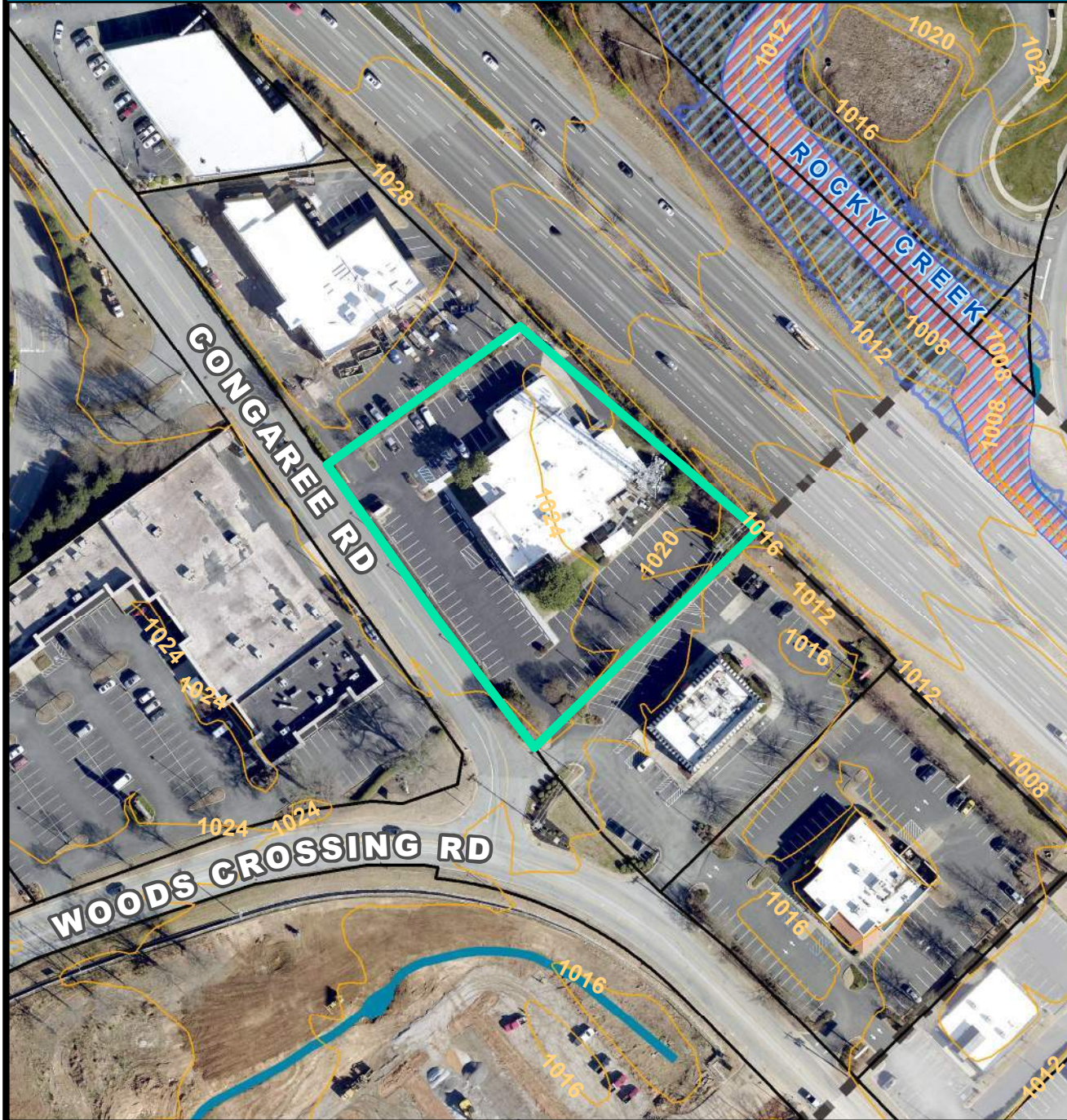


FUTURE LAND USE

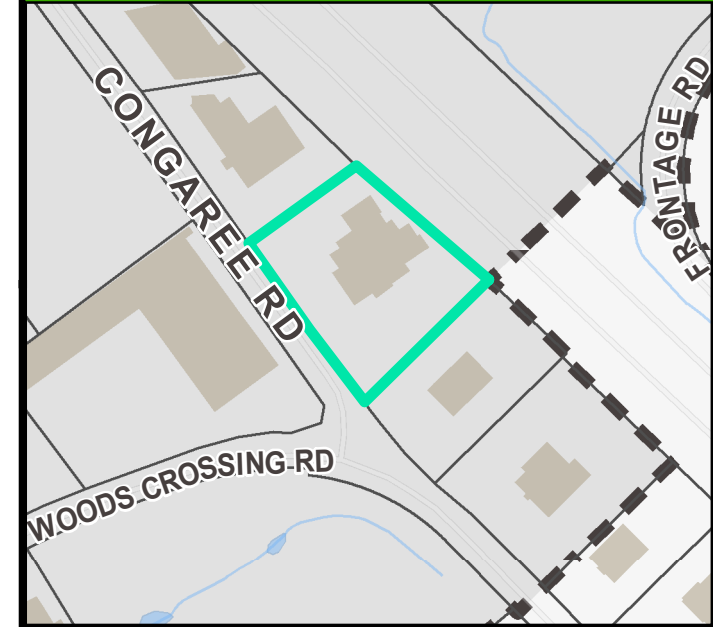


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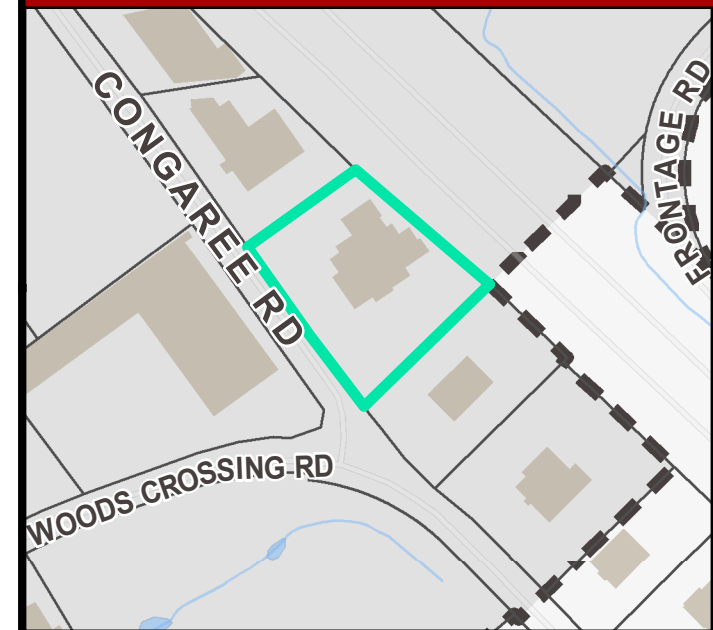
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





Planning and Development

26 August 2021

Verizon Wireless
469 Congaree Rd
Greenville SC 29607

Re: Sign Violation
469 Congaree Rd

Zoning District: C-3
TM# 054303-01-00501

Dear Verizon Management,

A recent inspection of the above referenced property revealed violation(s) of the following section(s) of the City of Greenville Code of Ordinances:

Large pylon sign at northern most corner of the parking lot: Sign face on one side is dilapidated, photo included with letter. Sign must be removed.

Sec. 19-9.5.1(A)(1) states: (A) Subject to the provisions set forth in this section, nonconforming signs may continue in operation and maintenance provided that nonconforming signs: (1) Shall not be changed or replaced with another nonconforming sign.

This sign must be removed within 30 days of this date. A compliance date of 27 September 2021 has been set.

Penalties: If the required corrective actions are not completed by the stated date, administrative summonses may be issued for you to appear in Municipal Court. For each violation, you may be punished by a fine of not more than \$1205.00 and/or by imprisonment for not more than 30 days. Each day any violation continues shall constitute a separate offense.

Right to Appeal: If you believe the staff erred in its decision, you have the right to appeal to the Board of Zoning Appeals. The appeal must be filed with the Zoning Administrator within 10 business days of the date of this letter and must indicate the reasons you believe the decision is illegal, either in whole or in part. A notice of appeal is available at our web address <https://www.greenvillesc.gov> or by calling our office at 864-467-4476.

Please call to discuss this issue with me.

Sincerely,

John Hamlett
Zoning Enforcement Officer
864-467-4473

verizon
wireless



verizon
wireless

181 EQUIPMENT SERVICES



P1-1**SIGN CODE -****Proposed Signage = 36 SqFt****Relevant Signage Code:**

Max height 25'. Max 36 sq. ft.

Sign Calculation:

(H) x (L) of overall boxed dimensions

SIGN TYPE -

New D/F Pylon Sign w/ Aluminum Cabinet & Halo-Lit LED Channel Letters Stud Mounted to Cabinet

MOUNTING -

TBD

COLOR PALETTE -

PMS COOL GRAY 4

PMS 485

WHITE ACRYLIC

PMS COOL GRAY 10

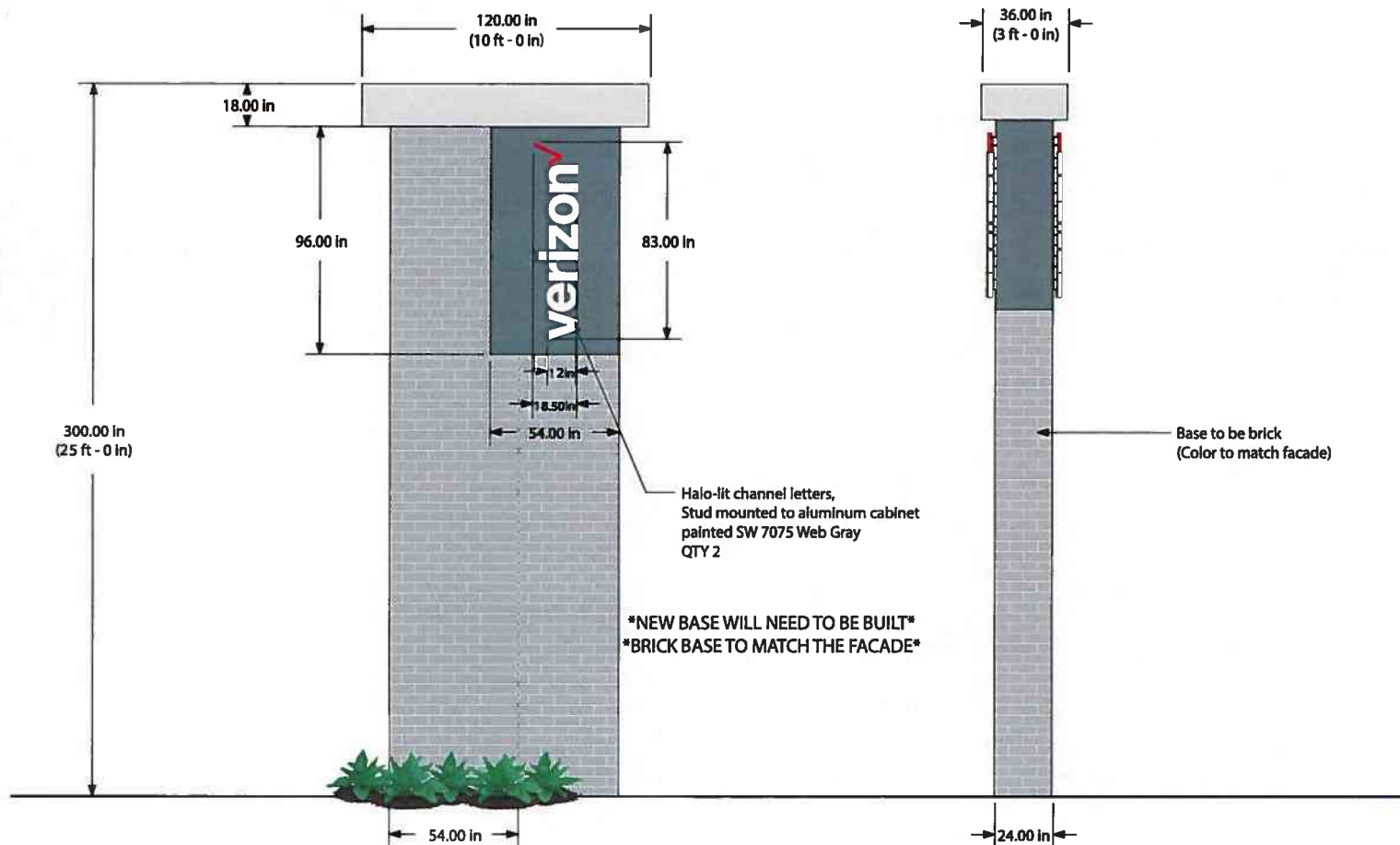
N/A

N/A

N/A

N/A

**Monument sign approved by Design Review Board
on February 7, 2019 via Case CA 18-775**



Revision Date: 01/02/19 Rev. Details: Revise OAH

Scale: 1/4" = 12"

Designer: Stephanie

Revision Art: Adam



1301 Valley Rd, Ste 150
Schaumburg, IL 60173
O: 847.301.0510
F: 847.301.0518
ideas@identiti.net

Project No	180337	Project Location	469 Congaree Rd Greenville, SC 29607
Orig. Draft	04/02/18	Proj. Manager	N/A
Page Rev.	014	Sales Rep.	N/A

PROJECT

This design is the exclusive property of Identiti Resources, LLC and is the result of the original and creative work of its employees. This drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to their specifications by Identiti Resources, LLC. Identiti Resources, LLC does not warrant this sign design to anyone outside of the customer's organization, without expressed, written authorization by Identiti Resources, LLC is prohibited.

Application # _____	Fees Paid _____
Date Received: _____	Accepted by _____
Date deemed complete _____	App Deny Conditions _____



**Application for
APPEAL OF ADMINISTRATOR'S DECISION OR INTERPRETATION
City Of Greenville, South Carolina**

APPELLANT/OWNER INFORMATION

	APPELLANT	PROPERTY OWNER
Name:	Jared Yerg, Verizon/Cellco Partnership SC Gen Part	Crown Atlantic Company LLC
Mailing	c/o Kenneth A. Gruskin Gruskin Architecture + Design, P.C.	2000 Corporate Drive,
Address:	294 Morris Ave., Springfield, NJ 07081	Canonsburg, PA 15317
Phone:	O: (973) 376-4411 Mb: (908) 403-2373	(724) 416-2342
Email:	kgruskin@gruskingroup.com egodek@gruskingroup.com	kelly.stoner@crowncastle.com

PROPERTY INFORMATION

Street Address: 469 Congaree Rd., Greenville, SC

Tax Parcel #: 0543030100501 Zoning Designation: C-3

REQUEST

Applicable Code Section: 19-9.5.1(A)(1)

Description of Request: We believe that the request to remove the non-structural sign panel(s) by citing
section 19-9.5.1(A)(1) is not applicable to Verizon's legally existing non-conforming pylon sign, and request relief by
presenting our position to the Zoning Board of Appeals (see the attached statement).

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 4:00 pm within ten (10) business days of the date of the written decision or interpretation.
2. You must attach a statement addressing the reasons that you believe the administrator erred in his determination or interpretation of the City Code regarding the subject property.
3. You must attach any other information relevant to the disputed item, and if applicable, a scaled drawing of the property that reflects, at a minimum, the following:
 - Property lines, existing buildings, and other relevant site improvements;
 - The nature (and dimensions) of the disputed item;
 - Existing buildings and other relevant site improvements on adjacent properties; and
 - Topographic, natural features, etc.
4. You must attach the required application fee:
 - For appeal to the Board of Zoning Appeals: \$250.00 for persons having rights in contract in the subject land; \$50.00 for those adjacent to the subject land.
 - For appeal to the Design Review Board: \$150.00 for signs and single-family residential; \$300.00 for all other.
 - For appeal to the Planning Commission: \$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 a public hearing 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 prior to the scheduled hearing date.
 - The appellant acknowledges receiving _____ "Public Hearing" sign(s) and Posting Instructions from the Planning Office.

- _____
7. The appellant 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 appellant and property owner affirm that the tract or parcel of land subject of this application is, or is not, restricted by any recorded covenant that is contrary to, conflicts with, or prohibits, the requested activity.

If the planning office has actual notice that a restrictive covenant is contrary to, conflicts with, or prohibits the requested activity, the office must not issue the permit unless the office receives confirmation from the applicant that the restrictive covenant has been released by action of the appropriate authority, property holders, or by court order.

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

APPELLANT: _____

DATE: 8.31.21

PROPERTY OWNER: Kelly Stoner Real Estate Manager

DATE: 8/31/21

August 27, 2021

Attachment to Application for Appeal of Administrator's Decision or Interpretation
Verizon – 469 Congaree Rd., Greenville, SC

Verizon originally sought to replace/repair the damaged, non-structural faces of the existing pylon along Interstate 385, but their sign permit was denied. The Verizon pylon sign is a pre-existing, non-conforming pylon sign that legally existed prior to the new ordinance being adopted. According to Article 19-9 Nonconformities, "It is the intent of this chapter to permit these nonconforming situations to continue until they are removed. . ." The existing pylon is not being removed and we believe that changing the non-structural sign faces is covered by 19-9.1.4 "Repairs, Maintenance and Reconstruction" since replacing the damaged faces does not extend, expand, or enlarge the nonconforming use, structure, or sign. Verizon does not want to remove the damaged face until they are assured they can obtain a sign permit to replace the damaged face(s).

This face change of the pylon is typical to other locations in the city within the C-3 Regional Commercial District where pre-existing nonconforming pylons and signage are refaced with tenant changes such as at multi-tenant strip centers. Additionally, the face change repair/replacement is less than 50% of the pylons replacement value and does not alter or impact the pylons structural integrity or extend the pylons useful life.



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

Docket Number:	S 21-805
Applicant:	Brass Monkey (Matthew Gourley)
Property Owner:	D & G LLC
Property Location:	723 Congaree Road
Tax Map Number:	054301-01-01906
Acreage:	1.6
Zoning:	C-2, Local Commercial District
Proposal:	SPECIAL EXCEPTION to operate a 'Restaurant' and 'Nightclub/bar' open after midnight

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 (A), *Use Specific Standards, Commercial Uses, General*

Sec. 19-4.3.3 (C), *Use Specific Standards, Commercial Uses, Eating Establishments*

Sec. 19-4.3.3 (F) (10), *Use Specific Standards, Commercial Uses, Retail sales and service, Nightclub/Bar*

Staff Recommendation: Deny

Staff concludes that the Application does not comply with the standards for granting a Special Exception Permit **to operate a restaurant and nightclub/bar open after midnight** based on a lack of compliance with use specific standards and expected substantial adverse impacts as described in the Staff Analysis. If the Board decides to grant the Permit, Staff is prepared to provide recommendations for conditions.

Staff Analysis: The Applicant, Matthew Gourley, Manager of Brass Monkey LLC, requests a special exception for a restaurant and nightclub/bar use to operate after midnight in a C-2, Local commercial district. The subject site is located at 723 Congaree Road, 0.5 miles north of the intersection with Roper Mountain Road.

Per Sections 19-4.1 (*Table of Uses*) and 19-4.3.3(A) (*Use-specific standards for Commercial, General*), a special exception permit is required for a nightclub/bar use and any business in the C-2 district to operate after midnight. A previous Conditional Use Permit (CU 18-1017) application for a Restaurant to be open until 2am was approved for Brass Monkey LLC on December 28, 2018. The request to extend business hours past 2am necessitated an application for a Special Exception Permit.

The proposal includes continuation of existing operations of the restaurant and bar use and the current extended hours of operation of the restaurant. The business is currently required to close at 2am, and the applicant requests to remain open until 5am (in one part of the application, the request is until 4am and later in the application the request is until 5am). No expansion of the building or site is requested.

The Technical Advisory Committee (TAC) met with the applicant on October 25, 2021 and recommended denial of the special exception permit; The TAC's findings and recommendation are listed at the end of this report.

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

1. The Use Is Consistent with the Comprehensive Plan(s):

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan designates this property 'Regional Mixed-use' which is described as follows:

This land use classification is located adjacent to I-85 and I-385 and serves the greater Greenville area. It includes typical medium and large commercial developments with pockets of nearby multi-family and light-industrial uses.

Restaurant uses and some nightclub/bar uses are consistent with the commercial intent of this classification.

Staff finds that the proposed use is consistent with the GVL 2040 Comprehensive Plan.

2. The Use Will Comply with the Use Specific Standards:

Use-specific standards for commercial uses open after midnight, 'Eating establishments' and 'Bars' are listed below:

19-4.3.3(A) General.

- (1) *Design standards. Except where specifically exempted by this chapter, nonresidential uses shall comply with the standards in subsection 19-6.5.*
- (2) *Commercial uses located within the OD, C-1, C-2, C-3, C-4, S-1, RDV, and PD districts open to the public between the hours of 12 midnight and 5:00 a.m. require a special exception permit, except when a conditional use permit is required, and, at a minimum, are subject to the following standards:*
 - (a) *The standards for granting a special exception permit.*
 - (b) *On-site traffic shall be directed away from abutting residential uses or residential districts between the hours of 12:00 midnight and 5:00 a.m.*
 - (c) *Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 12:00 midnight and 7:00 a.m.*
 - (d) *Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by the proprietors.*
 - (e) *Exterior sound amplification is prohibited except in areas specifically authorized on the approved site plan and/or floor plan; all amplified sound shall be directed inward toward the facility and away from any adjoining use or public property. No exterior amplified sound shall be permitted between the hours of 10:00 p.m. and 11:00 a.m. Interior sound amplification shall be located only as reflected on an approved floor plan and shall be directed away from the principal entrance or directed toward the interior of the building.*
 - (f) *Drive-through facilities shall be closed between the hours of 12:00 midnight and 5:00 a.m.*
 - (g) *Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.*
 - (h) *The required permit, either special exception permit or conditional use permit, shall be limited to the applicant and shall not be transferrable. Copy of the special exception permit or the conditional use permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.*

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.*

19-4.3.3(F)(10) *Nightclub or bar. In addition to complying with the standards for granting a special exception, such use shall comply with the location standards established by the state and:*

- (a) *A conditional use permit shall be limited to the applicant or a legal entity authorized to be represented by the applicant, and shall not be transferrable.*
- (b) *Operation of the facility shall be limited to a "nightclub/bar," as defined by this Code, and shall substantially conform to the statements of the applicant and the content of the application. Modification of the facility's operation shall require the applicant to seek a modification of the conditional use permit. Operation of the business shall comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the department of revenue.*
- (c) *At all times during its occupancy, the applicant shall assign a manager on the premises who shall ensure compliance with the terms of the conditional use permit, this Code, and the applicable S.C. Code of Laws and Regulations.*
- (d) *The applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors approved by the city police department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of the granting of a conditional use permit and future personnel shall receive training within 30 days of hiring.*
- (e) *As may be recommended by the technical advisory committee, the administrator may require the applicant to retain outdoor security persons during operation of the establishment. The security persons must possess a security officer registration certificate pursuant to S.C. Code 1976, title 40, chapter 18, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.*
- (f) *Occupant capacity of the establishment shall be established by the city building codes administrator. The applicant shall designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons.*
- (g) *Exterior sound amplification shall be prohibited except in areas specifically authorized on the approved site plan; all amplified sound shall be directed inward toward the facility and away from any adjoining use or public property. Specified hours of exterior sound amplification shall be limited by the permit.*

- (h) *Interior sound amplification shall be located only as reflected on the approved floor plan and shall be directed away from the principal entrance or directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows shall remain closed after 10:00 p.m.*
- (i) *Rooftop decks shall have perimeter guard railing above table surfaces.*
- (j) *Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of this Code shall be posted in conspicuous locations on the building and throughout the parking lot and shall be enforced by the proprietors.*
- (k) *The application shall comply with city noise, smoking, and encroachment ordinances.*
- (l) *A copy of the conditional use permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.*
- (m) *The administrator may attach additional conditions to the conditional use permit which will protect nearby uses from any adverse impacts reasonably expected to occur as a result of the operation of the nightclub/bar.*

The applicant has provided a general response to the above criteria, within their application, and specifically addresses security and potential intoxication issues.

Disorderly conduct, as prohibited in Section 19-4.3.3(A)(2)(d) and 19-4.3.3(F)(10)(j), has been an historic issue with this business. This is evidenced by the TAC recommendation and "Call for Service" log from the City of Greenville Police Department, including over 70 calls over the past year. The Police Department has particular concern over additional calls for service that will result in the extension of business hours at Brass Monkey.

Staff finds that the use will not comply with the specific use standards of the Land Management Ordinance.

3. The Use Is Compatible with the Character of Surrounding Lands:

Adjacent property is zoned and used as follows:

East: I-385

North: Office (County jurisdiction)

West: Warehousing (County jurisdiction)

South: Shopping Center (County jurisdiction)

The subject site is currently surrounded by nonresidential uses, within the Greenville County jurisdiction. The requested use peak operation is during hours where the surrounding business are either closed or outside peak hours of operation.

If the use was to conform to prescribed use specific standards, the use would be compatible with surrounding lands. However, Staff has asserted that compliance with all requisite use specific standards has not, historically, been observed.

Staff finds that the use, as proposed, will not be compatible with surrounding lands.

4. The Design Does Not Have Substantial Adverse Impact:

The applicant has provided a general response to the required criteria within their application.

There has been no evidence, to this point, of any visual impacts of this use. However, adjacent property owners have historically complained about adverse impacts caused by parking, specifically that the parking, for The Brass Monkey, spills into neighboring parking lots. This has resulted in the use of those parking lots as restrooms and property damage caused by intoxicated patrons.

Although Staff does not expect the extended business hours, requested in this application, to increase any of these impacts. However, the effect on adjacent parking lots should be reviewed by the applicant, in more depth, to avoid these nuisances.

Staff finds that the use, as proposed and explained in the application, will create the potential to impose substantial adverse impacts on adjacent properties.

Effect of denial of this application would not affect the business's right to continue to operate under the current Conditional Use Permit and Certificate of Occupancy. Any request, in the Special Exception Permit Application, that represents a change to the current permits would effectively be disallowed.

TAC Recommendation:

FINDINGS OF THE COMMITTEE:

1. The application, including the Application for Special Exception, Zoning Compliance Application, and all other documents submitted supplemental to those applications and received as part of the Board of Zoning Appeals files for this case prior to the Technical Advisory Committee review, is hereby incorporated and made a part of the findings of this Committee.
2. The applicant indicates the intent to operate a restaurant and nightclub/bar with hours of operation Tuesday through Thursday 4 pm until 12 am; Friday 4 pm until 4 am; Saturday 11 am until 4 am; and Sunday 10:30 am until 2 am.
3. The applicant indicates that a full-service kitchen will be provided during all hours of operation.
4. The applicant indicates that security for late night operations will include two City of Greenville police officers, 7-8 security personnel, use of an ID scanner, and full pat-downs and metal detector.
5. The applicant indicates the desire for additional hours of operation are to provide food service to patrons, avoid outlet of large numbers of intoxicated patrons at one time, and to provide an alternate option to bar-hopping downtown.
6. The applicant indicates that current maximum occupant load of the building is 573 occupants.
7. The Committee finds that a large number of Police Department calls for service were generated from 723 Congaree Road over the past year (70).
8. The Committee finds that extension of hours of operation will not positively affect the number of calls for service and is expected to increase the call volume.
9. The Committee finds that increased calls are generally reflective of increased public safety issues, safety concerns for law enforcement, and overall disorderly conduct.

RECOMMENDATIONS OF THE COMMITTEE:

1. This Committee recommends that the Board of Zoning Appeals **deny** the application for a Special Exception Use Permit based on the Committee findings.

City of Greenville Police Department
Calls for Service to 723 Congaree Road

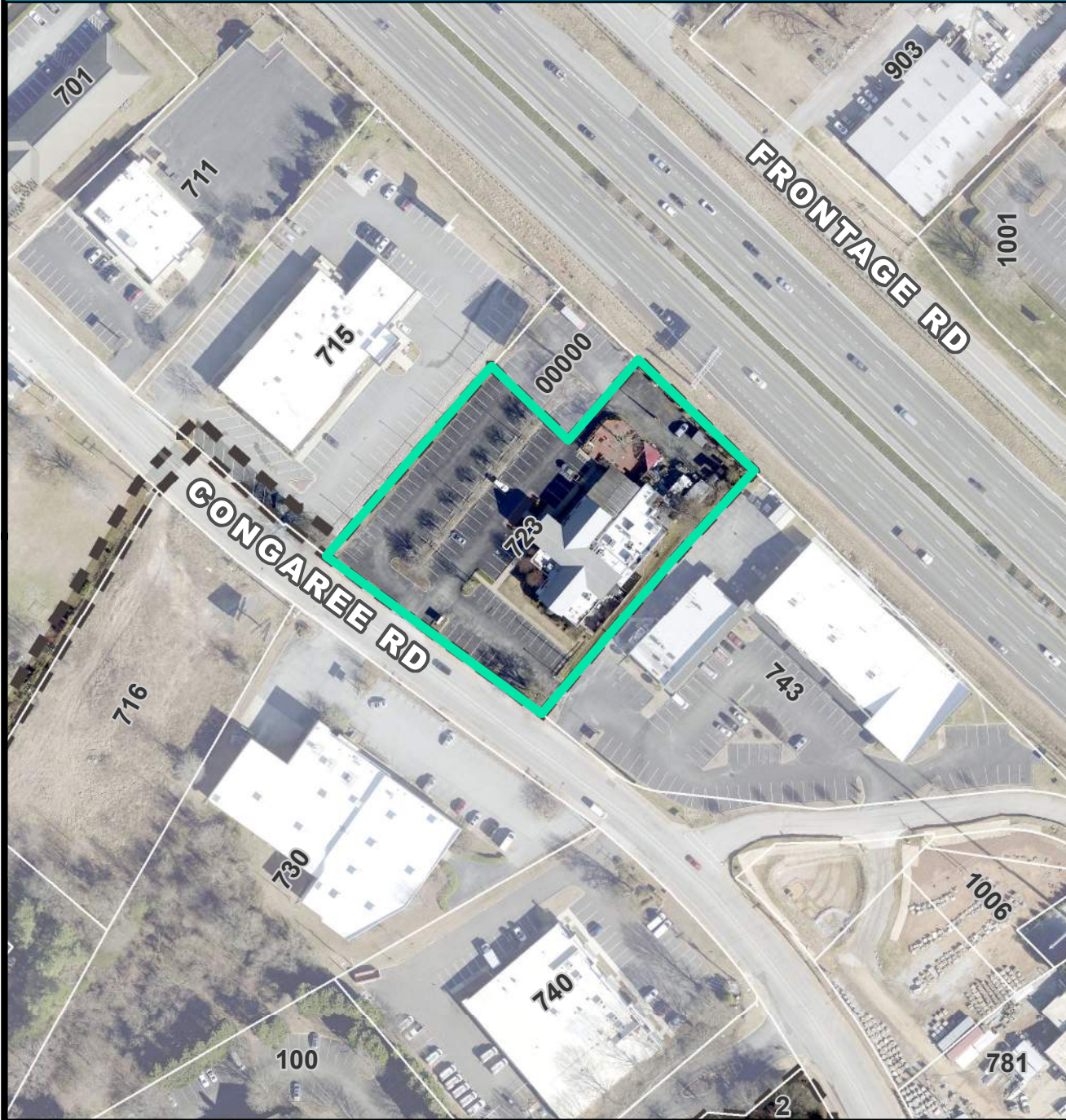
City Police	Weekly Report	From: 10/26/2020 12:00:00 AM		To: 10/26/2021 12:00:00 AM
10/31/20 0:47	CP20-067257	Assault_Assault IP	723 Congaree Rd	L04_Misc Report
10/31/20 22:49	CP20-067432	Assault_Assault IP	723 Congaree Rd	L03_Handled by LEO- No Report
11/2/20 13:58	CP20-067757	Damage Malicious	723 CONGAREE RD	L03_Handled by LEO- No Report
11/14/20 23:44	CP20-070623	Unknown_Unknown Situation	723 Congaree Rd	L03_Handled by LEO- No Report
11/15/20 1:40	CP20-070644	Phone_911 Hangup Call	723 Congaree Rd	L91_Comm Handled 911
11/15/20 4:20	CP20-070662	Autobreaking AO	723 Congaree Rd	L05_Report Completed
11/15/20 13:01	CP20-070719	Officer_Follow up	723 Congaree Rd	L03_Handled by LEO- No Report
11/24/20 21:55	CP20-072830	Phone_911 Hangup Call	723 Congaree Rd	L91_Comm Handled 911
11/29/20 1:40	CP20-073747	Accident_No Injuries	723 Congaree Rd	L06_Accident Report
12/4/20 23:21	CP20-074972	Traffic_Traffic Stop	723 Congaree Rd	L07_Ticket Issued
12/13/20 1:45	CP20-076802	Officer_Report to	723 Congaree Rd	L05_Report Completed
12/13/20 1:16	CP20-076807	Assault_Assault AO	723 Congaree Rd	L03_Handled by LEO- No Report
1/1/21 20:33	CP21-000135	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
1/10/21 0:00	CP21-001962	Accident_Private Property	723 Congaree Rd	L51_Accident-PrvtProperty
1/10/21 0:31	CP21-001968	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
1/10/21 0:38	CP21-001970	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
1/10/21 1:16	CP21-001978	Accident_Private Property	723 CONGAREE RD	L51_Accident-PrvtProperty
1/11/21 13:54	CP21-002241	Fraud_Fraud	723 Congaree Rd	L30_Report by Desk Ofc
1/19/21 20:58	CP21-004303	Disturbance_Verbal Disturb IP	723 Congaree Rd	L01_Gone on Arrival
1/30/21 23:36	CP21-006968	Accident_Private Property	723 Congaree Rd	L03_Handled by LEO- No Report
1/31/21 0:44	CP21-006983	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
2/5/21 23:02	CP21-008383	Traffic_Traffic Stop	723 Congaree Rd	L11_Ticket Warning
2/5/21 23:36	CP21-008394	Traffic_Traffic Stop	723 Congaree Rd	L05_Report Completed
2/6/21 0:29	CP21-008403	Noise_Loud Music	723 Congaree Rd	L03_Handled by LEO- No Report
2/6/21 2:08	CP21-008412	Information_Information Only	723 Congaree Rd	L05_Report Completed
2/6/21 23:33	CP21-008636	Phone_911 Hangup Call	723 Congaree Rd	L91_Comm Handled 911
2/28/21 2:47	CP21-013674	Assault_Assault IP	723 Congaree Rd	L20_Incident Report-Arrest
3/7/21 1:51	CP21-015553	Suspicious_Person Down	723 Congaree Rd	L03_Handled by LEO- No Report
3/7/21 2:08	CP21-015558	Unknown_Unknown Situation	723 Congaree Rd	L03_Handled by LEO- No Report
3/9/21 23:10	CP21-016272	Assault_Assault IP	723 Congaree Rd	L01_Gone on Arrival
3/20/21 0:49	CP21-018839	Assault_Assault IP	723 Congaree Rd	L01_Gone on Arrival
4/7/21 12:10	CP21-023325	Accident_No Injuries	723 Congaree Rd	L03_Handled by LEO- No Report
4/11/21 0:29	CP21-024325	Phone_911 Hangup Call	723 Congaree Rd	L91_Comm Handled 911
4/11/21 16:10	CP21-024460	Medical_EMS Requests Assistanc	723 Congaree Rd	L03_Handled by LEO- No Report
4/16/21 22:10	CP21-025833	Noise_Loud Music	723 Congaree Rd	L03_Handled by LEO- No Report
4/17/21 23:54	CP21-026125	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report

City of Greenville Police Department
Calls for Service to 723 Congaree Road

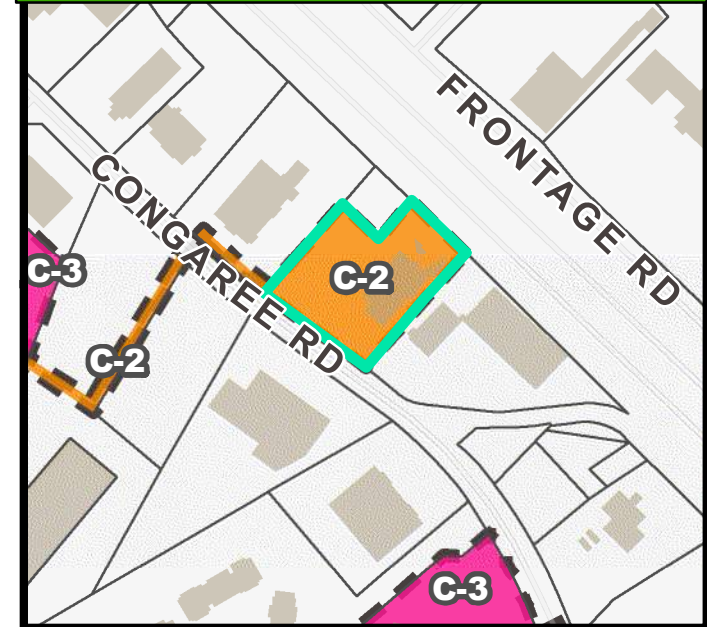
City Police	Weekly Report	From: 10/26/2020 12:00:00 AM		To: 10/26/2021 12:00:00 AM
4/18/21 1:21	CP21-026149	Disturbance_Verbal Disturb IP	723 Congaree Rd	L28_State Arrest
4/25/21 16:28	CP21-027978	Vice_Liquor Violation	723 Congaree Rd	L03_Handled by LEO- No Report
4/25/21 16:41	CP21-027979	Vehicle_Vehicle Theft AO	723 Congaree Rd	L05_Report Completed
4/25/21 19:11	CP21-028010	Information_Information Only	723 Congaree Rd	L03_Handled by LEO- No Report
4/30/21 18:36	CP21-029311	Autobreaking AO	723 Congaree Rd	L03_Handled by LEO- No Report
4/30/21 22:03	CP21-029355	Suspicious_Person Down	723 Congaree Rd	L03_Handled by LEO- No Report
5/2/21 21:26	CP21-029839	Disturbance_Verbal Disturb IP	723 Congaree Rd	L51_Accident-PrvtProperty
5/3/21 10:37	CP21-029928	Autobreaking AO	723 Congaree Rd	L30_Report by Desk Ofc
5/9/21 1:58	CP21-031519	Weapon_Discharge AO	723 Congaree Rd	L05_Report Completed
5/16/21 1:53	CP21-033170	Assault_Assault AO	723 Congaree Rd	L03_Handled by LEO- No Report
6/13/21 4:25	CP21-039857	Assault_Assault IP	723 CONGAREE RD	L05_Report Completed
6/13/21 15:04	CP21-039943	Assault_Assault AO	723 Congaree Rd	L04_Misc Report
6/13/21 21:11	CP21-039987	Officer_Follow up	723 Congaree Rd	L04_Misc Report
6/13/21 21:50	CP21-039994	Weapon_Discharge IP	723 Congaree Rd	L08_Other Agency
7/11/21 19:46	CP21-047273	Suspicious_Person	723 Congaree Rd	L22_Municipal Summons
7/11/21 20:28	CP21-047279	Suspicious_Person	723 Congaree Rd	L20_Incident Report-Arrest
7/18/21 1:16	CP21-048855	Assault_Assault AO	723 Congaree Rd	L03_Handled by LEO- No Report
7/18/21 21:23	CP21-049014	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
7/19/21 12:08	CP21-049165	Information_Information Only	723 Congaree Rd	L03_Handled by LEO- No Report
7/24/21 23:38	CP21-050557	Parking_Violation	723 Congaree Rd	L34_Ticket Parking
7/24/21 23:59	CP21-050566	Traffic_Traffic Stop	723 Congaree Rd	L11_Ticket Warning
7/25/21 1:02	CP21-050586	Warrant_Warrant Service	723 Congaree Rd	L21_Municipal Warrant Served
7/25/21 1:27	CP21-050591	Traffic_Traffic Stop	723 Congaree Rd	L11_Ticket Warning
8/6/21 22:56	CP21-053973	Phone_911 Hangup Call	723 Congaree Rd	L09_Cancelled by Complainant
8/8/21 0:01	CP21-054268	Phone_911 Hangup Call	723 Congaree Rd	L91_Comm Handled 911
8/22/21 1:46	CP21-057897	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
8/29/21 2:29	CP21-059869	Accident_No Injuries	723 Congaree Rd	L01_Gone on Arrival
9/25/21 1:24	CP21-066704	Intoxicated_Intoxicated Person	723 Congaree Rd	L03_Handled by LEO- No Report
9/26/21 21:56	CP21-067187	Larceny_Petit Larceny AO	723 Congaree Rd	L05_Report Completed
9/27/21 19:30	CP21-067436	Larceny_Petit Larceny AO	723 Congaree Rd	L05_Report Completed
10/17/21 1:11	CP21-072390	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
10/23/21 4:43	CP21-073940	Autobreaking AO	723 Congaree Rd	L05_Report Completed
10/24/21 0:21	CP21-074206	Disturbance_Verbal Disturb IP	723 Congaree Rd	L03_Handled by LEO- No Report
10/24/21 1:41	CP21-074226	Disturbance_Verbal Disturb IP	723 Congaree Rd	L20_Incident Report-Arrest

S 21-805 • 723 CONGAREE ROAD

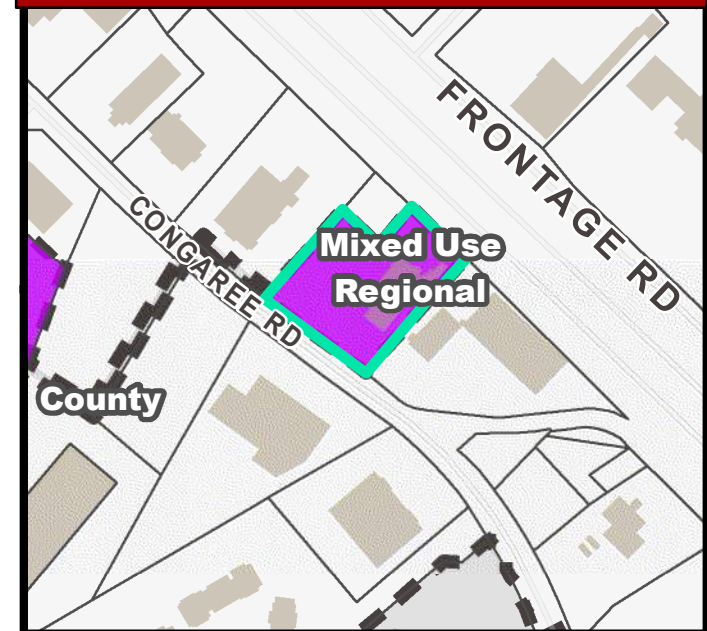
AERIAL VIEW



CURRENT ZONING

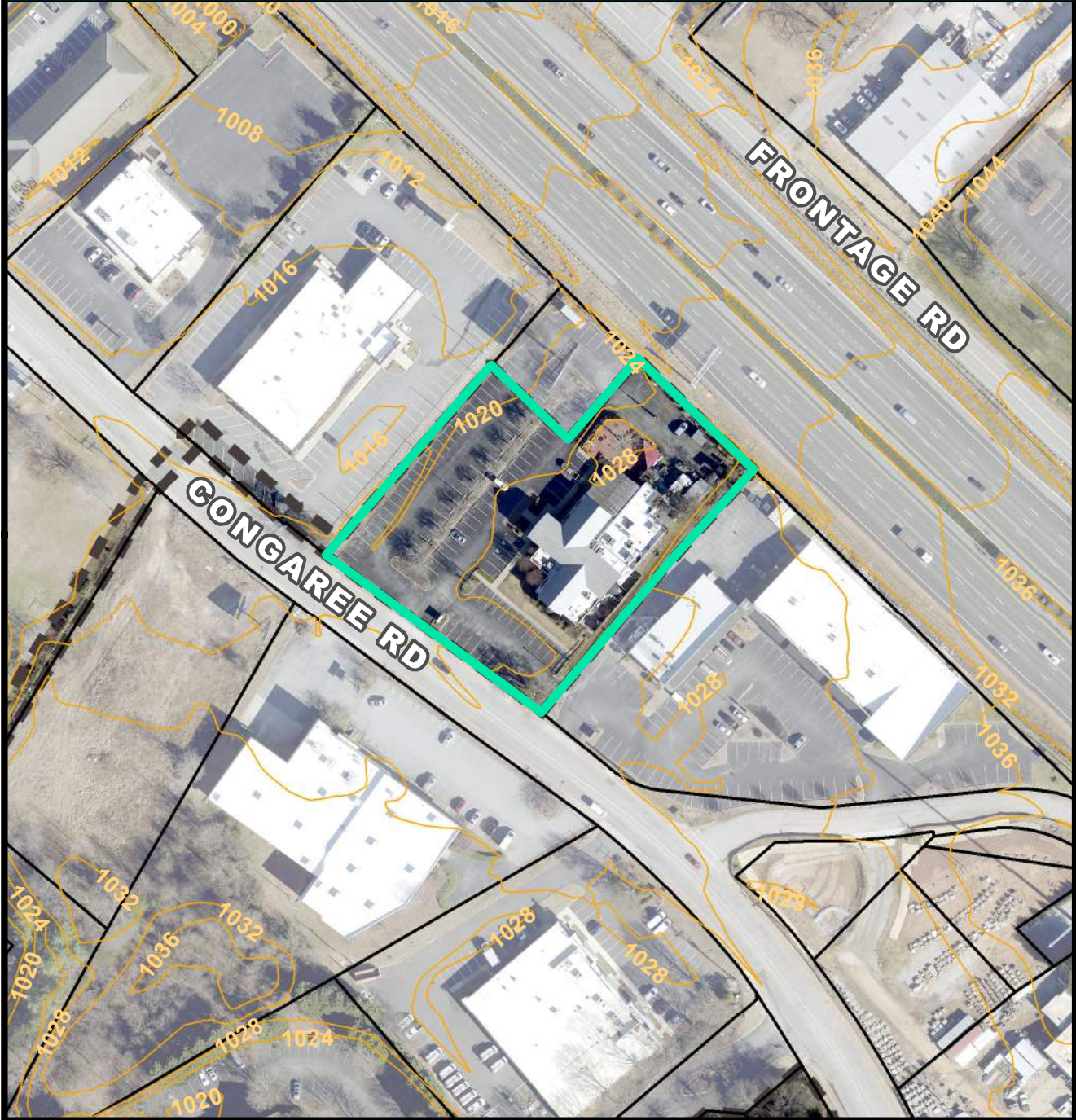


FUTURE LAND USE

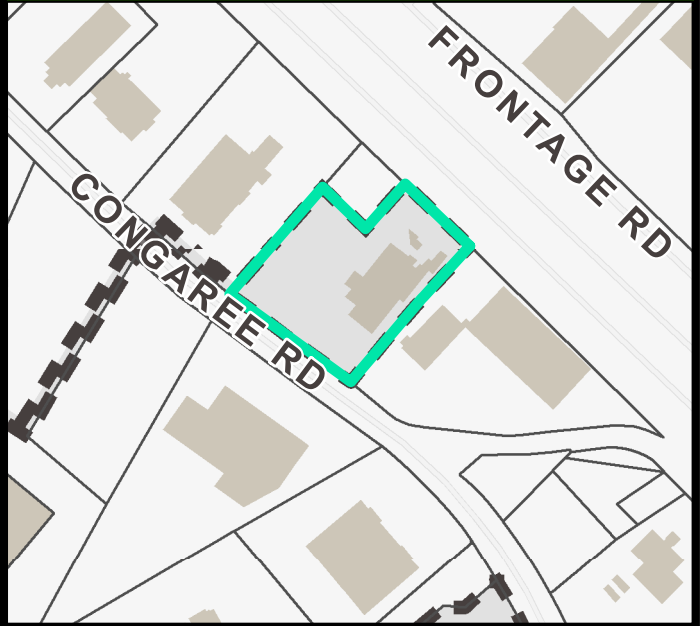


S 21-805 • 723 CONGAREE ROAD

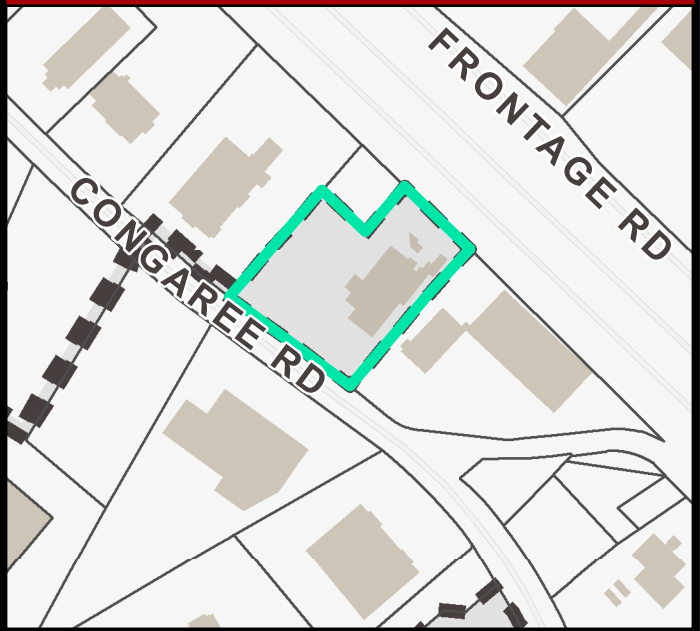
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: Brass Monkey LLC
* _____
Name Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: Matthew Gounley Manager
(Optional) _____
Name Title / Organization

MAILING ADDRESS: 723 Congaree rd Greenville SC 29607

PHONE: 484-374-9791 **EMAIL:** SpicyPigCafe@gmail.com

PROPERTY OWNER: D+G LLC

MAILING ADDRESS: PO Box 26913 Greenville SC 29616

PHONE: _____ **EMAIL:** _____

PROPERTY INFORMATION

STREET ADDRESS: 723 Congaree rd Greenville S.C 29607

TAX PARCEL #: 0543010101906 **ACREAGE:** 1.6 **ZONING DESIGNATION:** 620

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

TYPE OF USE (Restaurant, NIGHTCLUB, EVENT VENUE ETC)

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.

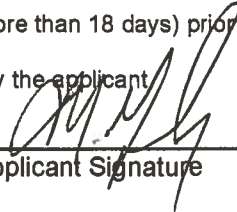
3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements 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



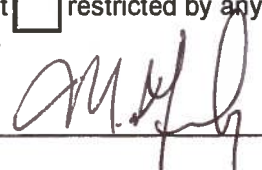
Applicant Signature

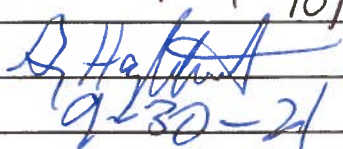
7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

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.



10/11/2021
x 

9-30-21

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.

Beside changing our closing time, Nothing else will change 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.

Extending our hours of operation to 4am should have no effect on the standards in Section 19-4-3

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.

All lands surrounding our property are in the County of Greenville. This property has been a restaurant/club for over 30 years. No other properties in the city should be adversely affected.

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.

SEE ATTACHED Sheet.

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.

N/A

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).

N/A

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

N/A

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

N/A

To Whom IT May Concern,

We would like to amend our special operating agreement with the City of Greenville. We request our closing time be changed from 2 am to 5 am. The request is based on the following:

1. Because of a shortage in kitchen staff everywhere, there is a lack of eating establishments open passed 12 am. After 2 am your choices are either Waffle house or Cook-out. Most of our food sales on Saturday are between 12am-2am, Our business is full of customers looking for food to eat. At closing time, we still have customers waiting for food and we are even turning people away.
2. We have very few fights or violence during the weekend. At 2am we still have 300-400 people inside our building. They are in various stages of intoxication, forcing those customers to leave creates a safety concern for parking lot fights, DUI's, and potential law suits against The Brass Monkey. If our request is granted, the extended hours would allow our patrons to sober up before getting in their cars and driving home.
3. Kreme, Dynasty, and lavish are just three clubs outside the city that have been closed in the last year. Causing the promoters and patrons to seek new bars for their weekend entertainment. Unfortunately for the City of Greenville they have moved into the city, causing violence and arrest to dramatically increase. The bars and clubs in the city are not prepared for these new clientele. Greenville has one of the nicest downtowns in the country, it's a shame its image is being tarnished by an unwanted demographic that is moving in.
4. The Brass Monkey is barely in the city limits. Every Property surrounding ours is in the county. there is no city residence within walking distance. If The Brass Monkey were allowed to stay open past 2am it would have no impact on any city residence or business. It is our strong belief that we would be able to prevent many of the trouble makers from entering the business district if we were allowed to stay open later. Keeping this undesirable element from going into the city or getting them to leave earlier and coming to us would benefit everyone.

In conclusion, The Brass Monkey believes if we were allowed to stay open past 2am it would be a win for both parties involved. We can sell food to late night party goers that otherwise would be driving the streets intoxicated looking for a place to eat. We could prevent many trouble makers from entering the city looking to party by offering a better alternative than bar hopping in the city looking for trouble. By staying open late many of our demographic would leave the city earlier to get into The Brass Monkey before it got too late.

We feel that we can handle this crowd better than bars in the city. We currently

1. Outsource 7 security personnel, 2 city police officers and 2 in house security. We will add more as needed.
2. Complete head-to-toe pat downs of all patrons, and if their pockets are full, we make them empty their pockets, we don't allow mace or pocket knives inside. We have a metal detection wand.
3. We have an id scanner that saves all drivers licenses of everyone inside. The id scanner allows us to identify fake id's, passed back id's, and it allows us to ban people from entering that have been kicked out in the past.

4. The Brass Monkey has 56 HD infrared cameras inside. Every square foot of our property is under surveillance. People act differently when they know their actions are being recorded and we have their driver's license on file.
5. We have a dress code. No white t-shirts, no sports jersey's and no saggy/baggy pants. These are gang and prison related attire. The white t-shirts are used as urban camouflage, making the identification of trouble makers more difficult.

A handwritten signature in black ink, appearing to read 'M. Gourley', with a stylized flourish at the end.

Sincerely, Matt Gourley

The Brass Monkey



city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Brass Monkey Bar & Grill Phone 864-203-3966
Mailing Address 723 Congaree rd. Greenville SC 29607
Email Spicypigcafe@gmail.com
Signature of Applicant [Signature] Date 10/13/21

Property Owner

Name D & G LLC Phone 864-304-6005
Mailing Address 1 P.O. Box 26913 Greenville SC 29616
Email Spicypigcafe@gmail.com
Signature of Property Owner [Signature] Date 10/13/21

Property Information

Address 723 Congaree rd Greenville SC 29607
TMS# 0943010|01906 Zoning District Designation 620

Description of Proposed Use

Provide details for each of the following, as applicable, on a separate sheet:

Operating Plan

1. Type of Use (Restaurant, Nightclub, Event Venue, Etc.)
2. Days and Hours of Operation
3. Staffing Schedule
4. Kitchen Equipment Schedule
5. Menu and Hours of Food Service
6. Parking for Customers and Employees
7. Designated Smoking Area
8. Type of Entertainment and Duration
9. Closing / "Last Call" Procedures

Security Procedures

1. Number and Type of Designated Security Staff
2. Training / Certification of Staff
3. Specific Duties / Responsibilities of Staff
4. Entry / Exit / Re-Entry Procedures
5. Crowd Management
6. Crime Prevention through Environmental Design (CPTED)

Seating Plan

1. Provide a floor plan, drawn to scale, by a registered South Carolina architect. The plan must demonstrate the proposed occupancy with calculations based on the current adopted building code.
2. Schedule a feasibility inspection of the property: 864.467.4457

Business Plan

1. Business Plan Summary: Target Audience, Theme, Objectives / Goals
2. Projected Revenue: % Alcohol Vs. Food Sales
3. Fees For Entry / Membership / Entertainment
4. Status Of City Business License Application
5. Status Of SCDHEC 'Retail Food Establishment' Permit, If Applicable
6. Status Of Abl-901 Application To SC Department Of Revenue
7. Provide Documentation That Sled Requirements Have Been Met



city of greenville

Provide a response for each of the following:

1. Describe the ways in which the proposed use is consistent with the comprehensive plan.
Beside Changing our closing time, Nothing else will
change with the comprehensive plan.
2. 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.
All land surrounding our property are in the country of
Greenville. This property has been a restaurant/club for
over 30 years no other properties in the city could be
adversely effected.
3. 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.
All the adjacent properties are closed by 6. p.m.
and don't open until the next day. Extending our hours
should not effect these business!

Meet With the Technical Advisory Committee

Applications for Zoning Compliance will be reviewed by the Technical Advisory Committee (TAC), a City Staff committee comprised of representatives from the following City Departments and appointed by the City Manager:

Building Codes and Inspections
Business Licensing
Economic Development
Public Information and Events

Police
Fire
Planning
Legal

The Technical Advisory Committee convenes once-a-month to meet with Applicants and review Conditional Use Permit applications that may be granted by the Zoning Administrator. This process promotes a more comprehensive understanding of the Applicant's proposal, which in turn conveys a more comprehensive understanding of the multiple Departments' operating requirements and expectations.

The Applicant, Business Owner, and Property Owner (if different) are required to attend a regularly scheduled TAC meeting prior to granting a Conditional Use Permit. Managers and anyone involved in operating the business are also encouraged to attend. The meeting date, time, and exact location within City Hall will be confirmed upon submittal of this application to the Planning and Development office on the 5th floor of City Hall.

BRASS MONKEY

RESTAURANT+BAR

723 Congaree Rd Greenville SC 29607
864-203-3966 - BrassMonkeyGreenville@Gmail.com

ZONING COMPLIANCE APPLICATION

Operation Plan

1. Restaurant
2. Tuesday through Thursday 4PM-12AM
3. Friday 4PM-4AM
4. Saturday 11AM-4PM, 5PM-4AM
5. Sunday 10:30AM-4PM, 5PM-2AM
6. See enclosed menu. Sunday-Thursday 4PM-12AM, Friday-Saturday 4PM-2AM
7. Onsite same property parking lot. 130 parking spaces
8. Designated smoking area located outside in front of the business
9. Occasional live acoustic music, bands and djs
10. Last call will occur 30 minutes prior to closing and open tabs will be closed. Alcohol will be cleared from all patrons 15 minutes prior to closing. Patrons will be requested to exit at closing

Security Procedures

1. During certain late night operations 2 City of Greenville police officers on duty, 7-8 security personnel, use of an id scanner and full pat downs and metal detector.
2. All staff in house trained on security procedures for every day operations of business. All serving individuals will be required to be TIPS certified.
3. All staff have a responsibility for the safety of our operation and will be trained in accordance
4. 2 individual front doors at entrance, 1 side double doors. 2 additional rear doors are exit only with push bar exit ability. One rear kitchen door for staff and deliveries.
5. Crowd management via maintained occupancy compliance.
6. Well lit building with maintains maintenance. Well lit parking lot with duke energy parking lot lighting. Updated security camera systems including outdoor cameras. Interior monitored security alarm systems with door, motion and panic protection.

Seating Plan

1. See enclosed seating chart.

Business Plan

1. Business plan summary see enclosed
2. No membership fees. Entertainment fees may be charged during live bands and DJ nights
3. City business license is current
4. SCDHEC permit current
5. ABL 901 is approved-our license number is L00740930
6. See attached documentation.

BRASS MONKEY

RESTAURANT+BAR

723 Congaree Rd Greenville SC 29607
864-203-3966 - BrassMonkeyGreenville@Gmail.com

Business Plan Summary:

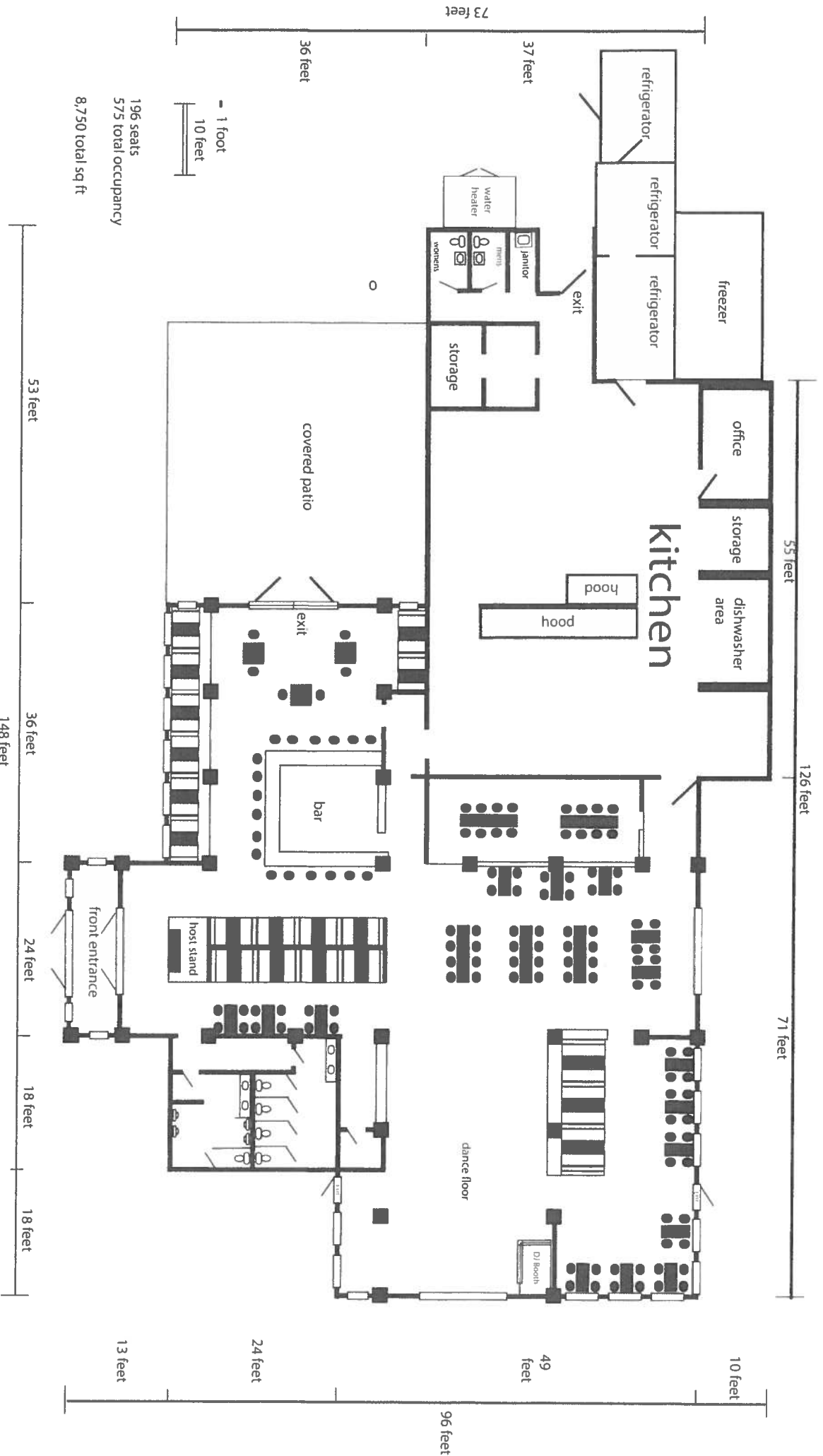
Plans are to operate a Six day a week business catering to the masses by providing a quality food and unique entertainment. Theme is a casual restaurant serving wings, burgers. Sandwiches, and some Thai food.

- Target audience is everyone
- Open for happy hour at 4pm Tuesday thru Sunday
- Small following of sports fans by having TVs around our main bar and outside tiki bar
- Daily happy hour, food and drink specials.
- Live music on selected nights
- Djs with dancing on selected nights
- Our current calander has a Shag night, Reggae/island night, R&B night, Hip-hop night and a Latin night

We have been successful in the past by catering to niche markets and providing a venue for like -minded individuals to mingle and have fun.

Brass Monkey Bar & Grill

723 Congaree rd Greenville SC 20607





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

Docket Number:	S 21-892
Applicant:	Hertz Rental Car (Carissa Sturghill)
Property Owner:	Wong Properties Limited Partnership
Property Location:	408 N. Pleasantburg Dr
Tax Map Number:	028200-02-01202
Acreage:	4.29
Zoning:	C-3, Regional Commercial District
Proposal:	Special Exception to establish an 'Automobile rental' use

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, *Use Specific Standards, Vehicle Sales and Service*

Staff Recommendation: Approve with conditions

Staff concludes that the application complies with the standards to grant a Special Exception Permit for an **'automobile rental'** use. If the Board decides to grant the Permit, Staff recommends the following conditions:

1. The Special Exception Permit shall be limited to the applicant, Hertz Rental Car (Carissa Sturghill), and shall not be transferrable; and
2. The use of the property shall substantially conform to the testimony of the applicant and content of the application and submitted documents.

Staff Analysis:

The Applicant, Carissa Sturghill, Hertz Rental Car, proposes to establish an automobile rental use in a C-3, Regional Commercial District. The subject site is located at 408 N. Pleasantburg Drive within an existing shopping center 0.25 miles south of the I-385 and adjacent to the Greenville Convention Center. The tenant space, proposed for the rental office, was previously occupied by 1st Franklin Financial, a mortgage loan company.

Per Sections 19-4.1 (*Table of Uses*), a special exception permit is required for automobile rental uses in the C-3 district.

The requested automobile rental use will occupy Unit F, a 1,404 square foot tenant space within the existing commercial center. In addition to use of the tenant space for the rental office, the applicant will use 8 parking spaces adjacent to N. Pleasantburg Drive for storage of rental-ready vehicles, 12 spaces at the rear of the building for general vehicle storage, and two other spaces at the rear of the tenant space

for vehicle cleanup spaces. The applicant states that no automobile servicing nor repair will take place on site. The commercial center currently has an excess of parking spaces for the building square footage, therefore use of these spaces will not impact availability of parking for other tenant spaces.

A Special Exception Permit shall be approved only upon finding that the applicant demonstrates all 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 as 'Urban Node Mixed Use' which is intended to allow a diverse mix of uses within 4 to 6 story buildings with an emphasis on quality urban design.

Although this Future Land Use designation does not speak directly to the proposed use, a rental car company is located on an adjacent property that is zoned C-3 and designated for 'Urban Node Mixed Use'. Developed properly, certain vehicle sales and service uses would be appropriate within this future land use classification. Staff believes that the proposed use is consistent with existing automobile rental use and commercial use patterns along this segment of N. Pleasantburg Dr.

Staff finds that the proposed use is consistent with the Comprehensive Plan.

2. Complies with use specific standards

The Land Management Ordinance contains use-specific standards for vehicle sales and service uses in Section 19-4.3.3(G):

(G) Vehicle sales and services. *All such uses shall comply with the following standards:*

- (1) *Vehicles, parts, or equipment shall not be stored, parked or displayed in any landscape area, the right-of-way, or in a location which obstructs visibility in sight triangles for streets and driveways.*
- (2) *All automobiles not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in subsection 19-6.2.5, additional screening requirements.*
- (3) *Automobile sales and rental. Automobile sales and rental uses shall be subject to the following standards:*

(a) Site configuration.

1. *Minimum site size. Automobile sales or rental uses shall be located on a site at least two acres in area. Contiguous or adjacent parcels, including rights-of-way, under the same ownership and used for automobile sales or rental, shall be counted as one parcel to meet the minimum lot size.*
2. *Multi-building developments. Developments of three or more buildings shall cluster the buildings close to one another in a campus-style configuration.*

(b) Vehicle display/storage areas. *Vehicle display/storage areas shall be subject to the following standards:*

1. *A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.*
2. *Vehicle display devices shall not be elevated more than two feet above grade.*

3. *Areas used for display or storage of vehicles shall be paved. Use of permeable pavers or porous pavement is strongly encouraged.*
 4. *Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.*
 5. *No vehicles shall be displayed on top of a building.*
 6. *Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.*
- (c) *Service areas. Automobile service areas shall take place entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.*
- (d) *Site features.*
1. *Public address system. Automobile sales and rental uses shall not include a public address system that is audible off-site.*
 2. *Refuse and recycling containers. Refuse and recycling containers shall be located so as to minimize their visibility from adjacent public streets and be fully screened by a wall that is constructed of the same material as the principal structure. The wall shall be of the minimum height necessary to fully screen the refuse and recycling containers from off-site view. Refuse and recycling container enclosures shall incorporate opaque entry gates.*
 3. *Exterior lighting. In addition to lighting standards in section 19-6.4, automobile sales and rental uses that are adjacent to existing single-family homes shall extinguish all exterior lighting located within 100 feet of the single-family parcel, except lighting necessary for security or emergency purposes, by 10:00 p.m. or within one hour of closing, whichever occurs first. For the purposes of this subsection, the term "lighting necessary for security or emergency purposes" shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas. Such lighting may be activated by motion sensor devices.*
 4. *Screening wall. Lot lines abutting residentially zoned land shall incorporate a solid masonry wall with a minimum height of six feet. Canopy trees meeting the requirements of table 19-6.2-1 shall be planted along the wall with a maximum on-center spacing of 15 feet. Trees may be placed on either side of the wall. When trees are placed between the wall and lot line, a minimum planting strip of five feet in width shall be maintained between the wall and the lot line.*
 5. *Outdoor storage prohibited. Outdoor storage of materials, supplies, and equipment shall be prohibited.*
- (4) *The special exception permit shall be limited to the applicant and shall not be transferrable.*

Within the Application, the Applicant has responded to these use-specific standards to demonstrate compliance. Designation of striped spaces for reserved vehicles is the only articulated site improvement identified by the applicant. Therefore, the property appears to generally satisfy all use-specific standards. The Applicant will re-use existing refuse containers for the commercial center. Addition or changes to a public address system, exterior lighting, or outdoor storage of materials/supplies is not indicated in the application and will be checked for compliance during any future permit requests for this business. No screening is required. The special exception permit shall be limited to the applicant and shall not be transferrable.

Staff finds that the proposed use generally complies with specific use standards of the Land Management Ordinance, Sec. 19-4.3.3(G).

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

East (across Laurens Rd): (C-3), regional commercial

North: Automobile Sales (C-3) regional commercial

West: Multi-Family Residential (C-3) regional commercial

South: Hotel and Automobile Sales (C-3) regional commercial

The proposed use is located across from an existing car rental shop and an automobile service shop. The subject property is surrounded by commercially zoned properties and is not adjacent to any residential districts or uses.

Staff finds that the proposed use is compatible with surrounding lands.

4. Design does not have substantial adverse impacts

The proposed use will be required to meet all applicable use-specific standards which are intended to minimize impacts on the surrounding areas. Any further site improvement will be subject to general development and design standards contained within the Land Management Ordinance, Sec. 19-6.5.

Staff finds that the proposed use will not have substantial adverse impacts because it addresses all use-specific standards articulated in Section 19-4.3.3(G).



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

**APPLICATION FOR SPECIAL EXCEPTION
CITY OF GREENVILLE, SOUTH CAROLINA**

APPLICANT / PERMITTEE: CARISSA STURGHILL STAFF ACCOUNTANT
Name Title / Organization
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: Guy Harris - Spencer Hines Properties
(Optional) Name Title / Organization

MAILING ADDRESS: 2429 SOUTH HWY 14 GREER SC 29650
PHONE: 864-879-0854 EMAIL: CARISSAS@THRIFTYSC.COM

PROPERTY OWNER: WONG PROPERTIES LIMITED PARTNERSHIP, LLC
MAILING ADDRESS: 28 GLOBAL DRIVE, SUITE 100 GREENVILLE SC 29607
PHONE: 864-346-8139 EMAIL: MWCAUTHEN@PACGC.COM

PROPERTY INFORMATION

STREET ADDRESS: 408 N. PLEASANTBURG DRIVE GREENVILLE SC 29607
TAX PARCEL #: 0282000201202 ACREAGE: 4.29 ZONING DESIGNATION: C-3

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Hertz Car rental office. Rental of passenger vehicles.

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.

11/1/2021

Mulline W. C. Smith

11/1/21

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?

Applicant Response to Section 19-2.3.5(D)(1), Standards – Special Exception:

Purpose of request for Special Exception – To operate a Hertz Car Rental office at the purposed location.
Operating hours:

Monday – Friday	8:00 am – 6:00 pm
Saturday	9:00 am – 1:00 pm
Sunday	Closed

The location will be staffed by 3-4 employees on a normal operating shift.

1. The opening of this location with a Special Exception would be compatible within the overall City Comprehensive plan for the Immediate area.
2. The operations will comply with Section 19-4.3, Use Specific Standards:
 - (a) Vehicles will not be parked in landscaped areas, right of ways or setbacks. Vehicles will be parked in striped spaces with the parking lot area and will not obstruct visibility.
 - (b) Only 8-10 vehicles will be located in the front parking lot in striped "ready stalls". All other vehicles will be located in the rear of the building.
 - (c) The site is 4.29 acres which exceeds the minimum 2.0-acre requirement.
 - (d) No vehicles will be service or repaired on site. Vehicles will be vacuumed and cleaned in the rear of the building with no site visibility from the road.
 - (e) There will be no outdoor storage of materials or supplies.
 - (f) There will not be a public address system used with this operation.
 - (g) Applicant will use the current trash containers for the center. No new trash containers will be installed.
 - (h) No new exterior lighting will be installed. Applicant will maintain the current exterior lighting on site. There are no residential single family homes within 100 feet of the property.
 - (i) Property does not abutt a residential parcel.
 - (j) Signage will be on the existing monument sign and a non-illuminated sign on the building above the leased space that will meet the Greenville City sign ordinance.
3. The locating of the Hertz office at this location will be compatible with other surrounding uses which are commercial and service oriented in nature. The use is not loud or intrusive in nature and it does not create trash or debris that would be offensive to neighboring properties. There is currently a neighboring car rental operation (see attached).
4. This use has favorable hours of operation that will not be intrusive to neighbors. It is an office operation in nature that does not create noise, vibration, odor or glare.

Applicant responses to Section 19-2.3.5(D)(2) Standards -Change in non-conforming use:

1. The current uses in the area are similar in nature to the purposed use. They are commercial and service oriented businesses. This use would not change the current make up of neighboring businesses.

2. The proposed use is reticent in nature. It does not create any adverse conditions that would negatively or permanently injure any of the neighboring properties.
3. The current infrastructure at the proposed location is adequate for the business operations. No additional infrastructure will be needed.
4. The use is permissible in other zoning districts.

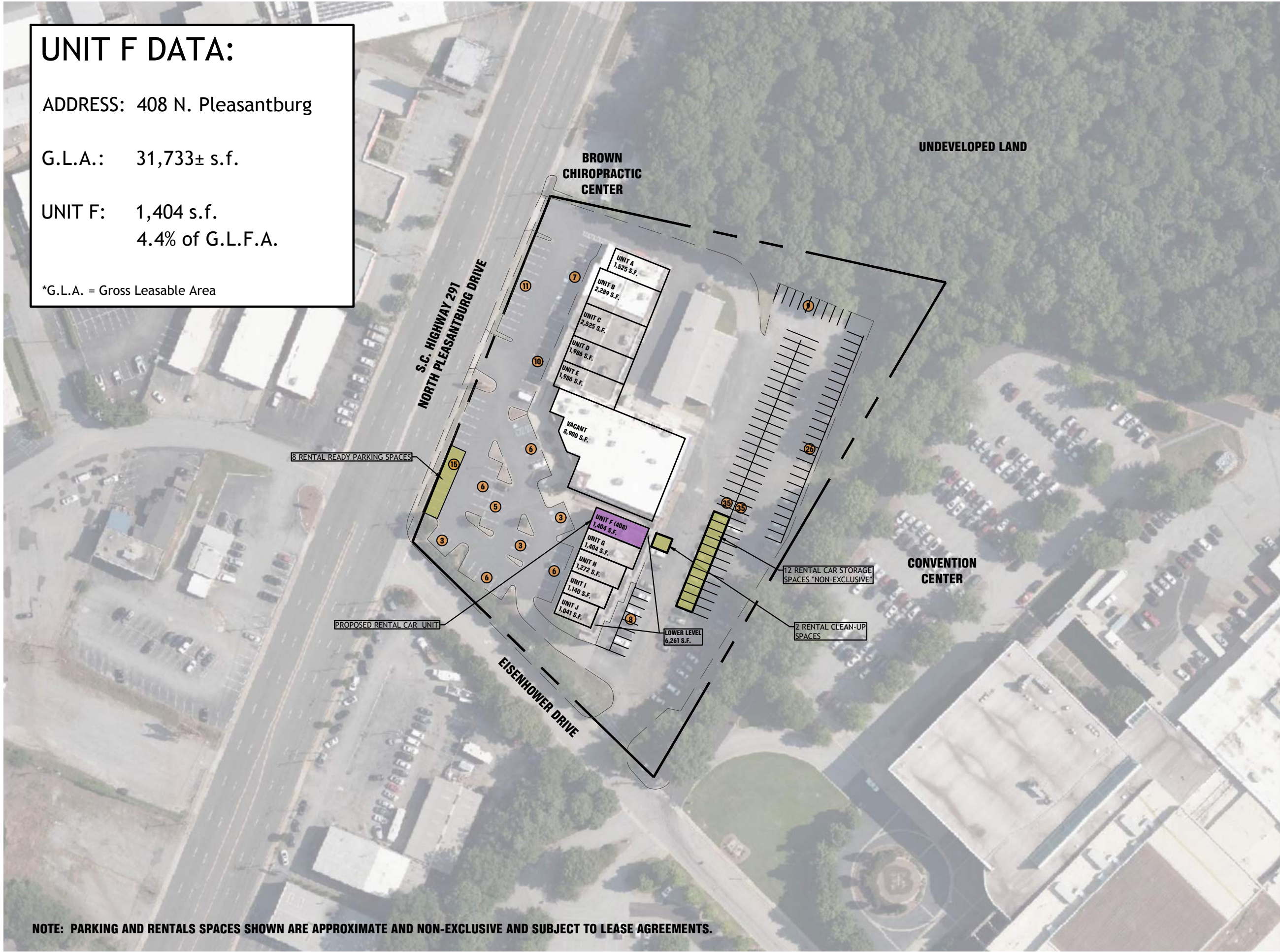
UNIT F DATA:

ADDRESS: 408 N. Pleasantburg

G.L.A.: 31,733± s.f.

UNIT F: 1,404 s.f.
4.4% of G.L.F.A.

*G.L.A. = Gross Leasable Area

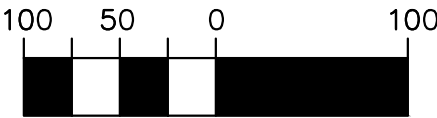
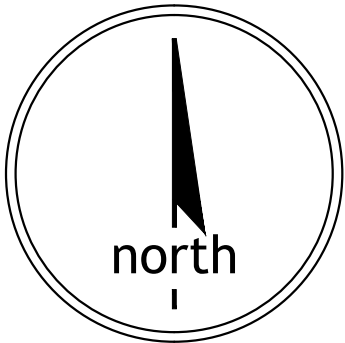


NOTE: PARKING AND RENTALS SPACES SHOWN ARE APPROXIMATE AND NON-EXCLUSIVE AND SUBJECT TO LEASE AGREEMENTS.

site data

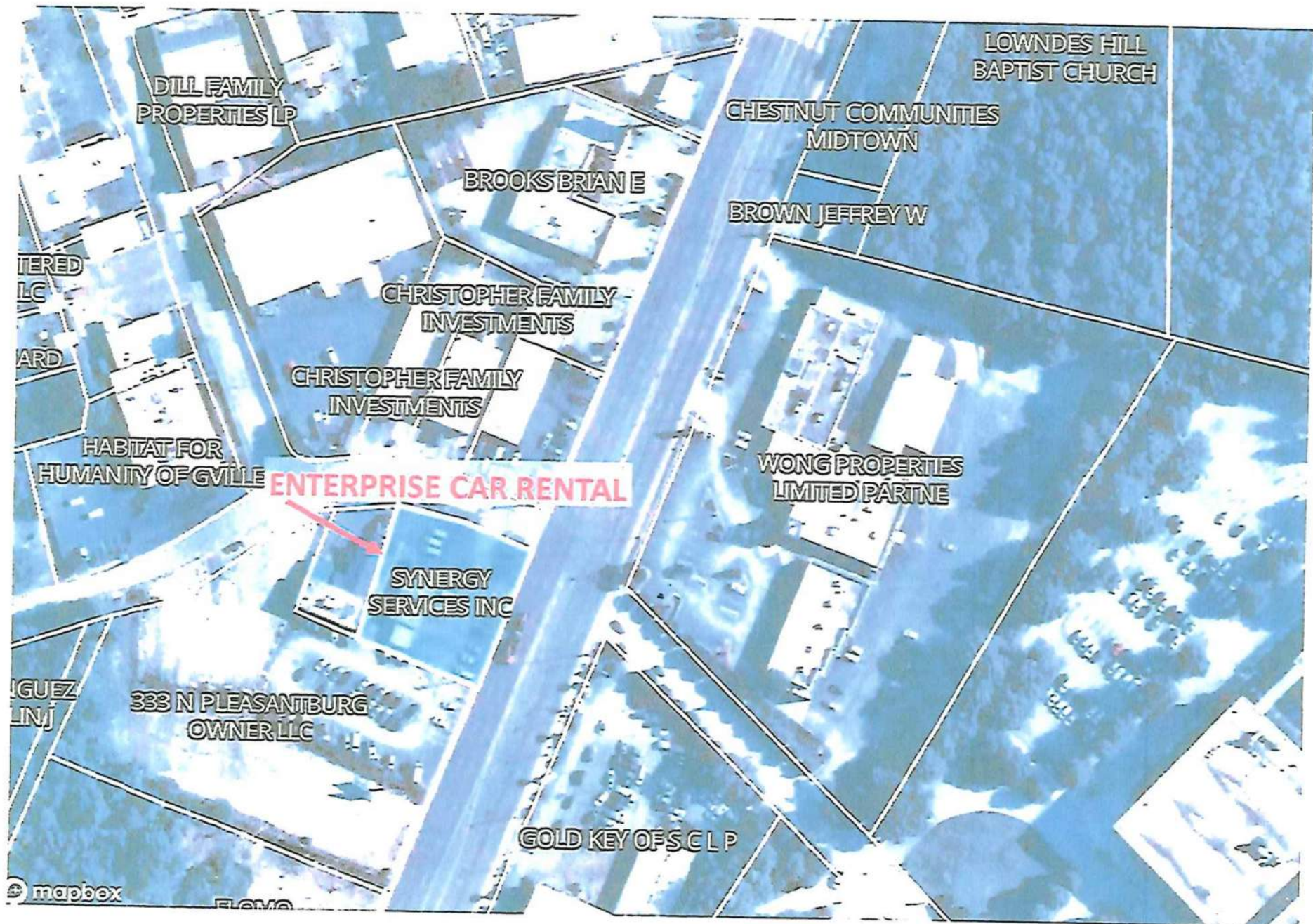
jurisdiction: Greenville, SC
tax map no.: 0282000201202
zoning: C-3
parcel area: 4.291± acres

building area: 31,733± s.f.
parking: 194 spaces



scale: 1" = 100'
HERTZ
408 N. Pleasantburg
Greenville, SC
SITE PLAN

SP - 1





AGENDA

BOARD OF ZONING APPEALS REGULAR MEETING

Thursday, December 9, 2021 - 4:00 p.m.

Meeting Location:
Greenville Convention Center
1 Exposition Drive, Room 102

Citizens may access the meeting at the following web address:

<https://www.greenvillesc.gov/meeting>

-
1. Call to Order
 2. Welcome and Opening Remarks from the Chair
 3. Roll Call
 4. Approval of Minutes
 - A. November 9, 2021 – Workshop
 - B. November 11, 2021 – Regular Meeting
 5. Call for Public Notice Affidavit from Applicants
 6. Acceptance of Agenda
 7. Conflict of Interest Statement
 8. OLD BUSINESS
 - A. S 21-781
Application by Group Therapy Pub & Playground (Matthew Hubbard) for a **SPECIAL EXCEPTION** to establish a “Bar” and “Indoor entertainment facility” use open after 12:00 midnight in a C-4, Central business district at **320 Falls Street, STE G** (TM# 006100-03-04114 & 006100-03-04115)
 - B. S 21-782 *Deferred until January*
Application by Gringos Cantina LLC (Robert Starcher) for a **SPECIAL EXCEPTION** to establish a “Restaurant” and “Bar” use open after 12:00 midnight” in a C-4, Central business district at **11 Falls Park Drive** (TM# 007000-01-02400)
 - C. S 21-795 *Deferred unit January*
Application by ABW Greenville, LLC d/b/a New Realm Brewing Company (Brian McAlpine) for a **SPECIAL EXCEPTION** to establish an “Indoor entertainment facility” and “Outdoor entertainment” use in a C-4, Central business district at **912 S Main Street** (TM# 007200-02-01600, 007200-02-01700, 007200-02-01900 & 007200-02-02000)
 9. NEW BUSINESS
 - A. A 21-696
Application by Verizon/Cellco Partnership SC Gen Part (Jarod Yerg) for an **APPEAL** of the administrator’s decision requiring removal of a non-conforming sign at **469 Congaree Road** (TM# 054303-01-00501)

B. S 21-805

Application by Brass Monkey LLC (Matthew Gourley) for a **SPECIAL EXCEPTION** to operate a "Restaurant" use open after 12:00 midnight in a C-2, Local commercial district at **723 Congaree Road** (TM# 054301-01-01906)

C. S 21-892

Application by Hertz Rental Car (Carissa Sturghill) for a **SPECIAL EXCEPTION** to establish an "Automobile rental" use in a C-3, Regional commercial district located at **408 N Pleasantburg Drive** (TM# 028200-02-01202)

10. Other Business

A. Staff update on current planning projects

11. Adjournment