

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

April 13, 2023

3:00 PM

The City of Greenville Board of Zoning Appeals will hold an in-person Public Hearing for the following items on **Thursday, April 13, 2023 at 3:00 PM** at the Greenville City Hall, Council Chambers, 10th Floor at 206 South Main Street. 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. March 7, 2023 – Workshop
 - B. March 9, 2023 – Regular Meeting
- 5. Call for Public Notice Affidavit from Applicants**
- 6. Acceptance of Agenda**
- 7. Conflict of Interest Statement**
- 8. OLD BUSINESS**
- 9. NEW BUSINESS**
 - A. S 23-054**

Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Laurens Road AA, LLC dba Fred Anderson Acura for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional Commercial district at **2450 LAURENS RD** (TM# 026300-01-01001, 026300-01-01100, 026300-01-01106)

Documents:

[23-0054 S 23-054 AGENDA POSTING.PDF](#)

B. S 23-055

Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Woodruff Road, LLC dba Fred Anderson Honda for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a S-1, Service district at **330 WOODRUFF RD** (TM# 0262000100103)

Documents:

[23-0055 S 23-055 AGENDA PACKET.PDF](#)

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C. S 23-056

Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Laurens Road ZZ, LLC dba Fred Anderson Mazda for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional Commercial district at **2512 LAURENS RD** (TM# 026300-01-01800)

Documents:

[23-0056 S 23-056 AGENDA PACKET.PDF](#)

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D. S 23-057

Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Laurens Road II, LLC dba Fred Anderson Infiniti for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional Commercial district at **2600 LAURENS RD** (TM# 028200-01-00412)

Documents:

[23-0057 S 23-057 AGENDA PACKET.PDF](#)

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E. S 23-116

Application by Jack Brown's GVL, LLC (Jason Owenby) dba Jack Brown's Beer & Burger Joint for a **SPECIAL EXCEPTION** to establish a 'Restaurant, indoor seating only' use operating after midnight in a C-4, Central business district at **19 AUGUSTA ST** (TM# 008900-01-01800)

Documents:

[23-0116 S 23-116 AGENDA PACKET.PDF](#)

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F. S 23-158

Application by Danielle Britt dba Ajay's Social & Cocktail Lounge for a **SPECIAL EXCEPTION** to establish a 'Restaurant, with indoor and outdoor seating' and 'Bar' use operating after midnight in a C-4, Central business district at **600 S MAIN ST SUITE 101** (TM# 007000-03-02800)

Documents:

[23-0158 S 23-158 AGENDA PACKET.PDF](#)

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G. S 23-166

Application by Justin Hughes dba Blind Tiger Tattoo Co. for a **SPECIAL EXCEPTION** to establish a 'Tattoo establishment' use in an RDV, Redevelopment district at **1278 PENDLETON ST** (TM# 012100-08-01300)

Documents:

[23-0166 S 23-166 AGENDA POSTING.PDF](#)

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H. S 23-168

Application by Arbor Land Design (Austin Allen) on behalf of White Investments of Greenville County, LLC for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional commercial district at **107 DUVALL DR** (TM# 027200-01-01401)

Documents:

[23-0168 S 23-168 AGENDA PACKET.PDF](#)

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10. OTHER BUSINESS

- A. Staff update on current planning projects
- B. Revision to 2023 Board of Zoning Appeals calendar

11. Adjournment

Documents:

[BZA 2023 -BOARD OF ZONING APPEALS CALENDAR_REVISED \(2023.04.13\).PDF](#)
[04-13-2023 - BZA REGULAR MEETING AGENDA.PDF](#)



**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023
for the April 13, 2023 Public Hearing**

Docket Number:	S 23-054
Applicant:	Anderson Laurens Road AA, LLC
Property Owner:	Anderson Laurens Road AA, LLC
Property Location:	2450 Laurens Road
Tax Map Number(s):	026300-01-01106, 026300-01-01100, 026300-01-01001
Acreage:	7.532
Zoning:	C-3, Regional Commercial District SSO, Special Sign Overlay District
Proposal:	SPECIAL EXCEPTION PERMIT to allow an 'Automobile sales' 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, Commercial Uses*

Staff Recommendation:

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

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The Special Exception Permit shall be limited to the applicant, Anderson Laurens Road AA, LLC, and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.

Staff Analysis:

The Applicant, Anderson Laurens Road AA, LLC, proposes to continue an automobile sales use under new ownership in a C-3, Regional commercial district. The subject site is located at 2450 Laurens Road, on the portion of the property previously occupied by the Bradshaw Acura dealership.

Per Sections 19-4.1 (*Table of Uses*), a Special Exception Permit is required for automobile sales use in a C-3, Regional commercial district.

The Applicant indicates the intent to use the existing building vacated by Bradshaw Acura which includes sales and service areas adjacent to the front and right side of the building. No additional buildings,

construction, or improvements are requested as part of this application. Accessory uses related to automobile servicing and automobile repair will also continue.

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 "Corridor Mixed-Use", which is intended to accommodate a blend of vertical and horizontal mix of land-uses, which include commercial, retail, and residential. In addition, this Board has historically approved automobile sales uses in this area and found the use to be consistent with existing land use patterns along this sector of Laurens Road. Therefore, staff believes the proposed use is consistent with the comprehensive plan.

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

2. Complies with use specific standards

(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.*

The subject property was previously in use as an automobile dealership and exceeds the minimum two-acre requirement.

The existing buildings are clustered closely together, and the accessory automobile service and repair uses are located interior to the site with minimum visibility from Laurens Road.

A street buffer yard between the dealership and Laurens Road is existing. Vehicles do not appear to be placed on the property.

Information on service and repair operations was not included in the application, but all work will be required to take place within an enclosed building.

No information related to a public address system were included in the application. A public address system would be required to comply with the use specific standards.

No information related to refuse and recycling containers were included in the application. Compliance with the use specific standards and screening standards will be required.

No new exterior site lighting or alterations were noted. Existing site lighting is in place on the property. Any planned changes to the light poles or fixtures will require code complaint light fixtures and illumination levels.

A wooden privacy fence appears to exist along properties used and zoned residential. Landscaping is also planted along portions of the property line to help create a buffer. No improvements are proposed as part of this application.

No outdoor storage is existing or proposed. Outdoor storage would not be permitted for the new use.

Staff finds that the proposed use generally complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** Commercial across access right-of-way (S-1, service district)
- North:** Commercial (C-3, regional commercial district)
- West:** Single-Family Residential (R-6, single family residential district)
- South:** Single-Family Residential and Commercial (C-3, regional commercial district)

The subject property is located on Laurens Road, along the stretch commonly known as the motor mile, where a number of existing automobile dealerships exist. Adjacent properties contain single family detached and attached residential as well as non-residential uses.

Landscape buffers and screens are already present to mitigate any negative impacts of the use on properties to the rear and these features should be maintained.

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

4. Design does not have substantial adverse impact

The proposed use is required to meet all applicable use-specific standards which are intended to minimize adverse impacts on the surrounding areas. No adverse visual or glare impacts are anticipated. Existing screening and fencing continue to minimize visibility into the site from the residential dwellings. Parking and service areas for the property are existing and will remain unchanged. No adverse impacts are anticipated regarding delivery, parking, loading, and odors. No changes to delivery patterns and waste collection were noted. The use is not anticipated to create a nuisance.

Staff finds that the proposed use will not have substantial adverse impacts.

Staff Comments and Conditions

City Engineer Comments

Comments:

None

Civil Engineer Comments

Comments:

None

Environmental Engineer Comments

Comments:

None

Traffic Engineer Comments

Comments:

None



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE: Anderson Laurens Road AA, LLC

* _____
Name Title / Organization
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: William B. Swent Fox Rothschild, LLP
(Optional) Name Title / Organization

MAILING ADDRESS: 2 West Washington Street, Suite 1100, Greenville, SC 29601

PHONE: 864 751-7605 EMAIL: wswent@foxrothschild.com

PROPERTY OWNER: Anderson Laurens Road AA, LLC

MAILING ADDRESS: 9101 Glenwood Avenue Raleigh, NC 27617

PHONE: 919-889-3105 EMAIL: bhopkins@anderson-auto.net

PROPERTY INFORMATION

STREET ADDRESS: SEE ATTACHED "SCHEDULE OF PROPERTY INFORMATION"

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

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Automobile Sales and Servicing (new and used)*

*This is an existing land use.

INSTRUCTIONS

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

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

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

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

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

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

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

Applicant Signature

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

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

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

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



APPLICANT / REPRESENTATIVE SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

1 / 24 / 23

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

(YOU MAY ATTACH A SEPARATE SHEET)

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

The property will continue to be used as it currently is and is situated in the well-established motor mile corridor of Greenville.

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

Code of ordinances in section 19-4.3 includes auto sales and service. The existing land and buildings are in compliance with these standards. The Applicant maintains that the existing use exists as a vested right.

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

This property is located in the established motor mile area of Greenville consisting of numerous dealerships.

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.

No adverse effects will be incurred as this property has already been approved for the special exception granted to current owners.

RE: ACURA DEALERSHIP PROPERTY

SCHEDULE OF PROPERTY INFORMATION

Application for Special Permit

Acura Dealership Property

Fee Title Grantee: Anderson Laurens Road AA, LLC, a South Carolina limited liability company

Property: TMS #0263.00-01-011.00
2450 Laurens Road, Greenville, SC 29607
1.287 Acres

TMS #0263.00-01-011.06
2448 Laurens Road, Greenville, SC, 29607
5.665 Acres

TMS #0263.00-01-010.01
21 Kellett Drive, Greenville, SC 29607
.580 Acres

Zoning Classification: C-3

Ross Zelenske

To: Leigh Paoletti; Jordan P. Harris; Shannon Lavrin; Karen Osborne
Subject: RE: Anderson Auto SPEX



Ross Zelenske

Senior Development Planner | Planning & Development Services

zelenske@greenvillesc.gov | www.greenvillesc.gov

Phone: 864-467-4251

[Review the proposed Development Code and Zoning Map](#)

From: Leigh Paoletti <lpaoletti@greenvillesc.gov>
Sent: Thursday, January 26, 2023 5:15 PM
To: Ross Zelenske <zelenske@greenvillesc.gov>; Jordan P. Harris <jpharris@greenvillesc.gov>; Shannon Lavrin <slavrin@greenvillesc.gov>; Karen Osborne <kosborne@greenvillesc.gov>
Subject: Fwd: Anderson Auto SPEX

See email confirmation of consent for Mr. Swent to apply for the SPEXs from Wes Bradshaw below.

Leigh Booth Paoletti
City Attorney, City of Greenville
(864) 467-5758 | (864) 275-1994

From: Wes Bradshaw <wesbradshaw@bradshawauto.com>
Sent: Thursday, January 26, 2023 5:13 PM
To: Swent, William B. <WSwent@foxrothschild.com>; Leigh Paoletti <lpaoletti@greenvillesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>
Subject: RE: Anderson Auto SPEX

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

Yes, I consent.

Thank you,



Wes Bradshaw

General Manager

14000 E Wade Hampton Blvd, Greer, SC 29651

Phone: 864-879-7111 • Fax: 864-879-7116

BradshawGreer.com

BradshawAuto.com

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 5:12 PM

To: Leigh Paoletti <lpaoletti@greenvilleesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>; Wes Bradshaw <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

You don't often get email from wswent@foxrothschild.com. [Learn why this is important](#)

WARNING: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious emails to Bradshaw IT.

Please see below

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 4:06 PM

To: Leigh Paoletti <lpaoletti@greenvilleesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>; wesbradshaw@bradshawauto.com <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Wes, I understand your father is on a plane. Will you please respond with consent.

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 3:32 PM

To: Leigh Paoletti <lpaoletti@greenvilleesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Leigh,

I have copied William Bradshaw on this email by way of soliciting his consent to my application for continuation of the existing use by special exception as auto sales and services activities at each of the 4 dealerships in the City of Greenville. Mr. Bradshaw, I would be grateful if you would please reply indicating you were consent.

From: Leigh Paoletti <lpaoletti@greenvilleesc.gov>

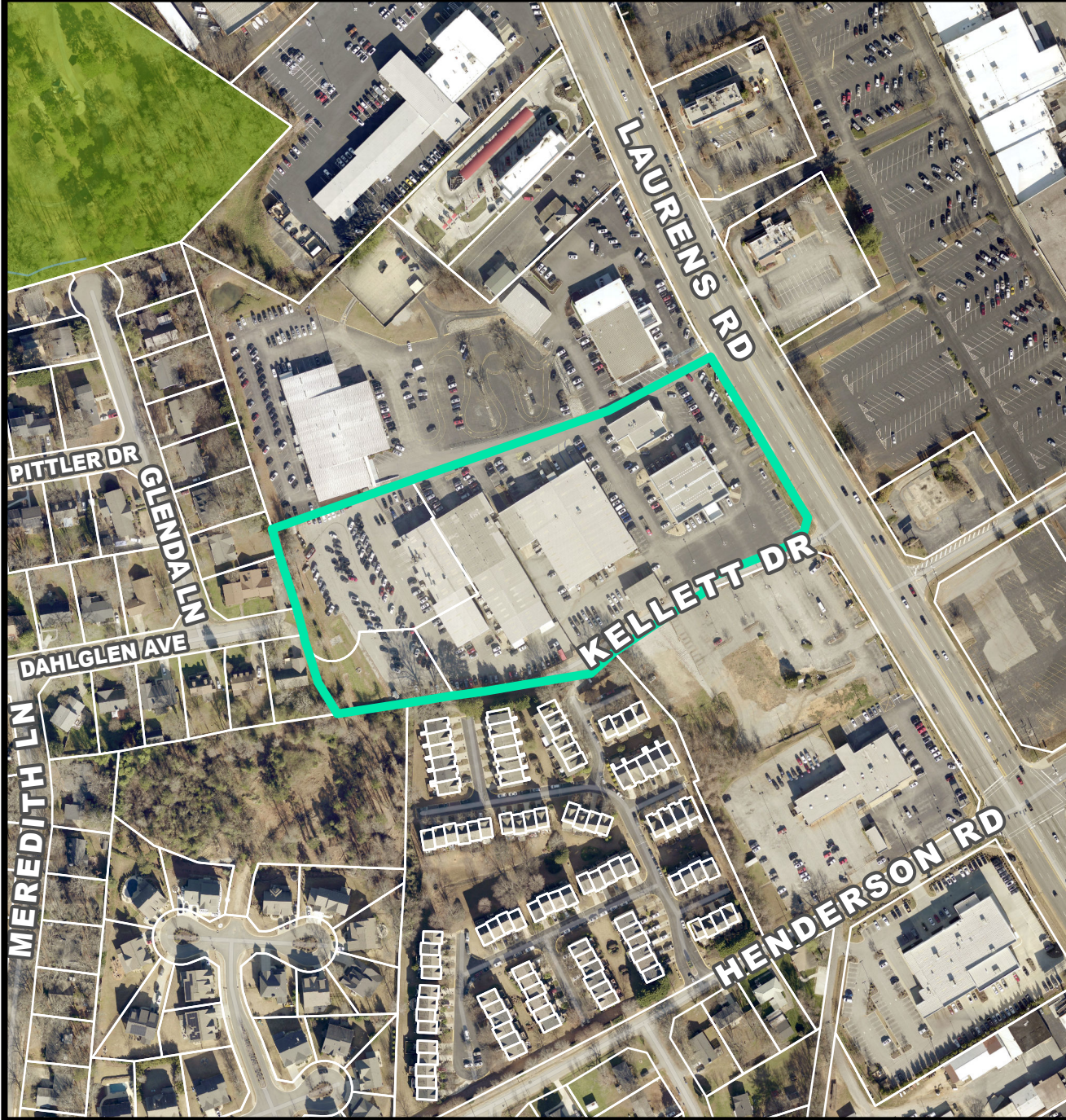
Sent: Thursday, January 26, 2023 3:24 PM

To: Swent, William B. <WSwent@foxrothschild.com>

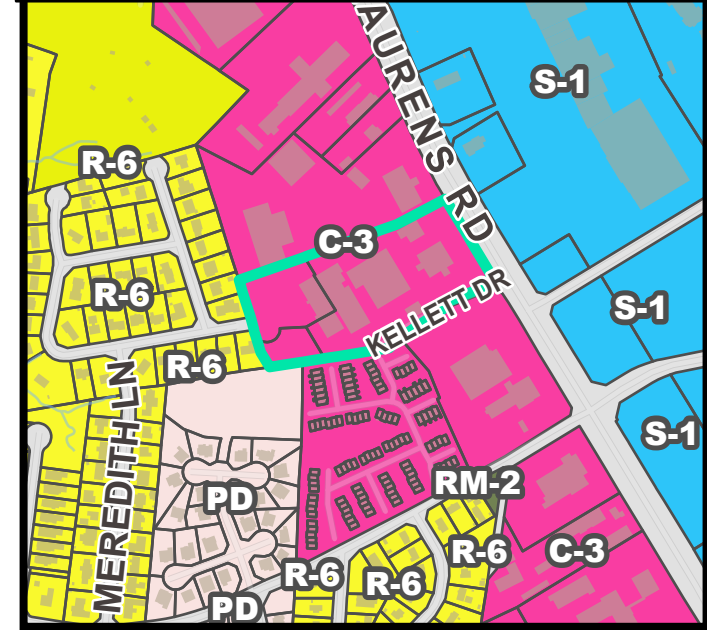
Subject: [EXT] Re: Anderson Auto SPEX

William would the current property owner be willing to send me an email saying you have authority to file the SPEX applications? I'm sorry - trying very hard to get the gap closed here among a hundred other things going on...

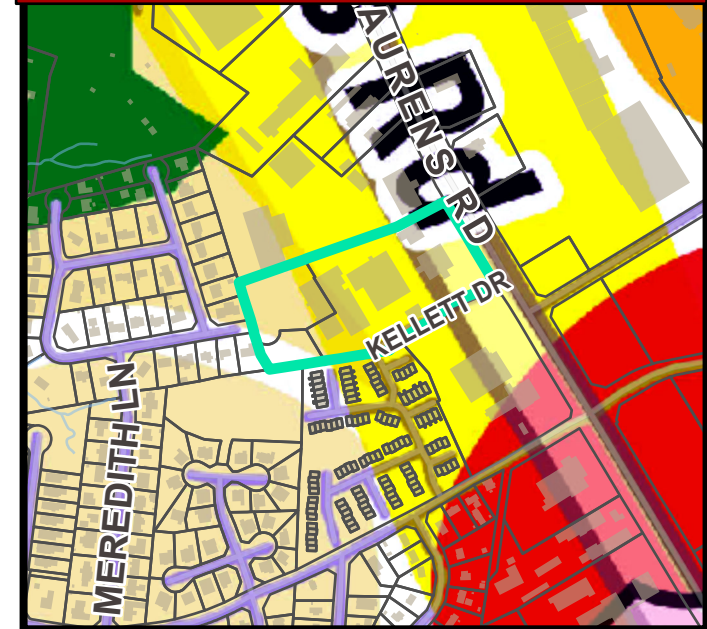
AERIAL VIEW



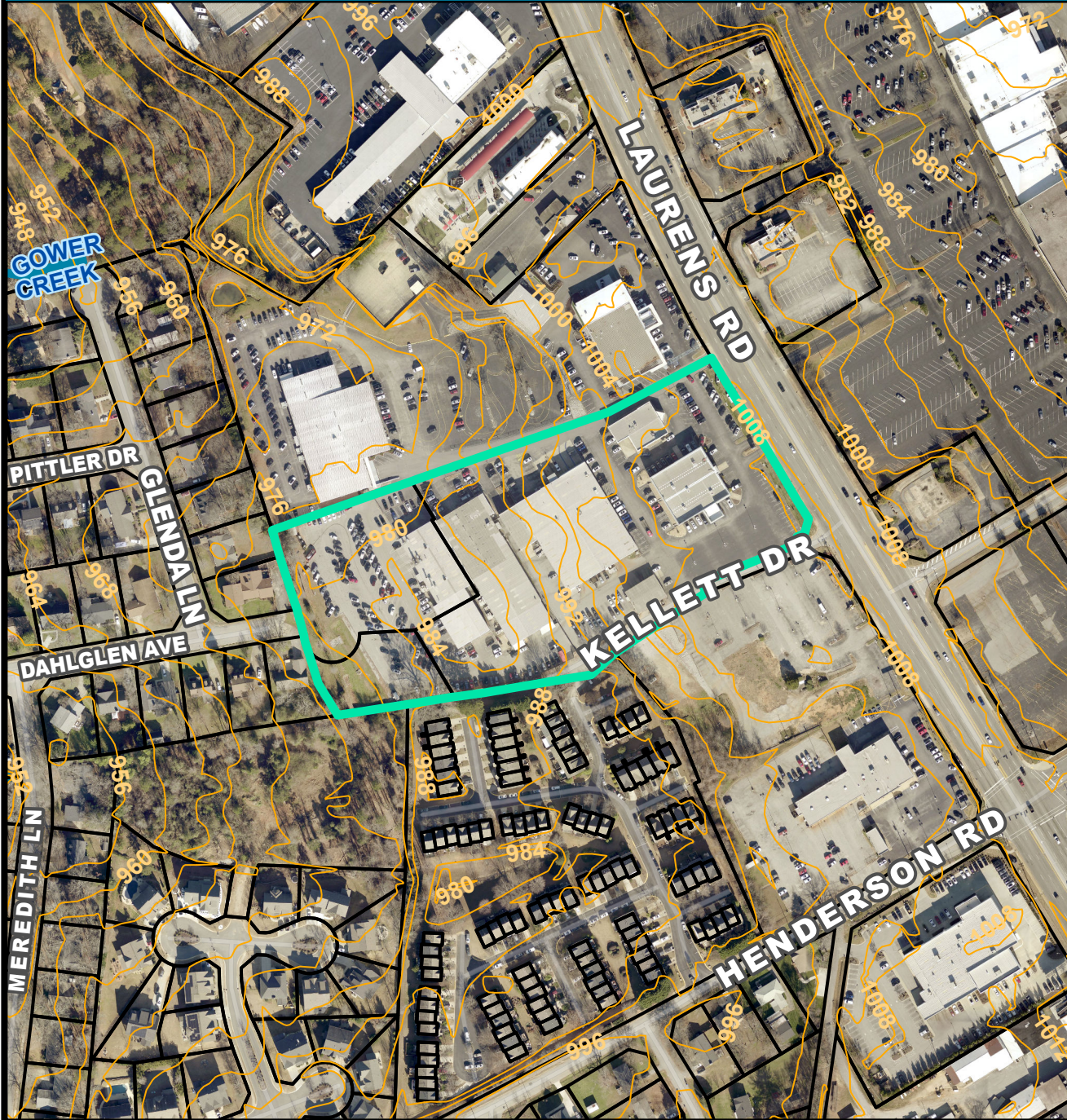
CURRENT ZONING



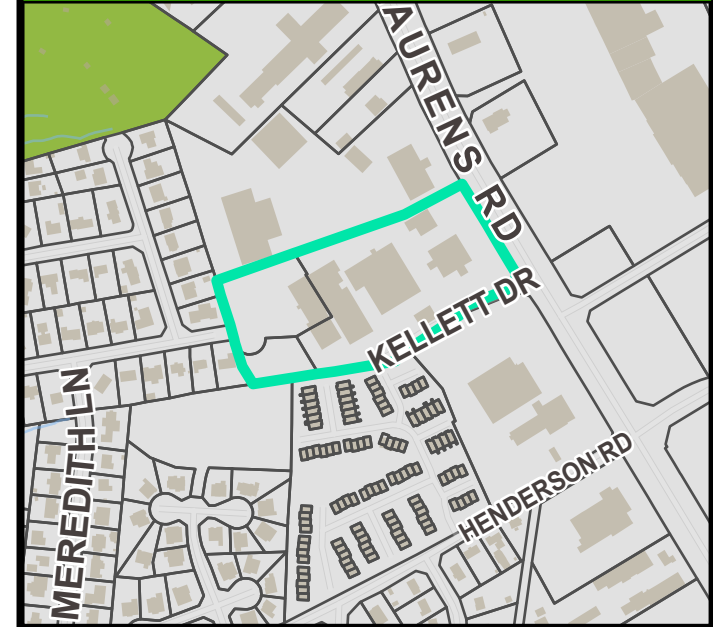
FUTURE LAND USE



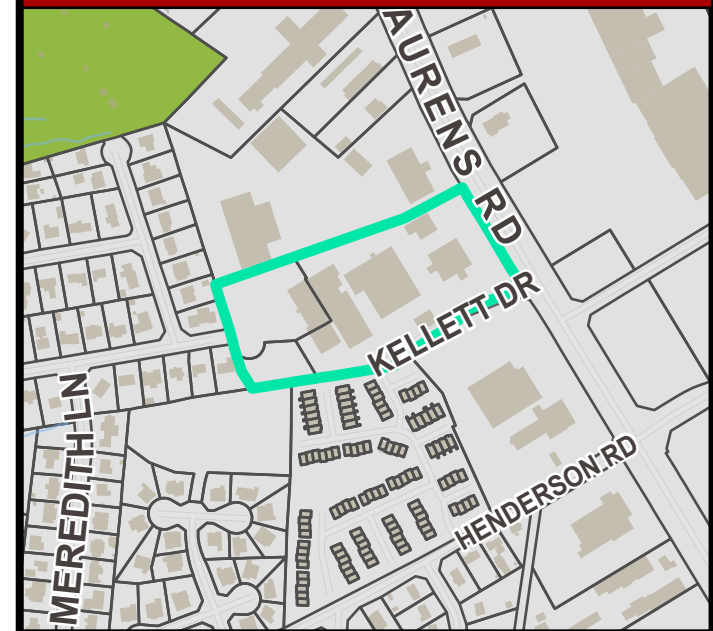
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



DATA
ZONED: C-3 - REGIONAL COMMERCIAL DISTRICT
(CITY OF GREENVILLE)
SETBACK REQUIREMENTS:
FRONT: 25'/15' FOR CORNER LOTS
SIDE: 10' IF PROVIDED
REAR: 20'
MAX. BLDG. HEIGHT: 40'
MAX. LOT COVERAGE: NONE
MIN. LOT AREA: NONE
MIN. ANGLE: NONE
BUILDING SITE AREA: NONE SPECIFIED

SITE AREA
TITLE PARCEL 1-A
24,673 SQ. FT.
0.573 ACRES

PARKING TABLE

TYPE OF SPACES	NO. OF SPACES
REGULAR	237
COMPACT	0
HANDICAP	2
TOTAL	239

SOURCE OF DATA
ZONING MAPS PREPARED BY THE PLANNING & ZONING RESOURCE COMPANY
PREPARED FOR:
CONCRETE BANK
P28 SITE #18180-1
DATE: 10/18/2022

PARKING REQUIREMENTS
NO SPECIFIC NUMBER OF REQUIRED SPACES PROVIDED

ACCESS NOTE
ACCESS TO SUBJECT PROPERTY VIA PUBLIC RIGHTS OF WAY OF LAURENS RD AND KELLETT DR AND INDIRECT ACCESS VIA DRIVE SHOWN ON REF PLAT 1.

ENCROACHMENTS/PROJECTIONS

- 5.5' CONCRETE ENCROACHMENT
- 8.4' WALL ENCROACHMENT
- 0.2' FENCE PROJECTION
- 3.7' PARKING PROJECTION INTO R/W
- 1.9' FENCE PROJECTION INTO R/W

REFERENCE PLAT

- PB 25-2, PG 52
- PB 29-2, PG 11
- PB 1129, PG 61
- PB 1120, PG 82

TAX ASSESSOR PARCEL NO.
AS NOTED

BASIS OF BEARINGS
SC STATE PLANE COORDINATES WERE USED AS THE BASIS OF BEARINGS FOR THIS SURVEY

FLOOD ZONE
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS, CITY OF GREENVILLE, STATE OF SOUTH CAROLINA WITH AN EFFECTIVE DATE OF 08/16/2014, THE PROPERTY SURVEYED AND SHOWN HEREON LIES WITHIN ZONE "X" PER COMMUNITY MAP NO. 45045C040E.

ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

SURVEYOR'S NOTES

- THERE IS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- THERE ARE NO KNOWN CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION AND REFERENCE PLAT INFORMATION
- THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE IS NO OBSERVED EVIDENCE OF SUBSTANTIAL AREAS OF REFUSE LOCATED ON SUBJECT PROPERTY.
- NO GAPS OR OVERLAPS OBSERVED.
- WITH REGARD TO TABLE A, ITEM 11, SOURCE INFORMATION FROM PLANS AND MARKINGS WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THESE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DETERMINED. IN ADDITION, IN SOME JURISDICTIONS, BY OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.
- ALL DRIVES/PARKING AREAS ARE ASPHALT UNLESS OTHERWISE LABELED.
- MUCH OF THE PARKING STRIPING IS FADED, THEREFORE AN ACCURATE PARKING COUNT CANNOT BE ASCERTAINED.

EXCEPTIONS
NUMBERS CORRESPOND TO SCHEDULE B EXCEPTION ITEMS
FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO.: 022-1110
DATED: AUGUST 22, 2022 (REV. NO. 2 OCTOBER 26, 2022)

PERMANENT STORMWATER FACILITY MAINTENANCE AND RESPONSIBILITY AGREEMENT DATED FEBRUARY 5, 2015 AND RECORDED MARCH 25, 2015 IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY IN BOOK 2462 AT PAGE 0550. **BLANKET IN NATURE.**

RESTRICTIVE COVENANTS PROVIDED FOR IN PARTIAL RELEASE AND MODIFICATION OF RESTRICTIVE COVENANTS RECORDED IN BOOK 2381 AT PAGE 533 AND RE-RECORDED IN DEED BOOK 2391 AT PAGE 2528, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY APPLICABLE TO BUFFERING AREAS AS SHOWN ON EXHIBIT B THERETO. PLAT OF SURVEY ENTITLED - ALTA/NSPS LAND TITLE SURVEY FOR ANDERSON AUTOMOTIVE GROUP DATED OCTOBER 10, 2022, LAST REVISED OCTOBER 26, 2022, AND PREPARED BY SITE DESIGN, INC., DANA R. AUGUSTINE, P.L.S. SC REG. NO. 30293, DRAWING NO. 5221077 (THE "SURVEY") DISCLOSES ENCROACHMENT OF SIED INTO 50' BUFFER #1. **TREE BUFFERS AS PLOTTED/NOTED HEREON, OTHERWISE BLANKET IN NATURE.**

ADDITIONAL EXCEPTIONS AS TO PARCEL 1-A

- SANITARY SEWER EASEMENT TO THE CITY OF GREENVILLE RECORDED IN DEED BOOK 2397 AT PAGE 3942 AND RE-RECORDED IN DEED BOOK 2398 AT PAGE 1240, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY AND AS SHOWN ON THE SURVEY. **AS PLOTTED/NOTED HEREON.**
- RIGHTS OF OTHERS IN AND TO THE USE OF THE DRIVE CROSSING THE LAND AS SHOWN ON PLAT ENTITLED SURVEY FOR WILLIAM BRADSHAW DATED SEPTEMBER 3, 1993, PREPARED BY FREELAND-CLINKSALES & ASSOCIATES, INC., AND BEING RECORDED IN PLAT BOOK 25-2 AT PAGE 52 AND AS SHOWN ON THE SURVEY. **AS PLOTTED/NOTED HEREON.**
- ENCROACHMENT UPON RIGHT OF WAY OF KELLETT DRIVE BY THE CURBS APURTENANT TO THE LAND AS SHOWN ON PLAT ENTITLED SURVEY FOR WILLIAM BRADSHAW DATED SEPTEMBER 3, 1993, PREPARED BY FREELAND-CLINKSALES & ASSOCIATES, INC., AND BEING RECORDED IN PLAT BOOK 25-2 AT PAGE 52, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY AND AS SHOWN ON THE SURVEY. **AS SHOWN HEREON.**
- ENCROACHMENT UPON THE LAND BY A BRICK WALL AS SHOWN ON PLAT ENTITLED SURVEY FOR FRANKLIN MIMS, MARY LOUISE MIMS & A.M. BRAKE, AS TRUSTEES, DATED SEPTEMBER 3, 1993 AND PREPARED BY FREELAND-CLINKSALES & ASSOCIATES, INC., AND BEING RECORDED IN PLAT BOOK 29-2 AT PAGE 11 IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY AND AS SHOWN ON THE SURVEY. **AS SHOWN HEREON.**
- PROJECTION OF FENCE ON TO PROPERTY ADJOINING ON THE SOUTH AS SHOWN ON PLAT OF SURVEY RECORDED IN IN PLAT BOOK 29-2 AT PAGE 11 IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY AND AS SHOWN ON THE SURVEY. **NOT OBSERVED.**
- RIGHTS OF OTHERS, IF ANY, TO THE USE OF THAT PORTION OF THE LAND DERIVED FROM FORMER RIGHT OF WAY OF KELLETT DRIVE FOR EMERGENCY ACCESS TO ADJOINING PROPERTY. **BLANKET IN NATURE.**
- RIGHTS OF OTHERS, IF ANY, TO THE USE OF ANY PORTION OF THE LAND DERIVED FROM FORMER RIGHT OF WAY OF KELLETT DRIVE FOR UTILITY PURPOSES. **BLANKET IN NATURE.**

ADDITIONAL EXCEPTIONS AS TO PARCEL 1-B

- EASEMENT GRANTED TO SOUTHERN PUBLIC UTILITY COMPANY BY INSTRUMENT RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY IN BOOK 145 AT PAGE 167. **BLANKET IN NATURE.**
- EASEMENT GRANTED TO DUKE POWER COMPANY BY INSTRUMENT RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY IN BOOK 218 AT PAGE 54. **BLANKET IN NATURE.**
- EASEMENT GRANTED TO DUKE POWER COMPANY BY INSTRUMENT RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY IN BOOK 159 AT PAGE 272. **BLANKET IN NATURE.**
- EASEMENT GRANTED TO DUKE POWER COMPANY BY INSTRUMENT RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY IN BOOK 201 AT PAGE 182. **BLANKET IN NATURE.**

ADDITIONAL EXCEPTIONS AS TO PARCEL 2

- EASEMENT GRANTED TO DUKE POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 932 AT PAGE 345 IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY. **BLANKET IN NATURE.**
- EASEMENTS GRANTED TO THE CITY OF GREENVILLE BY CONVEYANCE RECORDED IN DEED BOOK 919 AT PAGE 549, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY. **AS PLOTTED/NOTED HEREON.**
- EASEMENT GRANTED TO DUKE POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 201 AT PAGE 182, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY. **BLANKET IN NATURE.**
- EASEMENT GRANTED TO SOUTHERN PUBLIC UTILITIES COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 159 AT PAGE 272, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY. **BLANKET IN NATURE.**
- SANITARY SEWER EASEMENT TO THE CITY OF GREENVILLE RECORDED IN DEED BOOK 2397 AT PAGE 3942 AND RE-RECORDED IN DEED BOOK 2398 AT PAGE 1240, OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY AND AS SHOWN ON THE SURVEY. **AS PLOTTED/NOTED HEREON.**
- LACK OF ACCESS TO AND FROM THE LAND EXCEPT BY WAY OF PARCEL 1-A OF THE LAND. **BLANKET IN NATURE.**

TITLE COMMITMENT LEGAL DESCRIPTION
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF GREENVILLE, STATE OF SOUTH CAROLINA AND IS DESCRIBED AS FOLLOWS:
PARCEL 1-A

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE CITY OF GREENVILLE, COUNTY OF GREENVILLE, STATE OF SOUTH CAROLINA, ON THE WESTERN SIDE OF LAURENS ROAD, CONTAINING 7.086 ACRES, MORE OR LESS, AND BEING SHOWN AS PARCEL 1-A ON PLAT OF SURVEY ENTITLED - ALTA/NSPS LAND TITLE SURVEY FOR ANDERSON AUTOMOTIVE GROUP DATED OCTOBER 10, 2022, LAST REVISED OCTOBER 26, 2022, AND PREPARED BY SITE DESIGN, INC., DANA R. AUGUSTINE, P.L.S. SC REG. NO. 30293, DRAWING NO. 5221077 AND HAVING ACCORDING TO SUCH PLAT OF SURVEY THE FOLLOWING METES AND BOUNDS, TO-WIT:

BEGINNING AT AN OLD DRILL HOLE ON THE WESTERN RIGHT OF WAY OF LAURENS ROAD AT THE CORNER OF PROPERTY NOW OR FORMERLY BELONGING TO PHILIP J Q M CARLTON AND RUNNING THENCE WITH THE RIGHT OF WAY OF LAURENS ROAD, S. 30-34-52 E. FOR A DISTANCE OF 38.84 FEET TO A MAG NAIL SET; THENCE CONTINUING S. 30-30-09 E. FOR A DISTANCE OF 302.71 FEET TO A 3/4" OPEN TOP IRON PIN AT THE INTERSECTION OF THE RIGHT OF WAY OF LAURENS ROAD WITH THE RIGHT OF WAY OF KELLETT DRIVE; THENCE WITH SAID INTERSECTION AS FOLLOWS: S. 17-57-07 W. FOR A DISTANCE OF 26.41 TO A 3/4" OPEN TOP IRON PIN; S. 66-41-25 W. FOR A DISTANCE OF 14.37 FEET TO AN OLD CONCRETE MONUMENT AND S. 23-22-56 E. FOR A DISTANCE OF 10.00 FEET TO A MAG NAIL SET; THENCE TURNING AND RUNNING ALONG THE RIGHT OF WAY OF KELLETT DRIVE, S. 69-47-55 W. FOR A DISTANCE OF 186.79 FEET TO AN OLD RR SPIKE; THENCE S. 57-23-08 W. FOR A DISTANCE OF 265.00 FEET TO AN OLD RR SPIKE; THENCE S. 69-51-54 W. FOR A DISTANCE OF 69.66 FEET TO A MAG NAIL SET; THENCE S. 21-16-34 E. FOR A DISTANCE OF 9.36 FEET TO AN OLD MAG NAIL IN LINE OF PROPERTY NOW OR FORMERLY OF ANNACEY PARK HOA; THENCE TURNING AND RUNNING WITH SAID PROPERTY, S. 79-43-59 W. FOR A DISTANCE OF 159.46 FEET TO AN OLD MAG NAIL AT THE CORNER OF PROPERTY SHOWN AS PARCEL 2 ON REFERENCED SURVEY; THENCE TURNING AND RUNNING WITH THE LINE OF PARCEL 2 AS FOLLOWS: N. 32-04-00 W. FOR A DISTANCE OF 139.54 FEET; S. 85-44-12 W. FOR A DISTANCE OF 89.50 FEET; FOLLOWING CURVE WITH A RADIUS OF 49.99 AND A CHORD BEARING AND DISTANCE OF S. 85-17005 W. 99.98 FEET AND CONTINUING WITH CURVE HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF S. 61-02-10 W. 90.12 TO SET 'X' IN ROCK IN THE LINE OF PROPERTY NOW OR FORMERLY OF ELIZABETH W. HINTON; THENCE WITH THE CURVE OF THE LINE OF HINTON HAVING A RADIUS OF 50.00 AND A CHORD BEARING AND DISTANCE OF N. 29-59-56 W. FOR 41.70 FEET; THENCE N. 17-55-42 W. FOR A DISTANCE OF 50.44 FEET TO AN OLD 3/4" CROMP TOP IRON PIN; THENCE N. 17-24-00 W. FOR A DISTANCE OF 155.19 FEET TO AN OLD 1/2" TOP IRON PIN BENT AT THE CORNER OF PROPERTY NOW OR FORMERLY OF PHILIP J Q M CARLTON; THENCE TURNING AND RUNNING WITH THE LINE OF CARLTON N. 71-06-56 E. FOR A DISTANCE OF 275.81 FEET; THENCE CONTINUING WITH THE LINE OF CARLTON N. 71-08-08 E. FOR A DISTANCE OF 364.83 FEET TO A SET MAG NAIL; THENCE CONTINUING N. 61-52-08 E. FOR A DISTANCE OF 213.85 FEET TO OLD DRILL HOLE, THE POINT OF BEGINNING.

PARCEL 1-B

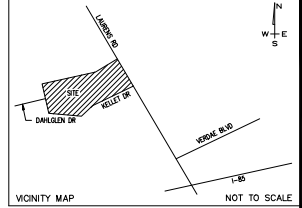
NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS SET OUT IN DEED FROM KENNETH M. WILLIAMS, ET AL. TO VALETTE ENTERPRISES LIMITED PARTNERSHIP RECORDED IN DEED BOOK 1261 AT PAGE 464 IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY OVER PARCEL SHOWN ON PLAT OF PROPERTY OF GAULT & WILLIAMS PREPARED BY JONES ENGINEERING SERVICE, DATED OCTOBER 12, 1973, REVISED SEPTEMBER, 1976, AND ACCORDING TO SUCH PLAT HAVING THE FOLLOWING METES AND BOUNDS:

BEGINNING AT AN IRON PIN ON THE WESTERN SIDE OF LAURENS ROAD AT THE SOUTHEASTERN CORNER OF PARCEL 2; THENCE WITH THE JOINT LINES OF PARCELS 1 AND 2, S. 61-28 W. 214.1 FEET TO AN IRON PIN; THENCE S. 70-52 W. 441.8 FEET TO A POINT; THENCE CONTINUING S. 70-52 W. 12.5 FEET TO A POINT; THENCE N. 20-36 W. 12 FEET TO A POINT; THENCE N. 70-52 E. 452.3 FEET TO A POINT; THENCE N. 61-28 E. 212.6 FEET TO AN IRON PIN ON THE WESTERN SIDE OF LAURENS ROAD; THENCE S. 30-47 E. 12 FEET TO AN IRON PIN, THE POINT OF BEGINNING.

PARCEL 2

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE CITY OF GREENVILLE, COUNTY OF GREENVILLE, STATE OF SOUTH CAROLINA, ON THE WESTERN SIDE OF LAURENS ROAD, CONTAINING 0.513 ACRES, MORE OR LESS, AND BEING SHOWN AS PARCEL 2 ON PLAT OF SURVEY ENTITLED - ALTA/NSPS LAND TITLE SURVEY FOR ANDERSON AUTOMOTIVE GROUP DATED OCTOBER 10, 2022, LAST REVISED OCTOBER 26, 2022, AND PREPARED BY SITE DESIGN, INC., DANA R. AUGUSTINE, P.L.S. SC REG. NO. 30293, DRAWING NO. 5221077 AND HAVING ACCORDING TO SUCH PLAT OF SURVEY THE FOLLOWING METES AND BOUNDS, TO-WIT:

COMMENCING AT AN OLD DRILL HOLE ON THE WESTERN RIGHT OF WAY OF LAURENS ROAD AT THE CORNER OF PROPERTY NOW OR FORMERLY BELONGING TO PHILIP J Q M CARLTON AND RUNNING THENCE WITH THE RIGHT OF WAY OF LAURENS ROAD, S. 30-34-52 E. FOR A DISTANCE OF 38.84 FEET TO A MAG NAIL SET; THENCE CONTINUING S. 30-30-09 E. FOR A DISTANCE OF 302.71 FEET TO A 3/4" OPEN TOP IRON PIN AT THE INTERSECTION OF THE RIGHT OF WAY OF LAURENS ROAD WITH THE RIGHT OF WAY OF KELLETT DRIVE; THENCE WITH SAID INTERSECTION AS FOLLOWS: S. 17-57-07 W. FOR A DISTANCE OF 26.41 TO A 3/4" OPEN TOP IRON PIN; S. 66-41-25 W. FOR A DISTANCE OF 14.37 FEET TO AN OLD CONCRETE MONUMENT AND S. 23-22-56 E. FOR A DISTANCE OF 10.00 FEET TO A MAG NAIL SET; THENCE TURNING AND RUNNING ALONG THE RIGHT OF WAY OF KELLETT DRIVE, S. 69-47-55 W. FOR A DISTANCE OF 186.79 FEET TO AN OLD RR SPIKE; THENCE S. 57-23-08 W. FOR A DISTANCE OF 265.00 FEET TO AN OLD RR SPIKE; THENCE S. 69-51-54 W. FOR A DISTANCE OF 69.66 FEET TO A MAG NAIL SET; THENCE S. 21-16-34 E. FOR A DISTANCE OF 9.36 FEET TO AN OLD MAG NAIL IN LINE OF PROPERTY NOW OR FORMERLY OF ANNACEY PARK HOA; THENCE TURNING AND RUNNING WITH SAID PROPERTY, S. 79-43-59 W. FOR A DISTANCE OF 159.46 FEET TO AN OLD MAG NAIL AT THE CORNER OF PROPERTY SHOWN AS PARCEL 1-A ON REFERENCED SURVEY, THE TRUE POINT OF BEGINNING; THENCE TURNING AND RUNNING FROM SAID TRUE POINT OF BEGINNING THIS ESTABLISHED, WITH THE LINE OF PARCEL 1-A AS FOLLOWS: N. 32-04-00 W. FOR A DISTANCE OF 139.54 FEET; S. 85-44-12 W. FOR A DISTANCE OF 99.50 FEET; FOLLOWING A CURVE HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF S. 61-02-10 W. 90.12 TO SET 'X' IN ROCK IN THE LINE OF PROPERTY NOW OR FORMERLY OF ELIZABETH W. HINTON TO SET 'X' IN ROCK IN THE LINE OF PROPERTY NOW OR FORMERLY OF ELIZABETH W. HINTON; THENCE TURNING AND RUNNING WITH THE LINE OF HINTON, S. 07-44-22 E. FOR A DISTANCE OF 49.77 FEET TO AN OLD 5/8" REBAR; THENCE CONTINUING WITH THE LINE OF HINTON S. 32-39-22 E. FOR A DISTANCE OF 66.09 FEET TO A 5/8" REBAR IN THE LINE OF PROPERTY OF SW DEVELOPMENT LLC; THENCE TURNING AND RUNNING WITH THE LINE OF SUCH PROPERTY N. 79-51-46 E. FOR A DISTANCE OF 127.52 FEET TO A 3/4" OPEN TOP IRON PIN; THENCE CONTINUING N. 79-42-40 E. FOR A DISTANCE OF 85.65 FEET TO AN OLD MAG NAIL, THE TRUE POINT OF BEGINNING.



SURVEYOR'S CERTIFICATE

TO: ANDERSON LAURENS ROAD AA, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY; FIDELITY NATIONAL TITLE INSURANCE COMPANY, SML TITLE AGENCY, LLC AND COMERICA BANK, A TEXAS BANKING ASSOCIATION, AS ADMINISTRATIVE AGENT, ITS SUCCESSORS AND/OR ASSIGNS

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(B), 7(A), 7(B)(1), 8, 9, 11(A), 13, 16, 18 AND 20 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON SEPTEMBER 29, 2022.

DATE OF PLAT OR MAP: OCTOBER 10, 2022



BY: DANA R. AUGUSTINE, PLS

Dana R. Augustine
S.C. REG. NO 30293
STATE OF SOUTH CAROLINA

THIS BEING THE SAME PROPERTY AS DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 022-1110 BEARING AN EFFECTIVE DATE OF AUGUST 22, 2022 (REVISION NO. 2 OCTOBER 26, 2022).



"ALTA / NSPS LAND TITLE SURVEY"
FOR
ANDERSON AUTOMOTIVE GROUP

2450 LAURENS ROAD
GREENVILLE COUNTY
GREENVILLE, SOUTH CAROLINA
(BRADSHAW AUTOMOTIVE - ACURA)

DATE: 9/29/22 DESIGNED BY: MM/MS CHECKED BY: JFC
SCALE: 1" = 40'



SITE DESIGN, INC.
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

235 ROCKY CREEK ROAD, GREENVILLE, SC 29615
PH: (803) 742-1420
WWW.SITEDESIGN-INC.COM

SHEET 1 OF 2

DATE	CLIENT COMMENTS	DRAWN	DRAWN BY
10/28/22		DRA	DRA
10/27/22	UPDATED TITLE	DRA	DRA
10/26/22	CLIENT COMMENTS	DCC	DCC
DATE	REVISION	BY	APP'V





**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023
for the April 13, 2023 Public Hearing**

Docket Number:	S 23-055
Applicant:	Anderson Woodruff Road, LLC
Property Owner:	Anderson Woodruff Road, LLC
Property Location:	330 Woodruff Road
Tax Map Number:	026200-01-00103
Acreage:	18.731
Zoning:	S-1, Service District SSO, Special Sign Overlay District
Proposal:	SPECIAL EXCEPTION PERMIT to allow an 'Automobile sales' 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, Commercial Uses*

Staff Recommendation:

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

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The Special Exception Permit shall be limited to the applicant, Anderson Woodruff Road, LLC, and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.

Staff Analysis:

The Applicant, Anderson Woodruff Road, LLC, proposes to continue an automobile sales use under new ownership in a S-1, Service district. The subject site is located at 330 Woodruff Road, on the property previously occupied by the Breakaway Honda dealership.

Per Sections 19-4.1 (*Table of Uses*), a Special Exception Permit is required for automobile sales use in a S-1, service district.

The Applicant indicates the intent to use the existing building vacated by Breakaway Honda, which includes sales and service areas adjacent to the front and right side of the building.

This application is intended for to allow the operation of an automobile sales use that was previously permitted under multiple special exceptions, including Special Exception Permit S 16-240, S 18-662, S 19-807, S 19-903, and S20-050, each approved by the Board of Zoning Appeals. All improvements currently existing on-site were properly approved, permitted, and completed. Upon approval, the Special Exception Permit currently being proposed to the BZA would result in the same rights granted to the new property and business owner.

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 "Community Mixed-Use", which is intended to contain a diverse mix of mid-size to large-size employers in commercial, light manufacturing/industrial, distribution, medical offices, institutional, etc. In addition, this Board has historically approved automobile sales uses in this area and found the use to be consistent with existing land use patterns around the Woodruff Road area. Therefore, staff believes the proposed use is consistent with the comprehensive plan.

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

2. Complies with use specific standards

(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.*

The subject property was previously in use as an automobile dealership and exceeds the minimum two-acre requirement.

The existing buildings are clustered closely together, and the accessory automobile service and repair uses are located interior to the site, minimizing visibility from Woodruff Road.

Information on service and repair operations was not included in the application, but all work will be required to take place within an enclosed building.

No information related to a public address system were included in the application. A public address system would be required to comply with the use specific standards.

No information related to refuse and recycling containers were included in the application. Compliance with the use specific standards and screening standards will be required.

No new exterior site lighting or alterations were noted. Existing site lighting is in place on the property. Any planned changes to the light poles or fixtures will require code complaint light fixtures and illumination levels.

No outdoor storage is existing or proposed. Outdoor storage would not be permitted for the new use.

Staff finds that the proposed use generally complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** Single-Family Residential (S-1, service district)
- North:** Automobile sales across access right-of-way (S-1, service district)
- West:** Multifamily Residential (S-1, service district)
- South:** Single-Family Residential (S-1, service district)

The subject property is located on Woodruff Road, adjacent to a stretch of Laurens Road commonly known as the motor mile, where a number of existing automobile dealerships exist. Adjacent properties consist of a mix of retail, auto-service uses, residential, and light industrial along this portion of Woodruff Rd.

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

4. Design does not have substantial adverse impact

The proposed use is required to meet all applicable use-specific standards which are intended to minimize adverse impacts on the surrounding areas. No adverse visual or glare impacts are anticipated. Existing screening minimizes visibility into the site from the residential dwellings. No adverse impacts are anticipated regarding delivery, parking, loading, and odors. Any further site improvement will be subject to general development and design standards contained within the Land Management Ordinance.

Staff finds that the proposed use will not have substantial adverse impacts.

Staff Comments and Conditions

City Engineer Comments

Comments:

Application review approval is subject to the applicant satisfying all conditions and requirements of the engineering divisions.

Civil Engineer Comments

Comments:

None

Environmental Engineer Comments

Comments:

None

S 23-055
330 Woodruff Road

Traffic Engineer Comments

Comments:

None



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE: Anderson Woodruff Road, LLC

* _____
Name Title / Organization
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: William B. Swent Fox Rothschild, LLP
(Optional) Name Title / Organization

MAILING ADDRESS: 2 West Washington Street, Suite 1100, Greenville, SC 29601

PHONE: 864 751-7605 **EMAIL:** wswent@foxrothschild.com

PROPERTY OWNER: Anderson Woodruff Road, LLC

MAILING ADDRESS: 9101 Glenwood Avenue Raleigh, NC 27617

PHONE: 919-889-3105 **EMAIL:** bhopkins@anderson-auto.net

PROPERTY INFORMATION

STREET ADDRESS: SEE ATTACHED "SCHEDULE OF PROPERTY INFORMATION"

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

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE: _____

Automobile Sales and Servicing (new and used)*

*This is an existing land use.

INSTRUCTIONS

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

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

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

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

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

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

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

Applicant Signature

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

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

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

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



1/24/23

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.

The property will continue to be used as it currently is and is situated in the well-established motor mile corridor of Greenville.

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

Code of ordinances in section 19-4.3 includes auto sales and service. The existing land and buildings are in compliance with these standards. The Applicant maintains that the existing use exists as a vested right.

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

This property is located in the established motor mile area of Greenville consisting of numerous dealerships.

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.

No adverse effects will be incurred as this property has already been approved for the special exception granted to current owners.

RE: HONDA DEALERSHIP PROPERTY

SCHEDULE OF PROPERTY INFORMATION

Fee Title Grantee: Anderson Woodruff Road, LLC, a South Carolina limited liability company

Property: TMS #0262.00-01-001.03
330 Woodruff Road, Greenville, SC 29607

Zoning Classification: S-1

Ross Zelenske

To: Leigh Paoletti; Jordan P. Harris; Shannon Lavrin; Karen Osborne
Subject: RE: Anderson Auto SPEX



Ross Zelenske

Senior Development Planner | Planning & Development Services
zelenske@greenvillesc.gov | www.greenvillesc.gov
Phone: 864-467-4251

[Review the proposed Development Code and Zoning Map](#)

From: Leigh Paoletti <lpaoletti@greenvillesc.gov>
Sent: Thursday, January 26, 2023 5:15 PM
To: Ross Zelenske <zelenske@greenvillesc.gov>; Jordan P. Harris <jpharris@greenvillesc.gov>; Shannon Lavrin <slavrin@greenvillesc.gov>; Karen Osborne <kosborne@greenvillesc.gov>
Subject: Fwd: Anderson Auto SPEX

See email confirmation of consent for Mr. Swent to apply for the SPEXs from Wes Bradshaw below.

Leigh Booth Paoletti
City Attorney, City of Greenville
(864) 467-5758 | (864) 275-1994

From: Wes Bradshaw <wesbradshaw@bradshawauto.com>
Sent: Thursday, January 26, 2023 5:13 PM
To: Swent, William B. <WSwent@foxrothschild.com>; Leigh Paoletti <lpaoletti@greenvillesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>
Subject: RE: Anderson Auto SPEX

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

Yes, I consent.

Thank you,



Wes Bradshaw

General Manager

14000 E Wade Hampton Blvd, Greer, SC 29651

Phone: 864-879-7111 • Fax: 864-879-7116

BradshawGreer.com

BradshawAuto.com

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 5:12 PM

To: Leigh Paoletti <lpaoletti@greenvillesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>; Wes Bradshaw <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

You don't often get email from wswent@foxrothschild.com. [Learn why this is important](#)

WARNING: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious emails to Bradshaw IT.

Please see below

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 4:06 PM

To: Leigh Paoletti <lpaoletti@greenvillesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>; wesbradshaw@bradshawauto.com <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Wes, I understand your father is on a plane. Will you please respond with consent.

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 3:32 PM

To: Leigh Paoletti <lpaoletti@greenvillesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Leigh,

I have copied William Bradshaw on this email by way of soliciting his consent to my application for continuation of the existing use by special exception as auto sales and services activities at each of the 4 dealerships in the City of Greenville. Mr. Bradshaw, I would be grateful if you would please reply indicating you were consent.

From: Leigh Paoletti <lpaoletti@greenvillesc.gov>

Sent: Thursday, January 26, 2023 3:24 PM

To: Swent, William B. <WSwent@foxrothschild.com>

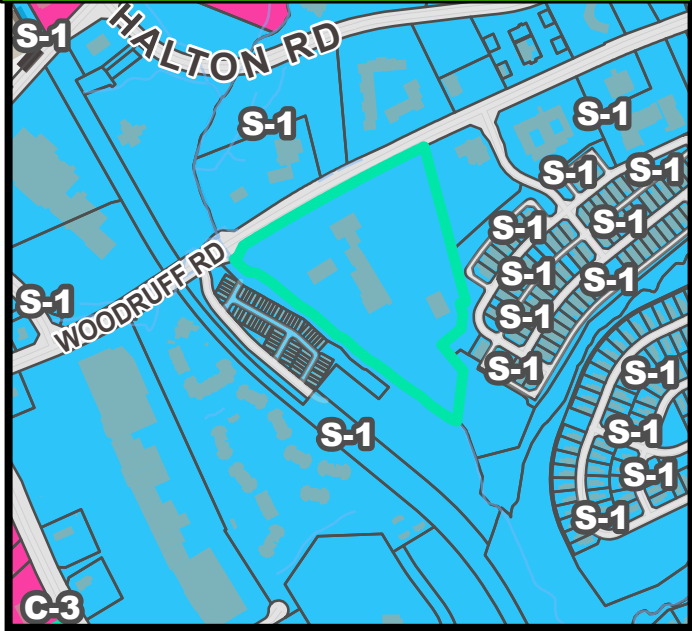
Subject: [EXT] Re: Anderson Auto SPEX

William would the current property owner be willing to send me an email saying you have authority to file the SPEX applications? I'm sorry - trying very hard to get the gap closed here among a hundred other things going on...

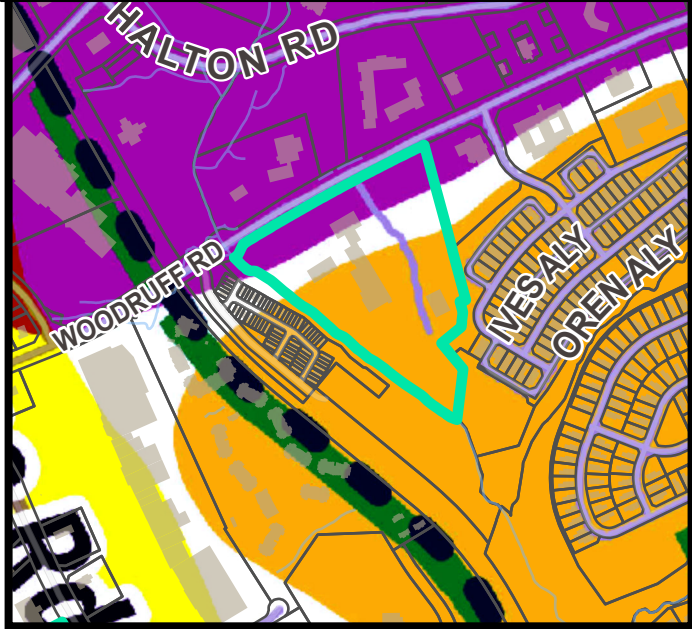
AERIAL VIEW



CURRENT ZONING



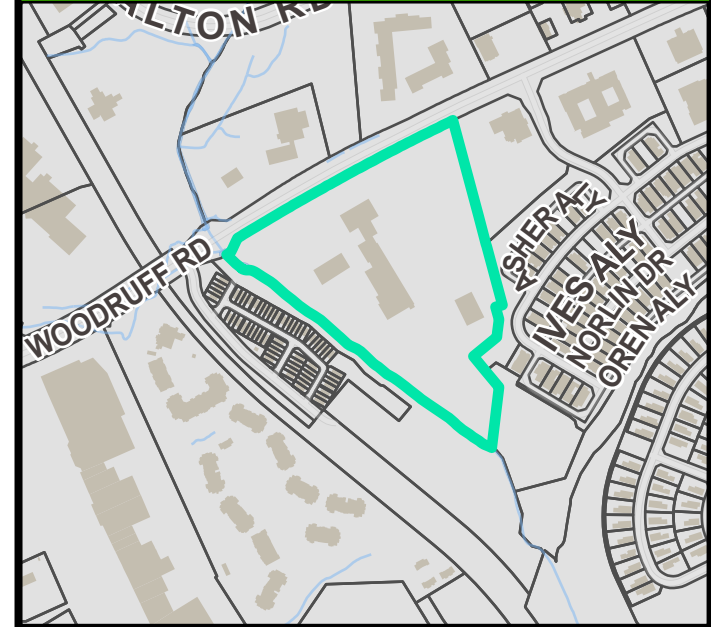
FUTURE LAND USE



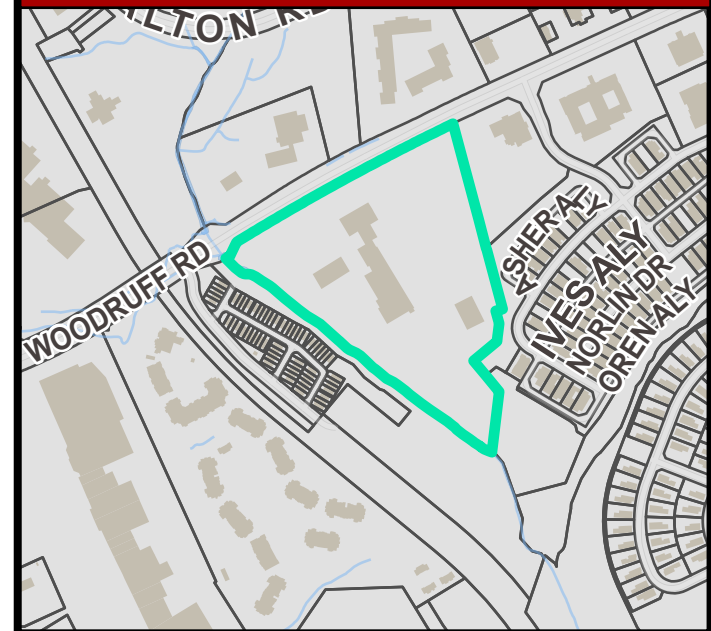
NATURAL / ENVIRONMENTAL FEATURES

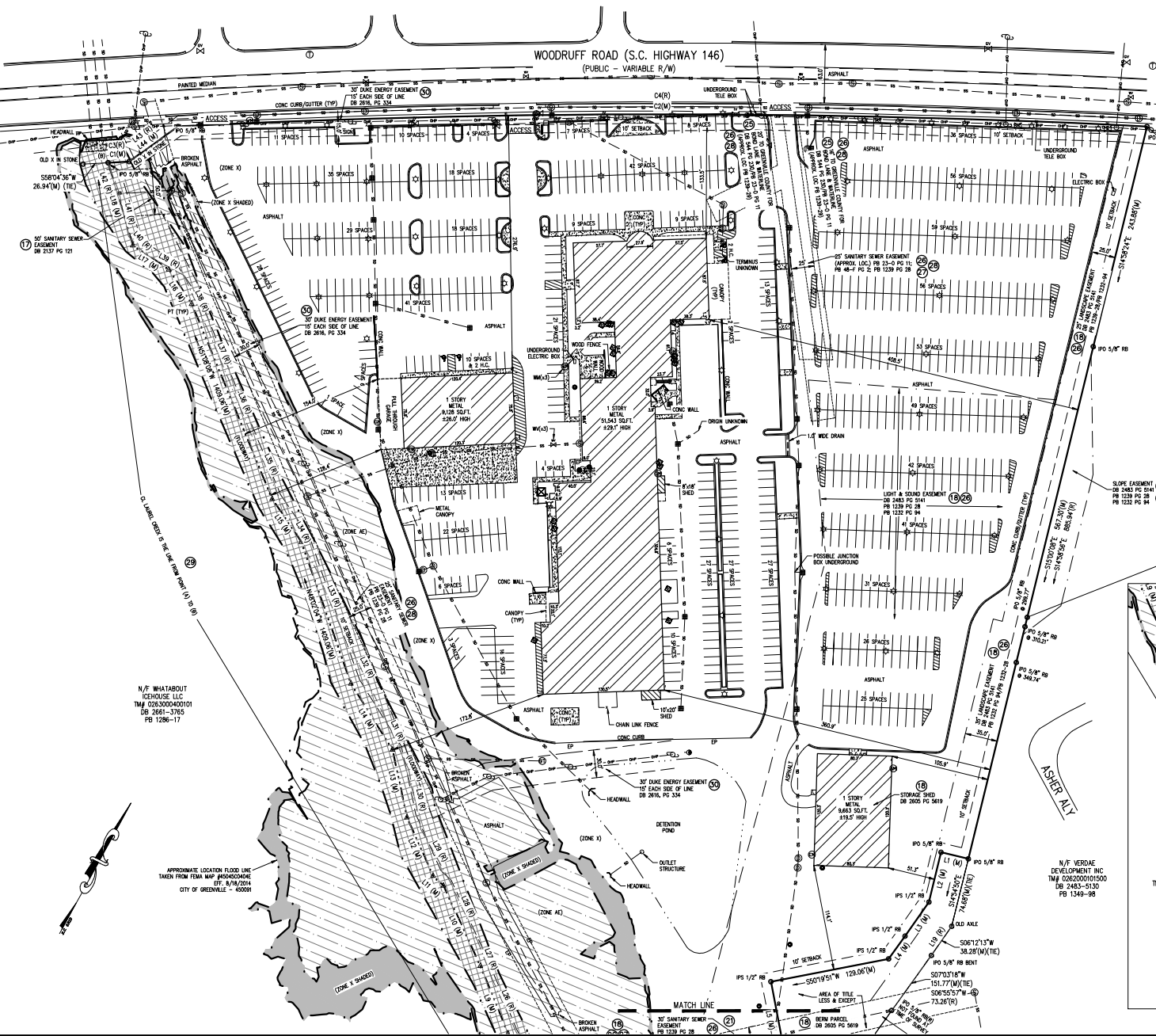


SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD
C1(M)	22.53	10337.41	S58°12'08"W	22.53
C2(M)	1043.55	103372.41	S61°17'07"W	1043.11
C3(R)	22.35	10337.41	S58°03'22"W	22.35
C4(R)	1043.90	10372.41	S61°16'53"W	1043.46

AREA
815,904 SQ. FT.
18.731 ACRES

LINE TABLE		
LINE #	BEARING	LENGTH
L1 (M)	S74°47'09"W	30.16
L2 (M)	S15°04'46"E	55.13
L3 (M)	S06°28'28"W	44.79
L4 (M)	S06°57'03"W	30.20
L5 (M)	S39°38'11"E	80.85
L6 (M)	S39°41'36"E	89.26
L7 (M)	N64°03'07"W	54.02
L8 (M)	N41°21'56"W	42.05
L9 (M)	N51°03'11"W	78.39
L10 (M)	N53°23'08"W	95.07
L11 (M)	N75°19'09"W	15.52
L12 (M)	N52°49'32"W	68.86
L13 (M)	N40°45'04"W	74.31
L14 (M)	N60°46'58"W	84.25
L15 (M)	N62°47'25"W	55.91
L16 (M)	N62°12'07"W	44.51
L17 (M)	N84°50'13"W	46.56
L18 (M)	N45°32'53"W	92.87
L19 (R)	S06°31'11"W	37.93
L20 (R)	N65°47'25"W	52.72
L21 (R)	N47°54'01"W	45.06
L22 (R)	N44°38'15"W	28.94

LINE TABLE		
LINE #	BEARING	LENGTH
L23 (R)	N54°24'15"W	72.30
L24 (R)	N46°57'07"W	61.27
L25 (R)	N57°48'37"W	101.79
L26 (R)	N57°06'45"W	58.27
L27 (R)	N49°47'27"W	46.23
L28 (R)	N53°38'40"W	71.98
L29 (R)	N57°49'43"W	62.69
L30 (R)	N40°17'07"W	65.53
L31 (R)	N53°25'03"W	66.01
L32 (R)	N54°43'25"W	109.31
L33 (R)	N51°29'34"W	60.26
L34 (R)	N56°32'29"W	74.80
L35 (R)	N52°36'39"W	93.52
L36 (R)	N51°00'24"W	59.93
L37 (R)	N51°21'46"W	52.83
L38 (R)	N52°18'35"W	67.57
L39 (R)	N69°41'06"W	48.23
L40 (R)	N71°45'56"W	26.04
L41 (R)	N40°47'46"W	48.22
L42 (R)	N49°32'01"W	33.96
L43 (R)	N25°38'36"E	64.92
L44 (M)	N25°40'16"E	64.85

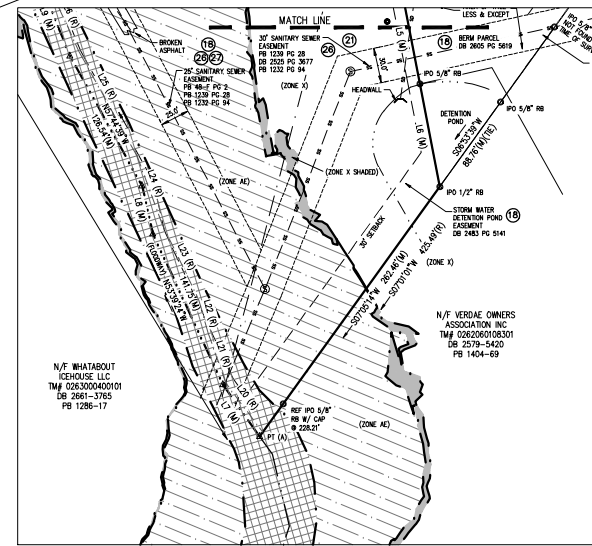
N/F BRD PROPERTIES
BELLA GROVE, LLC
TM# 0262000101503
DB 2481-5780
PB 1462-43

N/F WHATABOUT
ICEHOUSE, LLC
TM# 0263000400101
DB 2661-3765
PB 1286-17

APPROXIMATE LOCATION FLOOD LINE
TAKEN FROM FEMA MAP #4845040404
DT: 8/7/2014
CITY OF GREENVILLE - 40001

N/F VERDAE INC
DEVELOPMENT INC
TM# 0262000101500
DB 2483-5130
PB 1340-08

N/F WHATABOUT
ICEHOUSE, LLC
TM# 0263000400101
DB 2661-3765
PB 1286-17





**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023
for the April 13, 2023 Public Hearing**

Docket Number:	S 23-056
Applicant:	Anderson Laurens Road ZZ, LLC
Property Owner:	Anderson Laurens Road ZZ, LLC
Property Location:	2512 Laurens Road
Tax Map Number(s):	026300-01-01800, 026300-01-01301, 026300-01-01501, 026300-01-01200
Acreage:	5.76
Zoning:	C-3, Regional Commercial District SSO, Special Sign Overlay District
Proposal:	SPECIAL EXCEPTION PERMIT to allow an 'Automobile sales' 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, Commercial Uses*

Staff Recommendation:

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

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The Special Exception Permit shall be limited to the applicant, Anderson Laurens Road ZZ, LLC, and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.

Staff Analysis:

The Applicant, Anderson Laurens Road ZZ, LLC, proposes to establish an automobile sales use in a C-3, Regional Commercial District. The subject site is located at 2512 Laurens Road, on the property previously occupied by the Bradshaw Mazda dealership.

Per Sections 19-4.1 (*Table of Uses*), a Special Exception Permit is required for automobile sales use in a C-3, Regional Commercial District.

This application is intended to allow the operation of an automobile sales use that was previously permitted under Special Exception Permit S 20-014, approved by the Board of Zoning Appeals on February 13, 2020. Permit S 20-014 was approved to allow the construction of a new sales and service building to the north of the existing sales building, and occupation of the existing sales building until the new building is complete. The existing sales building will be demolished after completion of the new building. Upon approval, the Special Exception Permit currently being proposed to the BZA would grant the same rights to the new property and business owner as under the previously approved permit.

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 "Corridor Mixed-Use", which is intended to accommodate a blend of vertical and horizontal mix of land-uses, which include commercial, retail, and residential. In addition, this Board has historically approved automobile sales uses in this area and found the use to be consistent with existing land use patterns along this sector of Laurens Road. Therefore, staff believes the proposed use is consistent with the comprehensive plan.

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

2. Complies with use specific standards

(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.*

The subject property was previously in use as an automobile dealership and exceeds the minimum two-acre requirement.

According to site plans, service and repair operations will continue take place within an enclosed building as required.

No information related to a public address system were included in the application. A public address system would be required to comply with the use specific standards.

No information related to refuse and recycling containers were included in the application. Compliance with the use specific standards and screening standards will be required.

No additional exterior site lighting is proposed beyond that approved on building permits plans that are in the construction process. Existing site lighting is also in place on the property.

No outdoor storage is existing or proposed. Outdoor storage would not be permitted for the new use.

Site plan indicates landscape improvements such as canopy trees and shrubs that ensure compliance with landscaping and buffering requirements.

Staff finds that the proposed use complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** Vacant across access right-of-way (S-1, service district)
- North:** Automobile sales across access right-of-way (C-3, service district)
- West:** Multi-Family Residential (C-3, regional commercial district)
- South:** Automobile sales (C-3, regional commercial district and RM-2, Single-family and multifamily residential district)

The proposed use is located on Laurens Road, along the stretch commonly known as the motor mile, which consists of at several existing automobile sales.

Landscape buffers and screens are indicated on provided site plan to mitigate any negative impacts of the use on properties to the rear and these features should be maintained.

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

4. Design does not have substantial adverse impact

The proposed use is 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.

Staff finds that the proposed use will not have substantial adverse impacts.

Staff Comments and Conditions

City Engineer Comments

Comments:

None

Civil Engineer Comments

Comments:

None

Environmental Engineer Comments

Comments:

None

Traffic Engineer Comments

Comments:

None



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE* Anderson Laurens Road ZZ, LLC

* _____
Name Title / Organization
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: William B. Swent Fox Rothschild, LLP
(Optional) Name Title / Organization

MAILING ADDRESS: 2 West Washington Street, Suite 1100, Greenville, SC 29601

PHONE: 864 751-7605 EMAIL: wswent@foxrothschild.com

PROPERTY OWNER: Anderson Laurens Road ZZ, LLC

MAILING ADDRESS: 9101 Glenwood Avenue Raleigh, NC 27617

PHONE: 919-889-3105 EMAIL: bhopkins@anderson-auto.net

PROPERTY INFORMATION

STREET ADDRESS: SEE ATTACHED "SCHEDULE OF PROPERTY INFORMATION"

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

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Automobile Sales and Servicing (new and used)*

*This is an existing land use.

INSTRUCTIONS

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

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

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

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

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

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

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

Applicant Signature

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

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

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

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



APPLICANT / REPRESENTATIVE SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

1/24/23

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

(YOU MAY ATTACH A SEPARATE SHEET)

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

The property will continue to be used as it currently is and is situated in the well-established motor mile corridor of Greenville.

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

Code of ordinances in section 19-4.3 includes auto sales and service. The existing land and buildings are in compliance with these standards. The Applicant maintains that the existing use exists as a vested right.

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

This property is located in the established motor mile area of Greenville consisting of numerous dealerships.

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.

No adverse effects will be incurred as this property has already been approved for the special exception granted to current owners.

RE: MAZDA DEALERSHIP PROPERTY

SCHEDULE OF PROPERTY INFORMATION

Application for Special Permit

Mazda Dealership Property

Fee Title Grantee: Anderson Laurens Road ZZ, LLC, a South Carolina limited liability company

Property: TMS #0263.00-01-018.00
2512 Laurens Road, Greenville, SC 29607
5.60 Acres

TMS #0263.00-01-013.01
14891 Kellett Drive
3.10 Acres

TMS #0263.00-01-015.01
2510 Laurens Road, Greenville, SC 29607
1.095 Acres

TMS #0263.00-01-012.00
2508 Laurens Road, Greenville, SC 29607
1.420 Acres

Zoning Classification: C-3

Ross Zelenske

To: Leigh Paoletti; Jordan P. Harris; Shannon Lavrin; Karen Osborne
Subject: RE: Anderson Auto SPEX



Ross Zelenske

Senior Development Planner | Planning & Development Services
zelenske@greenvillesc.gov | www.greenvillesc.gov
Phone: 864-467-4251

[Review the proposed Development Code and Zoning Map](#)

From: Leigh Paoletti <lpaoletti@greenvillesc.gov>
Sent: Thursday, January 26, 2023 5:15 PM
To: Ross Zelenske <zelenske@greenvillesc.gov>; Jordan P. Harris <jpharris@greenvillesc.gov>; Shannon Lavrin <slavrin@greenvillesc.gov>; Karen Osborne <kosborne@greenvillesc.gov>
Subject: Fwd: Anderson Auto SPEX

See email confirmation of consent for Mr. Swent to apply for the SPEXs from Wes Bradshaw below.

Leigh Booth Paoletti
City Attorney, City of Greenville
(864) 467-5758 | (864) 275-1994

From: Wes Bradshaw <wesbradshaw@bradshawauto.com>
Sent: Thursday, January 26, 2023 5:13 PM
To: Swent, William B. <WSwent@foxrothschild.com>; Leigh Paoletti <lpaoletti@greenvillesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>
Subject: RE: Anderson Auto SPEX

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

Yes, I consent.

Thank you,



Wes Bradshaw

General Manager

14000 E Wade Hampton Blvd, Greer, SC 29651

Phone: 864-879-7111 • Fax: 864-879-7116

BradshawGreer.com

BradshawAuto.com

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 5:12 PM

To: Leigh Paoletti <lpaoletti@greenvilleesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>; Wes Bradshaw <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

You don't often get email from wswent@foxrothschild.com. [Learn why this is important](#)

WARNING: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious emails to Bradshaw IT.

Please see below

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 4:06 PM

To: Leigh Paoletti <lpaoletti@greenvilleesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>; wesbradshaw@bradshawauto.com <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Wes, I understand your father is on a plane. Will you please respond with consent.

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 3:32 PM

To: Leigh Paoletti <lpaoletti@greenvilleesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Leigh,

I have copied William Bradshaw on this email by way of soliciting his consent to my application for continuation of the existing use by special exception as auto sales and services activities at each of the 4 dealerships in the City of Greenville. Mr. Bradshaw, I would be grateful if you would please reply indicating you were consent.

From: Leigh Paoletti <lpaoletti@greenvilleesc.gov>

Sent: Thursday, January 26, 2023 3:24 PM

To: Swent, William B. <WSwent@foxrothschild.com>

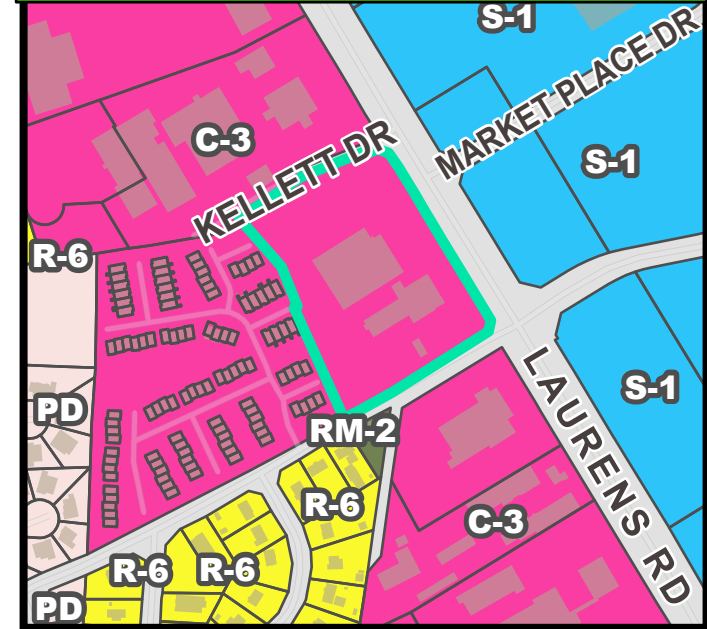
Subject: [EXT] Re: Anderson Auto SPEX

William would the current property owner be willing to send me an email saying you have authority to file the SPEX applications? I'm sorry - trying very hard to get the gap closed here among a hundred other things going on...

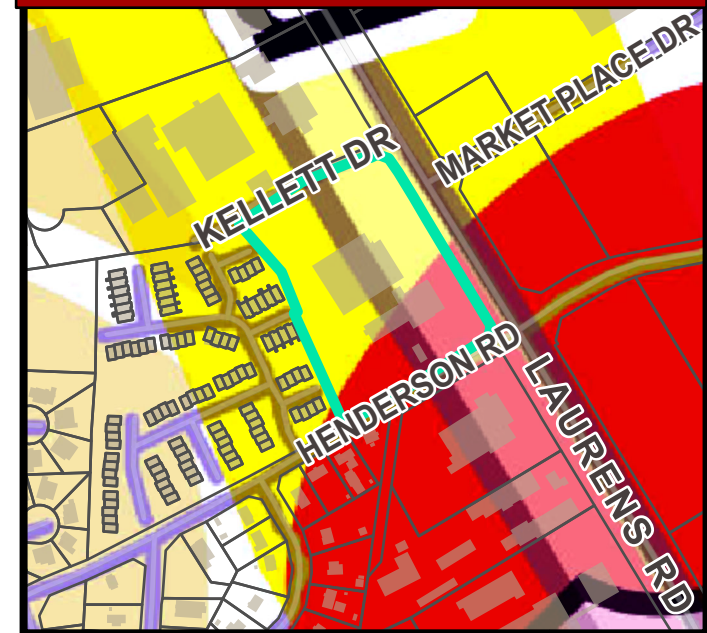
AERIAL VIEW



CURRENT ZONING



FUTURE LAND USE



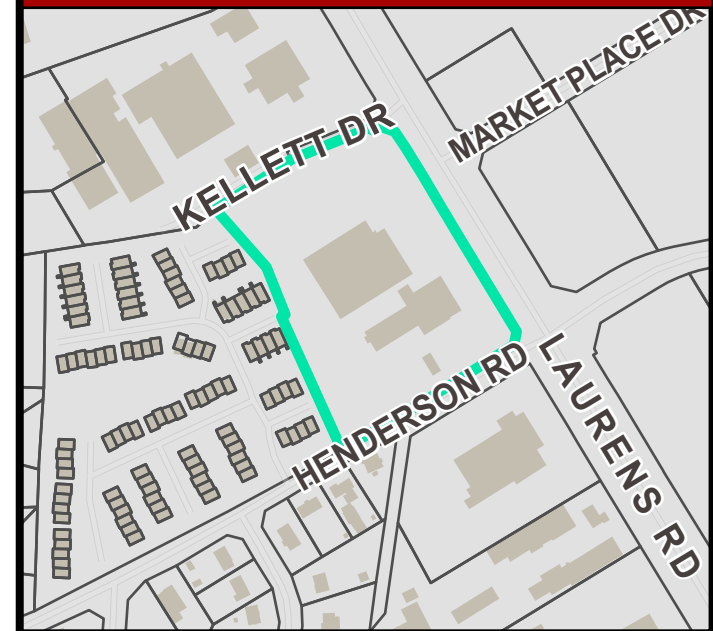
NATURAL / ENVIRONMENTAL FEATURES



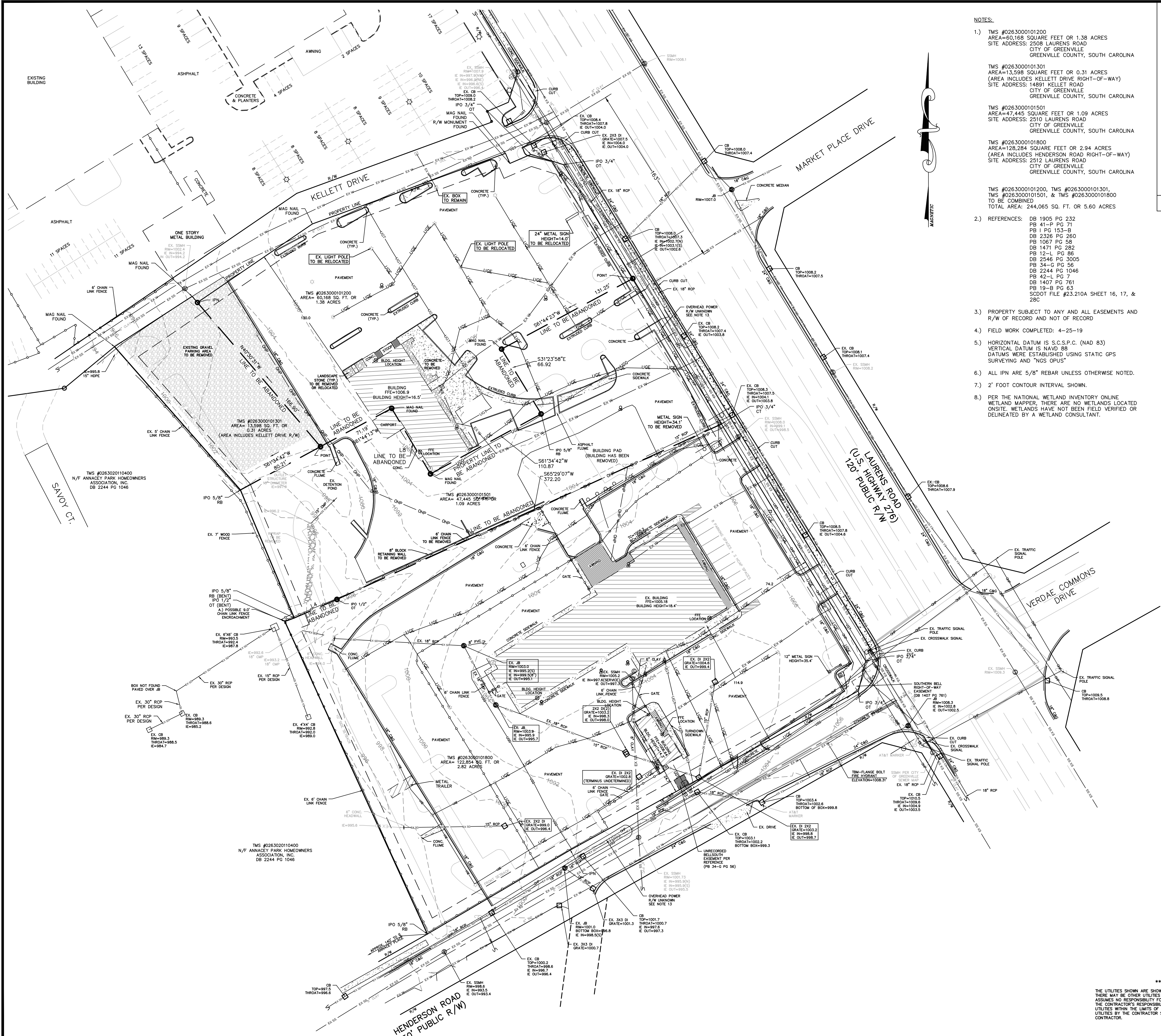
SPECIAL EMPHASIS NEIGHBORHOODS



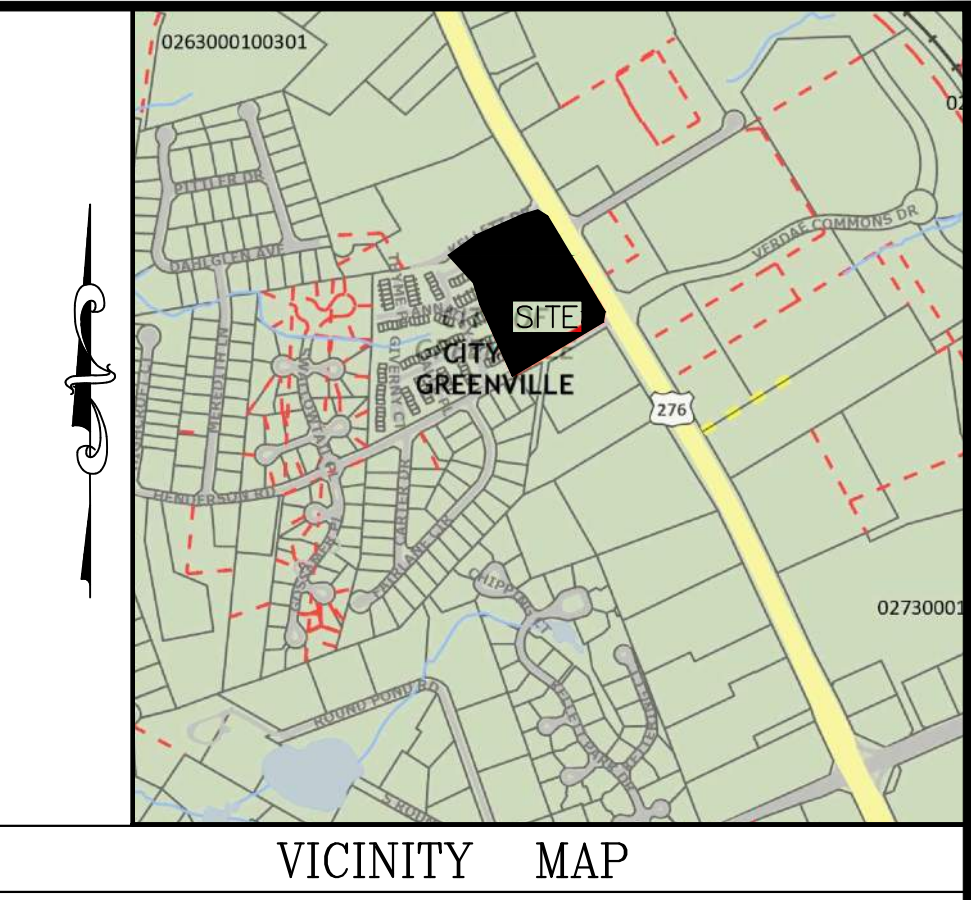
PRESERVATION OVERLAYS



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- NOTES:
- 1.) TMS #0263000101200
AREA=60.168 SQUARE FEET OR 1.38 ACRES
SITE ADDRESS: 2508 LAURENS ROAD
CITY OF GREENVILLE
GREENVILLE COUNTY, SOUTH CAROLINA
 - 2.) TMS #0263000101301
AREA=13.598 SQUARE FEET OR 0.31 ACRES
(AREA INCLUDES KELLETT DRIVE RIGHT-OF-WAY)
SITE ADDRESS: 14891 KELLETT ROAD
CITY OF GREENVILLE
GREENVILLE COUNTY, SOUTH CAROLINA
 - 3.) TMS #0263000101501
AREA=47.445 SQUARE FEET OR 1.09 ACRES
SITE ADDRESS: 2510 LAURENS ROAD
CITY OF GREENVILLE
GREENVILLE COUNTY, SOUTH CAROLINA
 - 4.) TMS #0263000101800
AREA=128.284 SQUARE FEET OR 2.94 ACRES
(AREA INCLUDES HENDERSON ROAD RIGHT-OF-WAY)
SITE ADDRESS: 2512 LAURENS ROAD
CITY OF GREENVILLE
GREENVILLE COUNTY, SOUTH CAROLINA
 - 5.) TMS #0263000101200, TMS #0263000101301,
TMS #0263000101501, & TMS #0263000101800
TO BE COMBINED
TOTAL AREA: 244.065 SQ. FT. OR 5.60 ACRES
 - 6.) REFERENCES: DB 1905 PG 232
PB 41-P PG 71
PB 1 PG 153-B
DB 2326 PG 260
PB 1067 PG 58
DB 1471 PG 282
PB 12-L PG 86
DB 2546 PG 3005
PB 34-G PG 56
DB 2244 PG 1046
PB 42-L PG 7
DB 1407 PG 761
PB 19-B PG 63
SCDOT FILE #23.210A SHEET 16, 17, & 28C
 - 7.) PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND R/W OF RECORD AND NOT OF RECORD
 - 8.) FIELD WORK COMPLETED: 4-25-19
 - 9.) HORIZONTAL DATUM IS S.C.S.P.C. (NAD 83)
VERTICAL DATUM IS NAVD 88
DATUMS WERE ESTABLISHED USING STATIC GPS SURVEYING AND "NGS OPUS"
 - 10.) ALL IPN ARE 5/8" REBAR UNLESS OTHERWISE NOTED.
 - 11.) 2' FOOT CONTOUR INTERVAL SHOWN.
 - 12.) PER THE NATIONAL WETLAND INVENTORY ONLINE WETLAND MAPPER, THERE ARE NO WETLANDS LOCATED ONSITE. WETLANDS HAVE NOT BEEN FIELD VERIFIED OR DELINEATED BY A WETLAND CONSULTANT.



- 8.) PER THE NATIONAL WETLAND INVENTORY ONLINE WETLAND MAPPER, THERE ARE NO WETLANDS LOCATED ONSITE. WETLANDS HAVE NOT BEEN FIELD VERIFIED OR DELINEATED BY A WETLAND CONSULTANT.
- 9.) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION 'X' BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 45045C0403E, WITH A DATE OF IDENTIFICATION OF 8-18-14, FOR COMMUNITY NUMBER 450091, THE CITY OF GREENVILLE, GREENVILLE COUNTY, STATE OF SOUTH CAROLINA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- 10.) ZONING: C-3
SETBACKS: PER CITY OF GREENVILLE CODE OF ORDINANCES
FRONT: 10'
SIDE: 3'-ZERO LOT LINE OR COMMON WALL
CONSTRUCTION ALLOWED
10'-IF ADJACENT TO RESIDENTIAL DISTRICT
REAR: 10'
- 11.) UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND BASED UPON PALMETTO UTILITY PROTECTION SERVICES LOCATIONS, OBSERVED STRUCTURES AND REFERENCES.
- 12.) TYPICAL DUKE ENERGY RIGHT-OF-WAY DISTRIBUTION RIGHT-OF-WAY IS 30' (15' EACH SIDE OF OVERHEAD LINE).
- 13.) NO TITLE INFORMATION PROVIDED FOR THIS SURVEY.
- 14.) POSSIBLE ENCROACHMENTS
A. POSSIBLE 9.0' ENCROACHMENT BY 6' CHAIN LINK FENCE ON SUBJECT PROPERTY ONTO ADJOINING PROPERTY.
B. POSSIBLE 7.5' CURB AND GUTTER ENCROACHMENT INTO HENDERSON ROAD R/W.
C. POSSIBLE CURB AND GUTTER ENCROACHMENT INTO HENDERSON ROAD R/W, DISTANCE VARIES.

City of Greenville, South Carolina
Engineering Division
(864) 467-4400
SITE PLAN PERMIT APPROVAL

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

All construction shall be in accordance with the Land Management Ordinance of the City of Greenville, site plan comments/conditions, and applicable state and federal regulations.

Any approval or acceptance does not relieve the contractor or subcontractors from compliance with the City of Greenville Code of Ordinances.

The Contractor shall obtain a Land Disturbance Permit and if applicable, a Stormwater Permit prior to beginning any construction or land disturbing activities.

The Contractor shall contact the City of Greenville Construction Inspection office at (864) 467-8890 to schedule a preconstruction conference a minimum of 72 hours prior to beginning construction or land disturbing activities.

By:
Date: 5/13/2022

21-4689 Rev. 2

CAUTION
THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN, AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

ARBOR
LAND DESIGN
LANDSCAPE ARCHITECTS - CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS
PO Box 263, Greenville, SC 29602
864.235.3589
postmaster@aldcllc.net

C.O.A. SOUTH CAROLINA
ARBOR LAND DESIGN
#6651
SEAL
CERTIFICATE OF AUTHORIZATION

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	3-15-22	REVISED PER CITY OF GREENVILLE COMMENTS	RLF
2	5-2-22	REVISED PER CITY OF GREENVILLE COMMENTS	RLF

LEGEND

- PROPERTY LINE
- PROPERTY LINE TO BE ABANDONED
- CONTOUR LINE
- RIGHT OF WAY
- EASEMENT PROPERTY LINE
- SETBACK LINE
- UNDERGROUND TELECOMMUNICATION
- UNDERGROUND WATER LINE
- STORM DRAINAGE
- UNDERGROUND POWER LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND GAS LINE
- SANITARY SEWER LINE
- E/C UNIT
- TELECOMMUNICATION BOX
- SON
- TRAFFIC SIGNAL
- ELECTRIC METER
- CLEANOUT
- SPOT ELEVATION
- FIRE HYDRANT
- TEMPORARY REBAR MARK
- DATE POST
- TRIP OPTIC MARKER
- GAS METER
- SEWER TRAP
- GAS VALVE
- BOY WIRE
- MONUMENT (TO BE ABANDONED)
- LIGHT POLE
- POWER POLE
- SANITARY SEWER MANHOLE
- WATER VALVE
- WATER METER
- TELECOMMUNICATION PEDESTAL
- WATER MANHOLE
- WATER MANHOLE
- SEWER TRAP MANHOLE
- CATCH BASIN
- CONCRETE MANHOLE
- JUNCTION BOX
- COMPOSITE METAL PIPE
- REINFORCED CONCRETE PIPE
- HIGH DENSITY POLYETHYLENE PIPE
- DUCTILE IRON PIPE
- EAST IRON CONCRETE LINED PIPE
- OUTLET STRUCTURE
- SHOULDER ELEVATION
- TOP OF CURB
- BOTTOM OF CURB
- TOP OF WALL
- EDGE OF CONCRETE
- EDGE OF PAVEMENT
- R/W
- FTE
- RIGHT OF WAY
- FINISHED FLOOR ELEVATION
- IRON OLD (FOOD)
- IRON PN NEW (GTY)
- OPEN TOP
- CONC. TOP
- REBAR
- C&G
- CURB AND GUTTER

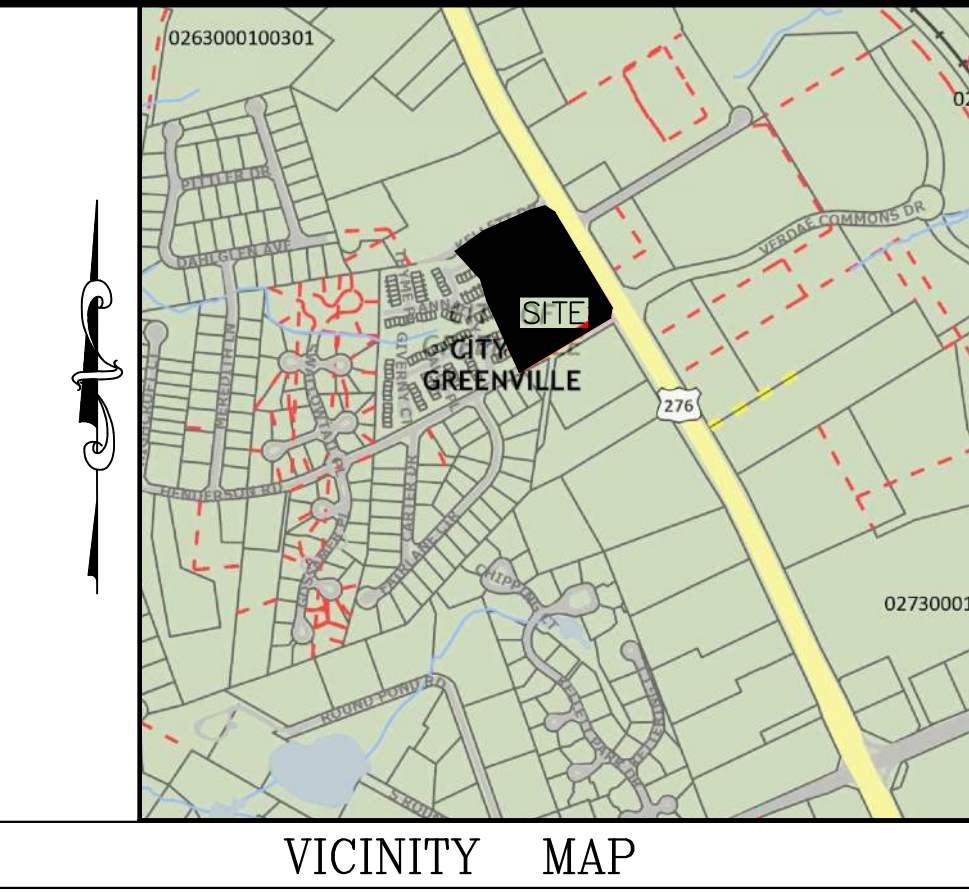
BRADSHAW MAZDA

GREENVILLE SOUTH CAROLINA

EXISTING SITE CONDITIONS

DRAWN: EKN DATE: 11-15-2021
DESIGN: MLO HORIZONTAL SCALE: 1" = 40'
APPROVED: VERTICAL SCALE:
GRAPHIC SCALE: 0' 40' 80'
SCALE: 1" = 40'

JOB NO. 19055
DRAWING NO. C200
SHEET NO. 2 OF 18



1. Install safety fence to maintain access to existing Mazda building while initial demolition and proposed building construction occur.
2. Contractor to protect existing utilities for existing building and minimize any utility interruption for service purposes.
3. All interruption in utility services shall be coordinated with the owner. The owner shall be notified a minimum of 48 hours prior to any interruption of utility service.
4. Existing utilities are shown based on available information. The contractor is to verify the location of all utilities prior to any demolition. There may be utilities that are not shown. Any utilities that are discovered that are not shown are to be brought to the attention of the engineer prior to any demolition.
5. This plan cannot show all of the existing features that are to be removed or abandoned. The contractor is to become familiar with the site and the construction documents.
6. Existing utilities that are removed shall have the trenches compacted in accordance with the compaction requirements on the Grading, Drainage & Erosion Control Plan.
7. Contractor to coordinate demolition schedule with the Owner and engineer.
8. Any portion of the work indicated to remain that becomes damaged by demolition shall be repaired or replaced by the contractor at no additional cost to the owner.
9. Paving and completion of the Proposed building to be completed prior to the Temporary occupancy permit. Contractor to coordinate with owner to obtain all inspections and permits needed for building construction and occupancy.
10. Care is to be used during transition of operations at time of turn over to new building. Contractor to coordinate with owner to minimize disruption of operations.

PHASE 2

11. Shift temporary safety fence as needed to maintain access and public safety between operations.
12. Demolition existing building.
13. All demolition work shall be performed with due care and diligence so as to prevent the arbitrary destruction or interruption of concealed utilities which are intended to remain in use and the routing of which could not be predetermined until demolition was started. All such discoveries of utilities during the demolition process which are in a location different from that indicated or are unidentified shall be reported to the engineer prior to any demolition.
14. Contractor to coordinate demolition schedule with the Owner and engineer.
15. Existing utilities are shown based on available information. The contractor is to verify the location of all utilities prior to any demolition. There may be utilities that are not shown. Any utilities that are discovered that are not shown are to be brought to the attention of the engineer prior to any demolition.
16. This plan cannot show all of the existing features that are to be removed or abandoned. The contractor is to become familiar with the site and the construction documents.
17. Existing utilities that are removed shall have the trenches compacted in accordance with the compaction requirements on the Grading, Drainage & Erosion Control Plan.
18. Any portion of the work indicated to remain that becomes damaged by demolition shall be repaired or replaced by the contractor at no additional cost to the owner.
19. Paving and completion of the second phase of demolition and construction to be completed prior final walk through and punch-list with the City of Greenville and the Owner.
20. Close out with the City of Greenville.
21. Present City with as-builts, close-out documents, executed maintenance agreements, and Notice of Termination, N.O.T.

[illegible]

	EXISTING STORM DRAIN
	EXISTING OVER HEAD POWER
	EXISTING WATER LINE
	PROPOSED WATER LINE
	EXISTING SANITARY SEWER L
	PROPOSED STORM DRAIN
	PROPOSED SANITARY SEWER
	HEAVY DUTY ASPHALT
	NEW CONCRETE
	FIRE ACCESS SIGN

GREENVILLE SOUTH CAROLINA

DRAWN:	EKN	DATE:	11-15
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DESIGN:	MLO	HORIZONTAL SCALE:	1" =
APPROVED:		VERTICAL SCALE:	

GRAPHIC SCALE
40' 0' 40' 80'
SCALE: 1"=40'

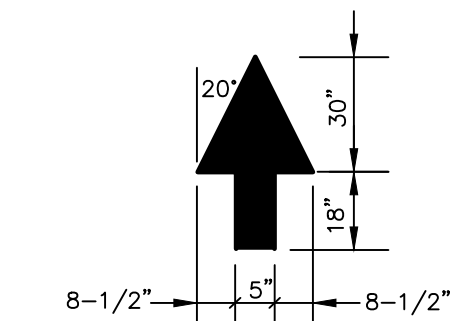
19055

DRAWING NO.

C202

SHEET NO.

4 OF 1



TRAFFIC ARROW DETAIL

FIRE ACCESS D103.6 SIGN

SIGNS SHALL HAVE A MINIMUM DIMENSIONS OF 12 INCHES (305 MM) WIDE BY 18 INCHES (457 MM) HIGH AND HAVE RED LETTERS ON A WHITE REFLECTIVE BACKGROUND.

<u>IMPERVIOUS AREAS:</u>	
TOTAL AREA:	5.6 AC.
EXISTING IMPERVIOUS:	190,357 SQ. FT. (4.37 AC) 78%
PROPOSED IMPERVIOUS: BUILDING, ASPHALT AND SIDEWALKS:	205,603 SQ. FT. (7.72 AC.)
IMPERVIOUS RATIO:	84.3% (IMPERVIOUS)

PARKING REQUIREMENTS:

ZONING: C-3 (SCHEDULE B)

REQUIRED:

64 SPACES + 3 HANDICAP SPACES
FOR SALES, SERVICE, AND EMPLOYEES
314 SPACES FOR INVENTORY

TOTAL: 378 SPACES + 3 HANDICAP SPACES

PROVIDED:

88 SPACES + 3 HANDICAP SPACES
FOR SALES, SERVICE, AND EMPLOYEES
272 SPACES FOR INVENTORY

TOTAL: 360 SPACES + 3 HANDICAP SPACES

BICYCLE PARKING REQUIREMENTS:

REQUIRED: 7
PROVIDED: 7

REQUIRED: 7
PROVIDED: 7

BRADSHAW MAZDA
2512 Laurens Rd.

Bradshaw Family Limited Partnership
P.O. Box 2269,
Greer, SC 29652

Bob Davis
Ph: 864 414-7100

1. BOUNDARY AND TOPOGRAPHIC SURVEY WAS DONE BY FANT, REICHERT AND FOGLEMAN, INC. ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY FOR: BRADSHAW AUTOMOTIVE", DATED 05-06-19.

2. SETBACKS:
FRONT: 10'
SIDE: 3' OR AS SHOWN
REAR: 10'

TMS #0263020110400
N/F ANNACEY PARK HOMEOWNERS
ASSOCIATION, INC.
DB 2244 PG 1046

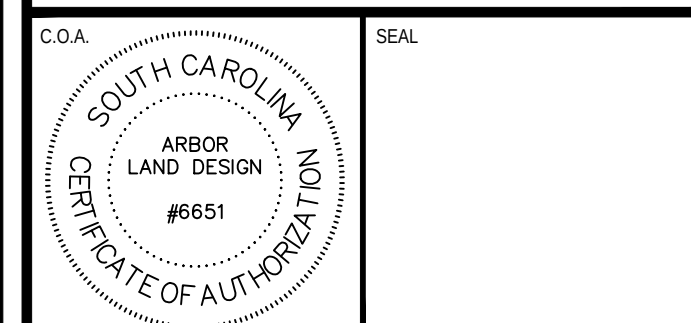


21-4689 Rev 2

3 DAYS BEFORE DIGGING IN
SOUTH CAROLINA
CALL SC
811
PALMETTO UTILITY LOCATION SERVICE

CAUTION

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



← ← ←	PROPOSED DRAINAGE DIRECTION
+1004.0	EXISTING SPOT ELEVATIONS
(+1004.1)	PROPOSED SPOT ELEVATIONS
— SD —	EXISTING STORM DRAIN
— SD —	PROPOSED STORM DRAIN
— 1012 —	PROPOSED CONTOUR LINE
— 1012 —	EXISTING CONTOUR LINE

GREENVILLE SOUTH CAROLINA

DRAWN:	EKN	DATE:	11-15-2021
DESIGN:	MLO	HORIZONTAL SCALE:	1" = 40'
APPROVED:		VERTICAL SCALE:	1" = 40'

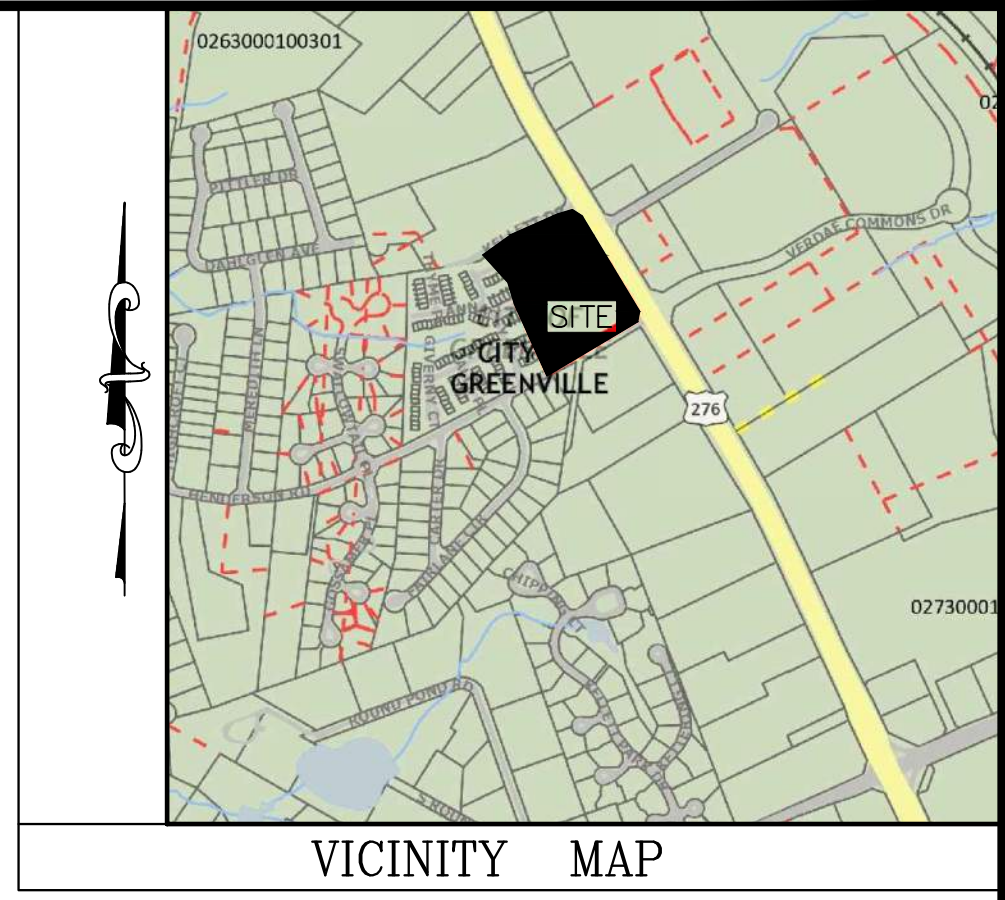
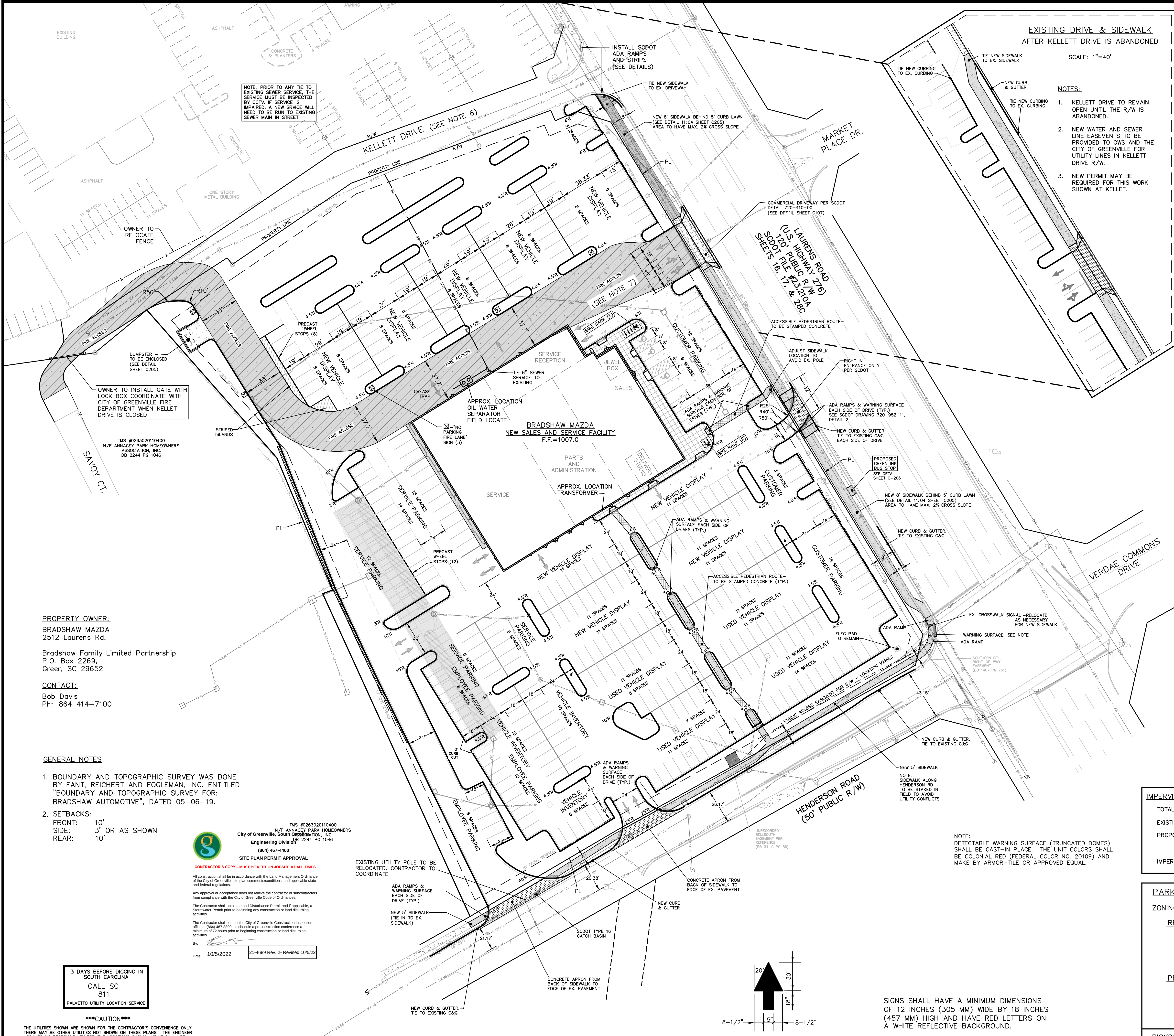
GRAPHIC SCALE	
SCALE: 1"=40'	

JOB NO.		19055
DRAWING NO.		C104
		SHEET NO. 11 OF 18

Date, _____

3 DAYS BEFORE DIGGING IN
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CALL SC
811
PALMETTO UTILITY LOCATION SERVICE

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ARBOR
LAND DESIGN

LANDSCAPE ARCHITECTS - CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS
PO Box 263, Greenville, SC 29602
864.235.3589
postmaster@aldllc.net

C.O.A. SEAL

SOUTH CAROLINA
ARBOR LAND DESIGN
#6651
CERTIFICATE OF AUTHORIZATION

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	3-15-22	REVISED PER CITY OF GREENVILLE COMMENTS	RLF
2	5-2-22	REVISED PER CITY OF GREENVILLE COMMENTS	RLF
3	6-21-22	NOTE PER SCDOT REVISED PER ADS	GNM
4	8-2-22	RELOCATED BUILDING FORWARDS	RLF
5	10-4-22	WIDENED HENDERSON ROAD	RLF

LEGEND

SD - SD - EXISTING STORM DRAIN
OWP - EXISTING OVER HEAD POWER
W - EXISTING WATER LINE
W - PROPOSED WATER LINE
SS - EXISTING SANITARY SEWER LINE
SD - PROPOSED STORM DRAIN
SS - PROPOSED SANITARY SEWER

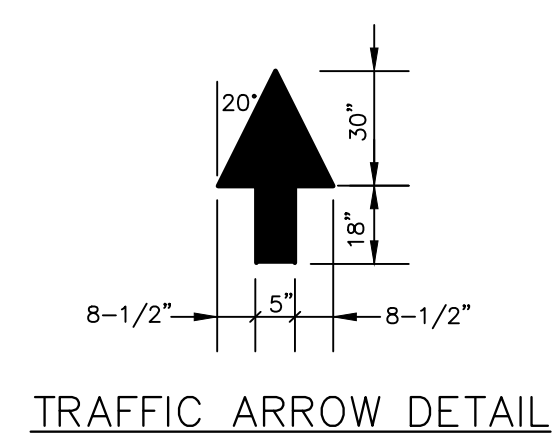
HEAVY DUTY ASPHALT
NEW CONCRETE
FIRE ACCESS SIGN

GENERAL SITE NOTES

- ALL PROPOSED CURB & GUTTER ON THIS SITE TO BE PER DETAIL SHEET C205.
- ALL NEW CURB & GUTTER ON PUBLIC ROADS TO MATCH THE EXISTING CURB & GUTTER DIMENSIONS:
 - HENDERSON ROAD - 24" CURB & GUTTER
 - LAURENS ROAD - 24" CURB & GUTTER
- CURB LAWN AND SIDEWALK DIMENSIONS (SEE DETAIL SHEET C205):
 - HENDERSON ROAD - CURB LAWN WIDTH VARIES (MIN. 5') SIDEWALK TO BE 5' WIDE
 - LAURENS ROAD - CURB LAWN TO BE 8' WIDE SIDEWALK TO BE 8' WIDE
- ALL DIMENSIONS ARE FROM FACE OF CURB. IF NO CURB, THEN FROM EDGE OF PAVEMENT.
- ALL CURB RADI ARE 5' UNLESS NOTED OTHERWISE.
- THIS PROJECT ENDS AT KELLET DRIVE. EXISTING KELLET DR TO REMAIN IN SERVICE UNTIL ABANDONMENT HAS BEEN COMPLETED.
- FIRE ACCESS AS SHOWN WILL ONLY BE USED ONCE KELLET DRIVE HAS BEEN ABANDONED.
- NO DAYTIME TRAFFIC CONTROL IMPACTING A TRAVEL LANE (LANE CLOSURE, LANE REDUCTION, ETC.) IS ALLOWED DURING DAYTIME HOURS. ALL TRAFFIC CONTROL IMPACTING A TRAVEL LANE SHALL BE COMPLETED AT NIGHT FROM 8PM-6AM. ALL LANES SHALL BE OPENED TO NORMAL OPERATIONS BY 7AM.

IMPERVIOUS AREAS:	
TOTAL AREA:	5.6 AC.
EXISTING IMPERVIOUS:	190,357 SQ. FT. (4.37 AC) 78%
PROPOSED IMPERVIOUS:	
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PARKING REQUIREMENTS:	
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TOTAL:	378 SPACES + 3 HANDICAP SPACES
PROVIDED:	
	88 SPACES INCLUSIVE OF 3 HANDICAP SPACES FOR SALES, SERVICE, AND EMPLOYEES 277 SPACES FOR INVENTORY
TOTAL:	365 SPACES INCLUSIVE OF (3 HANDICAP SPACES)
BICYCLE PARKING REQUIREMENTS:	
REQUIRED:	7
PROVIDED:	7



SIGNS SHALL HAVE A MINIMUM DIMENSIONS OF 12 INCHES (305 MM) WIDE BY 18 INCHES (457 MM) HIGH AND HAVE RED LETTERS ON A WHITE REFLECTIVE BACKGROUND.

PROPERTY OWNER:
BRADSHAW MAZDA
2512 Laurens Rd.

Bradshaw Family Limited Partnership
P.O. Box 2269,
Greer, SC 29652

CONTACT:
Bob Davis
Ph: 864 414-7100

- GENERAL NOTES**
- BOUNDARY AND TOPOGRAPHIC SURVEY WAS DONE BY FANT, REICHERT AND FOGLEMAN, INC. ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY FOR: BRADSHAW AUTOMOTIVE", DATED 05-06-19.
 - SETBACKS:
FRONT: 10'
SIDE: 3' OR AS SHOWN
REAR: 10'

City of Greenville, South Carolina
Engineering Division
(864) 467-4400

SITE PLAN PERMIT APPROVAL

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By:
Date: 10/5/2022

21-4689 Rev. 2- Revised 10/5/22

3 DAYS BEFORE DIGGING IN
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811
PALMETTO UTILITY LOCATION SERVICE

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BRADSHAW MAZDA

GREENVILLE SOUTH CAROLINA

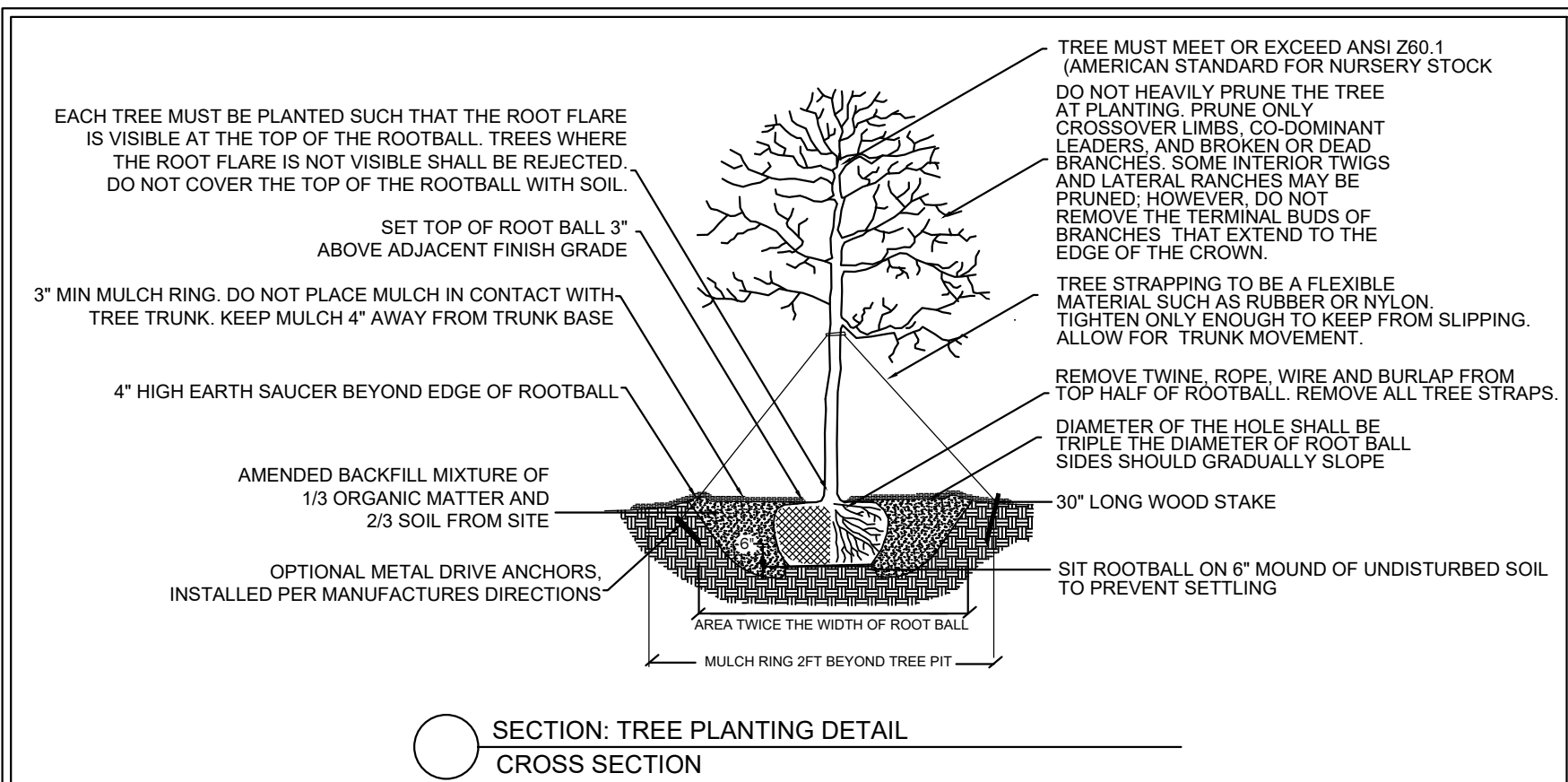
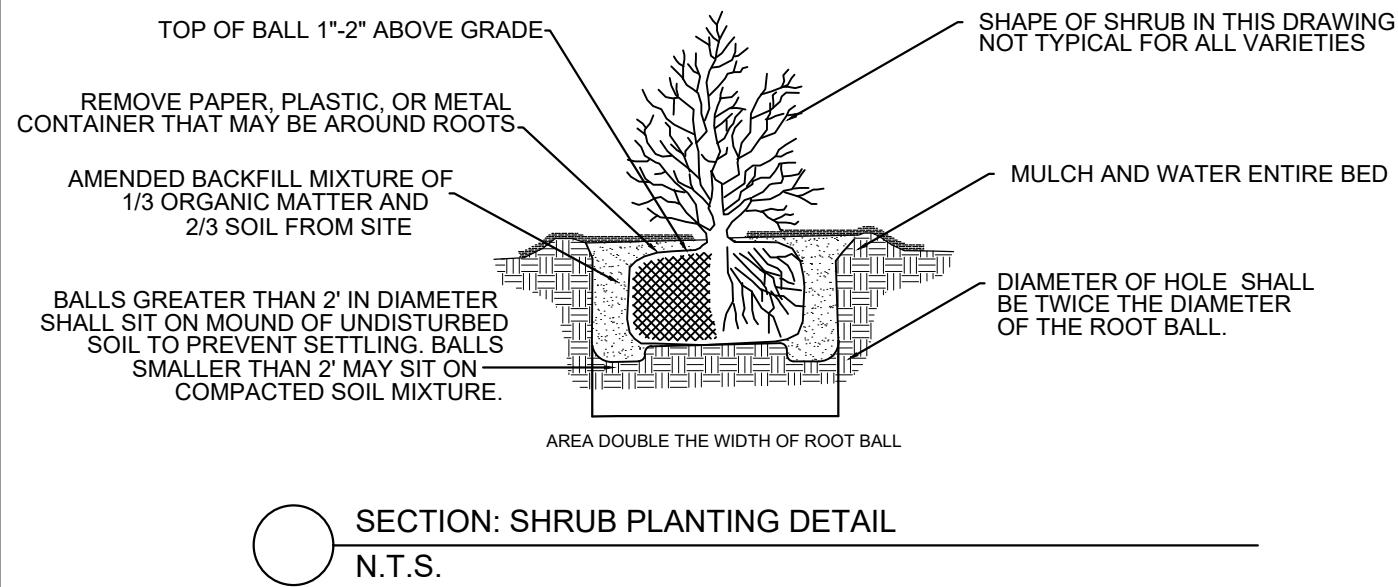
SITE PLAN

DRAWN: EKN DATE: 11-15-21
DESIGN: MLO HORIZONTAL SCALE: 1" = 40'
APPROVED: VERTICAL SCALE:
GRAPHIC SCALE: 0' 40' 80'
SCALE: 1" = 40'

JOB NO. 19055
DRAWING NO. C202
SHEET NO. 4 OF 18

The following notes, conditions, including landscape plan and specifications are to be strictly followed in order to receive a final Certificate of Occupancy or Final Inspection. Any changes in the species, quantity, or size must be approved prior to installation by the city's Senior Landscape Architect. The plant material and sizes are minimums and will be measured for compliance at the time of Final Inspection.

- (City Code Section 19-6.2.1 E) Maintenance. The owner of the property where the landscaping is required shall be responsible for maintenance and protection of all plant and screening material for the duration of the premises.
 - All landscape material, maintenance, and management shall conform to the minimum standards of the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations.
 - Landscape areas shall be maintained in good condition and kept free of all dead plants, weeds, or debris. Failure to maintain or replace dead, damaged or diseased plant material or to repair broken wall or fence within 30 days of notification shall constitute a violation. Replaced plant material must be in compliance with the minimum size, spacing, and quality standards Section 19-6.2.
 - Trees may not be trimmed severely beyond the standards of ANSI A300 Standards for Tree Care Operations. If aggressive trimming occurs, the property will be considered nonconforming and required to replace the trees with trees meeting the minimum size, spacing and quality standards of Section 19-6.2. "Crape Murder" shall be considered a violation and replacements will be enforced
 - Buffer and screening material shall be maintained to meet the minimum size, spacing and quantity standards of table 19-6.2.1 of this section.
- (City Code Section 19-6.2.2 A7) General. The entire planting area must be scarified and contain amended on-site soil or a soil mix to a depth of 18 inches.
- (Code Section 19-6.2.2 B) Minimum planting size/height requirements. All landscaping plant material shall conform to the minimum size or height standards in table 19-6.2-1 at the time of planting as well as meet the standards of ANSIZ60.1 American Standards for Nursery Stock.
 - For newly planted trees the caliper measurement of the trunk shall be taken six inches above the top of the root flare up to and including four inch caliper size. If the caliper at six inches above the top of the root flare exceeds four inches, the caliper should be measured at 12 inches above the top of the root flare.
 - For existing trees the diameter measurement of the trunk shall be taken at DBH (diameter breast height) four and one-half feet above the average ground level.
- (City Code Section 19-6.3.2 B6) Tree protection and replacement. If the minimum protection standards are not met, or if trees are observed by the city to be injured or threatened, they may be deemed ineligible for meeting these requirements and additional trees will be required.
- (City Code Section 19-6.3.2 C3) Protection and replacement of heritage and historic trees. No construction, grading, equipment or material storage, or any other activity shall be allowed within the critical rootzone of a heritage or historic tree unless the steps taken to adequately ensure the health of the tree are submitted in writing to the city's Senior Landscape Architect for approval.
- (City Code Section 19-6.3.2 C4) Protection and replacement of heritage and historical trees. Heritage or historical trees shall not be cut, removed, pushed over, killed, harmed, trimmed, sprayed, or destroyed without written approval from the city's Senior Landscape Architect.
- (City Code Section 19-6.3.3 A) Tree protections during construction
 - Before grading begins, fencing shall be required, at a minimum, around the critical root zone of all trees that are to be preserved. Additional fencing shall be required around the critical root zone of trees on adjacent properties or located in the right-of-way.
 - Type of fencing: All fencing required by this section shall be a minimum of four feet high and of durable construction; such as wood or metal fencing.
 - Signs. Signs shall be installed on the protective fence visible on all sides of the fenced in area (minimum on each side and/or every 300 linear feet). The size of each sign must be at a minimum of one foot x one and one-half feet and shall contain the following: "TREE PROTECTION ZONE: KEEP OUT"
 - Activity within a fenced protection zone. No construction, grading, parking, equipment, or material storage, or any other activity shall be allowed within the fenced area.
 - Maintenance of fencing. For existing trees to be counted towards tree credits, they must be protected during the entire development period, beginning prior to commencement of site work. Encroachment within the tree protection zone is permitted to allow the landscape contractor access to complete the site work.
 - Critical root zone. The minimum area beneath a tree that must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is typically represented by a concentric circle centering on the tree trunk with a radius equal in feet to one (1) times the number of inches of the trunk diameter. (CRZ in ft = 1 x Diameter inches)
- (City Code Section 19-6.3.3 B) Tree protection during construction. Encroachment within the critical root zones of any tree being preserved to comply with required tree credits, or within designated tree protection zones, shall occur only in rare instances. If such an encroachment is anticipated, a written request must be made to the city's Senior Landscape Architect for allowance of encroachment. Request must detail preventative measures taken. If approved the following preventative measures shall be employed:
 - Clearing activities. The removal of trees adjacent to a tree protection zone can cause inadvertent damage to the protected trees. Whenever possible, it is advisable to cut minimum two foot trenches along the limits of land disturbance, so as to cut, rather than tear, root. Trenching is required for the protection of historic and heritage trees.
 - Soil compaction. Where compaction might occur due to traffic or materials through the tree protection zone, the area must first be mulched with a minimum four inch layer of processed bark or wood chips or a six inch layer of pine straw. Equipment or materials storage shall not be allowed within tree protection areas.
- (City Code Section 19-6.4) Irrigation. If irrigation is provided, a rain sensor must be installed such that it shuts off irrigation system when up to 2" of rain has fallen.
- The bicycle rack specification and detail is to be installed as shown on plan unless written approval is granted by the city's Senior Landscape Architect, prior to installation



TREE REQUIREMENTS PER LANDSCAPE ORDINANCE	
This table is to be used to determine the minimum number of trees that will be required per the landscape ordinance.	
LF of lot adjacent to street (to determine street tree requirements)	875
SF of parking lot (to determine parking lot requirements)	31,637
SF of disturbed area (to determine tree density requirements)	32,240
Combined Building Footprints	25,806.73
Athletic fields and courts	0
Number of Existing Trees between 3" and 6" to be saved	0
Total area for trees per 2,000 SF	6433.27
No. of Trees	
Trees required for 1 per 2,000 SF	4
Which may include parking lot and street tree totals	
6" Parking lot trees are part of the total required	
3" Canopy Street trees required at 1 per 40' or 2" Ornamental Street trees required at 1 per 20'	23
Street trees are part of the total required	
44 Street trees are part of the total required	
Total Required number of trees per landscape ordinance	4
Credit for Saved Trees	0
Number of new tree to be installed per landscape ordinance	4

TREE REQUIREMENTS PER TREE PRESERVATION ORDINANCE (1:1 replacement)	
This table is to be used to determine the mitigation requirements for removed trees per the tree preservation ordinance	
Existing Trees greater than 6" to be removed (including heritage trees)*	Will require survey information
Total DBH to be installed as indicated on landscape plan plus saved trees	107
107 Difference of Mitigation minus installed	
0 Additional DBH Required	
\$0 Optional Fee in-lieu of mitigation	

* NOTE: exclude any trees which are exempt per ordinance

TREE REQUIREMENTS PER TREE PRESERVATION ORDINANCE (Heritage Tree Removal Fees)	
This table is to be used to determine the fine for removal of heritage trees	
Heritage trees being removed	0
\$0 Mandatory Heritage tree removal fees	

TOTAL FEES REQUIRED FOR 1:1 MITIGATION FINE AND HERITAGE TREE FINES	
\$0 Optional Fee in-lieu of mitigation	
\$0 Mandatory Heritage tree removal fees	
\$0 Total of Fee in-lieu of plus Heritage Removal Fees	
\$18,503 Max Cap based on \$25,000 per acre pro rata	

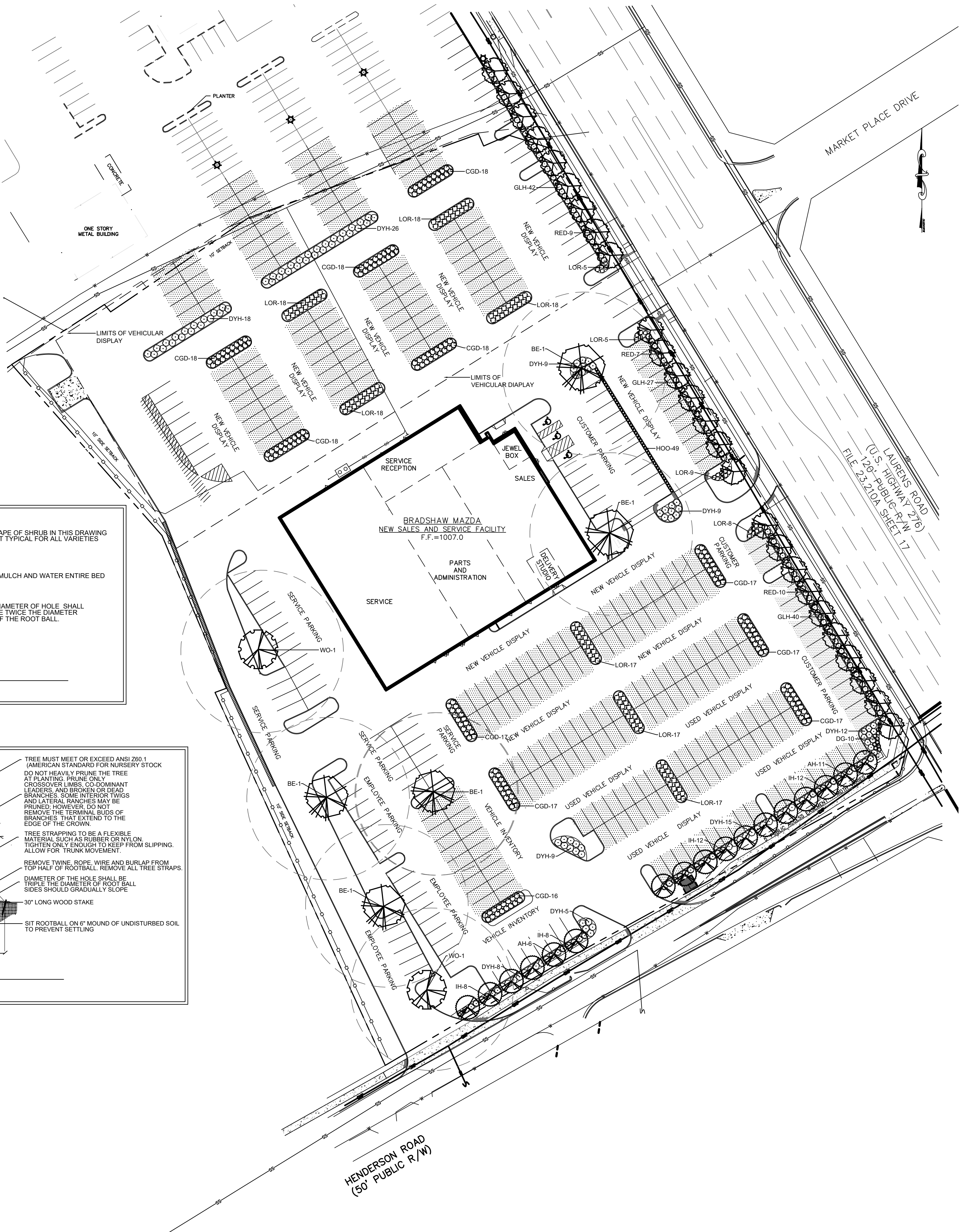
PLANT LIST

KEY	QTY	COMMON NAME	BOTANICAL NAME	MINIMUM SIZE AT TIME OF PLANTING
AH	17	AMERICAN HORNBEAM	CARPINUS CAROLINIANA	2" CALIPER x 10' HEIGHT, 5' CLEAR TRUNK
BE	5	BOSQUE ELM	ULMUS PARVIFOLIA 'BOSQUE'	3" CALIPER x 12' HEIGHT
RED	26	REDBUD	CERCIS CANADENSIS	2" CALIPER x 10' HEIGHT, 5' CLEAR TRUNK
WO	2	WILLOW OAK	QUERCUS PHELLOS	3" CALIPER x 12' HEIGHT
CGD	191	CINNAMON GIRL DISTYLUM	DISTYLUM CINNAMON GIRL pp#27631	3 GALLON / MINIMUM 18" HEIGHT AT INSTALLATION
DG	20	DWARF GARDENIA	GARDENIA JASMINOIDES 'RADICANS'	3 GALLON
DYH	111	DWARF YAU'PON HOLLY	ILEX VOMITORIA 'NANA'	3 GALLON / MINIMUM 18" HEIGHT AT INSTALLATION
GLH	109	GREEN LUSTRE HOLLY	ILEX CRENATA 'GREEN LUSTRE'	3 GALLON / MINIMUM 18" HEIGHT AT INSTALLATION
HOO	49	HOOGENDORN HOLLY	ILEX CRENATA 'HOOGENDORN'	3 GALLON
IH	40	INDIAN HAWTHORN	RAPHIOLEPIS INDICA 'INDIAN PRINCESS'	3 GALLON / MINIMUM 18" HEIGHT AT INSTALLATION
LOR	150	LOROPETALUM	LOROPETALUM CHINENSE 'CRIMSON FIRE'	3 GALLON / MINIMUM 18" HEIGHT AT INSTALLATION

MULCH HARDWOOD- 4" DEPTH

NOTES:

**PLANT QUANTITIES SHOWN ARE FOR CONTRACTOR'S CONVENIENCE ONLY.



McLeod
Landscape Architects, LLC
100 West Washington Street
Suite 400
Greenville, SC 29601
(864) 370-3635

SEAL

REVISED PER COMMENTS
GMA 03/07/2022
SUBMITTED FOR APPROVAL
GMA 11/12/2019

REVISIONS

BRADSHAW MAZDA LAURENS ROAD / GREENVILLE, SC LANDSCAPE COMPLIANCE PLAN

THIS DOCUMENT IS THE PROPERTY OF
MCLEOD LANDSCAPE ARCHITECTS, LLC.
THE UNAUTHORIZED USE, REPRODUCTION,
OR COPYING OF THIS DOCUMENT IS
STRICTLY PROHIBITED AND IS TO BE
RETURNED UPON REQUEST.

DRAWN
GMA
CHECKED
JPMc
DATE
NOVEMBER, 2019
SCALE
1"=40'
JOB NO.
22006
SHEET

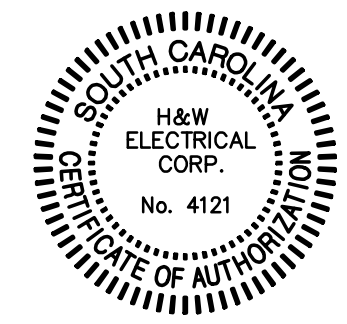
LUMINAIRE SCHEDULE								
Symbol	Label	Quantity	Catalog Number	Description	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	S6	8	TRV-36L-80-5K7-4W	TRAVERSE	TRV-36L-80-5K7-4W-UNV.lvs	9221	0.9	85.47
	S7	3	TRV-24L-55-5K7-5W	TRAVERSE	TRV-24L-55-5K7-5W-UNV.lvs	6191	0.9	57.9037
	R1	17	RSX3 LED P4 40K R5	RSX Area Fixture Size 3 P4 Lumen Package 4000K CCT Type R5 Distribution	RSX3_LED_P4_40K_R5.lvs	41525	0.9	623.84
	R2HS	7	RSX4 LED P6 40K R4 HS	RSX LED Area Luminaire Size 4 P6 Lumen Package 4000K CCT Type R4 Distribution with HS shield	RSX4_LED_P6_40K_R4_H.lvs	45655	0.9	545.66
	R3HS	4	RSX3 LED P4 40K R3	RSX Area Fixture Size 3 P4 Lumen Package 4000K CCT Type R3 Distribution	RSX3_LED_P4_40K_R3.lvs	40446	0.9	311.92
	R4	2	RSX3 LED P4 40K R4	RSX Area Fixture Size 3 P4 Lumen Package 4000K CCT Type R4 Distribution	RSX3_LED_P4_40K_R4.lvs	40976	0.9	623.84
	R5HS	6	RSX2 LED P2 40K R3 HS	RSX LED Area Luminaire Size 2 P2 Lumen Package 4000K CCT Type R3 Distribution with HS shield	RSX2_LED_P2_40K_R3_H.lvs	12074	0.9	114.07
	R1S	3	RSX3 LED P4 40K R5	RSX Area Fixture Size 3 P4 Lumen Package 4000K CCT Type R5 Distribution	RSX3_LED_P4_40K_R5.lvs	41525	0.9	311.92

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Front Row		13.6 fc	20.9 fc	2.2 fc	9.5:1	6.2:1
New Car (East)		13.4 fc	17.8 fc	0.0 fc	N/A	N/A
New Car (West)		10.1 fc	12.8 fc	6.5 fc	2.0:1	1.6:1
Overall Site		9.2 fc	25.1 fc	0.0 fc	N/A	N/A
Rear Property Line (Residential)		0.2 fc	0.3 fc	0.1 fc	3.0:1	2.0:1

NOTES

- Luminaires (regular or flood lamps) between 175 watts and 400 watts shall be, at a minimum, semi-cutoff type.
- Luminaires (regular and flood lamps) in excess of 400 watts shall not emit any direct light above the horizontal plane of the fixture; i.e., it shall be shielding or full-cutoff type.
- Wall pack fixtures shall be full-cutoff.



H&W Electrical Corp.
Greenville, South Carolina
www.hwelectrical.com
(T) 864.233.7227 (F) 864.242.1682

BRADSHAW MAZDA
2512 LAURENS RD.
GREENVILLE, SOUTH CAROLINA
ELECTRICAL SITE PHOTOMETRIC PLAN

REV	DATE	BY	DESCRIPTION
4	7-12-2022	JRT	SITE LTG. REVISIONS
3	4-24-2022	JRT	SITE LTG. REVISIONS
2	10-14-2019	JRT	MSC. REVISIONS
1	9-12-2019	JRT	ISSUED FOR PERMIT
0	8-23-2019	JRT	ISSUED FOR REVIEW 0909

DRAWN: JRT
CHECKED: JRT
DATE: AUG 23, 2019
SCALE:
PROJ. NO: 1941
E5.1
SHEET 13 OF 13

City of Greenville Building Division
www.greenvillesc.gov | (864) 232-2237

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 #: 22-604
Date: 8/11/2022



**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023
for the April 13, 2023 Public Hearing**

Docket Number:	S 23-057
Applicant:	Anderson Laurens Road II, LLC
Property Owner:	Anderson Laurens Road II, LLC
Property Location:	2600 Laurens Road
Tax Map Number:	026300-01-02000
Acreage:	2.810
Zoning:	C-3, Regional Commercial District SSO, Special Sign Overlay District
Proposal:	SPECIAL EXCEPTION PERMIT to allow an 'Automobile sales' 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, Commercial Uses*

Staff Recommendation:

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

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The Special Exception Permit shall be limited to the applicant, Anderson Laurens Road II, LLC, and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.

Staff Analysis:

The Applicant, Anderson Laurens Road II, LLC, proposes to establish an automobile sales use in a C-3, Regional commercial district. The subject site is located at 2600 Laurens Road on the property previously occupied by the Bradshaw Infinity dealership.

Per Sections 19-4.1 (*Table of Uses*), a Special Exception Permit is required for automobile sales use in a C-3, Regional commercial district.

The Applicant indicates the intent to use the existing building vacated by Bradshaw Infinity which includes sales and service areas adjacent to the front and on the left side of the building.

This application is intended to allow the operation of an automobile sales use that was previously permitted under Special Exception Permit S 16-005, approved by the Board of Zoning Appeals on February 16, 2016.

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 "Corridor Mixed-Use", which is intended to accommodate a blend of vertical and horizontal mix of land-uses, which include commercial, retail, and residential. In addition, this Board has historically approved automobile sales uses in this area and found the use to be consistent with existing land use patterns along this sector of Laurens Road. Therefore, staff believes the proposed use is consistent with the comprehensive plan.

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

2. Complies with use specific standards

(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.*

The subject property was previously in use as an automobile dealership and exceeds the minimum two-acre requirement.

A street buffer yard between the dealership and Laurens Road is existing. Vehicles do not appear to be placed on the property.

Information on service and repair operations was not included in the application, but all work will be required to take place within an enclosed building.

No information related to a public address system were included in the application. A public address system would be required to comply with the use specific standards.

No information related to refuse and recycling containers were included in the application. Compliance with the use specific standards and screening standards will be required.

No new exterior site lighting or alterations were noted. Existing site lighting is in place on the property. Any planned changes to the light poles or fixtures will require code complaint light fixtures and illumination levels.

No outdoor storage is existing or proposed. Outdoor storage would not be permitted for the new use.

No information regarding screening from residential zoning was included with the application. Compliance with the use specific standards and screening standards will be required

Staff finds that the proposed use generally complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** Vacant across access right-of-way (S-1, service district)
- North:** Automobile Sales (C-3, regional commercial district)
- West:** Single-Family Residential (RM-2, Single-family and multifamily residential district) and Commercial (C-3, regional commercial district)
- South:** Automobile Sales (C-3, regional commercial district)

The subject property is located on Laurens Road, along the stretch commonly known as the motor mile, where a number of existing automobile dealerships exist. Adjacent properties contain single family detached and attached residential as well as non-residential uses.

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

4. Design does not have substantial adverse impact

The proposed use is 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.

Staff finds that the proposed use will not have substantial adverse impacts.

Staff Comments and Conditions

City Engineer Comments

Comments:

None

Civil Engineer Comments

Comments:

None

Environmental Engineer Comments

Comments:

None

Traffic Engineer Comments

Comments:

None



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE* Anderson Laurens Road II, LLC

* _____
Name Title / Organization
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: William B. Swent Fox Rothschild, LLP
(Optional) Name Title / Organization

MAILING ADDRESS: 2 West Washington Street, Suite 1100, Greenville, SC 29601

PHONE: 864 751-7605 EMAIL: wswent@foxrothschild.com

PROPERTY OWNER: Anderson Laurens Road II, LLC

MAILING ADDRESS: 9101 Glenwood Avenue Raleigh, NC 27617

PHONE: 919-889-3105 EMAIL: bhopkins@anderson-auto.net

PROPERTY INFORMATION

STREET ADDRESS: SEE ATTACHED "SCHEDULE OF PROPERTY INFORMATION"

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

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Automobile Sales and Servicing (new and used)*

*This is an existing land use.

INSTRUCTIONS

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

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

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

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

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

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

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

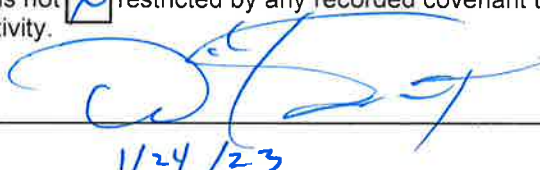
Applicant Signature

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

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

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

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


1/24/23

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.

The property will continue to be used as it currently is and is situated in the well-established motor mile corridor of Greenville.

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

Code of ordinances in section 19-4.3 includes auto sales and service. The existing land and buildings are in compliance with these standards. The Applicant maintains that the existing use exists as a vested right.

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

This property is located in the established motor mile area of Greenville consisting of numerous dealerships.

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.

No adverse effects will be incurred as this property has already been approved for the special exception granted to current owners.

RE: INFINITI DEALERSHIP PROPERTY

SCHEDULE OF PROPERTY INFORMATION

Application for Special Permit

Infiniti Dealership Property

Fee Title Grantee: Anderson Laurens Road II, LLC, a South Carolina limited liability company

Property: TMS #0263.00-01-020.00
2600 Laurens Road, Greenville, SC 29607
2.810 acres

Zoning Classification: C-3

Ross Zelenske

To: Leigh Paoletti; Jordan P. Harris; Shannon Lavrin; Karen Osborne
Subject: RE: Anderson Auto SPEX



Ross Zelenske

Senior Development Planner | Planning & Development Services

zelenske@greenvillesc.gov | www.greenvillesc.gov

Phone: 864-467-4251

[Review the proposed Development Code and Zoning Map](#)

From: Leigh Paoletti <lpaoletti@greenvillesc.gov>
Sent: Thursday, January 26, 2023 5:15 PM
To: Ross Zelenske <zelenske@greenvillesc.gov>; Jordan P. Harris <jpharris@greenvillesc.gov>; Shannon Lavrin <slavrin@greenvillesc.gov>; Karen Osborne <kosborne@greenvillesc.gov>
Subject: Fwd: Anderson Auto SPEX

See email confirmation of consent for Mr. Swent to apply for the SPEXs from Wes Bradshaw below.

Leigh Booth Paoletti
City Attorney, City of Greenville
(864) 467-5758 | (864) 275-1994

From: Wes Bradshaw <wesbradshaw@bradshawauto.com>
Sent: Thursday, January 26, 2023 5:13 PM
To: Swent, William B. <WSwent@foxrothschild.com>; Leigh Paoletti <lpaoletti@greenvillesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>
Subject: RE: Anderson Auto SPEX

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

Yes, I consent.

Thank you,



Wes Bradshaw

General Manager

14000 E Wade Hampton Blvd, Greer, SC 29651
Phone: 864-879-7111 • Fax: 864-879-7116

BradshawGreer.com
BradshawAuto.com

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 5:12 PM

To: Leigh Paoletti <lpaoletti@greenvillesc.gov>; William Bradshaw <wbradshaw@bradshawauto.com>; Wes Bradshaw <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

You don't often get email from wswent@foxrothschild.com. [Learn why this is important](#)

WARNING: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious emails to Bradshaw IT.

Please see below

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 4:06 PM

To: Leigh Paoletti <lpaoletti@greenvillesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>; wesbradshaw@bradshawauto.com <wesbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Wes, I understand your father is on a plane. Will you please respond with consent.

From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, January 26, 2023 3:32 PM

To: Leigh Paoletti <lpaoletti@greenvillesc.gov>; wbradshaw@bradshawauto.com <wbradshaw@bradshawauto.com>

Subject: Re: Anderson Auto SPEX

Leigh,

I have copied William Bradshaw on this email by way of soliciting his consent to my application for continuation of the existing use by special exception as auto sales and services activities at each of the 4 dealerships in the City of Greenville. Mr. Bradshaw, I would be grateful if you would please reply indicating you were consent.

From: Leigh Paoletti <lpaoletti@greenvillesc.gov>

Sent: Thursday, January 26, 2023 3:24 PM

To: Swent, William B. <WSwent@foxrothschild.com>

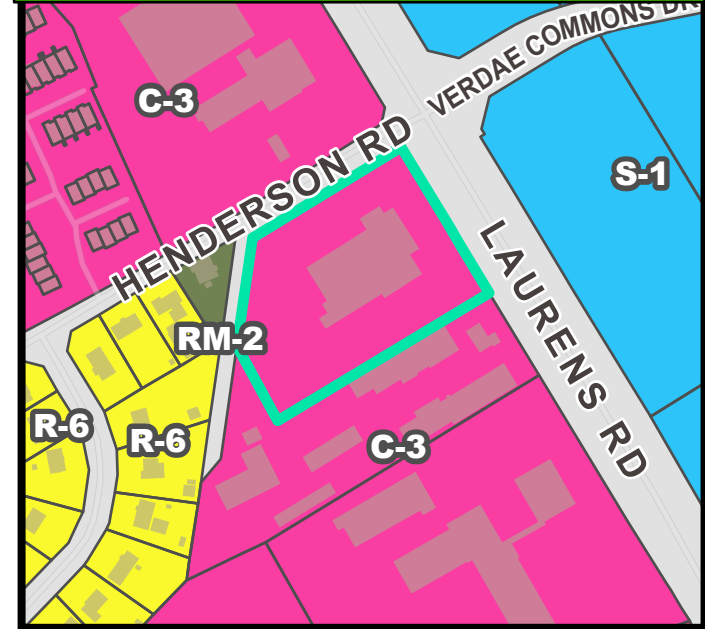
Subject: [EXT] Re: Anderson Auto SPEX

William would the current property owner be willing to send me an email saying you have authority to file the SPEX applications? I'm sorry - trying very hard to get the gap closed here among a hundred other things going on...

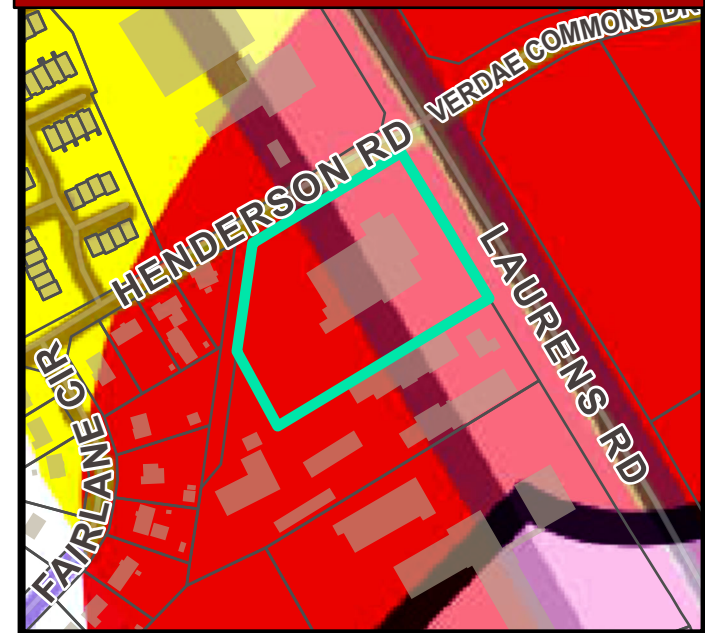
AERIAL VIEW



CURRENT ZONING



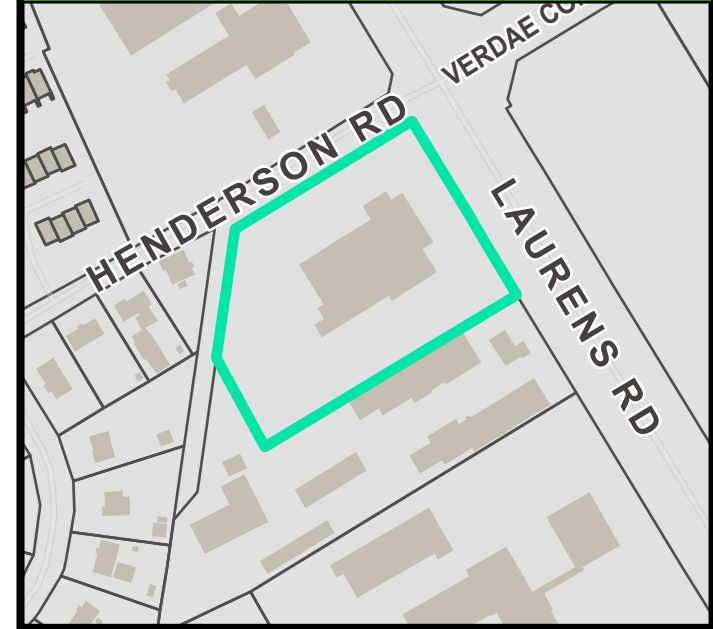
FUTURE LAND USE



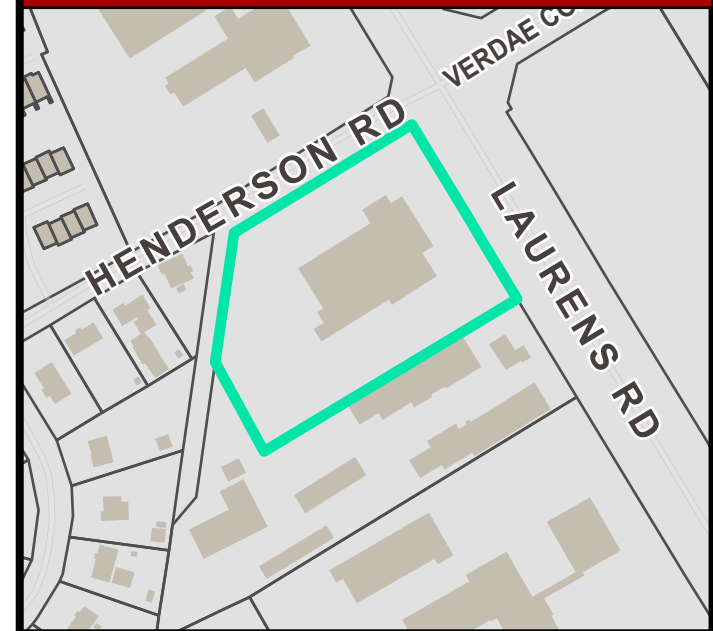
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023
for the April 13, 2023 Public Hearing**

Docket Number:	S 23-116
Applicant:	Jack Brown's GVL, LLC (Jason Owenby) dba Jack Brown's Beer & Burger Joint
Property Owner:	Downtown Greenville Investment, LLC
Property Location:	19 Augusta Street
Tax Map Number:	008900-01-01800
Acreage:	0.03
Zoning:	C-4, Central Business District PO, Preservation Overlay District
Proposal:	SPECIAL EXCEPTION to establish a 'Restaurant, indoor only' 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 (C), *Use-specific standards, Commercial uses, Eating Establishments*

Staff Recommendation: Approve with Conditions

Staff concludes that the Application complies with the standards to grant a Special Exception Permit as a **'Restaurant, with indoor seating only'** permitted to operate after midnight. If the Board decides to grant the Permit, Staff suggests the following conditions:

1. The operation of the establishment shall substantially conform to the testimony of the Applicant, Jack Brown's GVL, LLC, the property (TM #008900-01-01800), and the content of the application.
2. The special exception permit shall be limited to the applicant and shall not be transferrable. Copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.
4. Hours of operation shall be substantially consistent with those stated by the Applicant and not exceed past 2:00 a.m. Food service shall be available during all operating hours, with an exception for last call, which may occur up to one hour before close.
5. Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 12:00 midnight and 7:00 a.m.

6. 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.
7. 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.
8. 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.
9. If more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require up to two security guards be hired and that one of the required security guard positions be an off duty sworn law enforcement officer. One of the required security guards would be required to be positioned outside the business on Thursdays, 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 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.
10. The Applicant shall designate staff at all ingress/egress points to be responsible for the monitor of flow of patrons and confirmation of compliance with allowable occupant capacity.
11. Outdoor live entertainment and exterior sound amplification is prohibited.
12. 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.
13. Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.
14. If outside queueing of patrons on sidewalks occurs, the manager shall ensure orderly behavior of patrons so as to not negatively impact surrounding lands. Should the City determine this to become a problem, then the Applicant shall return to Technical Advisory Committee for resolution. Additional action by the City may be needed to address any potential negative impacts related to noise or disruptive behavior.

Staff Analysis:

The Applicant, Jack Brown's GVL, LLC, requests a special exception to establish a 'restaurant, indoor only' use with operation after midnight in downtown Greenville. The Applicant opened in January 2023 and is requesting formal approval to operate past midnight.

Per Sections 19-4.1 (*Table of Uses*) and 19-4.3.3(A), a special exception permit is required for commercial uses that are open to the public between the hours of 12 midnight at 5:00am. The proposed use falls within the '*eating establishments*' commercial use category in Section 19-4.1 and the business intends to operate until 2:00 a.m.

The Applicant has indicated the business will operate up to seven days a week from 11:00 a.m. until 2:00 a.m.

The business features a full-service kitchen and will serve beer. No liquor will be served per the application. Wine was not included on the menu provided. Alcohol sales will account for approximately 35 percent of all revenues, while food and non-alcoholic drink sales will account for the remaining 65

percent of revenues. Food sales will be available during all operating hours, with the exception of last call, which will occur 30 minutes before close according to the application.

The Technical Advisory Committee (TAC) met with the Applicant on March 16, 2023, and recommended approval of the Special Exception Permit with conditions; these recommended conditions are listed at the end of this report.

No special exception permits or conditional use permits have previously applied to the property.

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 GVL2040 Comprehensive Plan identifies the subject property in the 'Corridor Mixed-Use' classification as part of the future land use map.

The 'Corridor Mixed-Use' classification is intended to accommodate a blend of vertical and horizontal mix of land uses including commercial, retail, and residential. It is generally expected that all properties fronting the street will be included in this category and density and building heights will step up near Urban Nodes. Adjacent neighborhoods should be buffered where needed.

The property is also within the boundary of the West End Small Area Plan which was completed and adopted by City Council in November 2021. The property is a part of the 'Augusta Precinct' in the plan. The Augusta Precinct is encouraged to promote walkability, neighborhood serving uses, and art, while also encouraging human-scaled development, preserving existing building character, and adding more open space. The plan specifically locates the property in Block WE-57. Appropriate land uses in the block specifically include restaurant.

The proposed 'restaurant' use is a commercial use located in a building that fronts the street. The use also aligns with the vision for the West End area.

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 and for eating establishments are located in Section 19-4.3.3 and are listed below:

19-4.3.3. Commercial uses.

(A) General.

...

(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.

...

(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.

The Applicant has stated their intent to comply with the use-specific criteria within their application.

Upon discussion with the Technical Advisory Committee, the Applicant displayed awareness of potential issues about noise, security, and the need for training of management and staff. The Applicant confirmed the use would be a restaurant and not a night club. No live entertainment is proposed.

Staff recommends formal incorporation of TAC's recommended conditions, listed at the end of this report, into any motion for approval. Staff also recommends the incorporation of the applicable use specific standards as conditions of 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:

Adjacent property is used (and zoned) as follows:

East:	Restaurant and retail (C-4, Central business district)
North:	Office and retail (C-4)
West:	Restaurant (C-4)
South:	Restaurant (C-4)

The property is located in the West End commercial historic district and is zoned C-4, Central Business District. The subject property is a one-story, downtown row building. The subject property has been previously occupied by restaurants Green Lettuce and LaFor.

Surrounding properties are also zoned C-4 and are used for non-residential purposes, including retail, restaurants, and offices. The closest residential uses to the property appear to be Link Apartments West End at 25 River Street and a duplex at 14 University Street.

The Applicant has stated the business will close at 2:00 a.m. Similar uses in the area, such as The Velo Fellow also close at 2:00 a.m. The overnight business hours are not anticipated to create a conflict with other neighboring businesses and the limited residential uses nearby.

Staff finds, with appropriate conditions, the use is compatible with surrounding lands.

4. The Design Does Not Have Substantial Adverse Impact:

The proposed use is located within an existing commercial building. No changes are proposed to the exterior of the building or to the site. No visual impacts are anticipated from the use.

Parking for the use is expected to come from the surface lot behind the development as well as on-street parking and public parking garages within a five-minute walk.

Loading/unloading as well as trash collection for the use appears to occur in the surfacing parking lot to the south of the building. An on-street loading and unloading zone is also available on Augusta Street in front of The Warehouse theatre. No adverse impacts are anticipated regarding delivery, parking, loading, and odors.

The application states that no live music will be performed at the restaurant. Only background music will be played through the existing speaker system. No substantial adverse noise and vibration impacts are anticipated nor is the use anticipated to create a public nuisance.

To minimize detrimental impacts on adjacent land uses, staff recommends that 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 use and its 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 as a restaurant with hours of operation of Saturday-Sunday from 11:00 a.m. to 2:00 a.m.
3. The Applicant indicates that staff will be trained in all applicable manners relating to alcohol service and will obtain ServSafe certification.
4. The Applicant indicates that no dedicated security staff have been retained for the business. The Applicant indicates that the manager will be responsible for security and maximum occupancy compliance.

5. The Applicant, based on the proposed life safety plan, indicates that maximum occupancy on the overall tenant premises will remain 42 occupants. The current occupancy of the space is approved at 42 occupants.
6. The Applicant indicates that no live music or entertainment will occur on site.

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 adjacent 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 the currently approved maximum occupancy count of 42 remain unchanged.
 - c. 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.
 - d. 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 use permit, this Code, and the applicable S.C. Code of Laws and Regulations.
 - e. This Committee recommends that the Applicant and all its managers and employees responsible to serve 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 hire.
 - f. This Committee does not recommend a requirement for trained security guards at this time, however if more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require up to two security guards be hired and that one of the required security guard positions be an off duty sworn law enforcement officer. One of the required security guards would be required to be positioned outside the business 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 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.
- g. This Committee recommends that the Applicant shall designate staff at all ingress/egress points to be responsible for the monitor of flow of patrons and confirmation of compliance with allowable occupant capacity.

Staff Comments and Conditions

City Engineer Comments

Comments:

Application review approval is subject to the applicant satisfying all conditions and requirements of the engineering divisions

Civil Engineer Comments

Comments:

No comments.

Environmental Engineer Comments

Comments:

No comments.

Traffic Engineer Comments

Comments:

No comments.

REPORT OF THE TECHNICAL ADVISORY COMMITTEE

to the

Board of Zoning Appeals for the City of Greenville

Application by Jack Brown's GVL, LLC (Jason Owenby) dba Jack Brown's Beer & Burger Joint for a **SPECIAL EXCEPTION** to establish a 'Restaurant, indoor seating only' use operating after midnight in a C-4, Central business district at **19 AUGUSTA ST** (TM# 008900-01-01800)

Committee Meeting Date(s): March 16, 2023

Applicant attending meeting: Scott Krezmer

Proposed Business: Jack Brown's Beer & Burger Joint

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 as a restaurant with hours of operation of Saturday-Sunday from 11:00 a.m. to 2:00 a.m.
3. The applicant indicates that staff will be trained in all applicable manners relating to alcohol service and will obtain ServSafe certification.
4. The Applicant indicates that no dedicated security staff have been retained for the business. The Applicant indicates that the manager will be responsible for security related needs and monitoring occupancy.
5. The Applicant, based on the proposed life safety plan, indicates that maximum occupancy on the overall tenant premises will remain 42 occupants. The current occupancy of the space is approved at 42 occupants.
6. The Applicant indicates that no live music or entertainment will occur on site.

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 adjacent 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(A) and Section 19-4.3.3(F)(10) 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 the currently approved maximum occupancy count of 42 remain unchanged.
 - c. 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.
 - d. 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 use permit, this Code, and the applicable S.C. Code of Laws and Regulations.
 - e. This Committee recommends that the applicant and all its managers and employees responsible to serve 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 hire.

- f. This Committee does not recommend a requirement for trained security guards at this time, however if more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require up to two security guards be hired and that one of the required security guard positions be an off duty sworn law enforcement officer. One of the required security guards would be required to be positioned outside the business 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 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.
- g. This Committee recommends that the applicant shall designate staff at all ingress/egress points to be responsible for the monitor of flow of patrons and confirmation of compliance with allowable occupant capacity.

Respectfully Submitted,

John Hamlett
Technical Advisory Committee Chair



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

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

APPLICANT / PERMITTEE: JACK BROWN'S GVL, LLC
* Name Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: JASON OWENBY - MEMBER
(Optional) Name Title / Organization

MAILING ADDRESS: 700 MONTGOMERY HWY, STE 156 BIRMINGHAM, AL 35216

PHONE: 770-843-7126 **EMAIL:** jason@jackbrownsjoint.com

PROPERTY OWNER: DOWNTOWN GREENVILLE INVESTMENTS, LLC

MAILING ADDRESS: 105 E. NORTH STREET GREENVILLE, SC 29601

PHONE: 864-918-9944 **EMAIL:** zhines@spencerhines.com

PROPERTY INFORMATION

STREET ADDRESS: 19 AUGUSTA STREET GREENVILLE, SC 29601

TAX PARCEL #: 008900-01-01800 **ACREAGE:** 0.03 **ZONING DESIGNATION:** C-4

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, JACK BROWN'S BEER + BURGER JOINT. JACK BROWN'S SPECIALIZES IN THE SALE OF BURGERS, FRIES, NON-ALCOHOLIC AND ALCOHOLIC BEVERAGES. PROPOSED HOURS ARE 11AM-2AM, 7 DAYS PER WEEK. ALCOHOLIC BEVERAGES ARE CRAFT BEER FOCUSED. NO LIQUOR WILL BE SERVED.

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

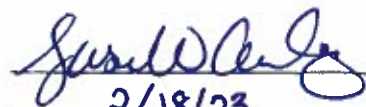
Applicant Signature

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.

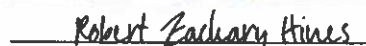
If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived, then the planning office will indicate in its report 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.


2/18/23

APPLICANT / REPRESENTATIVE SIGNATURE

DATE


2/18/2023

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.

*** PLEASE SEE ATTACHED SHEET FOR RESPONSES**

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

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

There will be no deviation from the previous use footprint of Green Lettuce restaurant. We renovated and up-fit the interior with new equipment, utilities and wall coverings. Our goal is to provide a safe, comfortable environment for citizens and customers to enjoy a meal and create fellowship and community through a shared appreciation of craft beer. Through our sustained success we plan to provide 25 full-time jobs and be seen as a positive addition to a thriving neighborhood.

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

We will have policies in place to control inappropriate or exterior noise. Music will be kept at an appropriate volume and all speakers are directed to the interior of the space. Exterior doors will only be for ingress and egress and will not be propped open. We will have staff members stationed as hosts to accommodate seating, control the occupancy count, and manage the waitlist. Our kitchen and full menu will remain open and available until last call at 1:25am.

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.

Our proposed use will be in keeping with the prior use of the space as a restaurant serving lunch and dinner. Our planned use will provide an additional late-night food option in the neighborhood and an additional dining option serving differing menu items from our neighboring tenants. In addition to the renovation of the entire building, the permanent alterations we made or plan to make in electrical, plumbing and HVAC infrastructure will provide long-term value to the property.

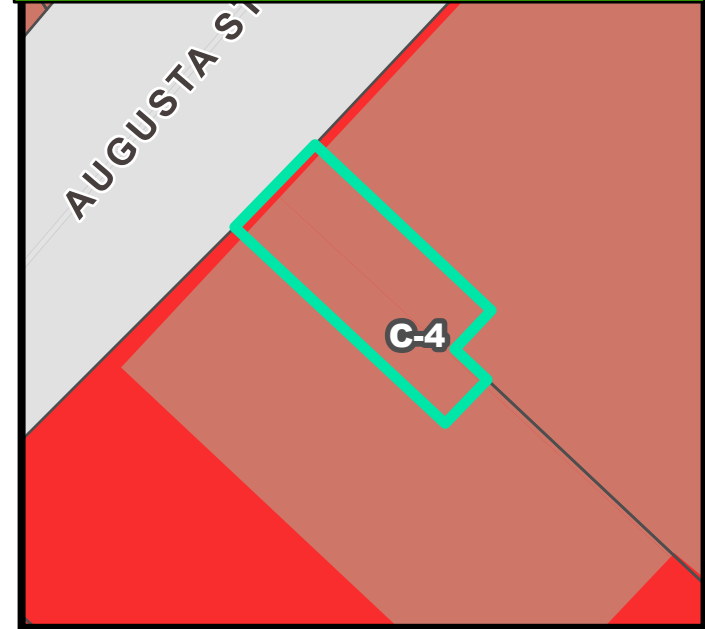
4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

Our plan does not call, nor do we intend, to make any changes or alterations to the exterior of the building. Service deliveries will be made during off-peak times for both walking and vehicle traffic on Augusta Street. Staff and managers are aware of our policies on noise, trash, and grease disposal. Regional management will visit and verify compliance with these policies on a regular basis.

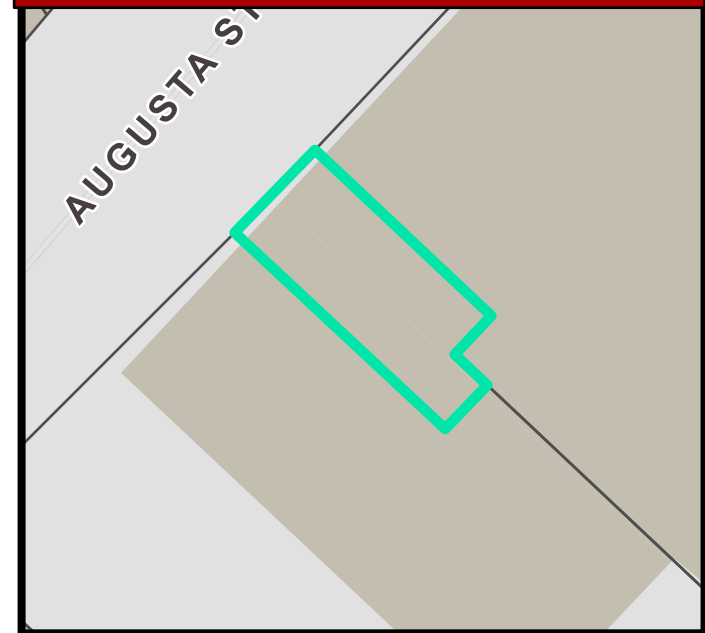
AERIAL VIEW



CURRENT ZONING



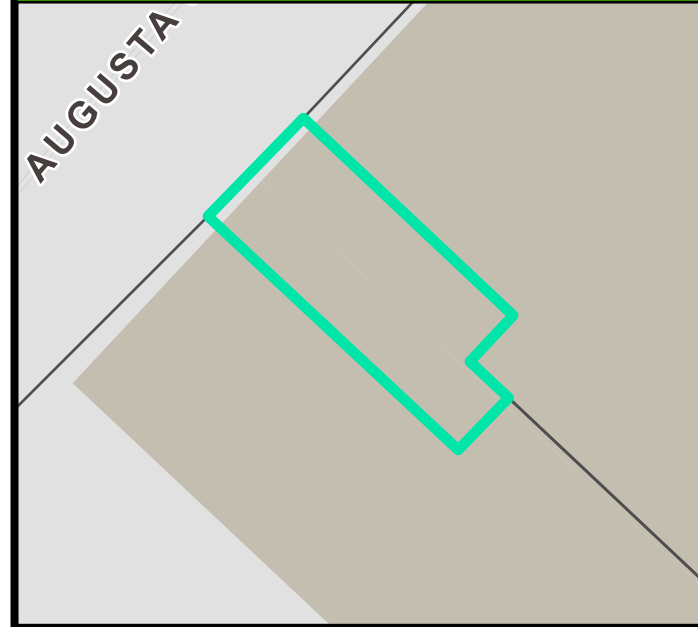
FUTURE LAND USE



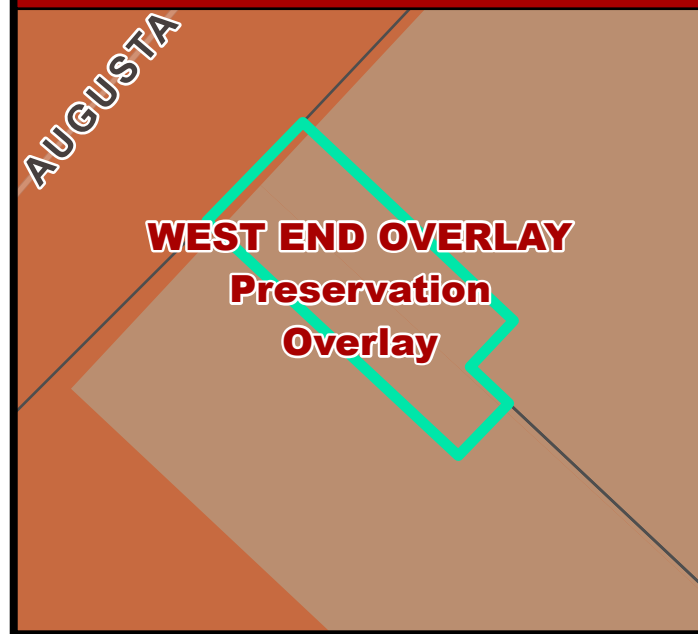
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name JACK BROWN'S GVL, LLC Phone 770-843-7126
Mailing Address 700 MONTGOMERY HWY, STE 150 BIRMINGHAM, AL 35216
Email jason@jackbrownsjant.com
Signature of Applicant Jason Owen - JASON OWEN, MEMBER Date 2/18/23

Property Owner

Name DOWNTOWN GREENVILLE INVESTMENTS, LLC Phone 864-918-9944
Mailing Address 1 105 E. NORTH STREET GREENVILLE, SC 29601
Email zhines@spencerhines.com
Signature of Property Owner Robert Zachary Hines Date 2/18/2023

Property Information

Address 19 AUGUSTA STREET GREENVILLE, SC 29601
TMS# 008900-01-01800 Zoning District Designation C-4

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.
There will be no deviation from the previous use footprint of Green Lettuce restaurant. We renovated and up-lit the interior with new equipment,
utilities and wall coverings. Our goal is to provide a safe, comfortable environment for citizens and customers to enjoy a meal and
create fellowship and community through a shared appreciation of craft beer. Through our sustained success we plan to
provide 25 full-time jobs and be seen as a positive addition to a thriving neighborhood.

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.
Our proposed use will be in keeping with the prior use of the space as a restaurant serving lunch and dinner. Our planned use will provide an
additional late-night food option in the neighborhood and an additional dining option serving differing menu items from our
neighboring tenants. In addition to the renovation of the entire building, the permanent alterations we made or plan to
make in electrical, plumbing and HVAC infrastructure will provide long-term value to the property.

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.
Our plan does not call, nor do we intend, to make any changes or alterations to the exterior of the building.
Service deliveries will be made during off-peak times for both walking and vehicle traffic on Augusta Street.
Staff and managers are aware of our policies on noise, trash, and grease disposal.
Regional management will visit and verify compliance with these policies on a regular basis.

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.

**Jack Brown's GVL, LLV
Dba Jack Brown's Beer & Burger Joint
19 Augusta Street
Greenville, SC 29601**

Operating Plan

1. **Type of Use:** Restaurant
2. **Days and Hours of Operation:** 11am – 2am, Monday - Sunday
3. **Staffing Schedule:** We will have two shifts daily for both Front of House and Back of House. General times and number of staff are below:

Front of House	Kitchen	Management
10am – 5pm (2 employees)	9am – 5pm (2 employees)	10am – 8pm (1 manager)
10am – 2pm (3 employees)	10am – 2pm (2 employees)	2pm – 12am (1 manager)
5pm – 2am (2 employees)	5pm – 2am (2 employees)	
5pm – 10pm (3 employees)	5pm – 10pm (2 employees)	
4. **Kitchen Equipment Schedule:** See attached Equipment Schedule on architectural drawings page A1.01
5. **Menu and Hours of Food Service:** Please see attached menu. This menu is available daily and from 11am – 2am.
6. **Parking for Customers and Employees:** See attached Tax Parcel map with parking area denoted by blue lines that are public or paid lots available to customers and employees. There is additional street parking on Augusta Street.
7. **Designated Smoking Area:** There will be no smoking or designated smoking area and we will adhere to the current city codes for smoking outside
8. **Type of Entertainment and Duration:** There will be no live music or other entertainment and only background music will be played through an installed speaker system.
9. **Closing / “Last Call” Procedures:** We will close no later than 2 AM every night and the last call for food and alcohol will be no later than 1:30 AM.

Security Procedures

1. **Number and Type of Designated Security Staff:** Management will control the flow and number of customers allowed to enter or be seated during peak capacity times.
2. **Training/Certification of Staff:** All Front of House and Management staff are TIPS certified for the safe service of alcohol.
3. **Specific Duties/Responsibilities of Staff:**
 - Manager: manage the day-to-day tasks as well as scheduling, inventory ordering and management, special events, and hiring, training, and enforcing company policies and procedures.
 - Shift Leader: Serve as Manager on Duty when GM is not present. Open and close the restaurant daily.
 - Bartender/Server: Pouring & serving beers and food orders. Follow all safety policies and procedures to ensure safety of guests and fellow staff members.
 - Cook: Cooking food items and plating. Maintaining a clean and safe kitchen environment. Following all food safety requirements.
4. **Entry/Exit/Re-Entry Procedures:** Our only customer entrance will be through the front door. There is an emergency exit (exit only and locked from the outside) in the common use hallway behind our space.
5. **Crowd Management:** The on-duty manager will manage the door and ensure capacity is maintained appropriately during peak hours and that safety is the top priority for our staff and guests.

6. **Crime Prevention through Environmental Design (CPTED):** Our space is a “shotgun” style with visibility of the entire space from the front door. We will maintain appropriate lighting levels and visibility of all exit signs. Our on-site managers regularly check restrooms and potential problem areas throughout each shift.

Seating Plan

1. Please see attached architectural drawings page A1.01

Business Plan

1. **Business Plan Summary:** Please see attached business plan document
2. **Projected Revenue:** \$1.8M total revenue. 65% Food, 35% Alcoholic Beverages
3. **Fees for Entry/Membership/Entertainment:** N/A
4. **Status of City Business License:** Approved. License #2022-64182 Issued 12/2/2022.
5. **Status of SCDHEC Permit:** Approved. Permit #23-206-13444 Issued 12.16.22
6. **Status of ABL-901:** Approved. License #110638837-PBW Issued 12.26.22
6. **Provide documentation that SLED Requirements have been met:** SLED Agent Jeremy Benjamin inspected and approved on 12/20/22



THE BASICS

HAMBURGER*

\$8.49

CHEESEBURGER*

\$8.99

GRILLED CHEESE

\$3.99

THE FRANKIE BRADY

(a very JB's grilled cheese) A flip-flop potato roll, 2 slices of cheese, house-made mac n'cheese & BBQ potato chips.

\$4.99

SPECIALTY BURGERS

ALL BURGERS ARE QTR POUND 100% AMERICAN WAGYU BEEF

COWBOY*

\$10.99

Burger topped with BBQ sauce, applewood smoked bacon and American cheese.

GREG BRADY*

\$10.99

Burger topped with house-made mac n' cheese, American cheese and Martin's BBQ potato chips.

CHIFLET*

\$10.99

Burger topped with applewood smoked bacon, egg & American cheese. A cure for what "ales" you.

DR. GONZO*

\$10.99

Burger topped with sautéed shrooms, caramelized Guinness fried onions, applewood smoked bacon and Swiss cheese.

COBRA KAI*

\$10.99

Burger topped with cream cheese, pickled jalapeños and jalapeño jelly.

CLASSIC JACK*

\$10.99

Burger topped with caramelized onions, American cheese, our house-made JB Sauce and thin sliced dill pickles. Old skool!

ELVIS*

\$10.99

Burger topped with peanut butter, mayo, applewood smoked bacon and American cheese.

SHOCKER*

\$10.99

Burger topped with fresh jalapeños, fresh habaneros, house-made Shocker sauce, and 2 slices of pepper jack cheese.

EXTRAS

FRENCH FRIES

\$3.50

**SWEET POTATO
FRIES**

\$4.00

**HEAVY T'S
CHEESE FRIES**

+\$3.00

FRIED OREO

\$1.50

ALL JACKED UP

+\$4.00



Deep fried Oreo with powdered sugar, 1 each.

*Consuming raw or under cooked meats, poultry, seafood, shellfish or eggs may increase your risk



DAILY SPECIALS

SUNDAY - SHOWALTER*

\$11.49

Burger topped with applewood smoked bacon, egg & American cheese, with the buns switched for a glazed doughnut.

MONDAY - MOLLY DOOKER*

\$11.49

Burger topped with firecracker onions, applewood smoked bacon and a slab of blue cheese.

TUESDAY - KUNG FU ACTION GRIP*

\$11.49

Burger topped with sweet heat Asian slaw, smoked pork belly and chili garlic mayo.

WEDNESDAY - POPEYE*

\$11.49

Burger topped with house-made spinach-artichoke dip, pepper jack cheese and crispy fried onions.

THURSDAY - WHEN IN ROAM...*

\$11.49

Burger topped with chipotle pimento cheese, American cheese, sweet jalapeño bacon jam, and crispy fried onions.

FRIDAY - PONCH*

\$11.99

Burger topped with house-made guacamole, applewood smoked bacon, white cheddar cheese & Sriracha mayo.

SATURDAY - FREESTYLE BURGER*

\$MKT

A perfect concoction of toppings that varies each week. Check with your beer-tender and our social media feed for this week's burger.

JACK BROWN'S GREENVILLE

19 AUGUSTA ST H, GREENVILLE, SC 29601

FOR TAKEOUT ORDERS CALL:

(864) 236-8470

WWW.JACKBROWNSJOINT.COM



*Consuming raw or under cooked meats, poultry, seafood, shellfish or eggs may increase your risk

OUR BEERS

Jack Brown's Greenville, SC

CIDER

URBAN ORCHARD – DRY RIDGE 16 OZ

6.0% | \$10.00

BOLD ROCK – HARD CIDER

4.7% | \$6.50

BLAKES – TRIPLE JAM

6.5% | \$6.50

SELTZER

WHITE CLAW – MANGO

5.0% | \$5.00

STONE – BUENAVIDA

5.0% | \$7.00

UNTITLED ART – FLORIDA SELTZER

5.0% | \$8.00

TRULY WILDBERRY 16 OZ

5.0% | \$5.50

GINGER BEER

GINGER'S REVENGE – LIME AGAVE

5.0% | \$8.50

KOLSCH

YEE HAW – KOLSCH

4.7% | \$6.50

PILSNER

BIRDS FLY SOUTH – FAT MA 16 OZ

5.8% | \$7.50

JACK'S ABBY – POST SHIFT 16 OZ

4.7% | \$7.50

LAGER

CORONA EXTRA

4.6% | \$5.50

LIABILITY ULTRA SECRET – ENIGMA 16 OZ

4.0% | \$7.50

SOUTH BOUND – MOUNTAIN JAM

5.1% | \$7.00
JACK'S ABBY – HOUSE LAGER 16 OZ

5.2% | \$7.50
NARRAGANSETT 16 OZ

5.0% | \$4.00
COORS – BANQUET

5.0% | \$4.00
PABST BLUE RIBBON 16 OZ

4.8% | \$4.00
MILLER LIGHT

4.2% | \$4.00
MILLER HIGH LIFE

4.6% | \$3.00
BUD LIGHT

4.2% | \$4.50
BUSCH LIGHT

4.1% | \$3.00
MICHELOB ULTRA

4.2% | \$5.50
LABATT – BLUE LIGHT 11.5 OZ
4.7% | \$4.5

BLONDE

EDMUND'S OAST – SOMETHING COLD 16 OZ
5.0% | \$7.00

GOLDEN

KONA – BIG WAVE
4.4% | \$5.00

WHEAT

ALLAGASH – WHITE
5.2% | \$8.50
SIERRA NEVADA SUNNY LITTLE THING

5.0% | \$7.00
GOLDEN ROAD – MANGO CART

4.0% | \$6.00
CATAWBA – WHITE ZOMBIE

5.1% | \$6.50
WESTBROOK- WHITE THAI

5.0% | \$7.00
YAZOO – HEFEWEIZEN

ALE

BIRDS FLY SOUTH – BRAND NEW EYES 16 OZ

5.0% | \$8.50

DUBBEL

MUNKLE – DINNER BELL

7.4% | \$7.00

TRIPEL

VICTORY – GOLDEN MONKEY

9.5% | \$8.00

SOUR

EDMUND'S OAST – ROTATIONAL SOUR 16 OZ

6.5% | \$9.00

LIABILITY – HOW DO YOU SPELL BOUJEE 16 OZ

5.5% | \$10.00

WICKED WEED – BURST

4.5% | \$6.50

VICTORY – SOUR MONKEY

9.5% | \$7.00

PALE ALE

TWO BLOKES – PUBLICAN 16 OZ

5.1% | \$8.00

OSKAR BLUES – DALE'S PALE ALE

6.5% | \$6.50

REVELRY – POKE THE BEAR

5.5% | \$6.50

ALLAGASH – RIVER TRIP 16 OZ

5.2% | \$8.50

SIERRA NEVADA – PALE ALE

5.6% | \$6.00

SWEETWATER – 420 PALE ALE 16 OZ

5.7% | \$7.00

IPA

FOUNDERS – ALL DAY 19.2 OZ

4.7% | \$7.00

BLACKBERRY FARMS -IPA 12 OZ

6.9% | \$6.50

LIABILITY – MORTAL WOMBAT 16 OZ

7.0% | \$9.00

WICKED WEED – PERNICIOUS 16 OZ

7.3% | \$7.50

CIGAR CITY – JAI ALAI

7.5% | \$6.50

WILD LEAP – CHANCE

6.2% | \$6.50

SYCAMORE – MOUNTAIN CANDY 16 OZ

7.5% | \$8.50

FROTHY BEARD – SIP SIP PASS

6.8% | \$8.00

SIERRA NEVADA – HAZY LITTLE THING

6.7% | \$6.00

NEW BELGIUM – JUICE FORCE

9.5% | \$6.50

COMMONWEALTH – BIG PAPI 16 OZ

8.0% | \$9.50

GOOSE ISLAND – BEAR HUG

6.8% | \$6.00

RED

YAZOO GERST

5.0% | \$4.25

BROWN

PISGAH – TURTLEBACK BROWN

5.9% | \$6.50

STOUT

ALLAGASH – NORTH SKY 16 OZ

7.5% | \$8.50

GUINNESS – DRAUGHT 14.9 OZ

4.2% | \$6.50

HIGHLAND – BLACK MOCHA STOUT

5.0% | \$6.50

MILK STOUT

WISESACRE – GOTTA GET UP TO GET DOWN

5.0% | \$6.50

PORTER

DUCLAW – SWEET BABY JESUS

6.2% | \$6.50

ANCHOR – PORTER

5.6% | \$6.50

BOCK

SPOETZL – SHINER BOCK

4.4% | \$5.50

NON-ALCOHOLIC

HEINEKEN 0.0

0% | \$5.50

MALT

SMIRNOFF – ICE

4.5% | \$5.00

RTD

JACK DANIELS – BLACK JACK COLA MALT 10 OZ

4.8% | \$5.00

JACK DANIELS – LYNCHBURG LEMONADE 10 OZ

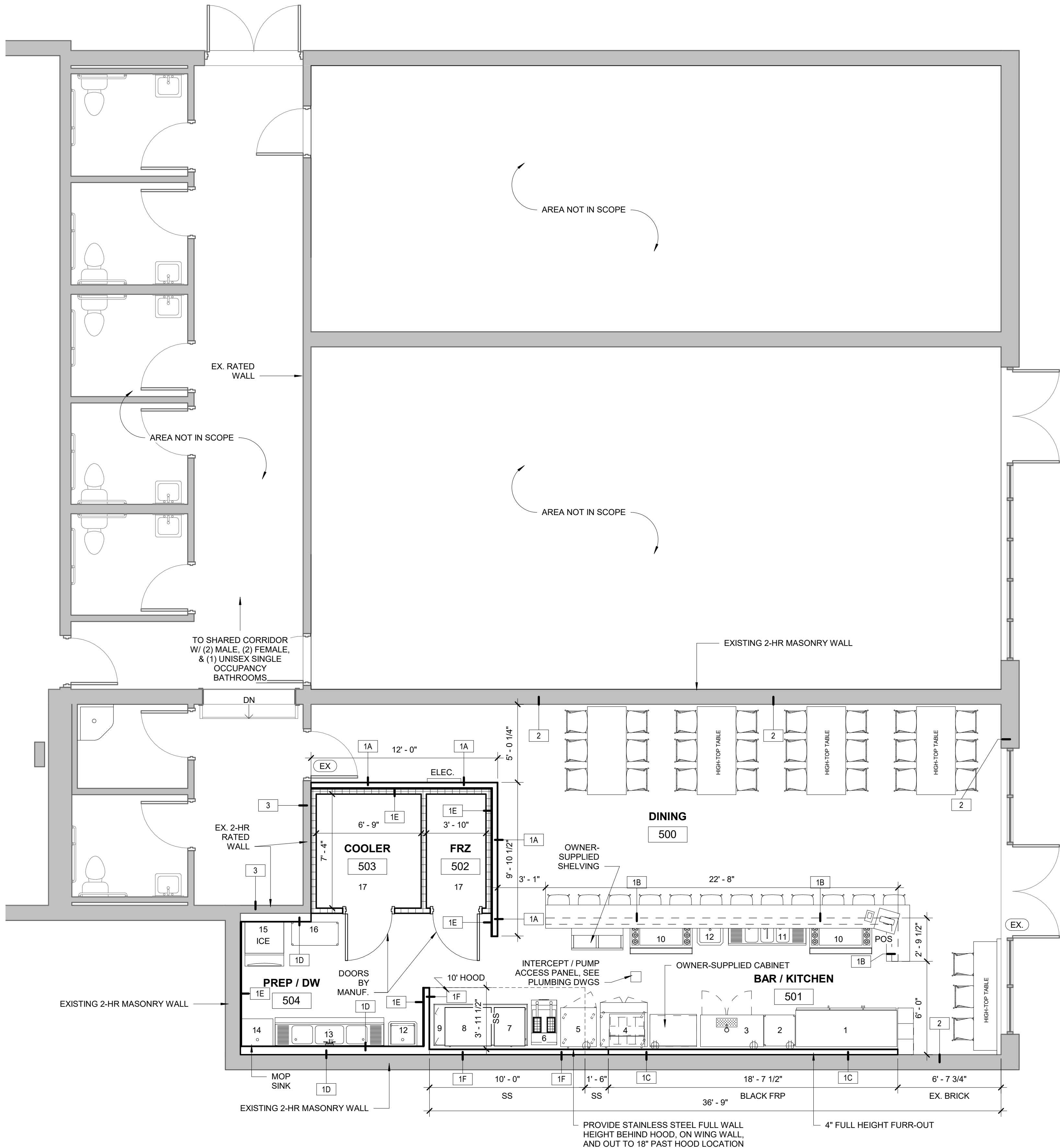
4.8% | \$5.00

CLUBTAIL LONG ISLAND ICED TEA 16OZ

10% | \$7.50

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1 PROPOSED FLOOR PLAN
1/4" = 1'-0"



	EQUIPMENT LIST	#
1	TRUE GLASS DOOR MERCHANDISER - GDM-72-LD	1
2	STEELTON 18-GAUGE SS WORK TABLE - 522ETSG2424	1
3	MICROMATIC BEVERAGE STATION - PRO-LINE E-SERIES 59" - MBB58BC-E-A	1
4	TRUE FOOD PREP TABLE - TSSU-36-12M-B	1
5	TRUE UNDERCOUNTER FREEZER - TUC-27F-HC	1
6	PITCO SOLSTICE GAS SINGLE STANDALONE FRYER - SG-18-S	1
7	STAR ULTRA-MAX GAS GRIDDLE - 824TA	1
8	STAR ULTRA-MAX GAS GRIDDLE - 836TA	1
9	TRUE CHEF BASE DRAWERED REFRIGERATOR - TRCB-72	1
10	REGENCY UNDERBAR ICE BIN - 600IB1836	2
11	ADVANCE TABCO BAR SINK - CRB-53C	1
12	CENTAUR SS HAND SINK	2
13	ADVANCE TABCO 3-COMPARTMENT SINK - FE-3-1620-18RL-X	1
14	ADVANCE TABCO FLOOR MOP SINK - 9-OP-20-EC-X	1
15	PRODIGY PLUS MODULAR CUBE ICE MACHINE - C0330SA-1	1
16	STEELTON 18-GAUGE SS WORK TABLE - 522ETSG3048	1
17	KOLPAK WALK-INS - COOLER & FREEZER; SEE SPEC DWGS FOR SIZES	1

*BRANDS/MODEL NUMBERS ARE SUBJECT TO CHANGE BASED ON AVAILABILITY; REPLACEMENT SHOULD BE SIMILAR BASED ON SPECS

2 EQUIPMENT LIST
1/4" = 1'-0"

WALL TYPE LEGEND

- 1A NEW PARTITION WALL: 5/8" PLYWOOD ONE SIDE (PAINTED BLACK) ON 20 GA 3 5/8" METAL STUDS @ 16" O.C. UP TO 6" ABOVE CEILING
- 1B NEW PARTITION WALL: 5/8" GWB BOTH SIDES ON 20 GA 3 5/8" METAL STUDS @ 16" O.C. UP TO COUNTER HEIGHT (34.5" A.F.F.)
- 1C NEW PARTITION WALL: BLACK FRP ON 5/8" PLYWOOD ONE SIDE ON 20 GA 3 5/8" METAL STUDS @ 16" O.C. UP TO 6" ABOVE CEILING
- 1D NEW PARTITION WALL: WHITE FRP ON 5/8" PLYWOOD ONE SIDE ON 20 GA 6" METAL STUDS @ 16" O.C. UP TO 6" ABOVE CEILING
- 1E NEW FINISH ON PARTITION WALL: WHITE FRP ON 5/8" PLYWOOD THIS SIDE OF PARTITION WALL
- 1F NEW PARTITION WALL: STAINLESS STEEL ON 5/8" PLYWOOD ONE SIDE ON 20 GA 3 5/8" METAL STUDS @ 16" O.C. UP TO 6" ABOVE CEILING
- 2 EXISTING TENANT DEMISING OR EXTERNAL WALL; LEAVE EXISTING BRICK; STRIP PAINT TO EXPOSE RED BRICK IF POSSIBLE
- 3 EXISTING TENANT 2-HR RATED DEMISING WALL; SIMILAR TO UL ASSEMBLY #U411

GENERAL WALL / FLOOR PLAN NOTES

- USE MOISTURE RESISTANT GWB AT ALL EXPOSED WALLS WITHIN 4'-0" OF DRINKING FOUNTAIN AND SERVICE SINK.
- ALL WALLS TO BE TAPED, MUDDED, SANDED AND MADE READY FOR TENANT FINISHES.
- BRACE ALL STUD PARTITIONS TO STRUCTURE ABOVE AS REQUIRED.
- SEE FINISH SCHEDULE FOR ALL FINISHES, SCOPE OF WORK, AND RESPONSIBILITY.
- PROVIDE SOUND BATT INSULATION AT DEMISING WALLS (IF NOT PRESENT) TO FULL HEIGHT OF WALL.

4 WALL TYPE LEGEND
1/4" = 1'-0"



MINIMUM REQUIRED CLEARANCES AT ALL DOORS. NOTIFY ARCHITECT PRIOR TO INSTALLING FRAME IF THESE CLEARANCES CANNOT BE MAINTAINED.

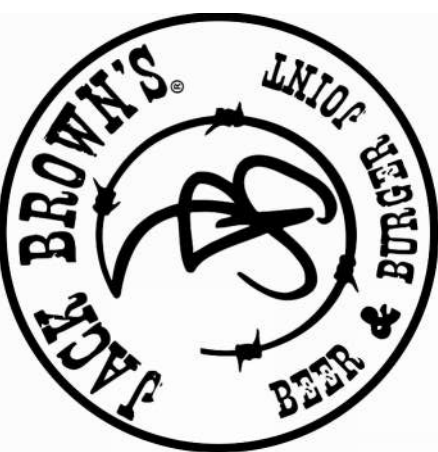
3 TYP. DOOR CLEARANCE DETAIL
1/4" = 1'-0"

LMG Architects, LLC
305 W Stone Ave
Greenville, SC 29609
864.438.0561
info@lmg-architects.com



TENANT UPFIT FOR
JACK BROWN'S
BURGER & BEER JOINT

19 AUGUSTA STREET
GREENVILLE, SC 29601



DRAWING HISTORY:
DATE NO. DESCRIPTION
04.01.2022 A ISSUE FOR PERMIT

PROJ. NO. 22006
SHEET TITLE:

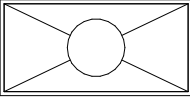
PROPOSED FLOOR PLAN

SHEET NO.

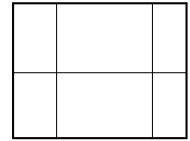
A1.01

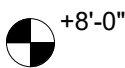
ALL DRAWINGS, SPECIFICATIONS AND/OR ANY OTHER REPRODUCTIONS THEREOF FURNISHED BY LMG ARCHITECTS, LLC ARE THE PROPERTY OF LMG ARCHITECTS, LLC. THESE MATERIALS ARE TO BE USED ONLY WITH RESPECT TO THIS PROJECT AND NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT EXPRESS WRITTEN CONSENT OF LMG ARCHITECTS, LLC. COPYRIGHT 2017 LMG ARCHITECTS, LLC. ALL RIGHTS RESERVED.

CEILING LEGEND

- 

2x4 FLUORESCENT FIXTURE
- 

TRACK LIGHTING
- 

2X2 ACOUSTICAL CEILING TILES
- 

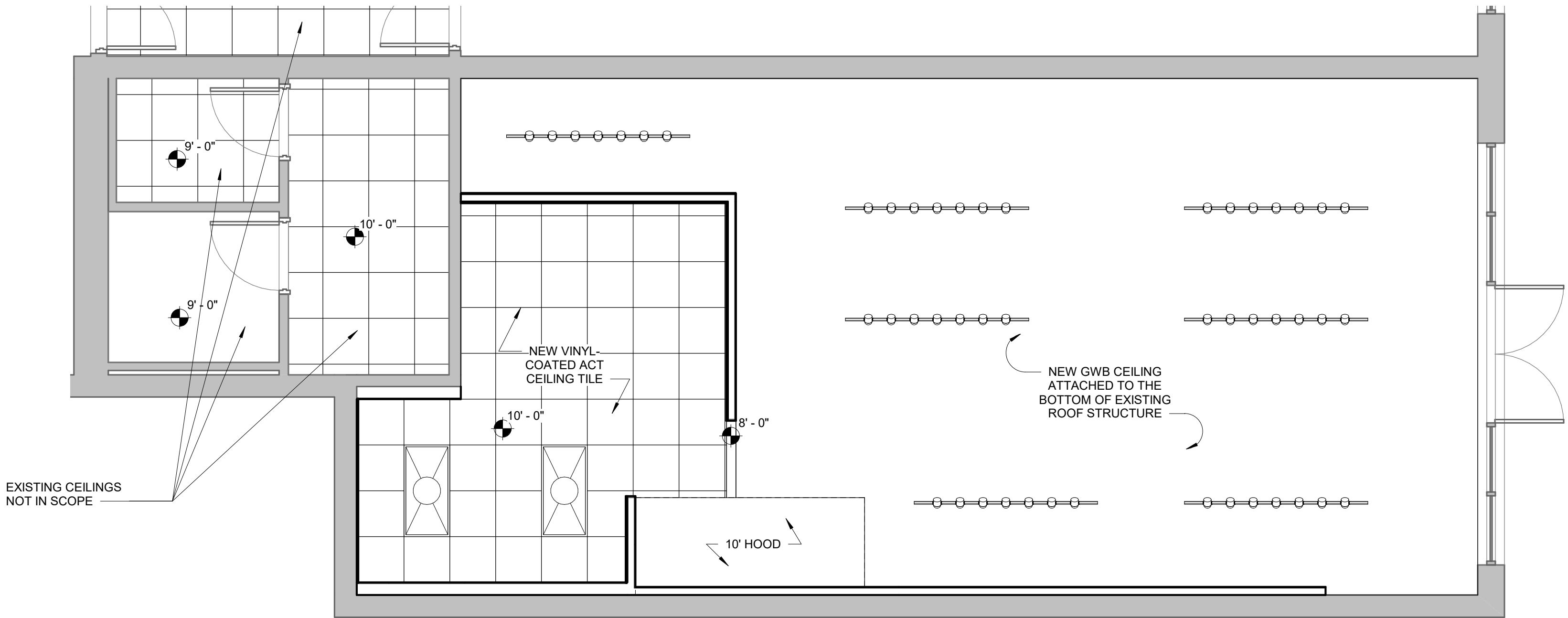
+8'-0"

CEILING OR BULKHEAD HEIGHT
- 

EXIT SIGN; SEE LIFE SAFETY PLAN

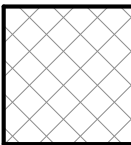
GENERAL CEILING / LIGHTING NOTES:

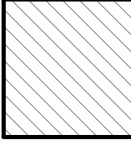
- ALL LIGHT FIXTURES TO BE CENTERED BETWEEN WALLS, ABOVE FURNITURE, AND WITHIN CEILING AREAS, AS APPLICABLE. U.N.O.
- EXACT SPECIFICATION, QUANTITY, LOCATION AND MOUNTING HEIGHT OF ALL LIGHTING FIXTURES TO BE SELECTED BY THE TENANT.
- NEW CEILING HEIGHTS ARE PROPOSED. G.C. TO VERIFY EXISTING CONDITIONS PRIOR TO INSTALL OF NEW WORK. FURNITURE LAYOUT SHOWN FOR REFERENCE.
- ALL STRUCTURAL FRAMING, HANGERS, CHANNELS, RODS, AND OTHER MISC. SUPPORT STEEL TO BE PROVIDED BY G.C. AS NECESSARY FOR PROPER SUPPORT OF CEILINGS, FIXTURES AND/OR EQUIPMENT.
- TRACK LIGHTING HEAD QUANTITIES, LOCATION, AND DIRECTION TO BE DETERMINED BY TENANT

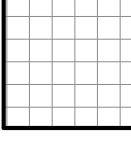


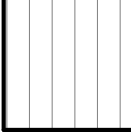
1 REFLECTED CEILING PLAN
A2.01 1/4" = 1'-0"

OCCUPANCY CALCULATIONS

- 

ASSEMBLY (UNCONCENTRATED / TABLES AND CHAIRS)
OCCUPANCY LOAD FACTOR = 15 SF / PERSON NET
230 SF / 15 = **16 OCCUPANTS**
- 

ENTRY / EGRESS (NO OCCUPANTS)
OCCUPANCY LOAD FACTOR = 0 SF / PERSON
301 SF / 0 = **0 OCCUPANTS**
- 

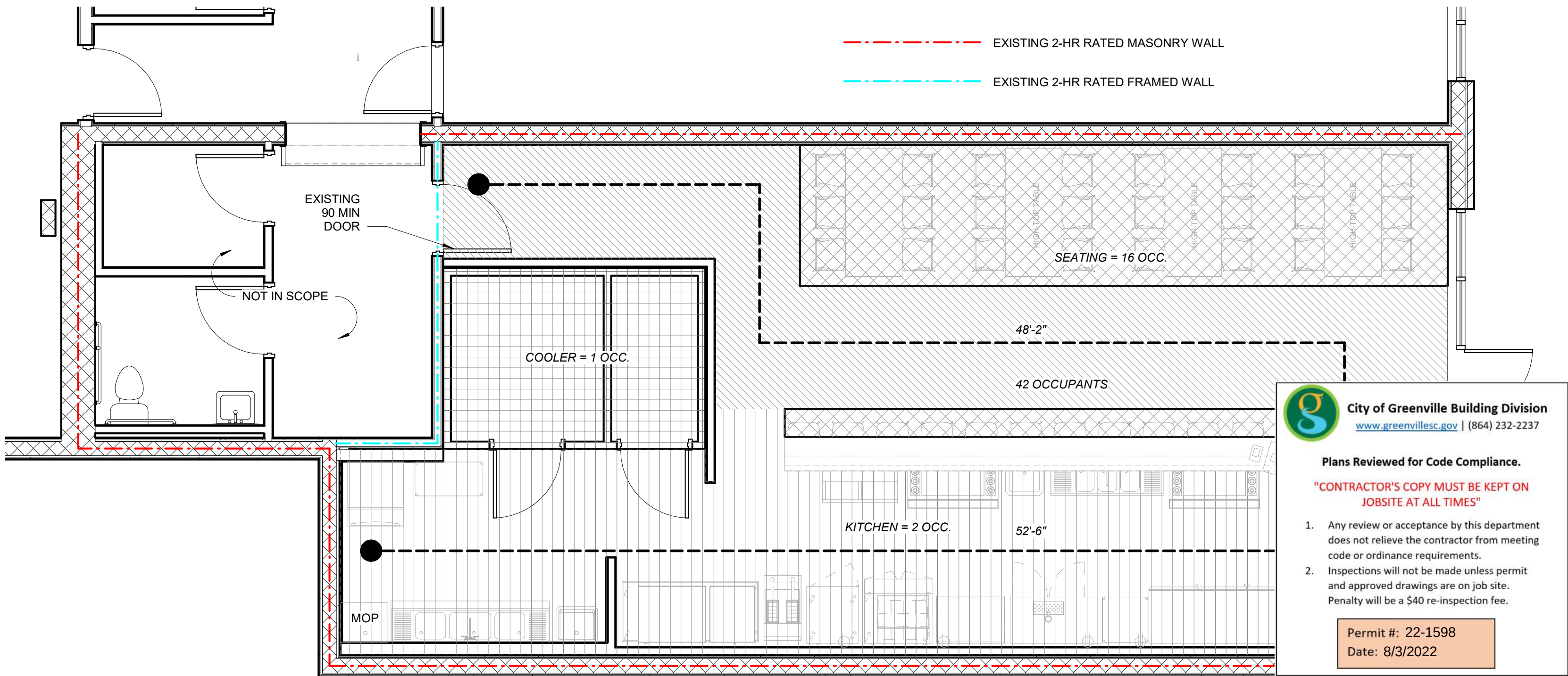
ELECT. / STORAGE / COOLERS
ACCESSORY STORAGE
OCCUPANCY LOAD FACTOR = 300 SF / PERSON GROSS
93 SF / 300 = **1 OCCUPANT**
- 

KITCHEN (COMMERCIAL)
OCCUPANCY LOAD FACTOR = 200 SF / PERSON NET
371 SF / 200 = **2 OCCUPANTS**

CALCULATED TOTAL OCCUPANCY = 19 OCCUPANTS

ALTERNATE OCCUPANCY:

COUNTER SEATING (4) 6 PERSON TABLES	15 OCCUPANTS 24 OCCUPANTS
TOTAL SEATING KITCHEN COOLER	39 OCCUPANTS 2 OCCUPANTS 1 OCCUPANT
	42 OCCUPANTS



2 LIFE SAFETY PLAN - LG
A2.01 1/4" = 1'-0"

LMG Architects, LLC
305 W Stone Ave
Greenville, SC 29609
864.438.0561
info@lmg-architects.com

architects

TENANT UPFIT FOR
**JACK BROWN'S
BURGER & BEER JOINT**

19 AUGUSTA STREET
GREENVILLE, SC 29601

**JACK BROWN'S
BURGER & BEER JOINT**

STATE OF SOUTH CAROLINA
MARK T. GODFREY
GREENVILLE, SC 7375
REGISTERED ARCHITECT

STATE OF SOUTH CAROLINA
LMG ARCHITECTS, LLC
GREENVILLE, SC 100257
REGISTERED ARCHITECTS

DRAWING HISTORY:

DATE	NO.	DESCRIPTION
04.01.2022	A	ISSUE FOR PERMIT

PROJ. NO. 22006

SHEET TITLE:

RCP AND LIFE SAFETY/OCCUPANCY PLAN

PROJ. NO. 22006

SHEET NO. **A2.01**

Parking Plan:



**City of Greenville
Business License
P.O. Box 2207
Greenville, SC 29602**

Business Name: JACK BROWN S BEER AND BURGER JOINT
Physical Location Address: 19 AUGUSTA ST
Business License Number: 2022 - 64182
Classification: 722511 FULL-SRVS RESTR AFTER MIDNIGHT
Issue Date: 12/02/2022 **Expiration Date:** 4/30/23
Comments:

2022

**LICENSE EXPIRES
April 30, 2023**

**JODIE DUDASH
REVENUE ADMINISTRATOR**

THIS LICENSE MUST BE DISPLAYED IN A CONSPICUOUS PLACE



Pre-Operational Inspection for Retail Food–Virtual

Facility Information		Audit Information	
Permit:	23-206-13444	Audit Name:	Pre-Operational Inspection for Retail Food–Virtual
Facility Name:	JACK BROWN'S BEER & BURGER JNT	Audit Type:	11_Permit Issued Inspection-New Facility
Address:	19 AUGUSTA STREET	Start Date:	16 Dec 2022 09:00 AM
Facility Service (Full/Limited):	F	End Date:	16 Dec 2022 10:03 AM
City/State/Zip:	GREENVILLE, SC 296010000 GREENVILLE	Inspector:	Leslie Parra
Contact Name:	Jason Owensby		

Overall Rating
Permit Issued

Retail Food Establishment Information

Comments:	
<i>There is a grease interceptor in the basement. No other storage or equipment is house in this area.</i>	
Item	Answer
Type of Establishment	Restaurant

Water, Wastewater, Fixtures, Plumbing

Item	Answer
1. Drinking Water Supply	IN
2. Sewage Disposal	IN
3. Hand Sinks (Conveniently Located)	IN
4. Mop Sink/Can Wash	IN
5. Manual Warewashing Sink	IN
Comments	
• <i>Ecolab sink and surface sanitizer attached but the test strips have not yet been delivered. Steramine tablets with corresponding test strips (QAC) are available.</i>	
6. Backflow Prevention (Water)	IN
7. Backflow Prevention (Sewage)	IN
8. Grease Trap/Grease Interceptor	IN
Comments	
• <i>Grease trap in basement</i>	

Operations

Item	Answer
1. Hand Sinks (Soap, Hand Drying)	IN
2. Food Contact Surfaces Clean	IN
3. Non-Food Contact Surfaces Clean	IN
4. Construction Materials/Debris Removed	IN

Signage, Documentation

Item	Answer
1. Consumer Advisories (Displayed/Accurate) Comments <i>On menu.</i>	IN
2. Handwashing	IN
3. Mobile Name	Not Applicable
4. Commissary Information	Not Applicable
5. Pet Dining	Not Applicable
6. Certified Food Protection Manager	IN

Storage

Item	Answer
1. Chemical Storage	IN
2. Dry Storage (Food, Single-Service/Use)	IN
3. Equipment, Utensils, Linens	IN
4. Secured Storage/Designated Refrigeration	IN

Construction, Equipment, Insect Control, Premise

Item	Answer
1. Lighting (Protected, Intensity) Comments <i>All lighting within acceptable limits (PIC used light meter app on cell phone to check)</i>	IN
2. Finishes (Walls, Ceilings, Floors) Comments <i>FRP/stainless throughout. Drop ceiling over all prep and ware washing areas.</i>	IN
3. Utility Line Installation	IN
4. Toilet Room(s) Comments <i>Shared restroom.</i>	IN
5. Mechanical Warewasher(s)	IN
6. Drainboards, Racks, Tables (Provided)	IN
7. Food Equipment (Location)	IN
8. Food Equipment (Installation)	IN
9. Food Equipment (Design/Construction)	IN
10. Lockers (or Other Facilities)	IN
11. Sneeze Guard(s)/Food Guard(s)	Not Applicable
12. Laundry Equipment	Not Applicable
13. Outer Openings Protected	IN
14. Serving Window	Not Applicable
15. Indoor (Refuse Storage)	IN
16. Premises (Refuse Storage) Comments <i>Shared dumpsters</i>	IN
17. Premises (Walking/Driving Surface)	IN
18. Servicing Area (Mobile)	Not Applicable
19. Outdoor Cooking Area	Not Applicable

20. Barbecue Pit Room	Not Applicable
-----------------------	----------------

Temperatures, Temperature Measuring Devices(TMD), Test Kits

Item	Answer
1. Food (TMD)	IN
2. Refrigeration (Temperatures/TMD) Comments All coolers equipped with either internal or external temperature measuring devices. Pans of water in each unit measured 41 F. Bar area glass door merchandizer and keg coolers will only be used for non-TCS beverages.	IN
3. Mechanical Warewasher Irreversible TMD	Not Applicable
4. Chemical Test Kit(s)	IN
5. Hot Water Temperatures Comments All hand sinks measured above 100 F; 3-comp sink in bar and ware washing area both measured above 110 F.	IN

Permitting and DHEC Contact Information

Item	Answer
Permit Issued	Yes
Grade Posted	A
DHEC Contact Phone and Fax Number.	Upstate EA-BEHS Greenville - (864)372-3273 Fax- (864)282-4371
All Virtual Inspections (VI) and the observed items documented for correction or items documented as corrected are subject to re-evaluation during any subsequent physical on-site inspection. Any Regulation 61-25 requirement that was not observed during a Virtual Inspection may be documented at the time of the next inspection. Information collected on this form is subject to public scrutiny or release as well as the Freedom of Information Act.	Notification

Auditor Signature: Leslie Parra	Account Signature: Jason Owensby
Submitted through mobileAUDITOR - Web, or no signature provided.	Submitted through mobileAUDITOR - Web, or no signature provided.



SOUTH CAROLINA DEPARTMENT OF REVENUE

ABL-567

(Rev.
14-Feb-2022)
4282

PBW

ON PREMISES BEER & WINE

23

Owner Name and Mailing Address

JASON OWENBY
JACK BROWNS GVL, LLC
STE 156
700 MONTGOMERY HWY
VESTAVIA HILLS AL 35216-1868

Letter ID: L0024002464

LICENSE NO. 110638837-PBW
FILE NO. 110638837
DATE ISSUED: 12/28/22
STIPULATIONS: 0

Trade Name and Business Address

JACK BROWN'S BEER & BURGER JOINT
19 AUGUSTA ST STE H
GREENVILLE SC 29601-3501

START DATE: 12/28/22
END DATE: 11/30/23

THIS LICENSE IS NOT TRANSFERABLE

***** You may not transfer this permit or license to another location or to another person. *****
If you sell all or a portion of your business, before the buyer can legally sell beer, wine, or liquor, he or she MUST obtain his/her own permit or license. You can be held financially responsible for any violations of the law that take place by any person using your permit and/or license. You may be held financially responsible for injuries due to the negligent sale of the beverages by someone using your permit or license.

***** POST THIS IN A CONSPICUOUS PLACE *****



**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023**
for the April 13, 2023 Public Hearing

Docket Number:	S 23-158
Applicant:	Danielle Britt
Property Owner:	Falls Land, LLC
Property Location:	600 South Main Street Suite 101
Tax Map Number:	007000-03-02800
Acreage:	0.17
Zoning:	C-4, Central Business District
Proposal:	SPECIAL EXCEPTION to establish a 'Restaurant, with indoor and outdoor seating' and 'Nightclub or Bar' 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 (C), *Use-specific standards, Commercial uses, Eating Establishments*
Sec.19-4.3.3 (F) (10), *Use-specific standards, Commercial uses, Nightclub or bar*

Staff Recommendation: Approve with Conditions

Staff concludes that the Application complies with the standards to grant a Special Exception Permit as a **'Restaurant, with indoor and outdoor seating'** and **'Nightclub or Bar'** permitted to operate after midnight. If the Board decides to grant the Permit, Staff suggests the following conditions:

1. The operation of the establishment shall substantially conform to the testimony of the Applicant, Danielle Britt, the property (TM #007000-03-02800), and the content of the application.
2. The special exception permit shall be limited to the applicant, The Bougie Lounge (Danielle Britt), and shall not be transferrable. Copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.
4. Hours of operation shall be substantially consistent with those stated by the Applicant and not exceed past 2:00 a.m.
5. Delivery, waste collection, and similar commercial traffic is prohibited between the hours of 12:00 midnight and 7:00 a.m.

6. 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.
7. 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.
8. 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.
9. The Applicant shall retain a minimum of two (2) security guards of which at least one must be positioned outside the business on Thursdays, Fridays, and Saturdays from the hours of 10:00 p.m. and 2:15 a.m. 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. If more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require that one of the two required security guard positions be an off-duty sworn law enforcement officer. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.
10. The Applicant shall designate staff at all ingress/egress points to be responsible for the monitor of flow of patrons and confirmation of compliance with allowable occupant capacity.
11. Outdoor live entertainment and exterior sound amplification is prohibited.
12. 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.
13. Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.
14. The Applicant shall ensure soundproofing measures are taken inside the space to reduce noise and vibration impacts from interior amplification. A pattern of noise complaints related to interior amplification from the business shall be grounds to require another meeting with the Technical Advisory Committee to evaluate soundproofing measures and a limitation on amplification. Repeated noise complaints may be grounds for revocation of the permit.
15. The outdoor dining area along Falls Park Drive shall be closed by 9:00 p.m. When the outdoor dining area is open, the Applicant shall ensure that security guards and staff remain capable of adequately monitoring occupancy of all spaces and that alcohol consumption remains in compliance with the business' alcoholic beverage license.
16. The Applicant shall work with a licensed architect to revise the proposed life safety plan and floor plan to account for the existing outdoor dining area and the planned changes to the floor plan layout presented to the Technical Advisory Committee. The revised plans shall also ensure that all required life safety measures are taken and that the occupancy counts are correct and consider the existing restroom facilities. The revised plans shall be signed and sealed by a licensed architect and comply with the South Carolina State Building and Fire Codes. The revised plans shall be provided to the city's Building Codes and Fire Prevention Divisions as part of an updated occupancy permit.

17. The Applicant shall determine a trash management plan that does not involve public right-of-way (streets or sidewalks).
18. If outside queueing of patrons on sidewalks occurs, the security guards shall ensure orderly behavior of patrons so as to not negatively impact surrounding lands. Should the City determine this to become a problem, then the Applicant shall return to Technical Advisory Committee for resolution. Additional action by the City may be needed to address any potential negative impacts related to noise or disruptive behavior.
19. The Applicant shall, as part of the occupancy permit application, submit a parking plan that provides an estimate of the vehicular parking demand that use is expected to generate and an indication of where or how that parking will be provided.
20. While the proposed use in the application is not classified as a sexually oriented business, it is noted in this staff report that sexually oriented businesses are strictly prohibited in the C-4, Central Business District, which are defined by the Land Management Ordinance as an adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, a semi-nude model studio, or a sex paraphernalia store as defined in section 8-442.

Staff Analysis:

The Applicant, Danielle Britt, requests a special exception to establish a 'restaurant, with indoor and outdoor seating' and 'nightclub or bar' use with operation after midnight in downtown Greenville. The application indicated that the business would be known as "Ajay's Social & Cocktail Lounge," however the Applicant informed staff that the business name will now be "The Bougie Lounge." The property was formerly occupied by Happy + Hale as well as Parsley and Mint Mediterranean Eatery, which were both restaurants. The Applicant owns a similar business, The Lounge, on North Main Street in Greenville.

Per Sections 19-4.1 (*Table of Uses*) and 19-4.3.3(A), a special exception permit is required for commercial uses that are open to the public between the hours of 12 midnight at 5:00 a.m. The proposed use falls within the '*Eating establishments*' and the '*Retail sales and services*' commercial use category in Section 19-4.1.

The Applicant indicated that the business would operate Monday through Wednesday from 7:00 a.m. to 12:00 a.m., Thursday through Saturday 7:00 a.m. to 2:00 a.m., and Sunday 10:00 a.m. to 12:00 a.m.

The business will feature a kitchen and will serve breakfast, lunch, and dinner as well as beer, wine, and liquor by the drink. Alcohol sales will account for approximately 50 percent of all revenues, while food sales will account for the remaining 50 percent of revenues. Food sales will be available from opening until last call according to the Applicant.

The Technical Advisory Committee (TAC) met with the Applicant on March 30, 2023, 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 GVL2040 Comprehensive Plan identifies the subject property in the '*Center City*' classification as part of the future land use map.

The '*Center City*' classification is described as Greenville's downtown central business district. It contains a mix of land uses including but 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 property is also within the boundary of the West End Small Area Plan which was completed and adopted by City Council in November 2021. The property is a part of the 'South Main Precinct' in the plan. The South Main Precinct is encouraged to encourage small-scale shopping, extending the main street feel, preserving existing building character, adding open space, and promoting walkability. The plan specifically locates the property in Block WE-53. Appropriate land uses in the block specifically include restaurant.

The proposed 'restaurant' and 'bar' use maintains the blend of service, entertainment, and other commercial uses in the Center City. The use also aligns with the vision for the West End area.

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 and for Nightclub or Bar uses are located in Section 19-4.3.3 and are listed below:

19-4.3.3. Commercial uses.

(A) General.

(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.

...

(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.

...

(F) Retail sales and service.

(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 stated their intent to comply with the use-specific criteria within their application.

Upon discussion with the Technical Advisory Committee, the Applicant displayed awareness of potential issues about noise, security, and the need for training of management and staff. The Applicant acknowledged the property's proximity to residential dwellings and was familiar with past concerns from these residents related to businesses operating after midnight.

The Applicant indicated that changes to the life safety plan would be made to incorporate the outdoor dining area and to the interior floor plan.

Staff recommends formal incorporation of TAC's recommended conditions, listed at the end of this report, into any motion for approval. Staff also recommends the incorporation of the applicable use specific standards as conditions of 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:

Adjacent property is used (and zoned) as follows:

East:	Restaurant and office (C-4, Central business district)
North:	Event venue (C-4)
West:	Beauty salon and restaurant after midnight (C-4)
South:	Restaurant and park (C-4)

The property is located in downtown Greenville and is zoned C-4, Central Business District. The subject property is a multi-story, mixed use building. The use will occupy a ground floor suite and a small outdoor dining area in front of the business on Falls Park Drive. Uses within the building include clothing retailer Lululemon Athletica also on the ground floor, Jianna restaurant on the second floor, Duke Brands on the third floor, residential apartments on the fourth, fifth, and sixth floors, and Topside Pool Club on the roof.

Surrounding properties are also zoned C-4 and are used for mixed-use purposes, including retail, restaurants, office, beauty salon, and residential apartments and condominiums. Access to Falls Park and the Liberty Bridge is also across South Main Street.

The Applicant has stated the business will close at 2:00 a.m. on Thursday, Friday, and Saturday. Similar uses in the area also close at 2:00 a.m.

The Applicant indicated that the existing outdoor dining area would be used as part of the business but would close at an earlier hour. A specific closing time of 9:00 p.m. is recommended as part of the Technical Advisory Committee report.

With the appropriate conditions, the overnight business hours are not anticipated to create a conflict with other neighboring businesses and residential uses. The Applicant stated that the food and beverage and entertainment offerings will be consistent with the level of hospitality and similar

experiences offered by the neighboring bar and restaurant establishments of Greenville's city center, and that excessive noise will be avoided.

Staff finds, with appropriate conditions, the use is compatible with surrounding lands.

4. The Design Does Not Have Substantial Adverse Impact:

The proposed use is located within an existing mixed-use building. The Applicant indicated that no exterior façade changes were proposed. Any future changes would be required to comply with city design guidelines and subject to Design Review Board approval. No visual impacts are anticipated from the use.

Parking for the use is expected to come from the surface lot behind the development as well as on-street parking and public parking garages within a five-minute walk. Parking Services Division was consulted on this application and reported that the Riverplace Garage had limited capacity at this time and recommended that private parking solutions also be considered by the business to ensure parking needs were adequately met. The parking demand created by this use will be similar to the previous restaurant tenants as little change to the space is proposed. Staff recommends that a parking plan be required as part of the occupancy permit.

Limited information on service deliveries was provided as part of the application. An on-street loading zone is located on South Main Street in front of Spill the Beans that could be used for small deliveries. A private parking lot located at the rear of the building off Boggs Street will likely be utilized for trash and other deliveries.

The Applicant indicated that live music will be performed inside the business during the evening and overnight hours. Noise impact will be minimized by directing amplified music towards the interior of the space, as well as maintaining closed doors during performances. No music or performances will occur outside. With appropriate conditions, no substantial adverse noise and vibration impacts are anticipated.

To minimize detrimental impacts on adjacent land uses, staff recommends that 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 use and its 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 planned business name will no longer be Ajay's Social & Cocktail Lounge and will instead be The Bougie Lounge. The Applicant indicates that all subsequent paperwork related to the business will reflect this name change. Existing paperwork that needs to be updated to reflect the new name will also change.
3. The Applicant indicates the intent to operate as a restaurant and bar with hours of operation of Monday through Wednesday from 7:00 a.m. to 12:00 a.m., Thursday through Saturday 7:00 a.m. to 2:00 a.m., and Sunday 10:00 a.m. to 12:00 a.m.
4. The Applicant indicates that staff will be trained in all applicable manners relating to alcohol service and will obtain ServSafe certification.

5. The Applicant indicates that individuals with SLED certification have been retained to provide security services for the business. The Applicant indicates two security guards would be on duty Thursday through Saturday and occasionally during private events on Sunday.
6. The Applicant, based on the proposed life safety plan, indicates that maximum occupancy of the premises will be 71 occupants. The Applicant acknowledges that changes to the life safety plan will be needed to account for the existing outdoor dining area along Falls Park Drive and planned interior layout changes.
7. The Applicant indicates that live music/entertainment, including bingo, live musicians, and disc jockeys, will occur inside the space and will end as late as 2:00 a.m. on Fridays and Saturdays.
8. The Applicant indicates that the existing outdoor dining area along Falls Park Drive will be used by the business and that this area will close at a time recommended by the Committee.
9. The Applicant indicates an awareness of the proximity to neighboring residential uses and of past concerns expressed by those residential uses related to late night businesses operating in the area.

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 adjacent 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(A) and Section 19-4.3.3(F)(10) 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 the life safety plan and floor plan be revised by a licensed architect to account for the existing outdoor dining area, planned changes to the floor plan layout, to ensure the occupancy counts are correct and consider the existing restroom facilities, and to ensure all required life safety measures, such as panic hardware on egress doors, are taken. The amended life safety plan shall remain in close keeping to the currently proposed occupancy count of 71.
 - c. 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.
 - i. In particular, this Committee recommends the Applicant ensure that staff and patrons are aware of and comply with the city's noise ordinance.
 - d. 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 use permit, this Code, and the applicable S.C. Code of Laws and Regulations.
 - e. This Committee recommends that the Applicant and all its managers and employees responsible to serve 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 hire.

- f. This Committee recommends that the Applicant shall retain a minimum of two (2) security guards of which at least one must be positioned outside the business on Thursdays, Fridays, and Saturdays from the hours of 10:00 p.m. and 2:15 a.m. 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. If more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require that one of the two required security guard positions be an off-duty sworn law enforcement officer. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.
- g. This Committee recommends that the Applicant shall designate staff at all ingress/egress points to be responsible for the monitor of flow of patrons and confirmation of compliance with allowable occupant capacity.
- h. 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.
- i. This Committee recommends that, except to provide ingress and egress, exterior doors and windows shall remain closed after 10:00 p.m. in accordance with Sec 19-4.3.2 (G)"
- j. This Committee recommends that soundproofing measures be taken inside the space to reduce noise and vibration impacts from interior amplification. A pattern of noise complaints related to interior amplification from the business shall be grounds to require another meeting with the Technical Advisory Committee to evaluate soundproofing measures and a limitation on amplification. Repeated noise complaints may be grounds for revocation of the permit.
- k. This Committee recommends that the outdoor dining area along Falls Park Drive be closed by 9:00 p.m. When the outdoor dining area is open, the Applicant shall ensure that security guards and staff remain capable of adequately monitoring occupancy of all spaces and that alcohol consumption remains in compliance with the business' alcoholic beverage license.

Staff Comments and Conditions

City Engineer Comments

Comments:

Application review approval is subject to the applicant satisfying all conditions and requirements of the engineering divisions.

Civil Engineer Comments

Comments:

S 23-158
600 South Main Street Suite 101

None.

Environmental Engineer Comments

Comments:

None.

Traffic Engineer Comments

Comments:

None.

REPORT OF THE TECHNICAL ADVISORY COMMITTEE

to the

Board of Zoning Appeals for the City of Greenville

Application by Danielle Britt dba Ajay's Social & Cocktail Lounge for a **SPECIAL EXCEPTION** to establish a 'Restaurant, with indoor and outdoor seating' and 'Bar' use operating after midnight in a C-4, Central business district at **600 S MAIN ST SUITE 101** (TM# 007000-03-02800)

Committee Meeting Date(s): March 30, 2023

Applicant attending meeting: Danielle Britt

Proposed Business: ~~Ajay's Social & Cocktail Lounge~~ (changed to The Bougie Lounge)

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 planned business name will no longer be Ajay's Social & Cocktail Lounge and will instead be The Bougie Lounge. The Applicant indicates that all subsequent paperwork related to the business will reflect this name change. Existing paperwork that needs to be updated to reflect the new name will also change.
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8. The Applicant indicates that the existing outdoor dining area along Falls Park Drive will be used by the business and that this area will close at a time recommended by the Committee.
9. The Applicant indicates an awareness of the proximity to neighboring residential uses and of past concerns expressed by those residential uses related to late night businesses operating in the area.

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 adjacent 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(A) and Section 19-4.3.3(F)(10) 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 the life safety plan and floor plan be revised by a licensed architect to account for the existing outdoor dining area, planned changes to the floor plan layout, to ensure the occupancy counts are correct and consider the existing restroom facilities, and to ensure all required life safety measures, such as panic hardware on egress doors, are taken. The amended life safety plan shall remain in close keeping to the currently proposed occupancy count of 71.

- c. 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.
 - i. In particular, this Committee recommends the Applicant ensure that staff and patrons are aware of and comply with the city's noise ordinance.
- d. 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 use permit, this Code, and the applicable S.C. Code of Laws and Regulations.
- e. This Committee recommends that the Applicant and all its managers and employees responsible to serve 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 hire.
- f. This Committee recommends that the Applicant shall retain a minimum of two (2) security guards of which at least one must be positioned outside the business on Thursdays, Fridays, and Saturdays from the hours of 10:00 p.m. and 2:15 a.m. 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. If more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require that one of the two required security guard positions be an off-duty sworn law enforcement officer. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.

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Respectfully Submitted,

John Hamlett
Technical Advisory Committee Chair



city of
greenville

Office Use Only:

Application# _____

Fees Paid _____

Date Received _____

Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE: _____

Danielle Britt

owner

Name

Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: _____

(Optional)

Name

Title / Organization

MAILING ADDRESS: _____

309 Stallion Rd

Greenville SC 29617

PHONE: 864 982-2144

EMAIL: Ajayssocial7@gmail.com

PROPERTY OWNER: _____

Falls Land LLC

MAILING ADDRESS: _____

P.O. Box 1177

Greenville SC 29602

PHONE: 864-315-8998

EMAIL: Jttatem@aol.com

PROPERTY INFORMATION

STREET ADDRESS: _____

600 S Main Street Suite 100 Greenville SC 29601

TAX PARCEL #: _____

0070000302800

ACREAGE: .17

ZONING DESIGNATION: C-4

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Providing a Restaurant, Breakfast, Lunch & Dinner as well as a Space for Locals & travelers to experience a relaxed culture that is diverse in equality. offering an upscale Bosh experience for Locals, transplants, & travelers to experience.

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.

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

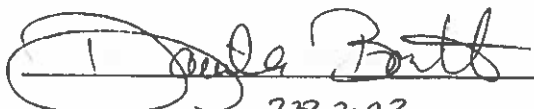
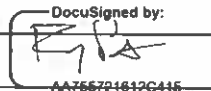

Applicant Signature

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.


228 2023
DocuSigned by:

AA766721842C415

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.

Same as previous response - A-Jays provides networking opportunities for professionals especially the urban Black community in the upstate. Offering Breakfast, Brunch, lunch destination for local professionals as well as travelers. Commercial Restaurant Cocktail Lounge

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

We will be offering customers to the Embassy Suites Hotel Parking lot as well as the Foxcroft Parking Lot. Our goal is to add value to 5 main streets. We will be focused more on food than cocktails. We have a designated area for outdoor eating.

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.

Same as previous response A-Jay S+C is complementary to both Halls and Janna's providing an diverse environment for professionals to relax before, during, and after work. Complementary to the area in that they offering Restaurant Breakfast as well as lunch & dinner after hours work day environment. A nice upscale posh

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

The purpose of A-Jay S+C is to provide an all inclusive relaxed environment for professionals middle & upper class to begin, visit or end their day with our goal is to serve to the community an urban upscale experience providing relaxing music in a relaxing lounge environment with light small plates. Also an after hours spot for Halls, Janna, Paloma, that stays open until 2am 2 days a week

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

Ross Zelenske

From: ajay's <ajayssocial7@gmail.com>
Sent: Wednesday, March 29, 2023 3:59 PM
To: Ross Zelenske
Subject: Re: Special Exception Application for 600 S Main Street Suite 101 Deed Restrictions

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

That is accurate.

On Wed, Mar 29, 2023 at 3:45 PM ajay's <ajayssocial7@gmail.com> wrote:

Based on Hughes investments, previous owners, there are No Found Deed restrictions on the property.

This was an oversight by the applicant.

Please advise,
Thank you, Danielle Britt

On Mar 29, 2023, at 3:37 PM, Ross Zelenske <zelenske@greenvillesc.gov> wrote:

Please confirm the following is accurate and I will add to your application:

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 not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested

activity.

<image001.jpg>

Ross Zelenske

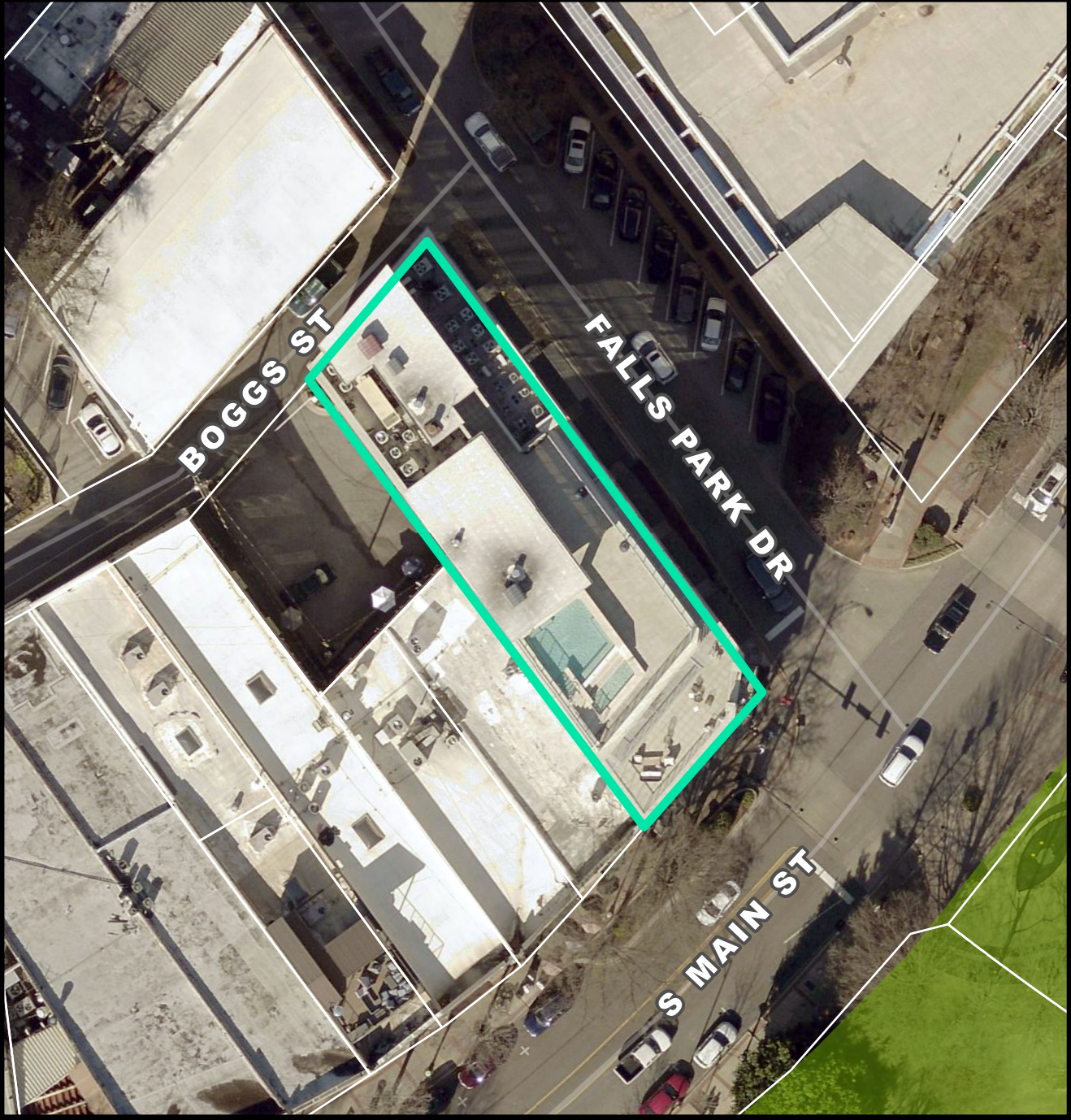
Senior Development Planner | Planning & Development Services

zelenske@greenvillesc.gov | www.greenvillesc.gov

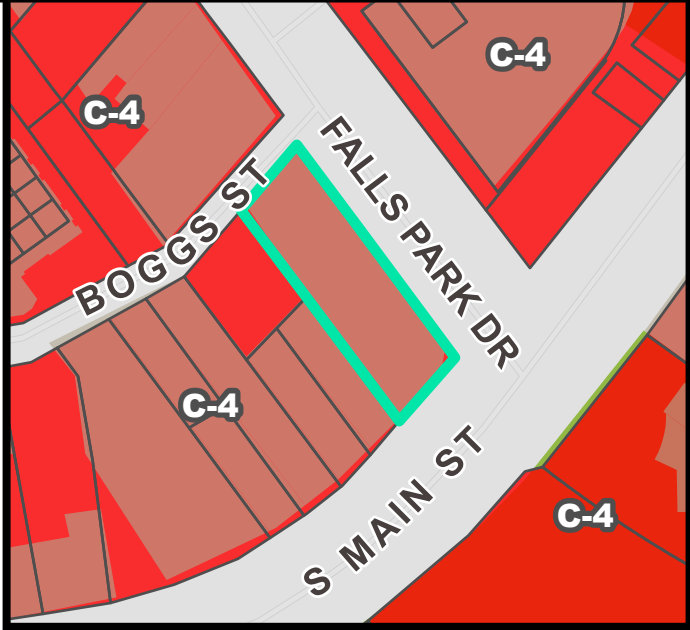
Phone: 864-467-4251

[Review the proposed Development Code and Zoning Map](#)

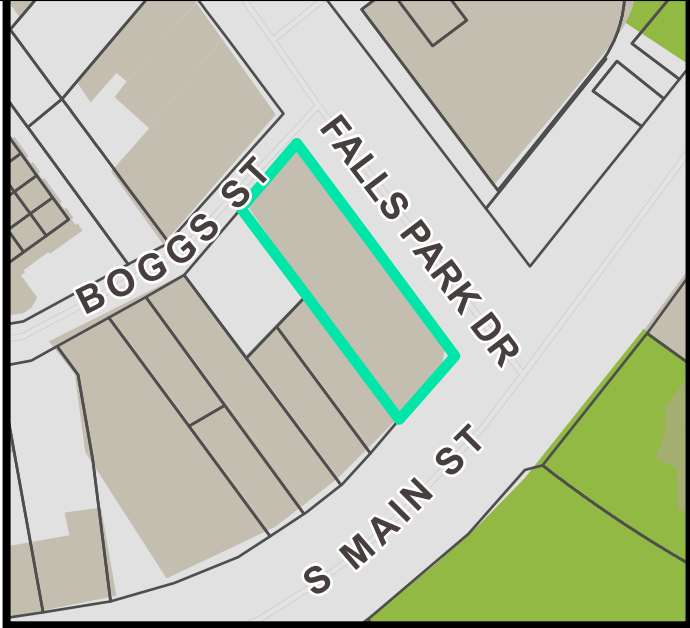
AERIAL VIEW



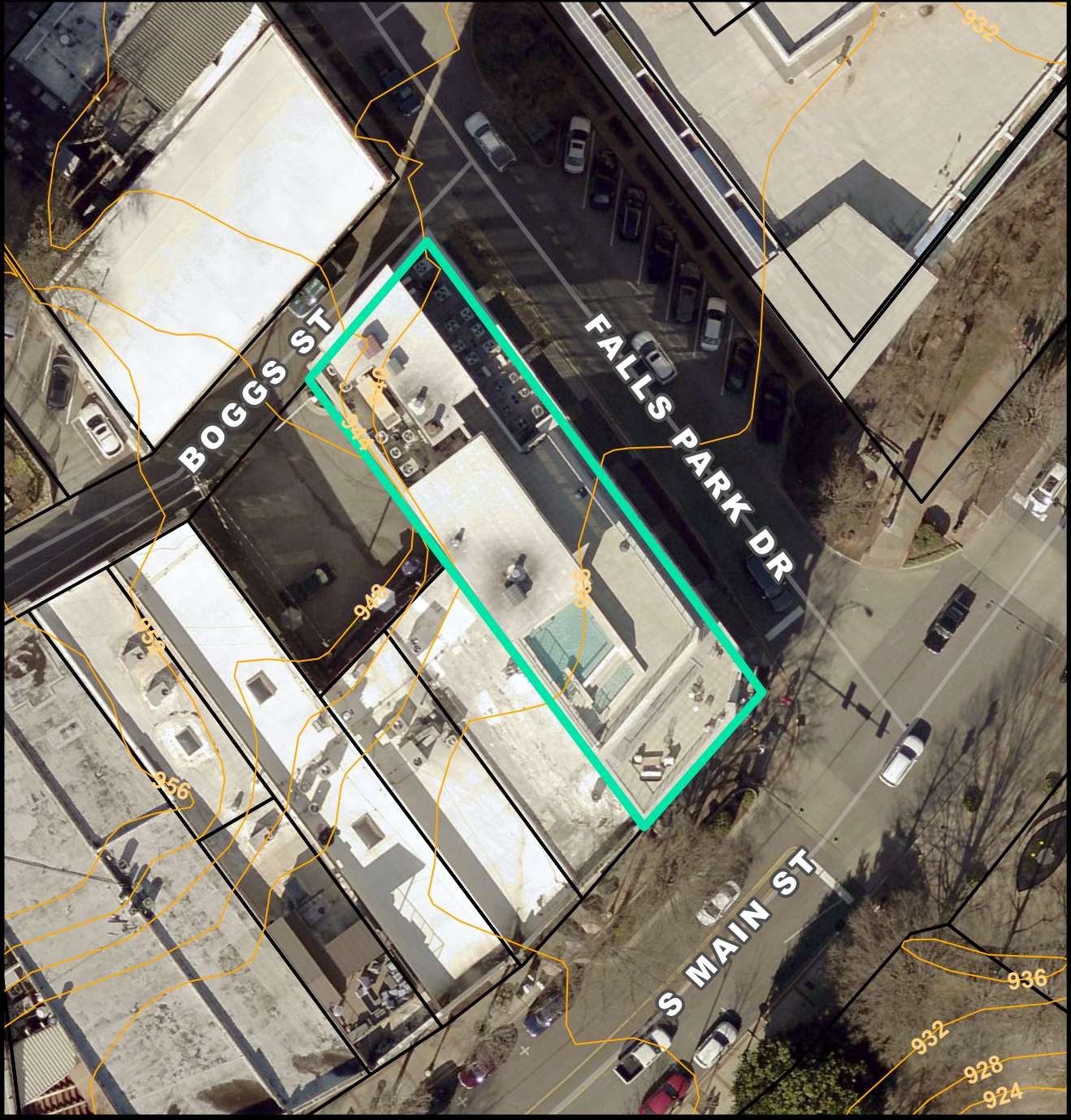
CURRENT ZONING



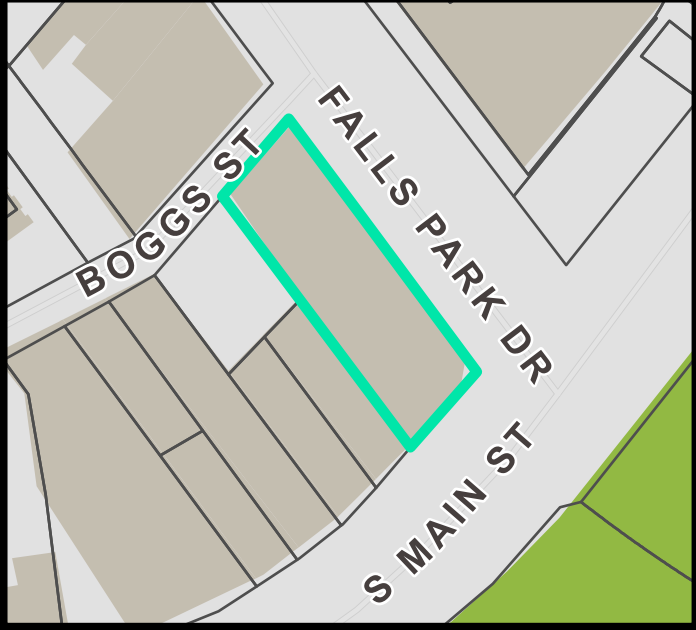
FUTURE LAND USE



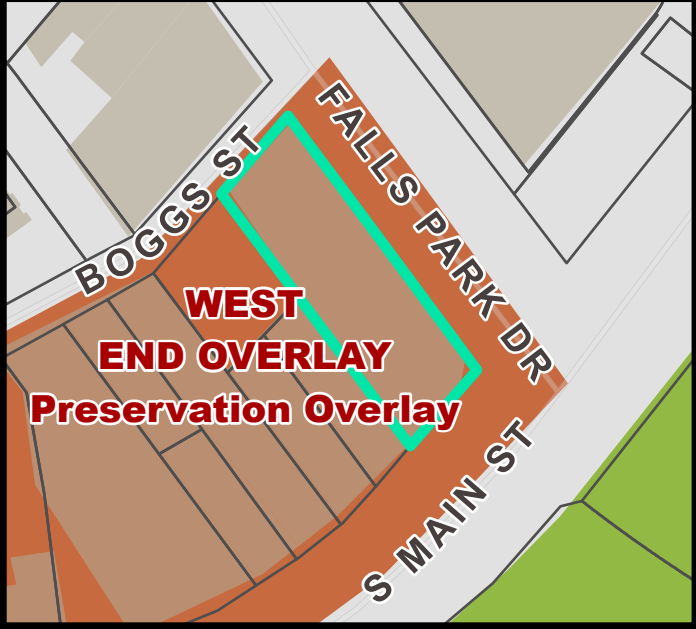
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Danielle Bott Phone 864 982-2144

Mailing Address 309 Stallwin Rd Greenville SC 29617

Email Ajassorial7@gmail.com

Signature of Applicant [Signature] Date 2-28-2023

Property Owner

Name Hughes Investment falls Land LLC Phone (864) 315-8798

Mailing Address 1 P.O. Box 1177 Greenville SC 29602

Email Jt4tatem@tworld.com

Signature of Property Owner [Signature] Date 2-28-2023

DocuSigned by:

AA755721812C415...

Property Information

Address 400 S. Main Street Suite 100 Greenville SC 29601

TMS# 007000302800 Zoning District Designation C-4 - CBD

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.
Agay's Provides Networking opportunities for Professionals in the
Upstate. Offering a Breakfast, Brunch, Lunch destination for Locals
as well as travelers.
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.
Agay's is Competitive to Both Halls and Tianna's. Providing
an environment for Professionals to relax after a long day of work.
Complimentary to the area in the way of offering Restaurant Breakfast
as well as a Nice, Upscale, Posh after hour working environment.
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.

The Purpose and goal of Agay's Social & Cocktail Lounge is to Provide
a Safe Space for Professionals Middle to upper Class to start, visit
or end their day with. Our goal is to serve to the community by providing
a Nice, Clean, Light Soft Music environment to wind down After Halls, Tianna's,
Paloma, Jumper.

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.

Operating Plan: Ajay's Social & Cocktail Lounge

Ajays is a restaurant located at 600 S. Main Street that will serve Breakfast, Lunch, and late night small plates. Hours will be Monday-Sunday.. 7:00a.m. – 12:00a.m Monday- Wednesday. Thursday-Saturday 7:00a.m. -2a.m. Sunday 10:00a.m.-12:00a.m.

Staffing schedule- During business hours. Kitchen will be open from the time we are open until we are closed. With a limited menu from 12:00a.m.-2:00a.m.

We will educate customers to park in embassy parking garage, as well as the parking near Mary's Cottage used to exist.

No smoking areas.

Bingo, live musicians, private events, occasional Dj's during the hours of 6:00p.m. and would end occasionally during Friday and Saturday until 2:00a.m.

Closing Procedures: Last call is at 1:30a.m. the staff will announce last call at 1:30a.m. Everyone is to be out of the business unless you are a working employee by no later than 1:55a.m.

Security Procedures

Ex police, military, experienced security will be retained from Thursday-Saturday. Occasionally during private events on Sundays. Two security employees will be onsite during those days.

We will provide up to four weeks of training for employees. Requesting that they will be serve safe certified. Including bartenders, kitchen staff, servers, and host.

Duties will be to prepare, cook, and present delightful meals for customers. Providing a great customer experience. Taking orders, charging customers, providing change.

There are two sets of two doors for customers to enter in and leave from. The flow will be to enter on the left side and leave on the right.

Crowd Management. No more than 65 customers at a time, pending what the city occupancy allots for the location.

No guns, weapons allowed on premises, including but not limited to knives, mace, pepper spray.

Seating Plan: Please see attached-will schedule upon approval

Business Plan

Target audience will be a multicultural upper middle-class crowd. Ajay's Social Lounge's moto is to provide an environment for the upstate's multicultural residences to meet other natives of the area. In a way that will build relationships through networking events, connecting over coffee, lunch, and cocktails. A lounge type of environment that is welcoming, inviting, offers great food, especially focused on serving breakfast that is not currently available. Such as, where can you pick up a southern gravy and biscuits in downtown Greenville right now? No where, but at Ajay's you can. We will see you there.

Projected revenue: year 2023 with only 2 full quarters and 2 months left, we project to gross \$300k, we project food sales to be \$150k and Alcohol sales to fill the rest of the gap at \$150k.

Ajay's will offer a membership advantage for customers. Those who join will experience a more exclusive environment to attend monthly private events, with featured chefs, private entertainment, as well as an opportunity to meet with other professionals in the upstate.

Business License Application has been submitted to the city of Greenville; we are waiting on approval.

SCDHEC- Has not submitted to the city of Greenville as we are working toward a closing date. Which should be within the next seven business days.

ABL-901- Has not been submitted, as we are working toward a closing date. Which should be within the next seven business days.

SLED- In conjunction with the ABL-901

Ajay s Social & Cocktail Menu

Breakfast Hot Bar (Tuesday, Thursday, Saturday)

- Scrambled eggs
- Sausage (Turkey)
- Bacon (pork)
- Grits
- Fruit
- Toast
- Breakfast potatoes

Breakfast menu

- Bacon, egg & cheese sandwich
- Biscuits & gravy
- BYO Omelet - spinach, ham, cheese, onions, green peppers, jalapeños, bacon tomatoes
- French toast
- Breakfast burrito

Brunch menu

- Chicken & waffles
- Breakfast board - biscuits, French toast, bacon & sausage, fruit
- Shrimp and grits
- Fish and grits

Lunch menu

- Chicken quesadilla
- Meatball subs
- Banana bread
- BLT sandwich
- Egg salad sandwich?
- Pasta salad
- Chicken salad
- Lobster Dip
- Jalapeño cheddar dip
- Salmon and shrimp dinner
- Smoked Gouda shrimp and grit

Dinner menu

- Meatball bites
- Salad - Caesar

- Shrimp scampi
- Chicken alfredo
- Cheese and garlic toast
- Shrimp cocktail

Party menus

- Charcuterie board_
- Chocolate covered fruit

AJAY'S SOCIAL AND COCKTAIL
600 S. MAIN STREET SUITE 101
GREENVILLE, SC 29601

CODE COMPLIANCE

EXISTING BUILDING AND TENANT

TYPE: II-B, CONSTRUCTION (SECTION 602.2) -
NON-BEARING INTERIOR WALL - METAL STUD CONSTRUCTION
BEARING EXTERIOR WALL - METAL STUD CONSTRUCTION
FLOOR - CONCRETE SLAB ON GRADE / METAL TRUSS / CONCRETE
ROOF - METAL

OCCUPANCY CLASSIFICATION (CHAPTER 3)

2. GROUP "A-2", RESTAURANT

FIRE RESISTANCE RATING OF BUILDING ELEMENTS

3. AUTOMATIC FIRE SPRINKLER PROVIDED

MIXED-USE SEPARATED OCCUPANCIES

4. EXISTING SECOND FLOOR IS 4" CONCRETE OVER METAL DECK AND TRUSS
EXISTING 2HR FIRE SEPARATION AT FLOOR BETWEEN 1ST FLOOR AND BASEMENT
PER TABLE 721.1(3) ITEM 4-1.1 LIGHTWEIGHT CONCRETE - MIN. 3.6" THICK
EXISTING IS 4" THICK

EXISTING ONE HOUR FIRE BARRIER SEPARATES TENANTS.

HEIGHT AND BUILDING AREAS (CHAPTER 5)

5. ALLOWABLE: GROUP "A-2"
TWO STORY (55'-0"); 9,500 SF PER FLOOR

ACTUAL:

ONE STORY: (15'-0")
TENANT AREA
1ST FLOOR (A-2) = 2,282 SF

OCCUPANCY SUMMARY

OCC. TYPE	AREA (SQ. FT.)	SQ. FT. PER OCC. OCCUPANTS
SEATING 1	220	15 NET
SEATING 2	50	(2) FOUR TOPS
SEATING 3	50	(2) FOUR TOPS
SEATING 4	28	15 NET
SERVICE LINE	158	5 NET
SERVING AREA	326	200 GROSS
KITCHEN	637	200 GROSS
A-2 ASSEMBLY	TOTAL OCC.	71

EXIT ACCESS TRAVEL DISTANCE

7. GROUP "A-2", SPRINKLERED = 200 ft

NUMBER OF EXITS

8. 2

EGRESS WIDTH PER OCCUPANT SERVED

9. 44" MIN. CORRIDOR WIDTH

DOORS

EXIT DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE
USE OF A KEY, TOOL, SPECIAL KNOWLEDGE OR EFFORT. ALL
HARDWARE SHALL BE DIRECT ACTING. H/C ACCESSIBLE FOR 50% OF
ALL PUBLIC ENTRANCES (SECTION 1105.1)

FIRE EXTINGUISHERS

FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 10. THE
LOCAL FIRE OFFICIAL MAY REQUIRE ADDITIONAL FIRE EXTINGUISHER LOCATIONS AS
FINAL INSPECTIONS. PORTABLE FIRE EXTINGUISHERS HAVING A GROSS WEIGHT NOT
EXCEEDING 40 POUNDS (18 KG) SHALL BE INSTALLED SO THAT THEIR TOPS ARE
NOT MORE THAN 5 FEET (1524 MM) ABOVE THE FLOOR. THE CLEARANCE BETWEEN
THE FLOOR AND THE BOTTOM OF INSTALLED HAND-HELD PORTABLE FIRE
EXTINGUISHERS SHALL BE NOT LESS THAN 4 INCHES

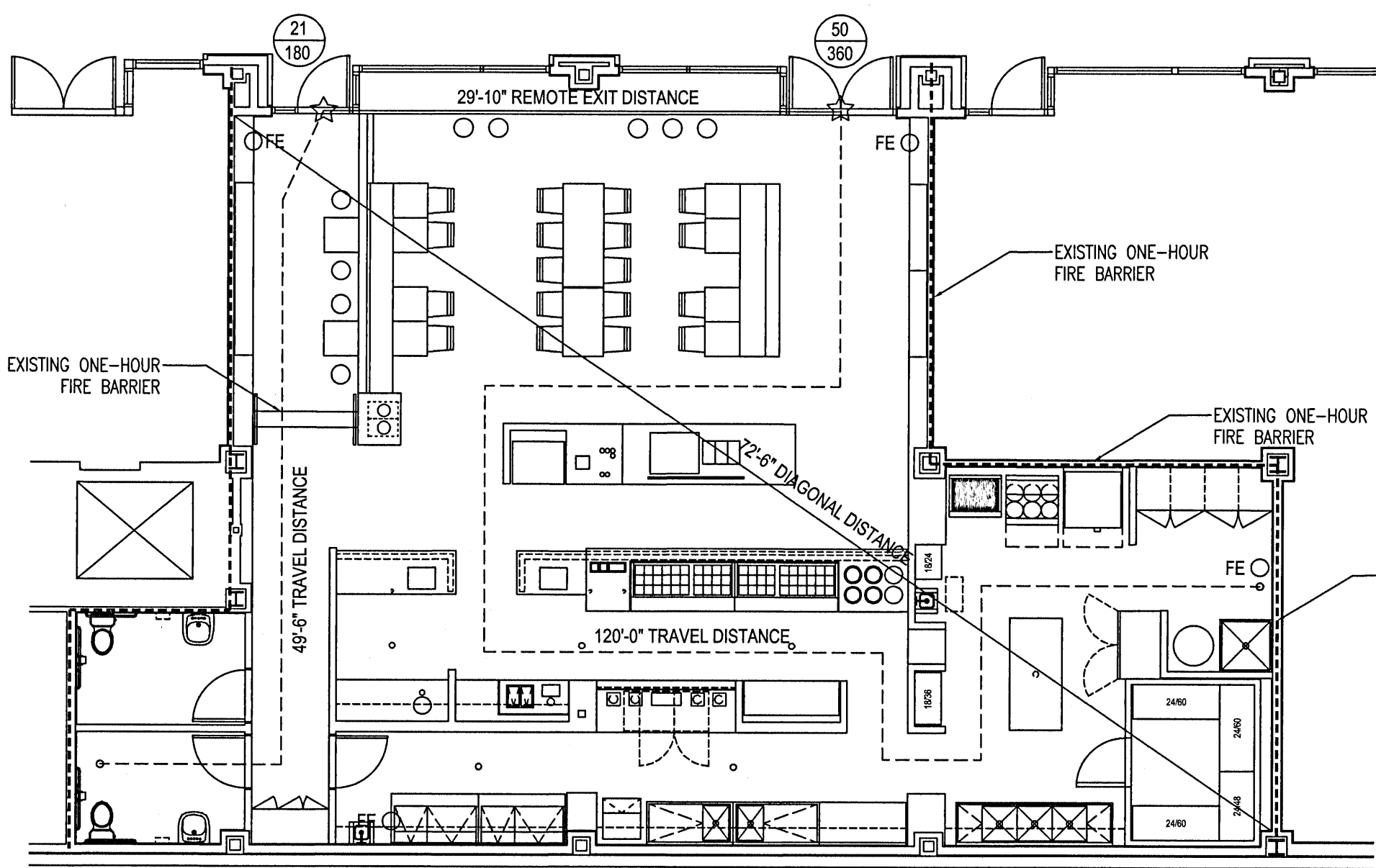
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND
REGULATIONS INCLUDING COMPLIANCE WITH THE AMERICANS WITH DISABILITIES
ACT (ADA).

EXISTING BUILDING COMPLIANCE

CATEGORY: ALTERATION LEVEL 1

CODE LISTING

INTERNATIONAL BUILDING CODE 2021
INTERNATIONAL PLUMBING CODE 2021
INTERNATIONAL MECHANICAL CODE 2021
INTERNATIONAL EXISTING BUILDING CODE 2021
INTERNATIONAL FIRE CODE 2021
NATIONAL ELECTRICAL CODE 2020
ICC/ANSI A117.1 2017
INTERNATIONAL ENERGY CONSERVATION CODE 2009



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

LIFE SAFETY LEGEND

- ☆ EXIT
- FE FIRE EXTINGUISHER RECESSED CABINET, TYP.
- 50 ACTUAL PROVIDED EXIT CAPACITY MARKER
- PATH OF TRAVEL
- ③ OCCUPANT LOAD (FOR EGRESS CALCULATIONS)

NUMBER OF MEANS OF EGRESS
PER TABLE 1006.3.1 WE ARE REQUIRED (2) MEANS OF EGRESS.

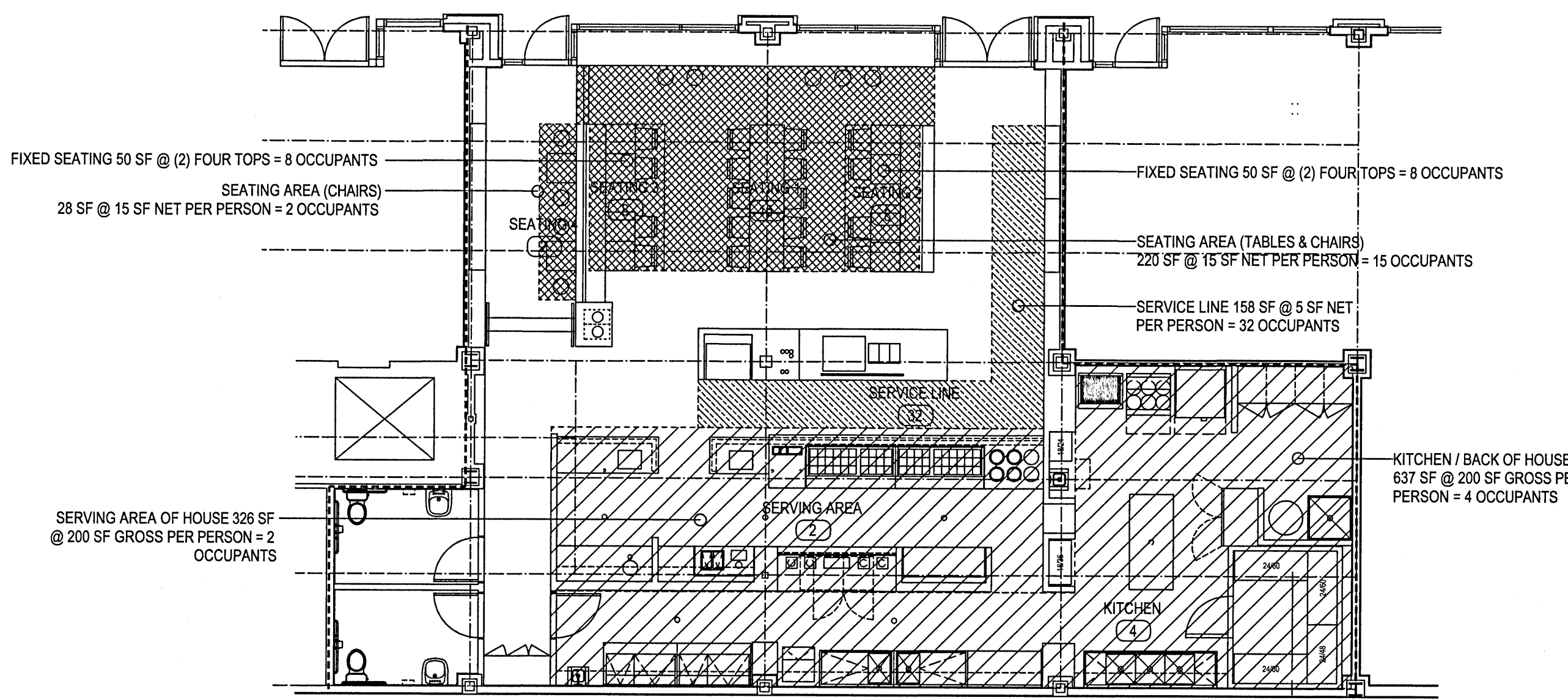
WITH AN OCCUPANT LOAD OF 71, (2) MEANS OF EGRESS REQUIRED AND (2) TOTAL PROVIDED, SEE PLAN FOR EACH SPACE
DESIGNATION AND REQUIREMENTS.

EGRESS WIDTH
PER 1005 AND ICC A117.1 403.5 THE WIDTH OF ALL ACCESSIBLE ROUTES AND EXIT ACCESS IS NOT LESS THAN 36 INCHES.

PER 1009 ALL MEANS OF EGRESS DOORS PROVIDE A CLEAR WIDTH OF MIN. 32". SEE DOOR SCHEDULE ON A600 FOR SIZING.

EXIT TRAVEL DISTANCE
PER TABLE 1017.2 THE MAXIMUM EXIT ACCESS TRAVEL DISTANCE IS 250' (SPRINKLERED) FOR ASSEMBLY OCCUPANCIES. SEE
PLAN FOR DETAILS.

THE MAXIMUM TRAVEL DISTANCE FOR ANY ONE SPACE IS 120'-0" FROM THE REMOTE POINT TO A MEANS OF EXIT.



2 OCCUPANCY COUNT PLAN
1/8" = 1'-0"

REVISIONS

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ISAIAH DUNLAP ARCHITECT
DESIGNEDGE, LLC
PO BOX 9881 GREENVILLE SC 29604
EMAIL: IDUNLAP@DESIGNEDGE.COM
WEBSITE: WWW.DESIGNEDGE.COM
DIRECT: 803.730.5864



AJAY'S SOCIAL AND COCKTAIL
600 S MAIN STREET SUITE 101
GREENVILLE, SC 29601

SHEET NO.

CO

JOB NO.

DATE: 2.5.23

REPORT OF THE TECHNICAL ADVISORY COMMITTEE

to the

Board of Zoning Appeals for the City of Greenville

Application by Danielle Britt dba Ajay's Social & Cocktail Lounge for a **SPECIAL EXCEPTION** to establish a 'Restaurant, with indoor and outdoor seating' and 'Bar' use operating after midnight in a C-4, Central business district at **600 S MAIN ST SUITE 101** (TM# 007000-03-02800)

Committee Meeting Date(s): March 30, 2023

Applicant attending meeting: Danielle Britt

Proposed Business: ~~Ajay's Social & Cocktail Lounge~~ (changed to The Bougie Lounge)

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 planned business name will no longer be Ajay's Social & Cocktail Lounge and will instead be The Bougie Lounge. The Applicant indicates that all subsequent paperwork related to the business will reflect this name change. Existing paperwork that needs to be updated to reflect the new name will also change.
3. The Applicant indicates the intent to operate as a restaurant and bar with hours of operation of Monday through Wednesday from 7:00 a.m. to 12:00 a.m., Thursday through Saturday 7:00 a.m. to 2:00 a.m., and Sunday 10:00 a.m. to 12:00 a.m.
4. The Applicant indicates that staff will be trained in all applicable manners relating to alcohol service and will obtain ServSafe certification.
5. The Applicant indicates that individuals with SLED certification have been retained to provide security services for the business. The Applicant indicates two security guards would be on duty Thursday through Saturday and occasionally during private events on Sunday.

6. The Applicant, based on the proposed life safety plan, indicates that maximum occupancy of the premises will be 71 occupants. The Applicant acknowledges that changes to the life safety plan will be needed to account for the existing outdoor dining area along Falls Park Drive and planned interior layout changes.
7. The Applicant indicates that live music/entertainment, including bingo, live musicians, and disc jockeys, will occur inside the space and will end as late as 2:00 a.m. on Fridays and Saturdays.
8. The Applicant indicates that the existing outdoor dining area along Falls Park Drive will be used by the business and that this area will close at a time recommended by the Committee.
9. The Applicant indicates an awareness of the proximity to neighboring residential uses and of past concerns expressed by those residential uses related to late night businesses operating in the area.

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 adjacent 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(A) and Section 19-4.3.3(F)(10) 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 the life safety plan and floor plan be revised by a licensed architect to account for the existing outdoor dining area, planned changes to the floor plan layout, to ensure the occupancy counts are correct and consider the existing restroom facilities, and to ensure all required life safety measures, such as panic hardware on egress doors, are taken. The amended life safety plan shall remain in close keeping to the currently proposed occupancy count of 71.

- c. 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.
 - i. In particular, this Committee recommends the Applicant ensure that staff and patrons are aware of and comply with the city's noise ordinance.
- d. 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 use permit, this Code, and the applicable S.C. Code of Laws and Regulations.
- e. This Committee recommends that the Applicant and all its managers and employees responsible to serve 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 hire.
- f. This Committee recommends that the Applicant shall retain a minimum of two (2) security guards of which at least one must be positioned outside the business on Thursdays, Fridays, and Saturdays from the hours of 10:00 p.m. and 2:15 a.m. 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. If more than two incidents involving a police response to the business occur within a six-month period, the City of Greenville can then require that one of the two required security guard positions be an off-duty sworn law enforcement officer. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.

- g. This Committee recommends that the Applicant shall designate staff at all ingress/egress points to be responsible for the monitor of flow of patrons and confirmation of compliance with allowable occupant capacity.
- h. 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.
- i. This Committee recommends that, except to provide ingress and egress, exterior doors and windows shall remain closed after 10:00 p.m. in accordance with Sec 19-4.3.2 (G)”
- j. This Committee recommends that soundproofing measures be taken inside the space to reduce noise and vibration impacts from interior amplification. A pattern of noise complaints related to interior amplification from the business shall be grounds to require another meeting with the Technical Advisory Committee to evaluate soundproofing measures and a limitation on amplification. Repeated noise complaints may be grounds for revocation of the permit.
- k. This Committee recommends that the outdoor dining area along Falls Park Drive be closed by 9:00 p.m. When the outdoor dining area is open, the Applicant shall ensure that security guards and staff remain capable of adequately monitoring occupancy of all spaces and that alcohol consumption remains in compliance with the business’ alcoholic beverage license.

Respectfully Submitted,

John Hamlett
Technical Advisory Committee Chair



city of
greenville

Office Use Only:

Application# _____

Fees Paid _____

Date Received _____

Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE: _____

Danielle Britt

owner

Name

Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: _____

(Optional)

Name

Title / Organization

MAILING ADDRESS: 309 Stallion Rd Greenville SC 29617

PHONE: 864 982-2144 EMAIL: Ajayssocial7@gmail.com

PROPERTY OWNER: _____

Falls Land LLC

MAILING ADDRESS: P.O. Box 1177 Greenville SC 29602

PHONE: 864-315-8998 EMAIL: Jttatem@aol.com

PROPERTY INFORMATION

STREET ADDRESS: 600 S Main Street Suite 100 Greenville SC 29601

TAX PARCEL #: 0070000302800 ACREAGE: .17 ZONING DESIGNATION: C-4

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Providing a Restaurant, Breakfast, Lunch & Dinner as well as a space for Locals & travelers to experience a relaxed culture that is diverse in equality. offering an upscale Bosh experience for Locals, transplants, & travelers to experience.

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.

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

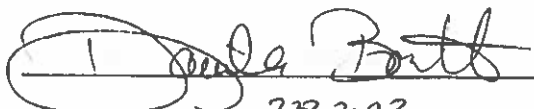
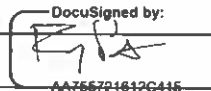

Applicant Signature

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.


2-28-2023
DocuSigned by:

AA766721842C415

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.

Same as previous response - A-Jays provides networking opportunities for professionals especially the urban Black community in the upstate. Offering Breakfast, Brunch, lunch destination for local professionals as well as travelers. Commercial Restaurant Cocktail Lounge

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

We will be offering customers to the Embassy Suites Hotel Parking lot as well as the Foxcroft Parking Lot. Our goal is to add value to 5 main streets. We will be focused more on food than cocktails. We have a designated area for outdoor eating.

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.

Same as previous response A-Jay S+C is complementary to both Halls and Janna's providing an diverse environment for professionals to relax before, during, and after work. Complementary to the area in that they offering Restaurant Breakfast as well as lunch & dinner after hours work day environment. A nice upscale posh

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

The purpose of A-Jay S+C is to provide an all inclusive relaxed environment for professionals middle & upper class to begin, visit or end their day with our goal is to serve to the community an urban upscale experience providing relaxing music in a relaxing lounge environment with light small plates. Also an after hours spot for Halls, Janna, Paloma, that stays open until 2am 2 days a week

**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

Ross Zelenske

From: ajay's <ajayssocial7@gmail.com>
Sent: Wednesday, March 29, 2023 3:59 PM
To: Ross Zelenske
Subject: Re: Special Exception Application for 600 S Main Street Suite 101 Deed Restrictions

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

That is accurate.

On Wed, Mar 29, 2023 at 3:45 PM ajay's <ajayssocial7@gmail.com> wrote:

Based on Hughes investments, previous owners, there are No Found Deed restrictions on the property.

This was an oversight by the applicant.

Please advise,
Thank you, Danielle Britt

On Mar 29, 2023, at 3:37 PM, Ross Zelenske <zelenske@greenvillesc.gov> wrote:

Please confirm the following is accurate and I will add to your application:

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 not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested

activity.

<image001.jpg>

Ross Zelenske

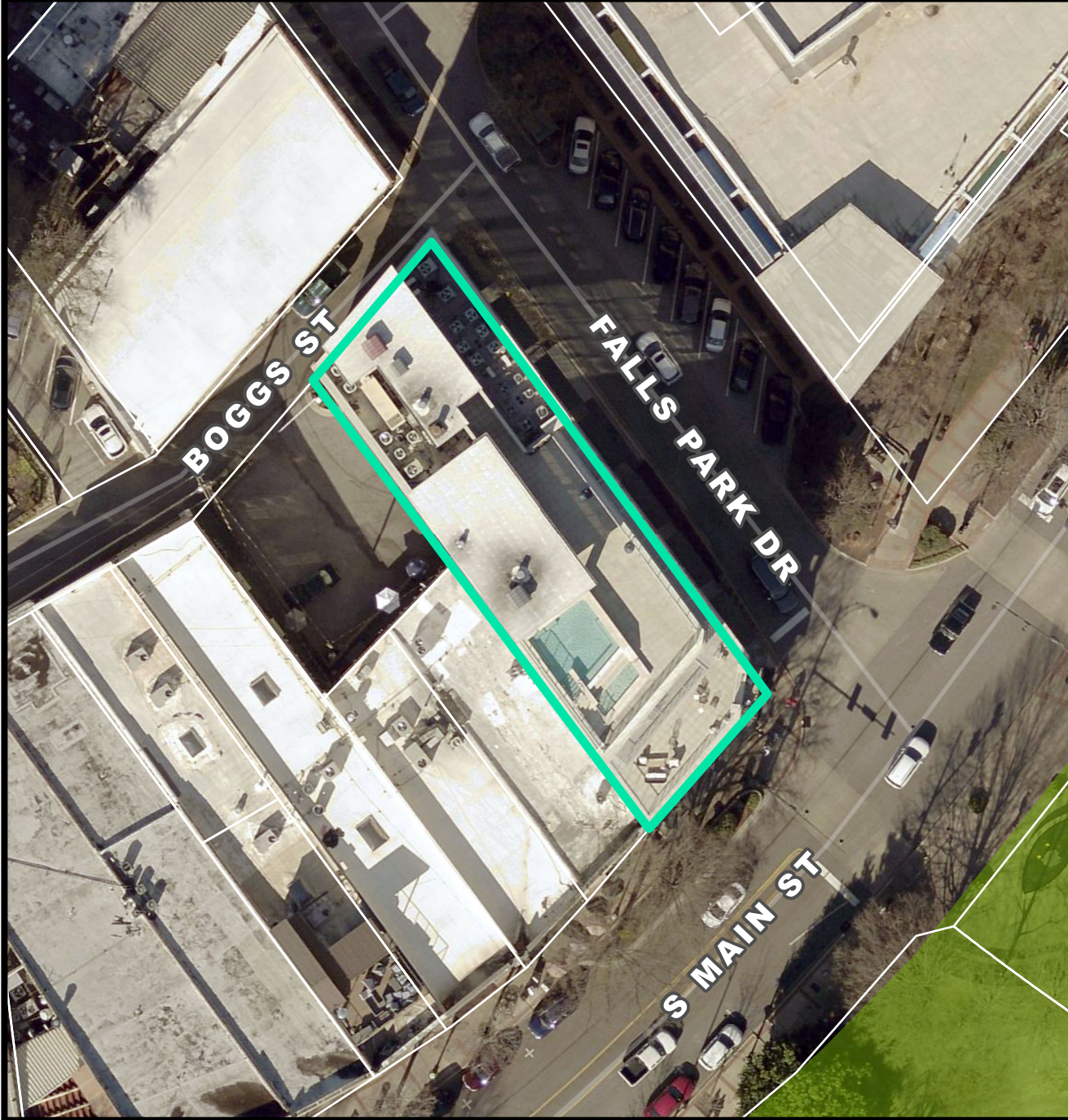
Senior Development Planner | Planning & Development Services

zelenske@greenvillesc.gov | www.greenvillesc.gov

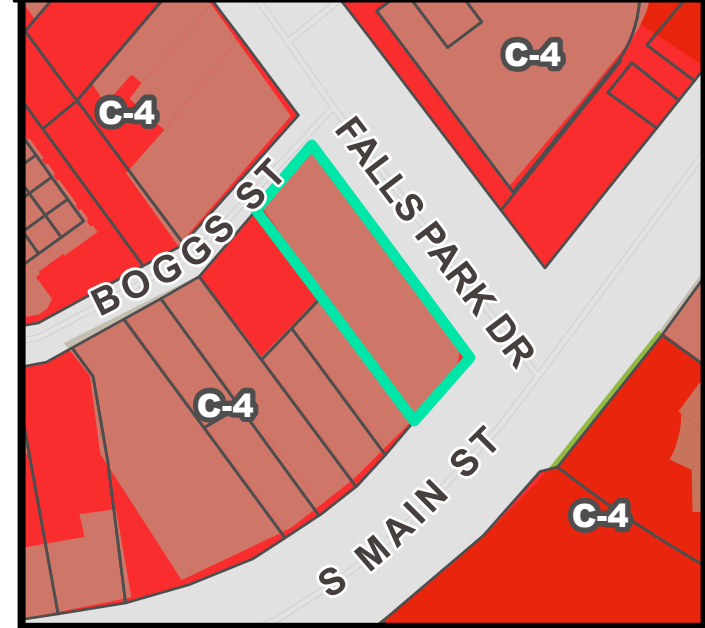
Phone: 864-467-4251

[Review the proposed Development Code and Zoning Map](#)

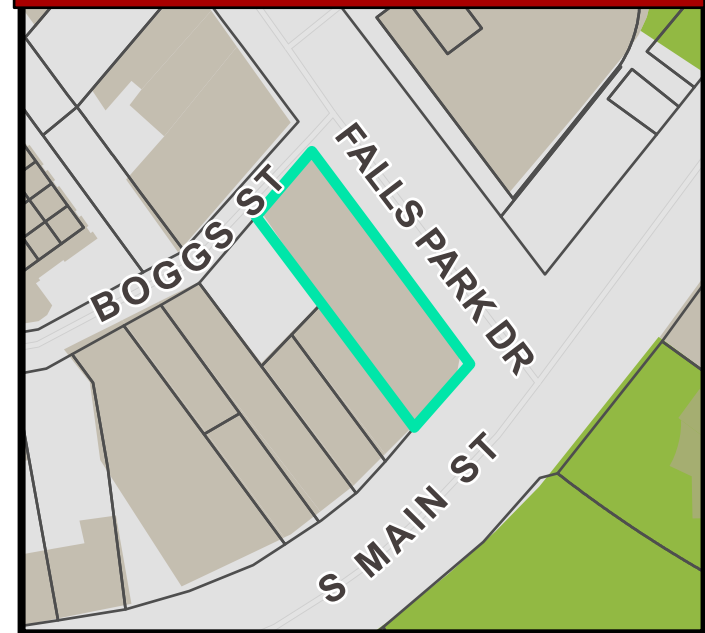
AERIAL VIEW



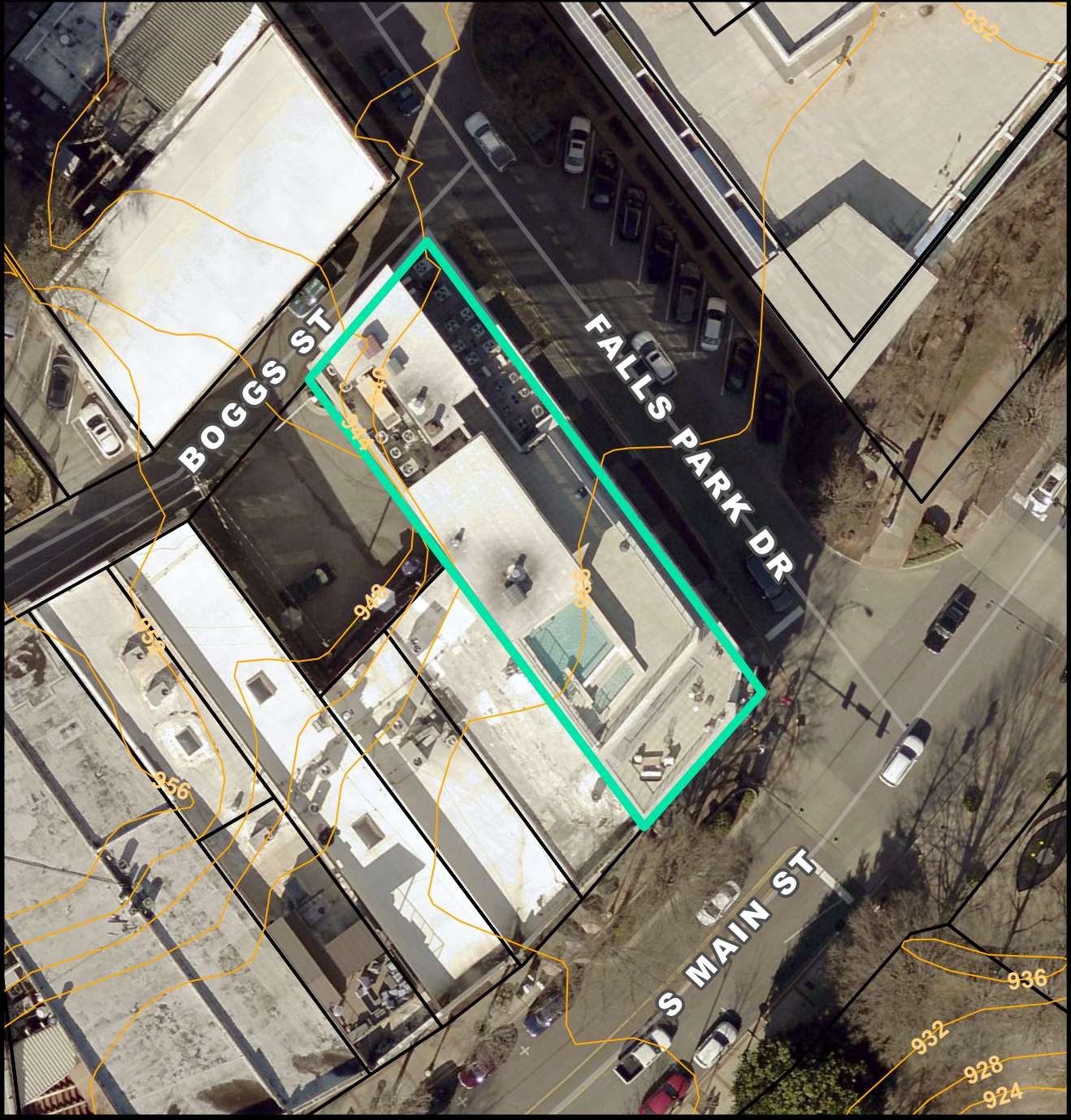
CURRENT ZONING



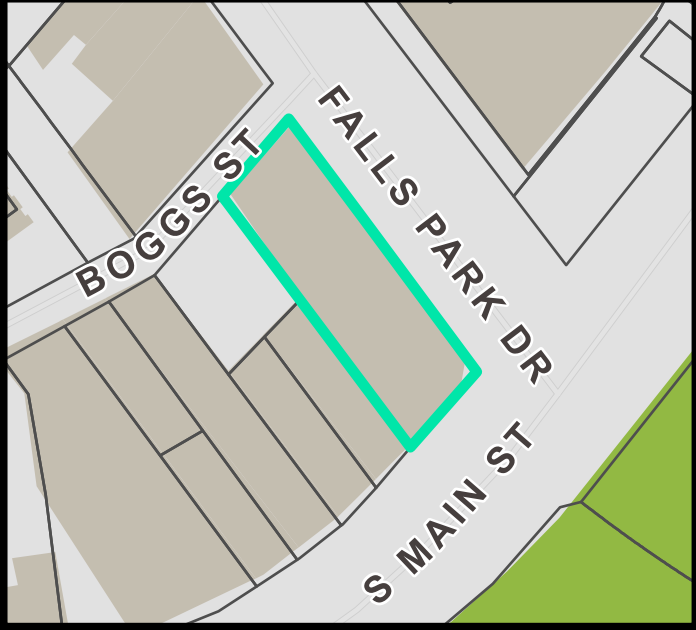
FUTURE LAND USE



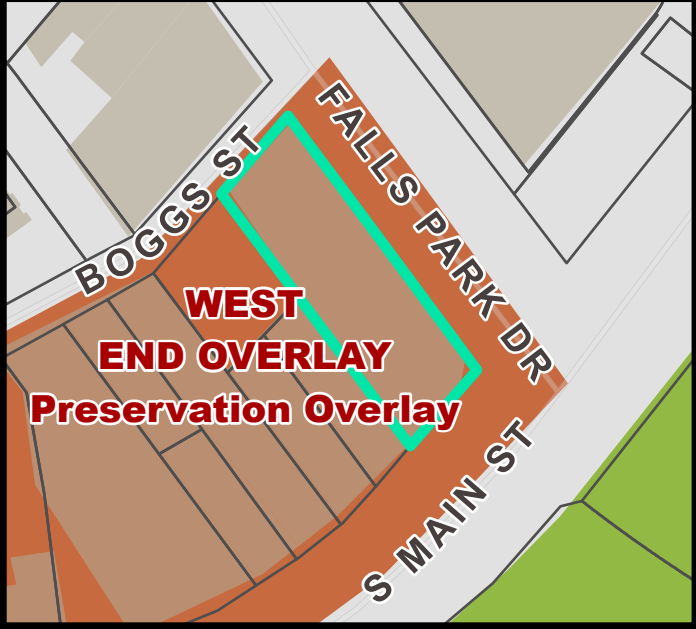
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Danielle Bott Phone 864 982-2144

Mailing Address 309 Stallwin Rd Greenville SC 29617

Email Ajassorial7@gmail.com

Signature of Applicant [Signature] Date 2-28-2023

Property Owner

Name Hughes Investment Falls Land LLC Phone (864) 315-8798

Mailing Address 1 P.O. Box 1177 Greenville SC 29602

Email Jt4tatem@tworld.com

Signature of Property Owner [Signature] Date 2-28-2023

DocuSigned by:

AA755721812C415...

Property Information

Address 400 S. Main Street Suite 100 Greenville SC 29601

TMS# 007000302800 Zoning District Designation C-4 - CBD

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.
Ajay's Provides Networking opportunities for Professionals in the
Upstate. Offering a Breakfast, Brunch, Lunch destination for Locals
as well as travelers.
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.
Ajay's is Competitive to Both Halls and Tianna's. Providing
an environment for Professionals to relax after a long day of work.
Complimentary to the area in the way of offering Restaurant Breakfast
as well as a Nice, Upscale, Posh after hour working environment.
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.

The Purpose and goal of Ajay's Social & Cocktail Lounge is to Provide
a Safe Space for Professionals Middle to upper Class to start, visit
or end their day with. Our goal is to serve to the community by providing
a Nice, Clean, Light Soft Music environment to wind down After Halls, Tianna's,
Paloma, Jumper.

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.

Operating Plan: Ajay's Social & Cocktail Lounge

Ajays is a restaurant located at 600 S. Main Street that will serve Breakfast, Lunch, and late night small plates. Hours will be Monday-Sunday.. 7:00a.m. – 12:00a.m Monday- Wednesday. Thursday-Saturday 7:00a.m. -2a.m. Sunday 10:00a.m.-12:00a.m.

Staffing schedule- During business hours. Kitchen will be open from the time we are open until we are closed. With a limited menu from 12:00a.m.-2:00a.m.

We will educate customers to park in embassy parking garage, as well as the parking near Mary's Cottage used to exist.

No smoking areas.

Bingo, live musicians, private events, occasional Dj's during the hours of 6:00p.m. and would end occasionally during Friday and Saturday until 2:00a.m.

Closing Procedures: Last call is at 1:30a.m. the staff will announce last call at 1:30a.m. Everyone is to be out of the business unless you are a working employee by no later than 1:55a.m.

Security Procedures

Ex police, military, experienced security will be retained from Thursday-Saturday. Occasionally during private events on Sundays. Two security employees will be onsite during those days.

We will provide up to four weeks of training for employees. Requesting that they will be serve safe certified. Including bartenders, kitchen staff, servers, and host.

Duties will be to prepare, cook, and present delightful meals for customers. Providing a great customer experience. Taking orders, charging customers, providing change.

There are two sets of two doors for customers to enter in and leave from. The flow will be to enter on the left side and leave on the right.

Crowd Management. No more than 65 customers at a time, pending what the city occupancy allots for the location.

No guns, weapons allowed on premises, including but not limited to knives, mace, pepper spray.

Seating Plan: Please see attached-will schedule upon approval

Business Plan

Target audience will be a multicultural upper middle-class crowd. Ajay's Social Lounge's moto is to provide an environment for the upstate's multicultural residences to meet other natives of the area. In a way that will build relationships through networking events, connecting over coffee, lunch, and cocktails. A lounge type of environment that is welcoming, inviting, offers great food, especially focused on serving breakfast that is not currently available. Such as, where can you pick up a southern gravy and biscuits in downtown Greenville right now? No where, but at Ajay's you can. We will see you there.

Projected revenue: year 2023 with only 2 full quarters and 2 months left, we project to gross \$300k, we project food sales to be \$150k and Alcohol sales to fill the rest of the gap at \$150k.

Ajay's will offer a membership advantage for customers. Those who join will experience a more exclusive environment to attend monthly private events, with featured chefs, private entertainment, as well as an opportunity to meet with other professionals in the upstate.

Business License Application has been submitted to the city of Greenville; we are waiting on approval.

SCDHEC- Has not submitted to the city of Greenville as we are working toward a closing date. Which should be within the next seven business days.

ABL-901- Has not been submitted, as we are working toward a closing date. Which should be within the next seven business days.

SLED- In conjunction with the ABL-901

Ajay s Social & Cocktail Menu

Breakfast Hot Bar (Tuesday, Thursday, Saturday)

- Scrambled eggs
- Sausage (Turkey)
- Bacon (pork)
- Grits
- Fruit
- Toast
- Breakfast potatoes

Breakfast menu

- Bacon, egg & cheese sandwich
- Biscuits & gravy
- BYO Omelet - spinach, ham, cheese, onions, green peppers, jalapeños, bacon tomatoes
- French toast
- Breakfast burrito

Brunch menu

- Chicken & waffles
- Breakfast board - biscuits, French toast, bacon & sausage, fruit
- Shrimp and grits
- Fish and grits

Lunch menu

- Chicken quesadilla
- Meatball subs
- Banana bread
- BLT sandwich
- Egg salad sandwich?
- Pasta salad
- Chicken salad
- Lobster Dip
- Jalapeño cheddar dip
- Salmon and shrimp dinner
- Smoked Gouda shrimp and grit

Dinner menu

- Meatball bites
- Salad - Caesar

- Shrimp scampi
- Chicken alfredo
- Cheese and garlic toast
- Shrimp cocktail

Party menus

- Charcuterie board_
- Chocolate covered fruit

AJAY'S SOCIAL AND COCKTAIL
600 S. MAIN STREET SUITE 101
GREENVILLE, SC 29601

CODE COMPLIANCE

EXISTING BUILDING AND TENANT

TYPE: II-B, CONSTRUCTION (SECTION 602.2) -
NON-BEARING INTERIOR WALL - METAL STUD CONSTRUCTION
BEARING EXTERIOR WALL - METAL STUD CONSTRUCTION
FLOOR - CONCRETE SLAB ON GRADE / METAL TRUSS / CONCRETE
ROOF - METAL

OCCUPANCY CLASSIFICATION (CHAPTER 3)

2. GROUP "A-2", RESTAURANT

FIRE RESISTANCE RATING OF BUILDING ELEMENTS

3. AUTOMATIC FIRE SPRINKLER PROVIDED

MIXED-USE SEPARATED OCCUPANCIES

4. EXISTING SECOND FLOOR IS 4" CONCRETE OVER METAL DECK AND TRUSS
EXISTING 2HR FIRE SEPARATION AT FLOOR BETWEEN 1ST FLOOR AND BASEMENT
PER TABLE 721.1(3) ITEM 4-1.1 LIGHTWEIGHT CONCRETE - MIN. 3.6" THICK
EXISTING IS 4" THICK

EXISTING ONE HOUR FIRE BARRIER SEPARATES TENANTS.

HEIGHT AND BUILDING AREAS (CHAPTER 5)

5. ALLOWABLE: GROUP "A-2"
TWO STORY (55'-0"); 9,500 SF PER FLOOR

ACTUAL:

ONE STORY: (15'-0")
TENANT AREA
1ST FLOOR (A-2) = 2,282 SF

OCCUPANCY SUMMARY

OCC. TYPE	AREA (SQ. FT.)	SQ. FT. PER OCC. OCCUPANTS
SEATING 1	220	15 NET
SEATING 2	50	(2) FOUR TOPS
SEATING 3	50	(2) FOUR TOPS
SEATING 4	28	15 NET
SERVICE LINE	158	5 NET
SERVING AREA	326	200 GROSS
KITCHEN	637	200 GROSS
A-2 ASSEMBLY	TOTAL OCC.	71

EXIT ACCESS TRAVEL DISTANCE

7. GROUP "A-2", SPRINKLERED = 200 ft

NUMBER OF EXITS

8. 2

EGRESS WIDTH PER OCCUPANT SERVED

9. 44" MIN. CORRIDOR WIDTH

DOORS

EXIT DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE
USE OF A KEY, TOOL, SPECIAL KNOWLEDGE OR EFFORT. ALL
HARDWARE SHALL BE DIRECT ACTING. H/C ACCESSIBLE FOR 50% OF
ALL PUBLIC ENTRANCES (SECTION 1105.1)

FIRE EXTINGUISHERS

FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 10. THE
LOCAL FIRE OFFICIAL MAY REQUIRE ADDITIONAL FIRE EXTINGUISHER LOCATIONS AS
FINAL INSPECTIONS. PORTABLE FIRE EXTINGUISHERS HAVING A GROSS WEIGHT NOT
EXCEEDING 40 POUNDS (18 KG) SHALL BE INSTALLED SO THAT THEIR TOPS ARE
NOT MORE THAN 5 FEET (1524 MM) ABOVE THE FLOOR. THE CLEARANCE BETWEEN
THE FLOOR AND THE BOTTOM OF INSTALLED HAND-HELD PORTABLE FIRE
EXTINGUISHERS SHALL BE NOT LESS THAN 4 INCHES

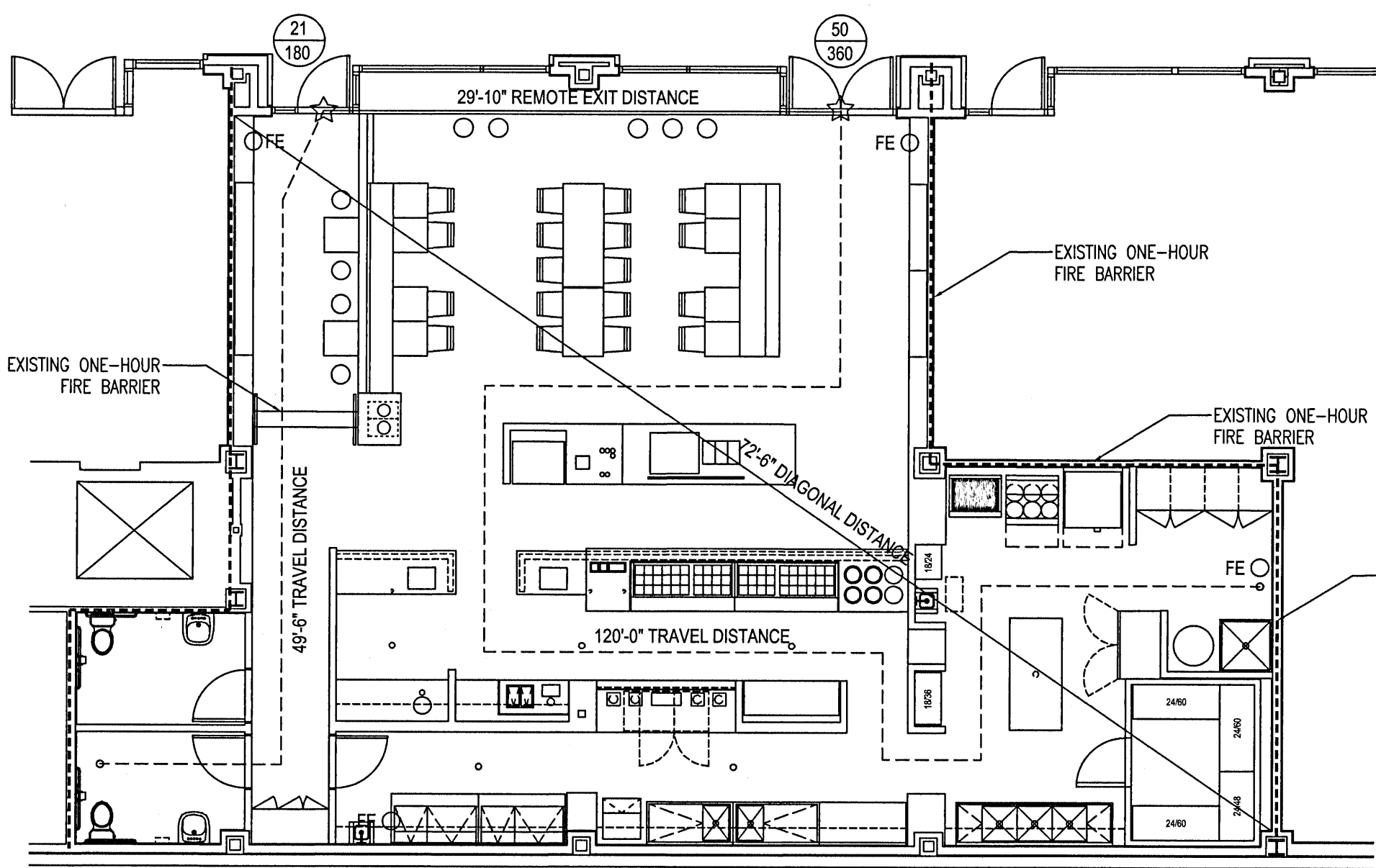
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND
REGULATIONS INCLUDING COMPLIANCE WITH THE AMERICANS WITH DISABILITIES
ACT (ADA).

EXISTING BUILDING COMPLIANCE

CATEGORY: ALTERATION LEVEL 1

CODE LISTING

INTERNATIONAL BUILDING CODE 2021
INTERNATIONAL PLUMBING CODE 2021
INTERNATIONAL MECHANICAL CODE 2021
INTERNATIONAL EXISTING BUILDING CODE 2021
INTERNATIONAL FIRE CODE 2021
NATIONAL ELECTRICAL CODE 2020
ICC/ANSI A117.1 2017
INTERNATIONAL ENERGY CONSERVATION CODE 2009



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

LIFE SAFETY LEGEND

- ☆ EXIT
- FE FIRE EXTINGUISHER RECESSED CABINET, TYP.
- 50 ACTUAL PROVIDED EXIT CAPACITY MARKER
- PATH OF TRAVEL
- ③ OCCUPANT LOAD (FOR EGRESS CALCULATIONS)

NUMBER OF MEANS OF EGRESS
PER TABLE 1006.3.1 WE ARE REQUIRED (2) MEANS OF EGRESS.

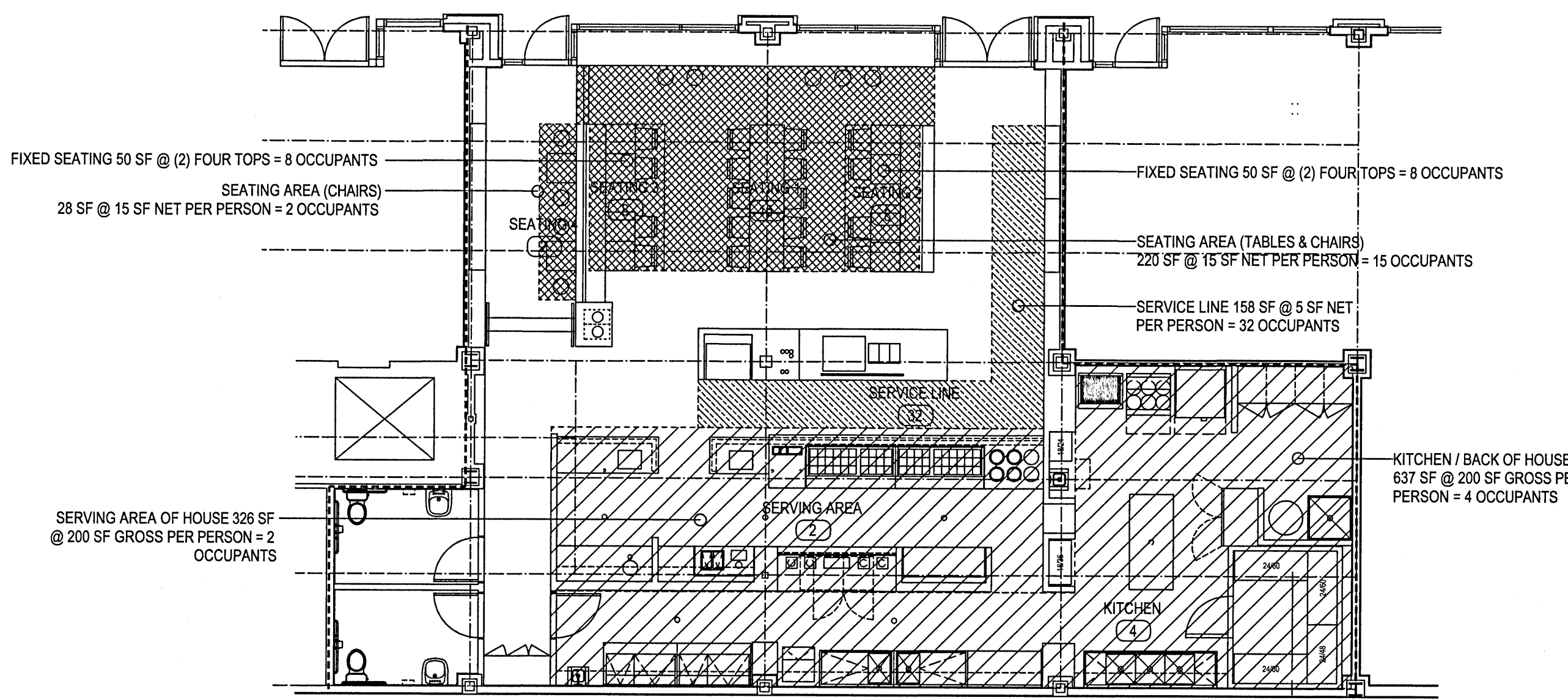
WITH AN OCCUPANT LOAD OF 71, (2) MEANS OF EGRESS REQUIRED AND (2) TOTAL PROVIDED, SEE PLAN FOR EACH SPACE
DESIGNATION AND REQUIREMENTS.

EGRESS WIDTH
PER 1005 AND ICC A117.1 403.5 THE WIDTH OF ALL ACCESSIBLE ROUTES AND EXIT ACCESS IS NOT LESS THAN 36 INCHES.

PER 1009 ALL MEANS OF EGRESS DOORS PROVIDE A CLEAR WIDTH OF MIN. 32". SEE DOOR SCHEDULE ON A600 FOR SIZING.

EXIT TRAVEL DISTANCE
PER TABLE 1017.2 THE MAXIMUM EXIT ACCESS TRAVEL DISTANCE IS 250' (SPRINKLERED) FOR ASSEMBLY OCCUPANCIES. SEE
PLAN FOR DETAILS.

THE MAXIMUM TRAVEL DISTANCE FOR ANY ONE SPACE IS 120'-0" FROM THE REMOTE POINT TO A MEANS OF EXIT.



2 OCCUPANCY COUNT PLAN
1/8" = 1'-0"

REVISIONS

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DESIGNEDGE, LLC
PO BOX 9881 GREENVILLE SC 29604
EMAIL: IDUNLAP@DESIGNEDGE.COM
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DIRECT: 803.730.5864



AJAY'S SOCIAL AND COCKTAIL
600 S MAIN STREET SUITE 101
GREENVILLE, SC 29601

SHEET NO.

CO

JOB NO.

DATE: 2.5.23



**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023
for the April 13, 2023 Public Hearing**

Docket Number:	S 23-166
Applicant:	Village Tattoo, LLC (Justin Walker Hughes)
Property Owner:	Perry Street Partners II, LLC (Ryan Lewis Johnston)
Property Location:	1278 Pendleton Street
Tax Map Number:	012100-08-01300
Acreage:	0.075
Zoning:	RDV, Redevelopment District
Proposal:	SPECIAL EXCEPTION PERMIT to establish a 'Tattoo establishment' 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 (F) (3), *Use-specific standards, Commercial uses, Body piercing/tattoo establishment*

Staff Recommendation: Approve with conditions

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

1. The operation of the establishment shall substantially conform to the testimony of the Applicant, Village Tattoo, LLC (Justin Walker Hughes), the property (TM #012100-08-01300), and the content of the application.
2. The special exception permit shall be limited to the applicant, Village Tattoo, LLC (Justin Walker Hughes) and shall not be transferrable. Copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.

Staff Analysis:

Applicant, Village Tattoo, LLC (Justin Walker Hughes), has applied to establish a tattoo establishment use in an RDV, Redevelopment district. The subject site is located on the second floor at 1278 Pendleton Street, in the Village of West Greenville.

The Applicant previously applied for a Special Exception Permit to establish the tattoo establishment in a new building at 1290 Pendleton Street through application S 22-463. The Board approved that application at its August 11, 2022, meeting. Unfortunately, a fire broke out during construction and

destroyed the building. Given this setback, the Applicant decided to apply for a Special Exception Permit at this location.

Per Sections 19-4.1 (*Table of Uses*), a Special Exception Permit is required for a tattoo establishment use in a RDV, Redevelopment district.

The Applicant seeks approval to upfit the second floor of an existing, approximate 6,554 SF two-story, commercial building at 1278 Pendleton Street. The leased space will feature a tattooing area with four (4) stations, a drawing desk, a waiting room, a front desk, and a bathroom located in a common room down the hall from the business. There will be no visual presence at the ground level shopfront. The Applicant plans to place a sign at the rear of the building to direct clients into the back entrance. Parking for the subject property will come from a surface parking lot across Pendleton Street as well as from any open on-street parking within the Village. The Applicant notes the business will operate by appointment only, which will reduce the amount of parking required by the business. No exterior alterations to the building or site are requested with this application.

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

1. Consistent with the Comprehensive Plan

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan identifies this property in the 'Urban Node Mixed-use' and 'Areas Suitable for Missing Middle Housing' classifications.

The 'Urban Node Mixed-use' states that Urban Nodes have an urban form of 4 to 6 story buildings and front streets and other public spaces designed to a human scale. These areas include more vertical mixed-use than horizontal mixed-use with a preference for commercial/retail uses on the first two floors and office and/ or residential uses on the upper floors. Average residential density is 30 housing units per acre. Emphasis is on quality urban design that seamlessly integrates the public and private realms to create a vibrant atmosphere that encourages walking, biking, and higher levels of transit service.

The 'Areas Suitable for Missing Middle Housing' designation refers to areas that are suitable for a variety of housing types as identified in the Missing Middle Housing Study for Greenville City and County. The identified areas are 5 minute / ¼ mile walksheds around key centers of activity that include downtown, urban centers/downtown transition areas, neighborhood main streets, and key medical/ institutional facilities.

The City of Greenville also completed the Village of West Greenville Village Action Plan in 2021, which includes the following as a zoning framework:

Encourage traditional neighborhood serving uses + unconventional artistic commercial uses compatible with the Village's identity. Permitted uses should include a robust mix of traditional residential, office and commercial uses, including neighborhood-oriented grocery store, plus small-scale unconventional uses. Arts and cultural establishments should be encouraged and broadly defined to include: art studios, performance art venues, tattoo artists, salons, and other artisan maker spaces that include elements of light manufacturing, office, and retail sales and services. Restrict auto-oriented and large-scale commercial uses to protect Village character.

This proposed use would be classified as a commercial/retail service use and will be located on the second floor of a commercial building. The use can also be classified as an arts related business, which would align with the current identity of The Village as an arts district. Therefore, staff believes the proposed use is consistent with both the comprehensive plan and Village Action Plan.

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

2. Complies with use specific standards

19-4.3.3. Commercial uses

(F) Retail sales and service

(3) Body piercing/tattoo establishment. In the RDV district, these uses shall comply with the following standards:

(a) Body piercing and/or tattoo establishments shall only be permitted within the Village of West Greenville as defined in subsection 8-33(p).

(b) The uses shall not be permitted when adjacent to a single-family detached residential use or single-family residential district.

These use specific standards were added to the City Code after City Council approved a text amendment, Z-8-2022, in 2022.

The subject property is located within the Village of West Greenville as defined by City Code and the subject property does not abut a single-family detached residential use or single-family zoning district.

Staff finds that the proposed use complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** Retail sales (RDV)
- North:** Retail sales (RDV) and railroad right-of-way
- West:** Retail sales (RDV)
- South:** Off-street parking, across the Pendleton Street right-of-way (PD)

The subject property is located on Pendleton Street in the Village of West Greenville. Adjacent properties are zoned RDV (Redevelopment) and PD (Planned Development) and include a variety of non-residential uses, including an art gallery, a bridal shop, a shoe store, a restaurant, and off-street parking. The closest residential use near the property is more than 150 feet away, however the recently approved Planned Development known as the Woven, will contain a number of mixed-use buildings.

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

4. Design does not have substantial adverse impact

The proposed use is required to meet all applicable use-specific standards which are intended to minimize adverse impacts on the surrounding areas.

No changes to the existing exterior lighting were indicated, therefore no adverse visual or glare impacts are anticipated.

Parking for the use will be provided through an off-site parking agreement and by on-street parking spaces within the Village. If the off-site parking lot is redeveloped, a new off-site parking agreement will be required.

The service area for the property is located at the rear of the building and will have limited visibility from nearby public streets. The business is not expected to generate much delivery traffic, according to the application, and any deliveries should be occurring at the service area and not on-street.

Waste related to tattooing will be disposed of in accordance with Department of Health and Environmental Control procedures and trash containers will be placed in the service area, away from other businesses, to reduce concerns with potential odors.

All customer seating and tattooing will occur inside the building, so no adverse impacts related to noise and vibration are expected. The property owner states that the tenant has agreed to close by 10 p.m. to prevent any late-night noise concerns.

The use is not anticipated to create a public or private nuisance.

Staff finds that the proposed use will not have substantial adverse impacts.



city of
greenville

Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

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

APPLICANT / PERMITTEE: Justin Hughes Owner/Blind Tiger Tattoo Co.
Name Title / Organization
permit may be limited to this entity. _____

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

MAILING ADDRESS: 104 Planters Grove Dr Mauldin SC 29611

PHONE: (864) 219-2799 EMAIL: Justinwalkertattoo@gmail.com

PROPERTY OWNER: Perry Street Partners, II, LLC
MAILING ADDRESS: 308 Chapman Rd. Greenville, SC 29605
PHONE: 864.414.0802 EMAIL: ryanlewisjohnston@gmail.com

PROPERTY INFORMATION

STREET ADDRESS: 1278 Pendleton St. Greenville, SC 29611

TAX PARCEL #: 0121000801300 ACREAGE: _____ ZONING DESIGNATION: ROV

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE: Tattoo Establishment

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.

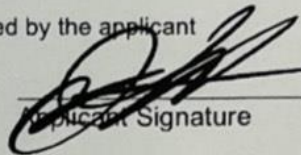
3. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements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



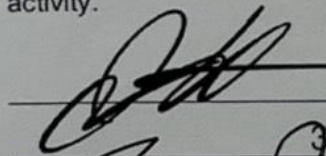
Applicant Signature

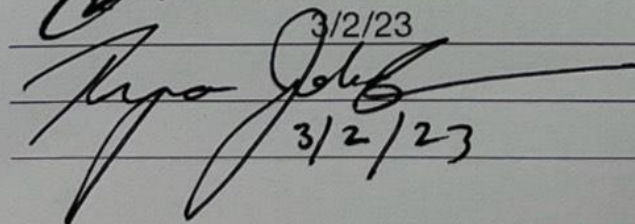
7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

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.



3/2/23


3/2/23

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.

Tattoo was one of the business types that the Village of West Greenville Micro Plan specifically included. That plan was published for the community and approved by council.

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

The business will comply in that it does not abut any residential dwellings.

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.

Tattoo as an art form is consistent with the values of the VOWG. This business will increase the property values as it provides additional retail and services that are consistent with the artistic feel of the area.

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:

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.

see attached

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).

Tattoo does not pose any damage to the neighboring properties. Tattoo is strictly governed by SCDHEC and the applicant will comply with all rules and regulations for the trade.

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

Yes. The building, parking, package delivery all are supportive of this business.

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

Yes. Properties near the RDV zone allow for Tattoo.

There are no deed restrictions for 1278 Pendleton St.

(Criteria 4 additional narrative)

Our new proposed location is tucked away in a space located upstairs. We have no shop front so the visual impact is almost second to none with the exception of a sign placed at the back of the building that will direct people to the back entrance. Since we plan to operate more as a private studio, clients will need to have an appointment to get tattooed or have a scheduled consultation reducing the amount of parking our business will require. As a studio of only 4 artists who are very dedicated to create a safe, warm, calming, clean and comfortable environment, our establishment will operate respectfully with consideration of our community and businesses noise ordinances.

(Criteria 4 original answer)

The proposed use is required to meet all applicable use-specific standards which are intended to minimize adverse impacts on the surrounding areas.

No changes to the approved lighting plans were indicated, therefore no adverse visual or glare impacts are anticipated.

Parking for the use will be provided through an off-site parking agreement and by on-street parking spaces within the Village. If the off-site parking lot is redeveloped, a new off-site parking agreement will be required.

The service area for the property is located at the rear of the building and will have limited visible from nearby public streets. The business is not expected to generate much delivery traffic, according to the application, and any deliveries should be occurring at the service area and not on-street.

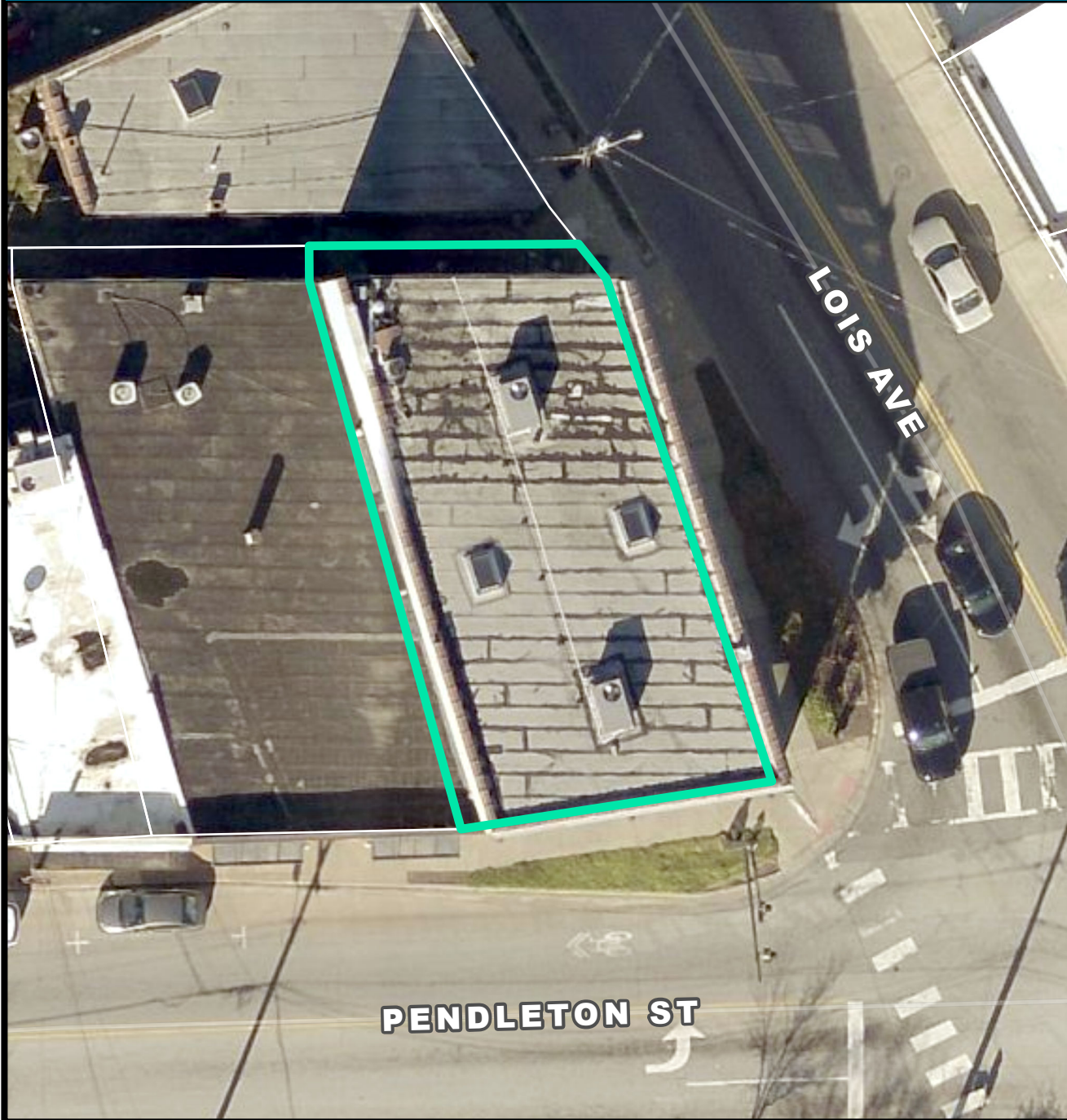
Waste related to tattooing will be disposed of in accordance with Department of Health and Environmental Control procedures and trash containers will be placed in the service area, away from other businesses, to reduce concerns with potential odors.

All customer seating and tattooing will occur inside the building, so no adverse impacts related to noise and vibration are expected. The property owner states that the tenant has agreed to close by 10 p.m. to prevent any late-night concerns.

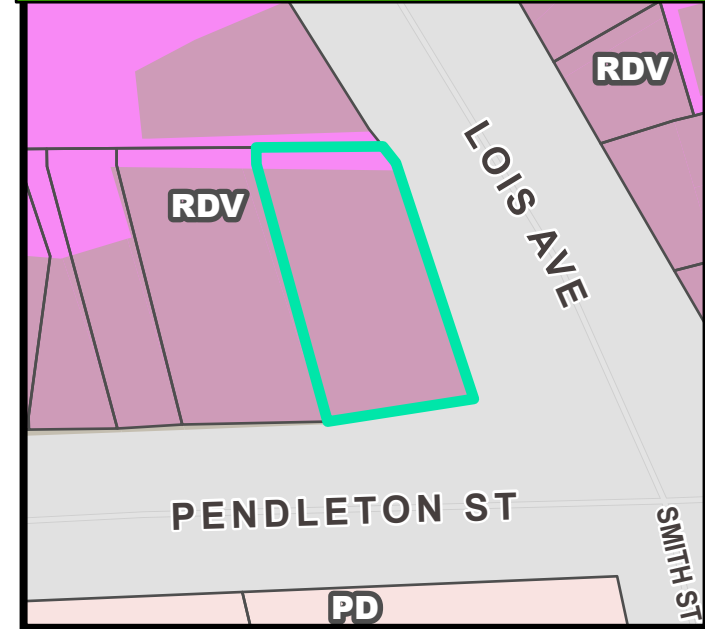
The use is not anticipated to create a public or private nuisance.

The Board concludes that the design of the business, if operated in a manner consistent with the conditions enumerated in the permit, will not have substantial adverse impact upon surrounding lands.

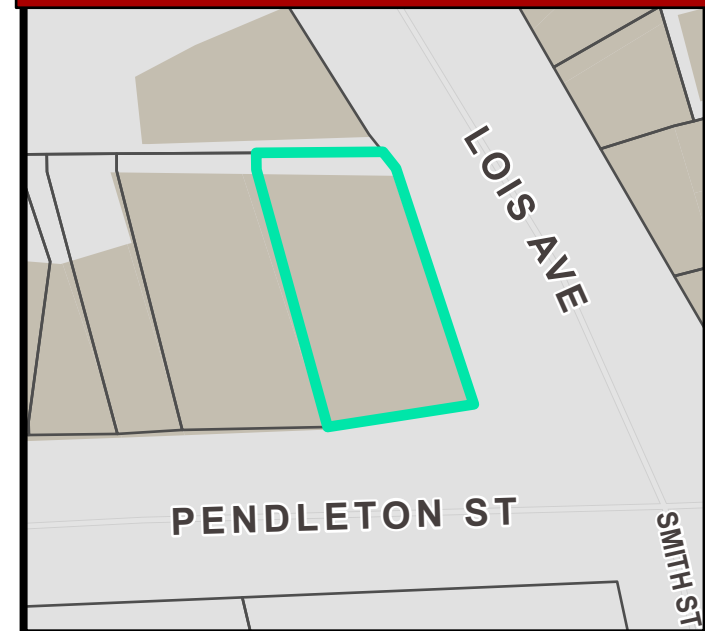
AERIAL VIEW



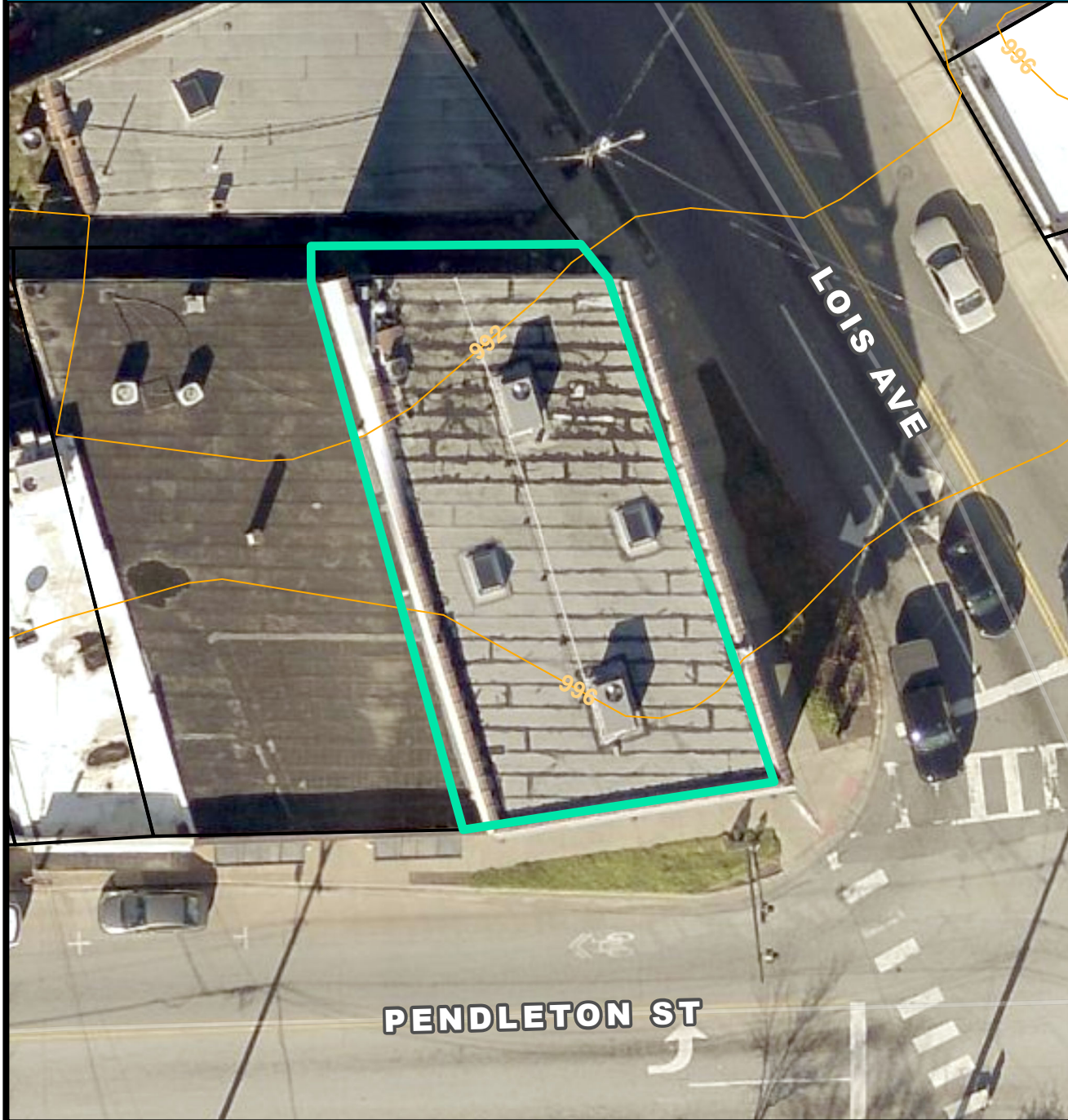
CURRENT ZONING



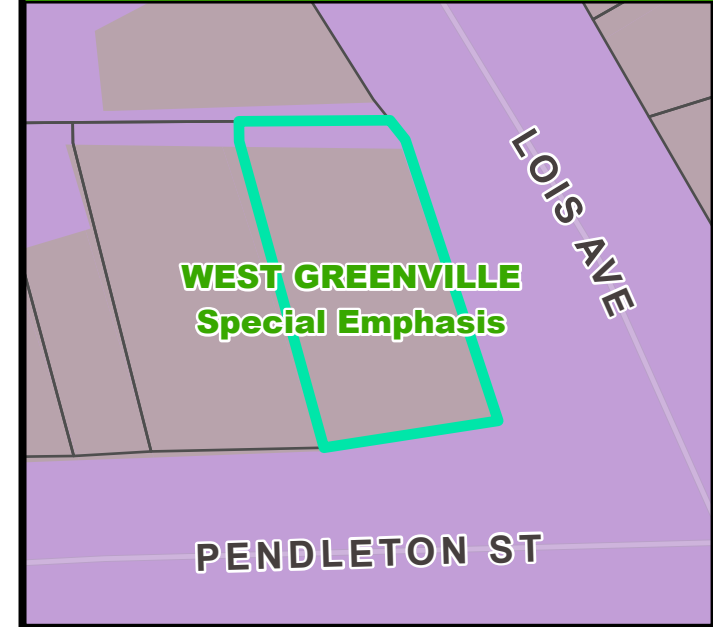
FUTURE LAND USE



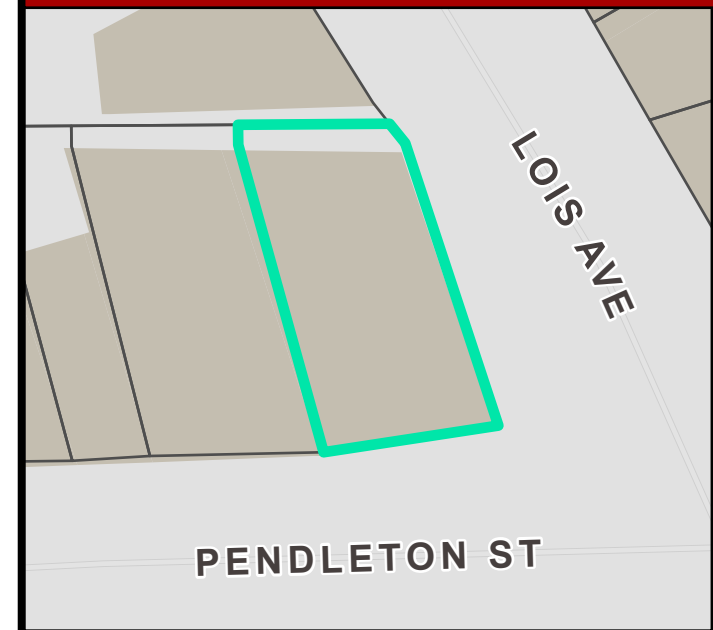
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



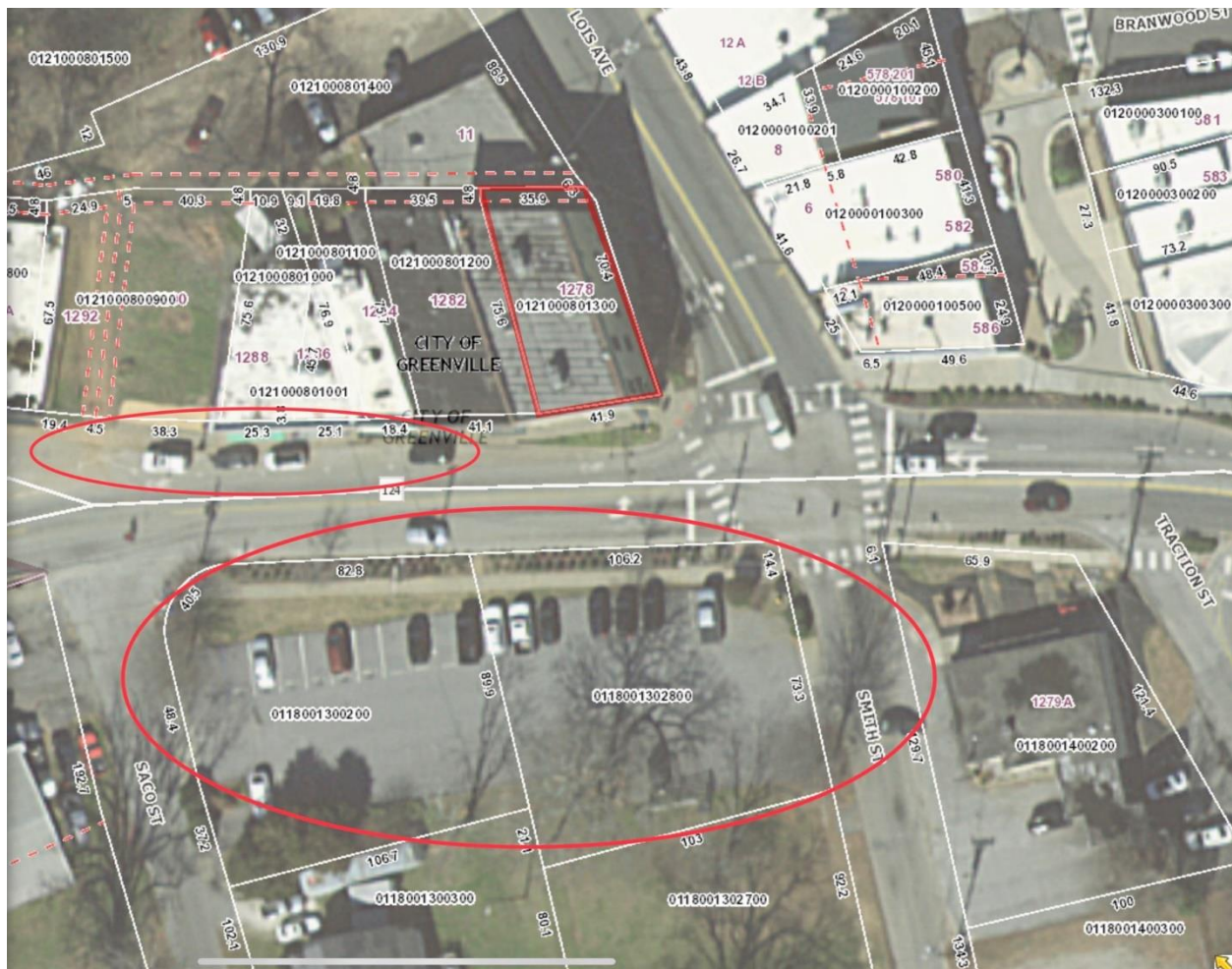
PRESERVATION OVERLAYS

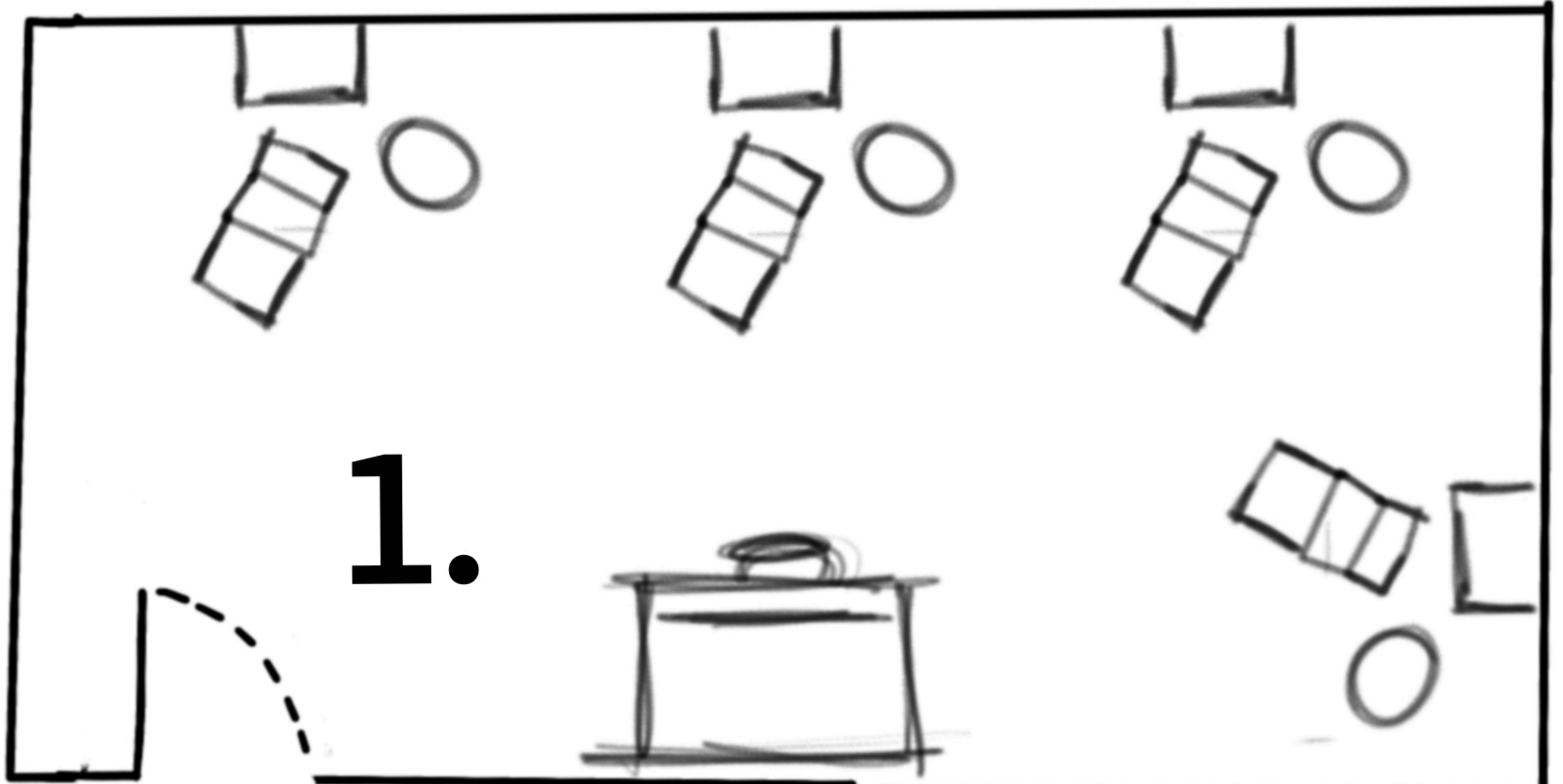


Parking Plan:

We plan to use the same parking plan as the original proposed location of 1290/1292 since 1278 is located within the same vicinity. Therefore, there are no site changes to be proposed.

Parking will be provided through off site parking agreement and buy on street parking spaces within the village. If parking is redeveloped, a new off-site parking agreement will be considered. (I have circled where our proposed parking will be.)

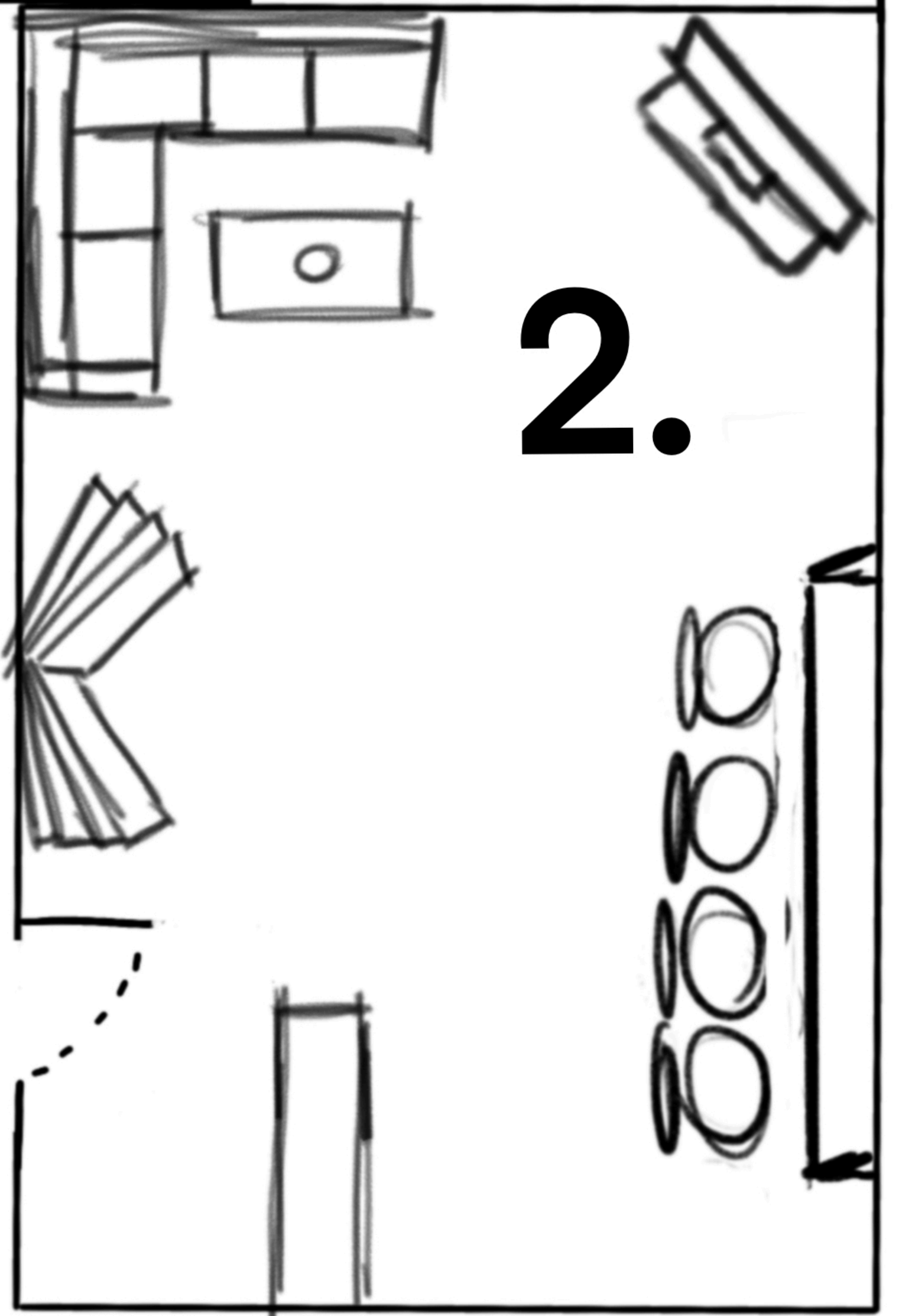




1. This will be the
Tattoo area where
procedures will be
performed with 4
stations and
drawing desk

2. This is the waiting
room with plenty of
accommodated
seating, a front desk,
TV, and a couch.

3. The bathroom
is located in a
common room
down the hall





BOARD OF ZONING APPEALS
Board Decision for Application # S 22-463

Applicant: Village Tattoo, LLC (Justin Walker Hughes)
25 Draper Street Unit 7
Greenville SC 29611

Property Owner: Village Revival, LLC (Joseph Bradley)
22 E Mountainview Avenue
Greenville SC 29609

Property Address: 1290/1292 Pendleton Street

TMS #: 012100-08-00900

Application: Special Exception Permit to establish a tattoo establishment use in a 'RDV', Redevelopment District

Decision: Approved with Conditions

Conditions:

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.

By application filed June 22, 2022 the Owner, Village Revival, LLC, on behalf of Applicant, Village Tattoo, requested a Special Exception Permit pursuant to Section 19-2.3.5, *Special Exception Permit, Section 19-4.3.3(F), Use Specific Standards, Commercial Uses*, and Section 19-4.1, *Table of Uses*, of the Greenville City Code to establish a 'tattoo establishment' in a 'RDV,' *Redevelopment*, District. Notice was duly posted on the premises, published in the *Greenville News*, and mailed to the parties on July 27, 2022. The Board of Zoning Appeals held a public hearing on August 11, 2022 and made the decision referenced above.

The Board heard from the Applicant and provided an opportunity for others in support of, or in opposition to, the application to provide information on the record. The record of evidence presented and the Board's deliberations established the following findings of fact and conclusions of law in support of this decision.

Findings of Fact:

- ***The Use Is Consistent with the Comprehensive Plan(s):***

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan identifies this property in the 'Urban Node Mixed-use' and 'Areas Suitable for Missing Middle Housing' classifications.

The '*Urban Node Mixed-use*' states that Urban Nodes have an urban form of 4 to 6 story buildings and front streets and other public spaces designed to a human scale. These areas include more vertical mixed-use than horizontal mixed-use with a preference for commercial/retail uses on the first two floors and office and/ or residential uses on the upper floors. Average residential density is 30 housing units per acre. Emphasis is on quality urban design that seamlessly integrates the public and private realms to create a vibrant atmosphere that encourages walking, biking, and higher levels of transit service.

The '*Areas Suitable for Missing Middle Housing*' designation refers to areas that are suitable for a variety of housing types as identified in the Missing Middle Housing Study for Greenville City and County. The identified areas are 5

minute / ¼ mile walksheds around key centers of activity that include downtown, urban centers/downtown transition areas, neighborhood main streets, and key medical/ institutional facilities.

The City of Greenville also completed the Village of West Greenville Village Action Plan in 2021, which includes the following as a zoning framework:

Encourage traditional neighborhood serving uses + unconventional artistic commercial uses compatible with the Village's identity. Permitted uses should include a robust mix of traditional residential, office and commercial uses, including neighborhood-oriented grocery store, plus small-scale unconventional uses. Arts and cultural establishments should be encouraged and broadly defined to include: art studios, performance art venues, tattoo artists, salons, and other artisan maker spaces that include elements of light manufacturing, office, and retail sales and services. Restrict auto-oriented and large-scale commercial uses to protect Village character.

This proposed use would be classified as a commercial/retail service use and will be located in an urban infill building. The use can also be classified as an arts related business, which would align with the current identity of The Village as an arts district.

The Board concludes that the use is consistent with the Comprehensive Plan.

- **The Use Will Comply with the Use Specific Standards:**

19-4.3.3. Commercial uses

(F) Retail sales and service

(3) Body piercing/tattoo establishment. In the RDV district, these uses shall comply with the following standards:

(a) Body piercing and/or tattoo establishments shall only be permitted within the Village of West Greenville as defined in subsection 8-33(p).

(b) The uses shall not be permitted when adjacent to a single-family detached residential use or single-family residential district.

These use specific standards were added to the City Code after City Council approved a text amendment, Z-8-2022, in July of this year.

The subject property is located within the Village of West Greenville as defined by City Code and the subject property does not abut a single-family detached residential use or single-family zoning district.

The Board concludes that the proposed use complies with the Use Specific Standards for tattoo establishment uses.

- **The Use Is Compatible with the Character of Surrounding Lands:**

Adjacent property is used (and zoned) as follows:

East: Retail sales (RDV)

North: Undeveloped (RDV) and railroad right-of-way

West: Retail sales (RDV)

South: Off-street parking across Pendleton Street right-of-way (RDV)

The subject property is located on Pendleton Street in the Village of West Greenville. Adjacent properties are zoned RDV and include a variety of non-residential uses, including a butcher shop, a pasta shop, an electronics shop, an interior designer studio, and off-street parking.

The Board concludes that the proposed use is compatible with the character of the surrounding area.

- ***The Design Does Not Have Substantial Adverse Impact:***

The proposed use is required to meet all applicable use-specific standards which are intended to minimize adverse impacts on the surrounding areas.

No changes to the approved lighting plans were indicated, therefore no adverse visual or glare impacts are anticipated.

Parking for the use will be provided through an off-site parking agreement and by on-street parking spaces within the Village. If the off-site parking lot is redeveloped, a new off-site parking agreement will be required.

The service area for the property is located at the rear of the building and will have limited visible from nearby public streets. The business is not expected to generate much delivery traffic, according to the application, and any deliveries should be occurring at the service area and not on-street.

Waste related to tattooing will be disposed of in accordance with Department of Health and Environmental Control procedures and trash containers will be placed in the service area, away from other businesses, to reduce concerns with potential odors.

All customer seating and tattooing will occur inside the building, so no adverse impacts related to noise and vibration are expected. The property owner states that the tenant has agreed to close by 10 p.m. to prevent any late-night concerns.

The use is not anticipated to create a public or private nuisance.

The Board concludes that the design of the business, if operated in a manner consistent with the conditions enumerated in the permit, will not have substantial adverse impact upon surrounding lands.

Conclusions of Law:

1. The application, posted notice, and published notice in *The Greenville News* comply with the legal requirements of the process established under the City of Greenville Code of Ordinances (Land Management) for such applications.
2. The Board has the authority to render the decision reached here under Section 19-2.1.3 (A) (1) of the City of Greenville Code of Ordinances (Land Management).
3. The Applicant did demonstrate compliance with the following standards required by Section 19-2.3.5 (D) (1) of the City of Greenville Code of Ordinances (Land Management):
 - a. The proposed Special Exception is consistent with the Comprehensive Plan;
 - b. The proposed Special Exception complies with all standards in section 19-4.3, *Use Specific Standards*;
 - c. The proposed Special Exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zoning districts of surrounding lands, and will not reduce property values of surrounding lands; and
 - d. The design of the proposed Special Exception minimizes adverse effects including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception does not impose significant adverse impact on surrounding lands regarding service delivery, parking and loading, odor, noise, glare, vibration, and does not create a nuisance.

Appeal:

Any person believing that the Board erred in its decision has the right to appeal the decision to the Circuit Court of Greenville County. The appeal must be filed within 30 days after the decision letter is mailed, and must state the reasons he or she believes the decision is illegal, either in whole or in part. The mailing date of this decision is August 15, 2022.

General Information:

Upon the Administrator recording the Permit, you must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Special Exception is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.

Please remove the Public Hearing sign(s) within five (5) days of receipt of this Notice.



Ross Zelenske

August 15, 2022

Date



**Planning Staff Report to
Board of Zoning Appeals
April 7, 2023**
for the April 13, 2023 Public Hearing

Docket Number:	S 23-168
Applicant:	Arbor Land Design (Austin Allen)
Property Owner:	White Investments of Greenville County, LLC
Property Location:	107 Duvall Drive
Tax Map Number:	027200-01-01401
Acreage:	3.11
Zoning:	C-3, Regional Commercial District
Proposal:	SPECIAL EXCEPTION PERMIT to establish an 'Automobile sales' 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 (G), *Use Specific Standards, Commercial Uses, Vehicle sales and service*

Staff Recommendation: Approve with conditions

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

1. The use of the property shall substantially conform to the testimony of the applicant and the content of the application.
2. The Special Exception Permit shall be limited to the Applicant, White Investments of Greenville County, LLC, and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds upon execution by the Administrator.

Staff Analysis:

The Applicant, Arbor Land Design, on behalf of owner White Investments of Greenville County, LLC, proposes to utilize a vacant parcel for an automobile sales use in a C-3, Regional commercial district. The subject site is located at 107 Duvall Drive, 0.2 mile west of Laurens Road and immediately adjacent to the southbound lane of I-85.

Per Sections 19-4.1 (*Table of Uses*), a Special Exception Permit is required for automobile sales use in a C-3, Regional commercial district.

The Applicant seeks approval to improve a 3.11 acre property for display and storage of automobiles for sale. This automobile sales use will be associated with the Steve White Audi and Volkswagen dealerships located across Duvall Drive from this lot. Currently, the property is being used as a temporary

automobile storage lot for the Audi dealership at 200 Duvall Drive during construction of the new service area. Improvement of this lot for permanent use as a display and storage lot will include the addition of landscape islands, sidewalks along Duvall Drive, a street crossing, and paving of the full display area.

The Board of Zoning Appeals previously reviewed an application for an Automobile sales use for this property in 2016 via case S 16-79. That application was approved but is not transferrable.

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 identifies this property between the '*Sub-Urban Residential*' and '*Corridor Mixed-Use*' classifications.

The '*Sub-Urban Residential*' classification is largely comprised of single-family homes, with a range of 5-8 housing units per acre. Lots are generally larger than what is in Urban Residential areas and many streets do not have sidewalks or streetlights. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed in areas adjacent to Corridors and Urban Nodes.

The '*Corridor Mixed-Use*' classification is intended to accommodate a blend of vertical and horizontal mix of land uses including commercial, retail, and residential. It is generally expected that all properties fronting the street will be included in this category and density and building heights will step up near Urban Nodes. Adjacent neighborhoods should be buffered where needed.

This Board has historically approved automobile sales uses in this area and found the use to be consistent with existing land use patterns along this vicinity of Laurens Road. Therefore, staff believes the proposed use is consistent with the comprehensive plan.

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

2. Complies with use specific standards

(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.*

The subject property is currently being utilized under an issued temporary use permit for storage of vehicles while the vehicle service center for the Audi dealership at 200 Duvall Drive is being expanded. The applicant intends to use the property for permanent parking and storage

of vehicles associated with the overall Steve White dealership campus, including the Audi and Volkswagen dealerships.

The subject property on its own exceeds the minimum two-acre site size requirement and the vehicle display area appears to comply with the use specific standards. Junked or salvage vehicles are prohibited to be stored in this area and all motor vehicles for sale shall be maintained in running condition. Vehicle service is not to take place on this site.

No changes related to a public address system, refuse collection, or exterior site lighting were noted in the application or plans. Although the use specific standards for exterior lighting will not apply to this property as it does not abut single family residential, any new illumination or fixtures will be required to meet the standards in the Land Management Ordinance to reduce any impact to adjacent properties and roadways.

The property is not adjacent to any residentially zoned land and is not required to provide screening along any property lines. Landscaping throughout the display/storage area is proposed to be installed, including planting of street trees along road frontages and preservation of trees adjacent to I-85, and planter islands throughout the lot.

No outdoor storage is proposed.

Staff finds that the proposed use generally complies with specific use standards of the Land Management Ordinance.

3. Compatibility with the surrounding lands

Adjacent property is used (and zoned) as follows:

- East:** I-85 southbound exit/entrance ramps
- North:** Automobile sales and self-service storage across Duvall Drive (C-3, Regional commercial district)
- West:** Automobile rental (C-3, Regional commercial district)
- South:** Automobile sales across I-85 (C-3, Regional commercial district)
School across I-85 (Greenville County C-2, Commercial district)

The subject property is located just off Laurens Road, along the stretch commonly known as the motor mile. Adjacent properties not separated by an interstate highway contain automobile sales and rental uses and a self-service storage facility. These uses are similar in impact and operation to the proposed use.

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

4. Design does not have substantial adverse impact

The proposed use is required to meet all applicable use-specific standards which are intended to minimize adverse impacts on the surrounding areas. No adverse visual or glare impacts are anticipated and visually the property should be consistent with adjacent properties. No adverse impacts are anticipated regarding delivery, parking, loading, and odors. The use is not anticipated to create a nuisance.

Staff finds that the proposed use will not have substantial adverse impacts.

Staff Comments and Conditions

Fire Department Comments

Comments:

No comments.

City Engineer Comments

Comments:

Application review approval is subject to the applicant satisfying all conditions and requirements of the engineering divisions.

Civil Engineer Comments

Comments:

1. Sidewalk will be required along Echo Park Court. There will need to be an ADA connection to the sidewalk along Echo Park Court.
2. There will need to be handicap ramps installed on both sides of Echo Park Court at the intersection of Duvall Drive.

Environmental Engineer Comments

Comments:

1. Proposed parking construction will require a site permit application.

Traffic Engineer Comments

Comments:

No comments.



Office Use Only:

Application# _____ Fees Paid _____

Date Received _____ Accepted By _____

APPLICATION FOR SPECIAL EXCEPTION CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: AUSTIN ALLEN

ARBOR LAND DESIGN

* _____
Name

Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE:
(Optional)

Name

Title / Organization

MAILING ADDRESS: 49 GREENLAND DRIVE, GREENVILLE, SC 29615

PHONE: 864-230-6232 **EMAIL:** AMA@ALDLLC.NET

PROPERTY OWNER: WHITE INVESTMENTS OF GREENVILLE

MAILING ADDRESS: 100 DUVALL DRIVE, GREENVILLE, SC 29607

PHONE: 864-527-2828 **EMAIL:** MWHITE@STEVEWHITEVWAUDI.COM

PROPERTY INFORMATION

STREET ADDRESS: 107 DUVALL DRIVE

TAX PARCEL #: 0272000101401 **ACREAGE:** 3.11 **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:

CAR PARKING/STORAGE

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

Justin Allen

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. ☐

Justin Allen

APPLICANT / REPRESENTATIVE SIGNATURE

3/6/23

DATE

[Signature]

PROPERTY OWNER SIGNATURE

3/6/23

DATE

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

(YOU MAY ATTACH A SEPARATE SHEET)

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

THE PROPOSED PARKING AREA WILL PROVIDE BETTER PEDESTRIAN ACCESS AND MOBILITY AND WILL INCREASE THE TREE DENSITY ALONG THE LAURENS ROAD CORRIDOR.

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

THE PROPOSED PARKING AREA WILL COMPLY WITH ALL APPLICABLE LANDSCAPING, SCREENING, BUFFERING, LIGHTING, AND SIGNAGE 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.

THIS SITE IS LOCATED ON THE MOTOR MILE ADJACENT TO LAURENS ROAD, AND IS AN EXTENSION OF THE EXISTING STEVE WHITE DEALERSHIP CAMPUS.

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

The site is currently a gravel lot. The proposed parking area will improve the aesthetics of the site and the access points will be reconfigured to reduce vehicular conflicts along Duvall drive. Because there is no building associated with the

proposed improvements, there will be no odors, noise, vibrations, etc. produced.

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

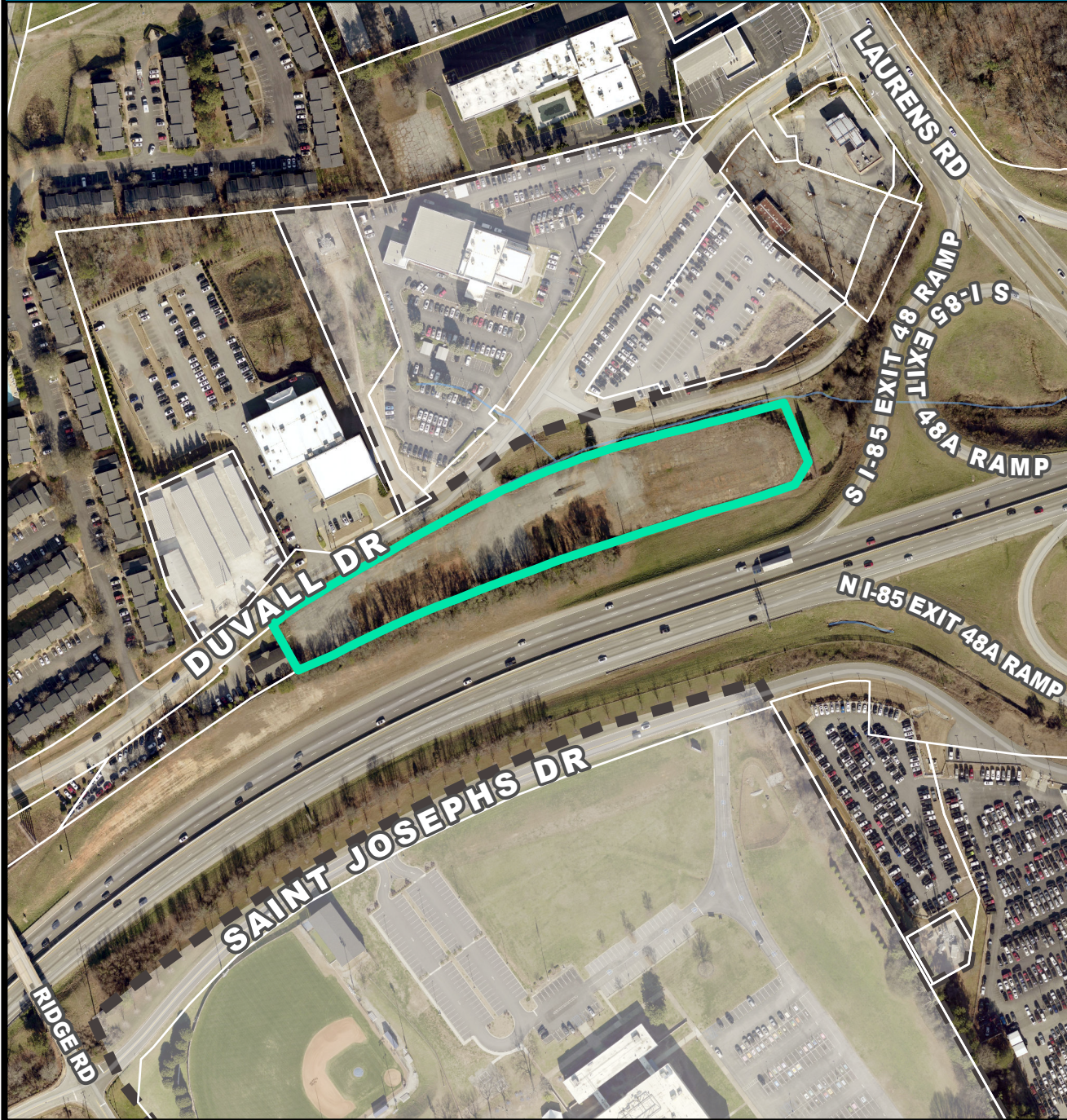
3. IS ADEQUATE INFRASTRUCTURE CAPACITY AVAILABLE TO SERVE THE PROPOSED NONCONFORMING USE?

N/A

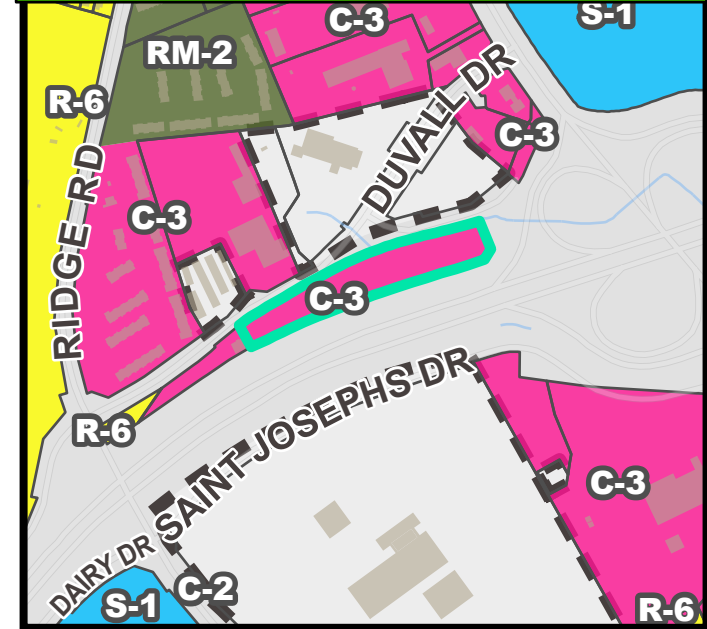
4. IS THE PROPOSED USE ONE THAT IS OTHERWISE PERMISSIBLE IN ANOTHER ZONING DISTRICT WITHIN THE CITY?

N/A

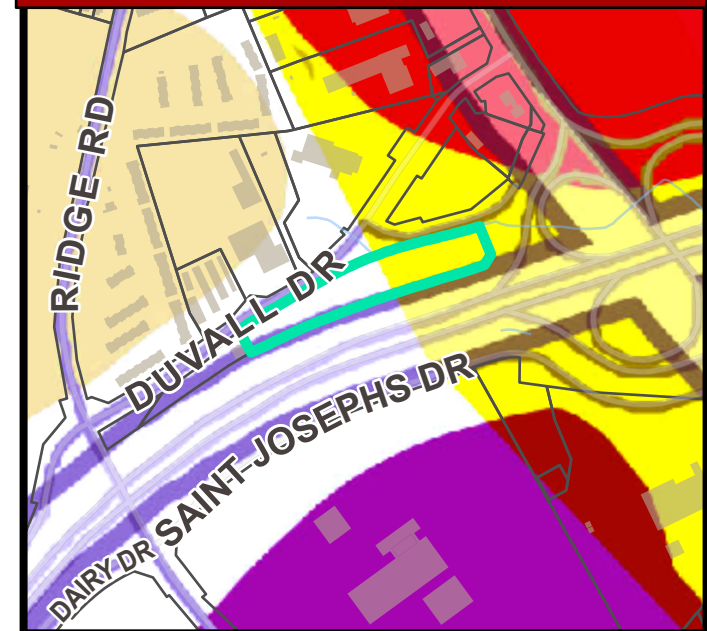
AERIAL VIEW



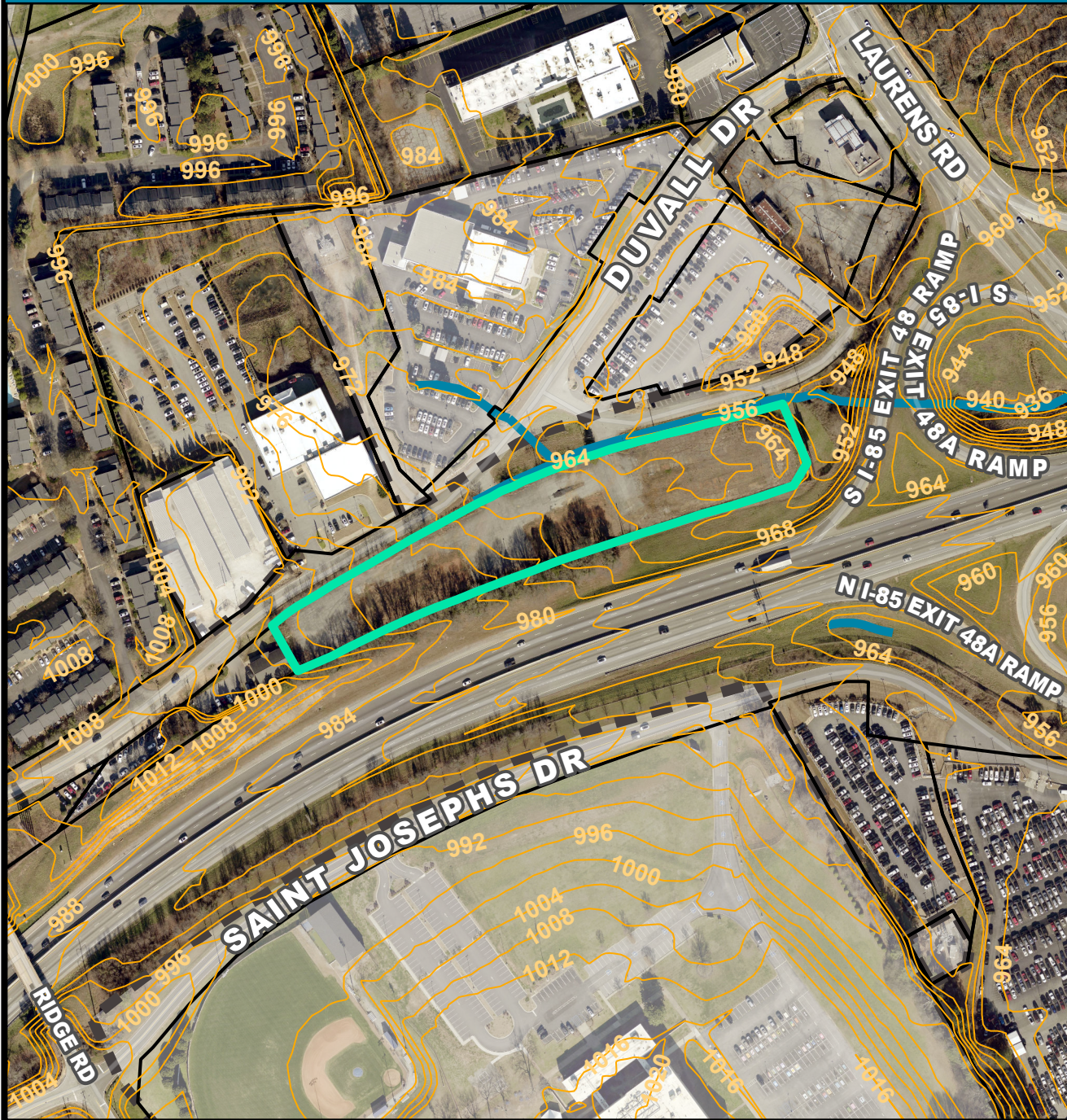
CURRENT ZONING



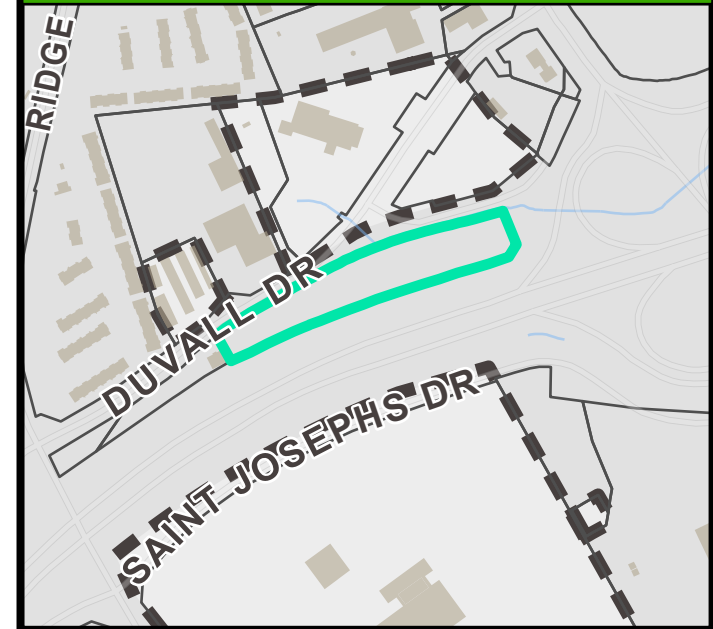
FUTURE LAND USE



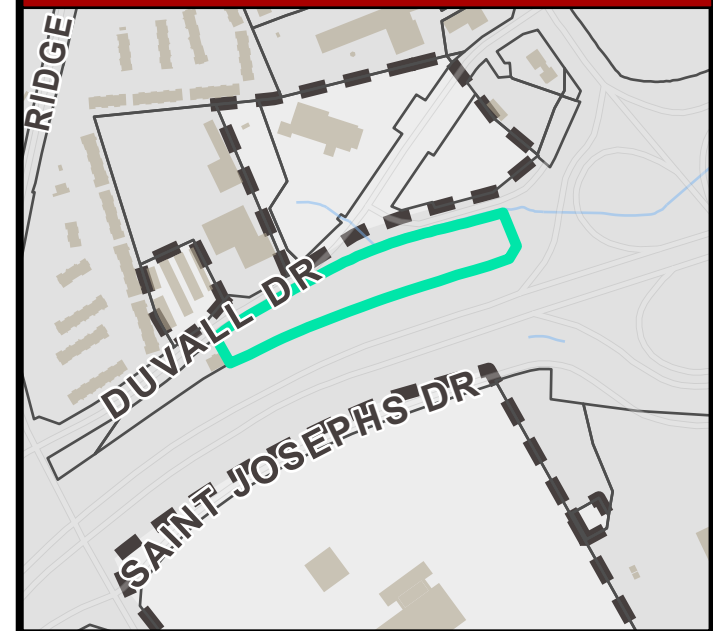
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



[illegible]

LEGEND

-

PARCEL ID: 0272000101401
OWNER: WHITE INVESTMENTS OF GREENVILLE
ACREAGE: 3.11

STEVE WHITE
AUDI

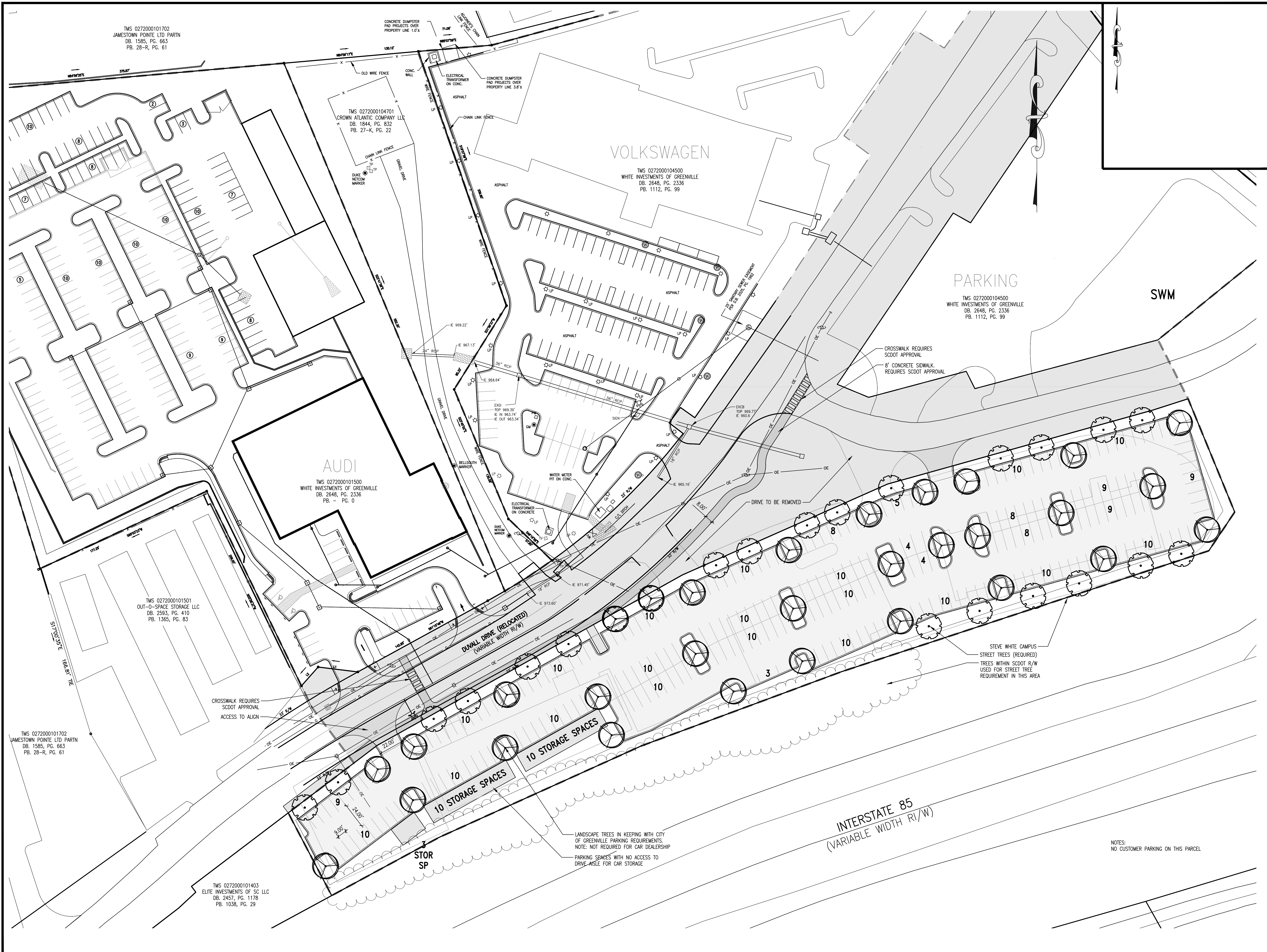
GREENVILLE SOUTH CAROLINA

BOARD OF ZONING APPEALS PLAN

AWN:	JM3	DATE:	NOVEMBER 16, 2022
SIGN:	JM3	HORIZONTAL SCALE:	1"=40'
PROVED:	JM3	VERTICAL SCALE:	N/A

B NO. 21051

DRAWING NO.	SHEET NO.
BZA - 1	1 OF 1





2023 Schedule of the City of Greenville Board of Zoning Appeals

Revised April 13, 2023

Unless otherwise posted, public hearings are held at Greenville City Hall 10th Floor, Council Chambers, 206 S Main Street, Greenville, South Carolina, 29601.

Deadline for Filing a Complete Application 2:00 pm	Date for Posting Notice of Public Hearing	Date of BZA Agenda Workshop 12:00 pm	Date of Public Hearing 4:00 pm
December 5, 2022	December 28, 2022	January 10, 2023	January 12, 2023
January 9	January 25	February 7	February 9
February 6	February 22	March 7	March 9
March 6	March 29	April 11	April 13
April 10	April 26	May 9	May 11
May 8	May 24	June 6	June 8
June 5	June 28	July 11	July 13 (Cancelled)
July 10	July 26	August 8	August 10
August 7	August 30	September 12	September 14
September 11	September 27	October 10	October 12
October 9	October 25	November 7	November 9
November 6	November 29	December 12	December 14
December 11	December 27	January 9, 2024	January 11, 2024



AGENDA

BOARD OF ZONING APPEALS REGULAR MEETING

Thursday, April 13, 2023 - **3:00 p.m.**

Meeting Location:
Greenville City Hall, Council Chambers, 10th Floor
206 South Main Street
Greenville, South Carolina, 29601

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. March 7, 2023 – Workshop
 - B. March 9, 2023 – Regular Meeting
 5. Call for Public Notice Affidavit from Applicants
 6. Acceptance of Agenda
 7. Conflict of Interest Statement
 8. OLD BUSINESS
 9. NEW BUSINESS
 - A. S 23-054
Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Laurens Road AA, LLC dba Fred Anderson Acura for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional Commercial district at **2450 LAURENS RD** (TM# 026300-01-01001, 026300-01-01100, 026300-01-01106)
 - B. S 23-055
Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Woodruff Road, LLC dba Fred Anderson Honda for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a S-1, Service district at **330 WOODRUFF RD** (TM# 0262000100103)
 - C. S 23-056
Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Laurens Road ZZ, LLC dba Fred Anderson Mazda for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional Commercial district at **2512 LAURENS RD** (TM# 026300-01-01800)
 - D. S 23-057
Application by Fox Rothschild, LLP (William B. Swent) on behalf of Anderson Laurens Road II, LLC dba Fred Anderson Infiniti for a **SPECIAL EXCEPTION** to establish an

'Automobile sales' use in a C-3, Regional Commercial district at **2600 LAURENS RD** (TM# 028200-01-00412)

E. S 23-116

Application by Jack Brown's GVL, LLC (Jason Owenby) dba Jack Brown's Beer & Burger Joint for a **SPECIAL EXCEPTION** to establish a 'Restaurant, indoor seating only' use operating after midnight in a C-4, Central business district at **19 AUGUSTA ST** (TM# 008900-01-01800)

F. S 23-158

Application by Danielle Britt dba Ajay's Social & Cocktail Lounge for a **SPECIAL EXCEPTION** to establish a 'Restaurant, with indoor and outdoor seating' and 'Bar' use operating after midnight in a C-4, Central business district at **600 S MAIN ST SUITE 101** (TM# 007000-03-02800)

G. S 23-166

Application by Justin Hughes dba Blind Tiger Tattoo Co. for a **SPECIAL EXCEPTION** to establish a 'Tattoo establishment' use in an RDV, Redevelopment district at **1278 PENDLETON ST** (TM# 012100-08-01300)

H. S 23-168

Application by Arbor Land Design (Austin Allen) on behalf of White Investments of Greenville County, LLC for a **SPECIAL EXCEPTION** to establish an 'Automobile sales' use in a C-3, Regional commercial district at **107 DUVALL DR** (TM# 027200-01-01401)

10. OTHER BUSINESS

A. Staff update on current planning projects

B. Revision to 2023 Board of Zoning Appeals calendar

11. Adjournment