

Board of Zoning Appeals

Official Agenda



AGENDA

BOARD OF ZONING APPEALS

A G E N D A

Regular Meeting

May 11, 2023

4:00 PM

The City of Greenville Board of Zoning Appeals will hold an in-person Public Hearing for the following items on **Thursday, May 11, 2023 at 4:00 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](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. April 11, 2023 – Workshop
 - B. April 13, 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 23-069

Application by O+E Entertainment, LLC (Oscar Quiroga) dba Ibiza for a **SPECIAL EXCEPTION** to establish a 'Nightclub' use operating after midnight in a C-3, Regional commercial district at **50 WOODS LAKE RD** (TM# 028200-01-00412)

Documents:

[23-0069 S 23-069 AGENDA PACKET WEB.PDF](#)

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B. S 23-248

Application by Smoke at the Mill, LLC (Charles Porter) dba Torch Cigar Pub for a **SPECIAL EXCEPTION** to establish a 'Bar' use in a C-2, Local commercial district at **500 E PARK AV** (TM# 003905-01-00100)

Documents:

[23-0248 S 23-248 AGENDA PACKET.PDF](#)

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C. S 23-254

Application by Cooper Construction Company, Inc. (Richard Bartels) on behalf of Odum Investments, LLC for a **SPECIAL EXCEPTION** to expand an 'Automobile sales' use in a S-1, Service district at **2643 LAURENS RD** (TM# 026300-03-00400)

Documents:

[23-0254 S 23-254 AGENDA PACKET.PDF](#)

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10. OTHER BUSINESS

A. Staff update on current planning projects

11. Adjournment

Documents:

[05-11-2023 - BZA REGULAR MEETING AGENDA.PDF](#)



**Planning Staff Report to
Board of Zoning Appeals
May 5, 2023
for the May 11, 2023 Public Hearing**

Docket Number:	S 23-069
Applicant:	O+E Entertainment, LLC dba 'IBIZA Nightlife' (Oscar Quiroga)
Property Owner:	D & V LLC,
Property Location:	50 Woods Lake Road
Tax Map Number:	028200-01-00412
Acreage:	0.43
Zoning:	C-3, Regional Commercial District
Proposal:	SPECIAL EXCEPTION to operate a 'Nightclub' open after midnight

Applicable Sections of the City of Greenville Code of Ordinances:

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

Sec.19-2.3.5, *Special Exception Permit*

Sec.19-4.1, *Table of Uses*

Sec. 19-4.3.3 (A), *Use Specific Standards, Commercial Uses, General*

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

Staff Recommendation: Approve with Conditions

Staff concludes that the Application complies with standards to grant a Special Exception Permit to operate a **'Nightclub' open after midnight**. If the Board decides to grant the Permit, Staff suggests the following conditions:

1. Operation of the facility shall be limited to a "nightclub" as defined by this Code, and shall substantially conform to the statements of the applicant and the content of the application. This application does not include any new improvements to the existing patio area at the rear of the property. Modification of the facility's operation shall require the applicant to seek a modification of the special exception 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.
2. The Special Exception Permit is limited to the Applicant, O+E Entertainment (Oscar Quiroga), and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds within 30 days 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 on the building and throughout the parking lot 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 and all its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors approved by the city police department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of the granting of a special exception permit and future personnel shall receive training within 30 days of hiring.
10. The applicant shall retain a minimum of four (4) security guards and two (2) off-duty sworn law enforcement officers on 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. At least two of the security guards or off-duty sworn law enforcement officers must be positioned outside the business. 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. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.
11. The applicant shall designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons and compliance with occupancy capacity. Monitoring of ingress/egress points may consist of the installation of emergency access/exit devices, as acceptable by the Fire Department, and in compliance with applicable building codes.
12. Interior sound amplification is prohibited except in areas specifically authorized on the approved site plan and/or floor plan and shall be directed away from the principal entrance or directed toward the interior of the building.
13. Outdoor live entertainment and exterior sound amplification shall be prohibited.
14. Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.
15. A copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.
16. Occupant capacity of the establishment shall comply with the life safety plan approved by the Building Codes Administrator. The life safety plan indicated that the maximum occupancy of the premises will be 99 occupants on the "restaurant/bar" half of the building and 99 occupants on the "banquet hall/party room" half of the building. If life safety improvements are made to the building that increase the occupancy maximum, a modification to the special exception permit shall be required.
17. Ticketing for events through third party promoters shall be prohibited.

18. Parking for the use shall fully comply with the minimum and maximum parking requirements associated with Land Management Ordinance Section 19-6.1. A remote or shared parking agreement that complies with the Land Management Ordinance standards shall be obtained and provided to the City of Greenville prior to occupancy permit approval.

Staff Analysis:

The Applicant, Oscar Quiroga dba O+E Entertainment LLC, requests a special exception for a “nightclub” use to operate after midnight in a C-3, regional commercial district. The subject site is located at 50 Woods Lake Rd, at the northwestern section of the Greenville Downtown Airport District and north of the Greenville Convention Center.

Per Sections 19-4.1 (*Table of Uses*) and 19-4.3.3(A) and (F)(10) (*Use-specific standards for Commercial, General and Nightclubs or Bars*), a Special Exception Permit is required for nightclubs and any business operating after midnight in the C-3 district. The purpose of the request is to continue operation of an existing nightclub under new ownership. Although the proposed use has been authorized under a previously issued special exception permit (S 13-20) and conditional use permit (CU 15-58), all permitting was limited to the tenant businesses that previously operated at the subject property.

The Applicant is requesting to continue operation of the use in a manner similar to its predecessor businesses. Operating on a weekly schedule from Tuesday to Sunday, the nightclub will only operate past midnight on Friday and Saturday (11:00 a.m. to 2:00 a.m.) with all business operations expected to cease by Sunday morning at 2:00 a.m. All closing procedures have been verified by the Technical Advisory Committee with anticipatory preparation for closing beginning at 1:40 a.m.

The building in which the use will operate is divided into two sections. The Applicant intends to serve food, beer and liquor by the drink in the establishment. As indicated in the operations section of the zoning compliance application response, alcohol sales are expected to account for the majority of revenue sales. Food is expected to be prepared on-site in the designated kitchen area. There is a designated smoking area outside of the building with the appropriate disposal facilities, per applicant correspondence.

According to the life safety plan submitted with the application, the nightclub can accommodate a maximum of 99 occupants on each side of the building. No exterior modifications to the building or site were proposed.

The Technical Advisory Committee (TAC) met with the applicant on February 16, 2023 and April 25, 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 Future Land Use Map of the City’s GVL 2040 Comprehensive Plan designates this property ‘*Community Mixed-Use*’ which are intended to “serve the larger Greenville community” and accommodate a blend “of mid-size to large-size employers in commercial, light manufacturing/industrial, distribution” and other high-intensity uses.

Although the “nightclub” use is neither a mid-size to large-size employer, the Applicant intends to serve a large clientele base within Greenville and the business maintains consistency with the intended commercial land use for this area. It is also expected to be compatible with other high intensity uses located in the general 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 'Bars' are listed below:

Note that code language referring to conditional use permits should be substituted with special exception permits as a special exception permit is required for this application.

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.

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

(a) A conditional use permit shall be limited to the applicant or a legal entity authorized to be represented by the applicant, and shall not be transferrable.

(b) Operation of the facility shall be limited to a "nightclub/bar," as defined by this Code, and shall substantially conform to the statements of the applicant and the content of the application. Modification of the facility's operation shall require the applicant to seek a modification of the conditional use permit. Operation of the business shall comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the department of revenue.

(c) At all times during its occupancy, the applicant shall assign a manager on the premises who shall ensure compliance with the terms of the conditional use permit, this Code, and the applicable S.C. Code of Laws and Regulations.

(d) The applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors

approved by the city police department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of the granting of a conditional use permit and future personnel shall receive training within 30 days of hiring.

- (e) As may be recommended by the technical advisory committee, the administrator may require the applicant to retain outdoor security persons during operation of the establishment. The security persons must possess a security officer registration certificate pursuant to S.C. Code 1976, title 40, chapter 18, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.*
- (f) Occupant capacity of the establishment shall be established by the city building codes administrator. The applicant shall designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons.*
- (g) Exterior sound amplification shall be prohibited except in areas specifically authorized on the approved site plan; all amplified sound shall be directed inward toward the facility and away from any adjoining use or public property. Specified hours of exterior sound amplification shall be limited by the permit.*
- (h) Interior sound amplification shall be located only as reflected on the approved floor plan and shall be directed away from the principal entrance or directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows shall remain closed after 10:00 p.m.*
- (i) Rooftop decks shall have perimeter guard railing above table surfaces*
- (j) Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of this Code shall be posted in conspicuous locations on the building and throughout the parking lot and shall be enforced by the proprietors.*
- (k) The application shall comply with city noise, smoking, and encroachment ordinances.*
- (l) A copy of the conditional use permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.*
- (m) The administrator may attach additional conditions to the conditional use permit which will protect nearby uses from any adverse impacts reasonably expected to occur as a result of the operation of the nightclub/bar.*

The Applicant intends on operating in full compliance with the use-specific standards and specific conditions mandated by the Technical Advisory Committee. The Staff recommends formal incorporation of TAC's recommended conditions, listed at the end of this report, into any motion for approval.

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

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

Adjacent property is zoned and used as follows:

East: Airport (S-1, Service district)

North: Undeveloped (C-3, Regional commercial district)

West: Self-Storage Facility (C-3)

South: Self-Storage Facility (C-3)

Although not similar to the nightclub use, the adjacent properties are not expected to be negatively impacted due to nature of neighboring uses, difference in business hours of operation, and overall nature of the surrounding lands.

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

4. The Design Does Not Have Substantial Adverse Impact:

This Applicant intends to continue operating the bar use in a similar manner as previously run. Generally, the business has not been a nuisance in regard to visual impacts, service areas, or odors. There are adequate solid waste facilities and systems in place to meet LMO standards for screening in Sec. 19-6.2. As required for previous nightclub uses at subject property, a plan for parking (shared parking agreement or future site development) shall be finalized prior to issuance of final approval for occupancy and continuance of operations.

Staff finds, with appropriate conditions, the design does 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 indoor seating only as well as a nightclub known as IBIZA. These uses are consistent with past businesses in the building.
3. The Applicant indicates that the hours of operation will be Tuesday through Thursday from 11:00 a.m. to 4:00 p.m., Friday through Saturday 11:00 a.m. to 2:00 a.m. The business will be closed on Monday and Sunday.
4. The Applicant, based on the proposed life safety plan, indicates that maximum occupancy of the premises will be 99 occupants on the “restaurant/bar” half of the building and 99 occupants on the “banquet hall/party room” half of the building. The Applicant indicates that the addition of a sprinkler system is planned in the future to increase the occupancy load and improve fire safety.
5. The Applicant indicates alcohol sales, including beer, wine, and liquor by the drink, will occur on premise and that the applicant has or will obtain the required licenses.
6. The Applicant indicates that staff will be trained in all applicable manners relating to alcohol service and will obtain all required certifications.
7. The Applicant indicates that individuals with SLED certification as well as off duty sworn law enforcement officers will be retained to provide security services for the business. The Applicant indicates at least four security guards and at least two off duty sworn law enforcement officers would be on duty during Friday and Saturday nights. The Applicant indicates that up to sixteen (16) security guards will be on duty for large events.
8. The Applicant indicates that live music/entertainment, including comedians, live musicians, and disc jockeys, will occur inside the space.
9. The Applicant indicates that ticketed events will be limited to in-house events (no third-party ticketing).
10. The Applicant indicates that no entertainment, music, or seating areas will be added outside of the building.

11. The Applicant indicates that parking for the business will come from existing on-site and neighboring off-site parking, which is consistent with the past parking for the businesses inside the building. The off-site parking agreement between the Greenville Downtown Airport and Blind Horse Saloon has not yet been agreed to, but will be provided prior to final occupancy approval.

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 occupancy be in close keeping with the proposed occupancy count of 99 occupants on each side of the building. If life safety improvements, such as the installation of a fire sprinkler system, are made that increase the occupancy load, a modification to the special exception permit shall be required.
 - 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 special exception permit and future personnel shall receive training within 30 days of hire.
 - f. This Committee recommends that the Applicant shall retain a minimum of four (4) security guards and two (2) off-duty sworn law enforcement officers on 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. At least two of the security guards or off-duty sworn law enforcement officers must be positioned outside the business. 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. 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 Land Management Ordinance Section 19-4.3.2 (G)"
- j. This Committee recommends that ticketing for events through third party promoters be prohibited.
- k. This Committee recommends that parking for the use fully comply with the minimum and maximum parking requirements associated with Land Management Ordinance Section 19-6.1. A remote or shared parking agreement that complies with the Land Management Ordinance standards shall be obtained and provided to the City of Greenville prior to occupancy permit approval.

Staff Comments and Conditions

Fire Department Comments

Comments:

Need to adhere to confirming the occupancies do not cross over through middle wall. This would require separate lines with separate counts to ensure occupancy numbers are correct.

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.

Traffic Engineer Comments

Comments:

None.



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

APPLICANT / PERMITTEE: O+E Entertainment, LLC
Name Title / Organization

permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: Oscar Quiroga Owner
(Optional) Name Title / Organization

MAILING ADDRESS: 50 Woods Lake Rd. Greenville, SC 29607

PHONE: _____ **EMAIL:** yairazamora8273@gmail.com

PROPERTY OWNER: D+V LLC

MAILING ADDRESS: P.O. Box 5097, Greenville, SC 29607

PHONE: _____ **EMAIL:** _____

PROPERTY INFORMATION

STREET ADDRESS: 50 Woods Lake Rd, Greenville, SC 29607

TAX PARCEL #: 0282000100412 **ACREAGE:** _____ **ZONING DESIGNATION:** 631

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE: Nightclub, property is zoned for
Commercial 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.

**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.

See Attached

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

See Attached

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.

See Attached

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).

See Attached

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

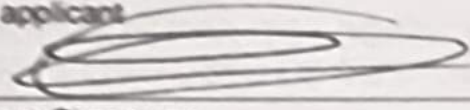
See Attached

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

See Attached

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) 457-4476 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

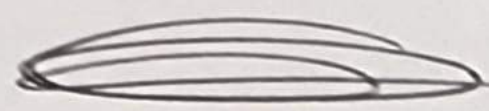

Applicant Signature

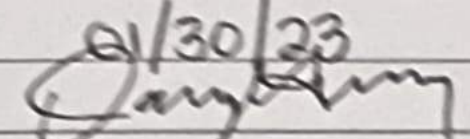
7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

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.



01/30/23
x 
1-30-2023

APPLICANT / REPRESENTATIVE SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

1. The proposed use is consistent with the comprehensive plan because all the requirements in section 19-2.3.5 (D)(1) are being met. On-site traffic is being directed away from abutting residential uses or residential districts between the hours of 12:00 AM to 2:00 AM (for our purposes). All delivery, waste collection, and commercial traffic occur during daytime hours M- F. Loitering, solicitation, and disorderly conduct are prohibited at all times. All city codes and ordinances will be posted in a conspicuous location and will be actively enforcing them. We do not amplify exterior sound; we only have amplified sound on the interior of the building and amplify inward as stated in section 19-4.3.3. Exterior doors remain closed. They open during ingress and egress. Upon receiving the permit, such permit will be displayed on the premises, and understand that it is not transferable.
2. The way in which the request will comply with standards 19-4.3 - USE SPECIFIC STANDARDS, is that there is a manager assigned to make sure the requirements of the Conditional Use Permit will be met at all times. All personnel serving alcohol are enrolled and currently taking the E-Tips program. All certificates will be displayed at the entrance of the establishment. Our security detail is handled by CZS Security with license # 3055 which holds a Security Registration certificate and handles all outdoor security. Occupant capacity will be continually monitored by entry staff. Counts are done every time someone enters or exits the establishment. There is absolutely no exterior sound amplification and will not have any exterior sound amplification in the future. All doors/ Windows will remain closed after 10 PM. We do not have nor will have in the future any rooftop decks. Loitering, solicitation, and disorderly conduct are prohibited at all times, and signs are posted in conspicuous places on the exterior of the building and in the parking lot, also, this requirement will be strictly enforced. All city ordinances related to noise, smoking, and encroachment will be complied with at all times. All permits required by the city, county, and state will be displayed in a conspicuous location.
3. The request is appropriate for its location and the character of existing and permitted uses of surrounding land will not reduce the property values as this establishment has been in existence for several years. It has been fully compliant and the uses of the location remain the same. Permitted uses shall remain the same and the property is maintained to the standards of the City of Greenville ordinance and does not diminish the values of surrounding properties.
4. The request will minimize the adverse effects on adjacent lands as the property is well maintained, clean, landscaped, free of trash and debris, and is kept with a presentable esthetic. A regular, weekly cleaning schedule is maintained on the interior and exterior of the proposed property. Trash disposal is scheduled on a weekly basis and is serviced by Republic Services. This service takes place on Thursdays during daytime hours. The property has its own spacious parking lot and the parking lot is not a nuisance or creates an issue to adjacent lands and properties. Noise is maintained at levels that are in compliance with the City of Greenville's comprehensive plan. Service delivery takes

place during daytime hours between Monday and Friday. This request does not and will not create a nuisance to surrounding properties and businesses.

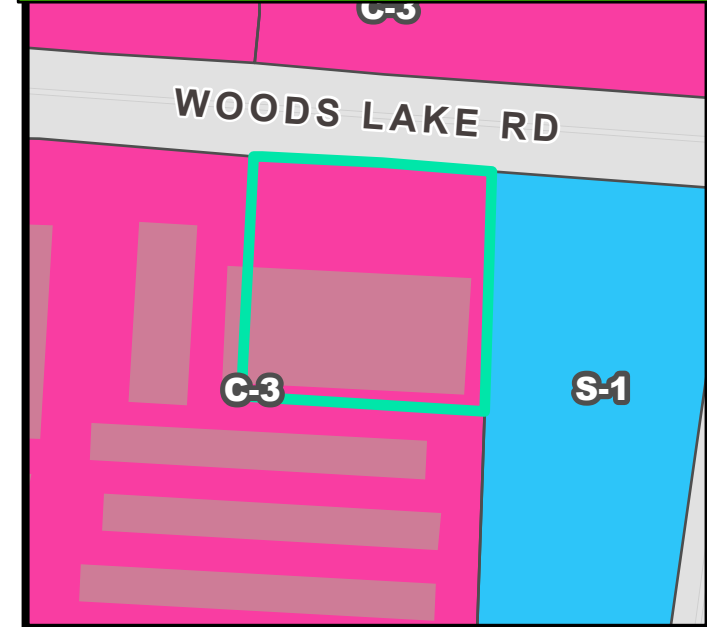
Applicant Response to Section 19-2.3.5 (D)(2), Standards - Change in Nonconforming use.

1. The proposed use is in an industrial area where a similar business exists adjacent to the proposed. It is managed in such a way as to minimize any negative impacts on the adjacent properties, providing adequate parking for patrons and employees, and the property is maintained and in good condition. Additionally, the proposed is designed to minimize any negative impacts on the environment, limiting the use of hazardous materials, ensuring proper waste disposal, and maintaining levels of noise at levels that meet the ordinance as is in character with neighboring businesses.
2. The proposed nightclub would adhere to all relevant local noise ordinances and laws, ensuring that the noise levels would not interfere with the use of neighboring properties. The proposed would ensure that its patrons do not block any neighboring properties from receiving adequate access. The proposed would ensure that there is adequate parking available for its patrons, and would not impede the parking of neighboring properties. The proposed would ensure that its hours of operation do not interfere with the use of neighboring properties. The proposed would have security measures in place to ensure that patrons do not loiter in the area and interfere with the use of neighboring properties. The proposed would have appropriate refuse management measures in place, so as not to create any unsanitary conditions or attract any pests or vermin that might interfere with the use of neighboring properties.
3. Yes, adequate infrastructure capacity is available to serve the proposed nonconforming use. The City of Greenville has a robust infrastructure system in place and the proposed use is not anticipated to significantly impact the infrastructure system. Furthermore, the proposed nonconforming use can be designed to take full advantage of the existing infrastructure system and is currently designed to meet all applicable codes and regulations. There is plenty of parking space, if additional space is needed, we have additional parking that we share with an adjacent business, for which we have an agreement.
4. Yes, the proposed nonconforming use is permissible in other zoning districts within the City of Greenville. The zoning ordinance allows the proposed nonconforming use to be established in certain zoning districts, such as the Downtown District, the Central Business District, and the Planned Development District. The proposed nonconforming use will not adversely affect the public health, safety, or welfare of the neighborhood or community in which it is proposed.

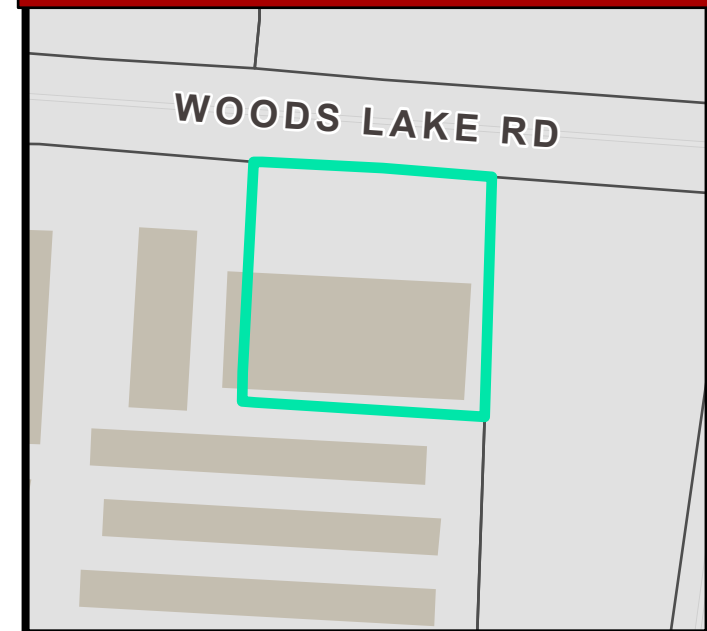
AERIAL VIEW



CURRENT ZONING



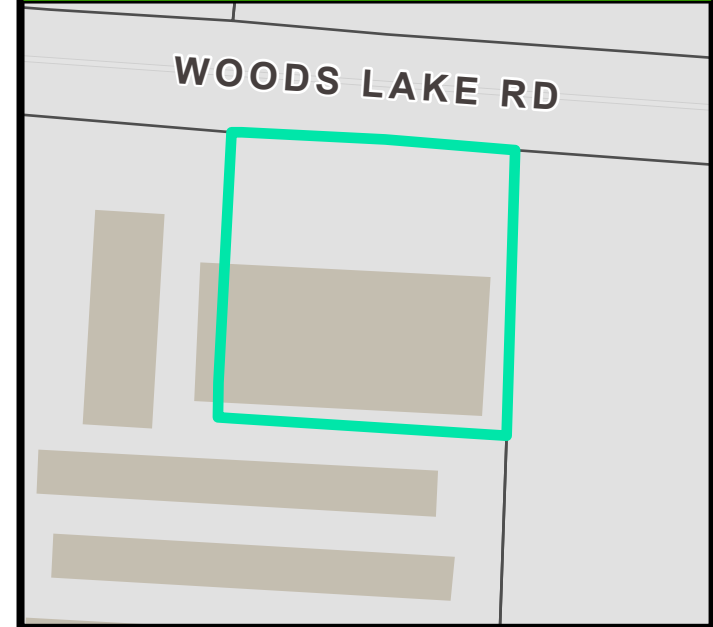
FUTURE LAND USE



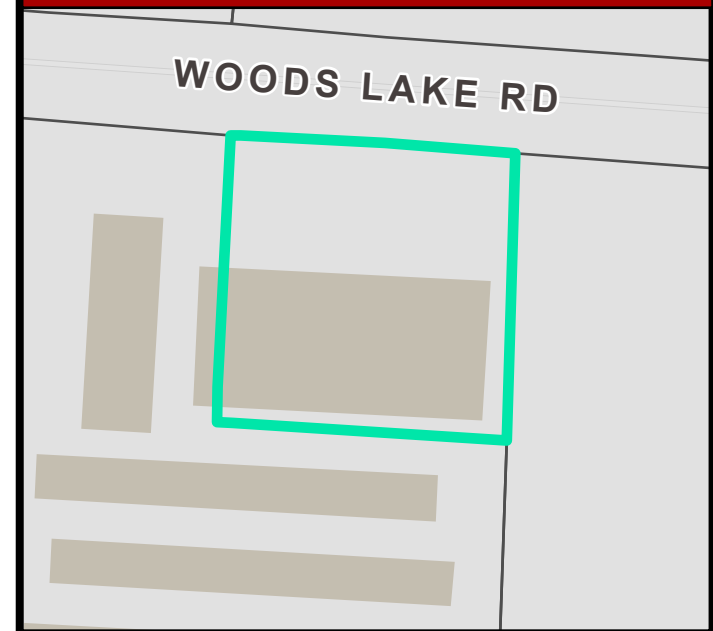
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name O&E ENTERTAINMENT LLC ^{DBA 1312A.} Phone 864-735-6473

Mailing Address 50 WOODS LAKE RD, GREENVILLE, SC 29607

Email squiros.contax@gmail.com

Signature of Applicant [Signature] Date 9-19-22

Property Owner

Name D&V LLC Phone 864-269-2122

Mailing Address 1 PO BOX 5097, GREENVILLE, SC 29606

Email hcc@hwskeybuildings.com

*Signature of Property Owner [Signature] Date 9-19-22

Property Information

Address 50 WOODS LAKE RD, GREENVILLE, SC 29607

TMS# 0282000100412 Zoning District Designation 631 Bar - Night Club

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.
See attached sheet

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.
See Attached Sheet

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.
See attached sheet

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.

Zoning Compliance Application Questions.

1. The proposed use is consistent with the comprehensive plan because all of the requirements are being met. On-site traffic is being directed away from abutting residential uses or residential districts between the hours of 12:00 a.m. to 2:00 a.m. (for our purposes). All delivery, waste collection, and commercial traffic take place during daytime hours. Loitering solicitation and disorderly conduct are prohibited at all times. We will have the Greenville code of ordinances posted in a conspicuous location and will actively enforce them. We do not amplify exterior sound; we only have amplified sound in the interior and only amplify inward as stated in sections 19-4.3.3. Exterior doors remain closed only during ingress and egress. Upon receiving the permit we shall display the said permit on the premises and understand that it is not transferable.
2. The request is appropriate for its location and with the character of existing and permitted uses of surrounding land and will not reduce the property values as this establishment had been in existence for several years. It has been fully compliant and the uses of the location remain the same. Permitted uses shall remain the same and the property is maintained to the standards of Greenville County ordinance and does not diminish the values of surrounding properties.
3. The request will minimize the adverse effect on adjacent lands as the property is well maintained. A regular cleaning and maintenance schedule is maintained in both the interior and exterior of the proposed property. Trash disposal is on a regular schedule serviced by Republic Services and is collected on Thursdays during daytime hours. The property has its own parking lot and parking is not an issue for adjacent lands and properties. Noise is maintained at levels that are in compliance with Greenville's Comprehensive Plan. Service delivery takes place during daytime hours between Monday and Friday. This request will not create a nuisance to surrounding properties and businesses.

Operating Plan

1. **Type of Use:**

Restaurant/ Dancing/ Special Events/ Live concerts

2. **Days and Hours of operation:**

Monday - Closed

Tuesday - 11:00 AM - 4:00 PM

Wednesday - 11:00 AM - 4:00 PM

Thursday - 11:00 AM - 4:00 PM

Friday - 11:00AM - 2:00AM

Saturday - 11:00 AM - 2:00AM

Sunday - Closed

3. **Staffing Schedule**

Monday - Closed

Tuesday - 11:00 AM - 4:00 PM

Wednesday - 11:00 AM - 4:00 PM

Thursday - 11:00 AM - 4:00 PM

Friday - 11:00AM - 2:00AM

Saturday - 11:00 AM - 2:00AM

Sunday - Closed

4. **Kitchen Equipment & Schedule**

Monday - Closed

Tuesday - 11:00 AM - 4:00 PM

Wednesday - 11:00 AM - 4:00 PM

Thursday - 11:00 AM - 4:00 PM

Friday - 11:00AM - 2:00AM

Saturday - 11:00 AM - 2:00AM

Sunday - Closed

5. See Attached

6. **Parking for Customers and Employees**

There are eight assigned spots for employees. The remaining parking spots are for our customers. There is additional parking space for a lot adjacent to the building that we pay rent for.

7. **Designated Smoking Areas**

We allow an area on the exterior of the building where we have designated for smoking we have the appropriate disposals in the area.

8. Type of Entertainment and Duration

There is music played by DJ on Fridays and Saturdays. There are live music events once per month.

9. Closing/ "Last Call" Procedures

Last Call is done 15 minutes prior to 2 AM for the public. The bar stops servicing liquor 20 minutes before 2 AM. The lights are turned on 10 minutes prior to 2 AM. Music is turned off 8 minutes prior to 2 AM. We do this to make sure our customers are outside of the building at 2 AM.

Security Procedures

1. Number and Type of Security Staff:

We normally have one or more off-duty police officers present as well as two certified security guards on normal nights. On nights when we have larger events, we have up to 16 certified security guards present.

2. Training/ Certification:

Our security staff is certified in providing security, They are SLED certified. They are fully trained to safely handle any security issues that arise.

3. Specific Duties/ Responsibilities of Staff:

Our wait staff, as well as all staff, is responsible for providing excellent customer service. The patrons are made sure that they are well seated at tables and well tended. Bartenders are responsible for providing items to the wait staff and attending patrons seated at the bar. The DJ is responsible for providing music. The cooks are responsible for providing the best quality food. Security is responsible for the safety of patrons as well as workers. An off-duty police officer is also always present. If any issues with security arise, staff immediately informs management and security.

4. Entry/ Exit/ Re-Entry Procedures

Upon entering, the customer is met with security who immediately checks their ID and completes Searches with a metal detector for any weapons or other unauthorized items. Then the patrons go to the admissions desk to pay for admission and receive a bracelet. If the patron exits for any reason and needs to re-enter; they are to go back through security and make sure they have a bracelet and are searched again. The entry also serves as the exit for patrons.

5. Crowd Management

The crowd is managed based on the type of event being held. The amount of security is increased both inside and out depending on the event planned for the day.

6. Crime Prevention Through Environmental Design

O & E Entertainment, LLC
Business Plan

O & E Entertainment, LLC
50 Woods Lake Road
Greenville, SC 29607
864-354-9504

yairazamora8273@gmail.com

Executive Summary

Products/ Services Offered

Latin Food and Latin entertainment

Our mission is to provide the best experience in food and entertainment in Greenville. Our location is perfect to provide these services

Our products and/or services are superior to our competitors because we provide extensive training to our associates in providing excellent customer service and providing the best experience.

Our location allows us to better serve our customers because it has ample, well lit parking it's located in a very well known and safe area in Greenville.

Marketing: We have unique marketing skill sets that enable us to attract new customers at a low cost. Our marketing professional forms a part of our team and is very experienced in marketing in both the restaurant and entertainment industry.

Company Overview:

Date of Formation: 04/27/2021

Legal Structure: LLC owned by Oscar Quiroga

- O & E will initially be an LLC, owned by Oscar Quiroga.
- O & E Leases the space in Greenville, SC .
- O & E will be initially financed solely by individual capital investments.

Industry Analysis

Industry Overview

O&E Entertainment, LLC operates in the food and entertainment market.

Total monetary sales in this industry last year in the United States was : 25.09 billion

Target Customers

Below is a profile of our target customers:

Age: 25 - 65 (preferred target audience)

Location: Greenville, SC

Language: English, Spanish

Activities and interest: Food, music, live entertainment

Customer Needs:

Below is a profile of the needs that our target customers have:

Quality: Customers want a quality location, with quality food and entertainment and quality customer service.

Location: the location is convenient, close to everything and in a very safe location.

Comfort: There is a copious seating available for everyone

Price: The price is competitive in this market and affordable to our patrons. This is so we can continue providing quality food, entertainment and location.

Customer Service: We train our staff to provide the best customer service available

Fees for Entry:

Our fees for entry are \$5 per person for entertainment.

4. Status Of City Business License Application

Status is pending due to zoning requirements

5. Status Of SCDHEC 'Retail Food Establishment' Permit, If Applicable

Status is ACTIVE. The SC DHEC has issued the business permit with a 100% Overall Score (Retail Food Establishment Inspection Report Attached)

6. Status Of Abl-901 Application To SC Department Of Revenue

Status is ACTIVE. All Beer, Wine Liquor license are up to date. All Sales tax are paid. (License is attached)

7. Provide Documentation That Sled Requirements Have Been Met

Attached.



**11 NORTH IRVINE STREET
SUITE 10
GREENVILLE, SC 29601
(864) 288-7107**

**THIS DRAWING MAY NOT BE
REPRODUCED WITHOUT THE
EXPRESSED WRITTEN CONSENT
OF HARVLEY ARCHITECTURE**

IBIZA NIGHTLIFE

1. THE INTENT OF THESE DRAWINGS IS TO SHOW THE EXISTING CONDITIONS AND SET UP OF A BAR/RESTAURANT AND DANCE HALL/PARTY ROOM AT 90 WOODS LAKE ROAD. OWNERSHIP RECENTLY CHANGED HANDS BUT THE INTENDED USE REMAINS THE SAME. ONE SIDE IS CLASSIFIED AS AN A-2 OCCUPANCY AND TO BE USED AS A BAR/RESTAURANT AND LIMITED TO 99 SEATS. THE OTHER SIDE IS ALSO CLASSIFIED AS AN A-2 OCCUPANCY AND TO BE USED AS A BANQUET HALL/PARTY ROOM WITH A MAXIMUM OCCUPANT LOAD NOT TO EXCEED 99 SEATS. LIMITED FOOD AND BEVERAGES MAY BE OFFERED ON THIS SIDE. THIS BUILDING DOES NOT HAVE A FIRE SPRINKLER SYSTEM.
2. EXCEPT WHERE NOTED OTHERWISE, ALL EXIT SIGNS AND EMERGENCY LIGHTING UNITS ARE EXISTING AND OPERABLE. OWNER TO HIRE SPECIALIST TO CONFIRM AND ADD NEW UNITS WHERE INDICATED.
3. THE EXISTING PAIR OF DOORS BETWEEN THE TWO SECTIONS OF USES ARE LIMITED TO 90 MINUTE FIRE RATED. HOWEVER, THERE ARE NO SPECIAL LABELS ON THESE DOORS. OWNER TO CONFIRM WITH A DOOR SPECIALIST AND CHANGE OUT IF DOORS ARE NOT 90 MINUTE FIRE RATED. NEW LABELS MUST BE PRESENT ON HINGE END OF DOORS.
4. OWNER TO CONFIRM WITH A SPECIALIST THAT THESE TWO DOORS HAVE A FIRE RATING LABEL OF 90 MINUTES AND IF NOT, THEY ARE TO BE REPLACED WITH SUCH LABELED DOORS. PUSH BAR HARDWARE CAN BE REUSED.
5. THIS EXISTING EXIT SIGN REQUIRES A NEW COVER PLATE.
6. THERE ARE NO PHYSICAL ALTERATIONS FOR THIS BUILDING EXCEPT POSSIBLY FOR THE 90 MIN FIRE RATED DOORS, ALL WALLS, DOORS, FIXED FURNISHINGS, BARS AND STAIRWAYS ARE EXISTING.
7. THIS IS A LIMITED SERVICE PROJECT BY HARVEY ARCHITECTURE.

DRAWN JFH

APPROVED JFH

DATE 3-2-23

PROJ. NO. 22116

DATE PRINTED 3-2-23

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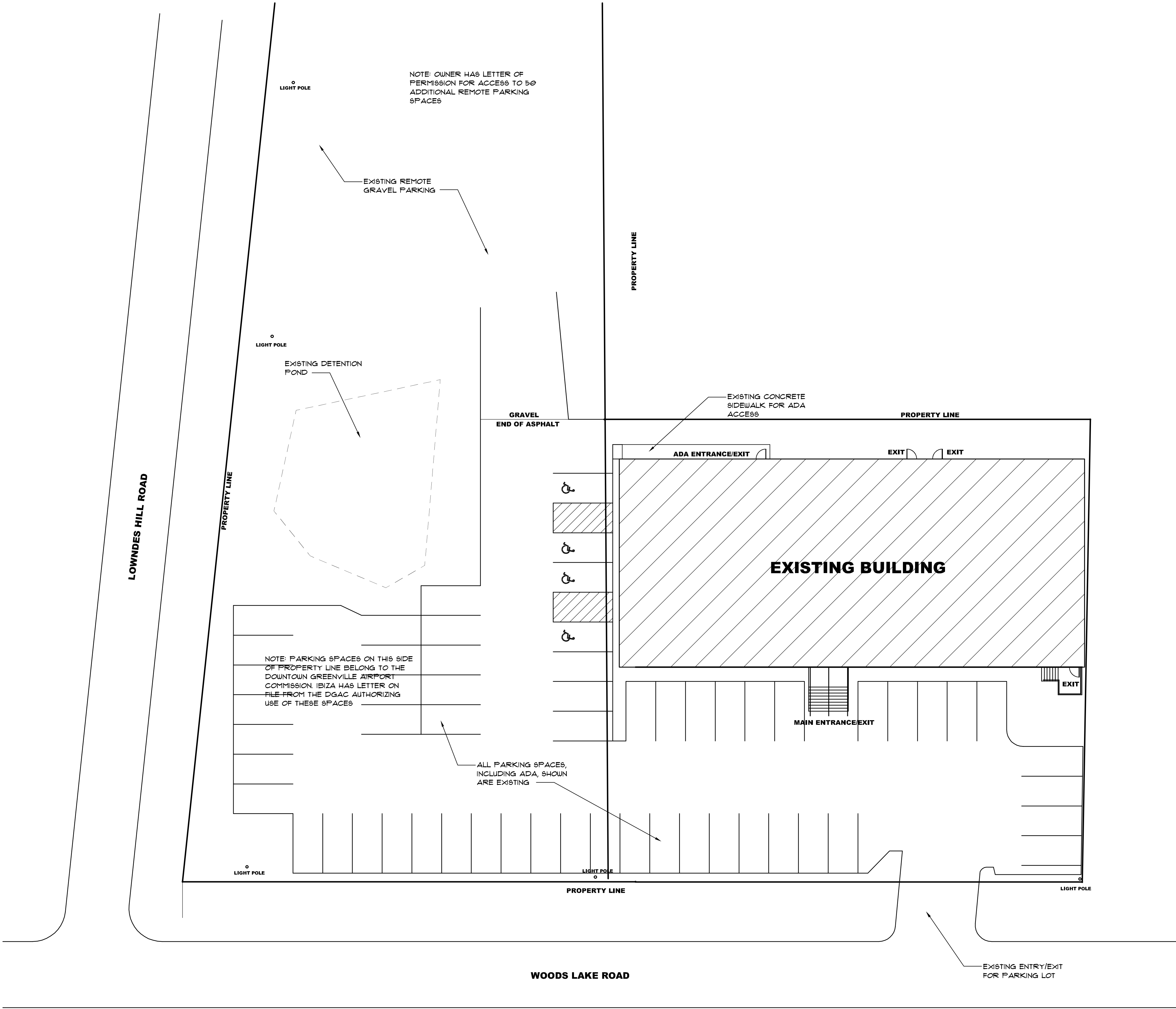
A-1



SCALE: 1/8" = 1'-0"

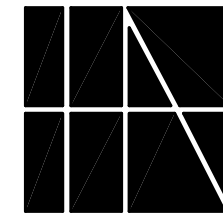


SCALE: 1/8" = 1'-0"



EXISTING SITE PLAN

SCALE: 1/16" = 1'-0"



**HARVLEY
ARCHITECTURE**

ARCHITECTS • PLANNERS

11 NORTH IRVINE STREET
SUITE 10
GREENVILLE, SC 29601
(864) 288-7107

www.harveyarchitecture.com
jamesharvey@harveyarchitecture.com

THIS DRAWING MAY NOT BE
REPRODUCED WITHOUT THE
EXPRESSED WRITTEN CONSENT
OF HARVLEY ARCHITECTURE

SEAL



PROJECT TITLE

SITE PLAN FOR

**IBIZA
NIGHTLIFE**

**50 WOODS LAKE ROAD
GREENVILLE, SC**

DRAWN	JFH
APPROVED	JFH
DATE	3-2-23
PROJ. NO.	22116
DATE PRINTED	3-2-23

REVISION NO.	REVISION DATE	DESCRIPTION

DRAWING TITLE

EXISTING SITE PLAN

DRAWING NO.

A-2



COPY

Retail Food Establishment Inspection Report

Facility Information	Audit Information
Permit: 23-206-13180	Audit Name: Retail Food Establishment Inspection Report
Facility Name: IBIZA NIGHTLIFE	Audit Type: 01_Permit Issued Inspection-Change of Ownership
Address: 50 WOODSLAKE ROAD	Start Date: 31 Mar 2022 02:56 PM
City/State/Zip: GREENVILLE, SC 296070000 GREENVILLE	End Date: 31 Mar 2022 03:17 PM

Overall Score

100%

Foodborne Illness Risk Factors & Interventions and Good Retail Practices

Item	Answer	Points Current
1. PIC Present, Demonstration – Certification by accredited program, and Performs duties Certified Food Protection Manager Fact Sheet Link	In	2
2. Management and food employee knowledge, and conditional employee; responsibilities and reporting. Employee Health Fact Sheet Link	In	2
3. Proper use of reporting, restriction and exclusion	In	2
4. Proper eating, tasting, drinking, or tobacco use	In	2
5. No discharge from eyes, nose, and mouth	In	2
6. Hands clean and properly washed	In	3
7. No bare hand contact with RTE foods	Not Observed	3
8. Handwashing sinks, properly supplied and accessible	In	2
9. Food obtained from approved source	In	2
10. Food received at proper temperature	Not Observed	2
11. Food in good condition, safe and unadulterated	In	2
12. Required records available: shellstock tags, parasite destruction Molluscan Shellfish & Shellstock Information Freezing for Parasite Destruction	Not Applicable	2
13. Food separated and protected	In	3
14. Food-contact surfaces: cleaned and sanitized	In	3
15. Proper disposition of returned, previously served, reconditioned, and unsafe food	In	2
16. Proper cooking time and temperature Cooking/Reheating Fact Sheet Link	Not Observed	3

17. Proper reheating procedures for hot holding Cooking/Reheating Fact Sheet Link	Not Applicable	3
18. Proper cooling time and temperatures Cooling Fact Sheet	Not Applicable	3
19. Proper hot holding temperatures Proper Holding Temperatures Fact Sheet Time as a Public Health Control Measure for Hot or Cold Food Fact Sheet	Not Observed	3
20. Proper Cold holding temperatures Proper Holding Temperatures Fact Sheet Time as a Public Health Control Measure for Hot or Cold Food Fact Sheet	Not Observed	3
Comments • <i>Facility only using freezer at time of inspection.</i>		
21. Proper date marking and disposition. Date Marking Fact Sheet Fact Sheet	In	3
22. Time as a Public Health Control: procedures and records Time as a Public Health Control Measure for Hot or Cold Food	Not Applicable	3
23. Consumer advisory provided for raw or undercooked foods Guide to Consumer Advisories	Not Applicable	1
24. Pasteurized foods used; prohibited foods not offered	Not Applicable	2
25. Food additives: approved and properly used	Not Applicable	2
26. Toxic substances properly identified, stored, and used	In	2
27. Compliance with variance, specialized process, reduced oxygen packaging criteria or HACCP plan Guide to HACCP Plans	Not Applicable	2
28. Pasteurized eggs used where required	Not Applicable	1
29. Water and ice from approved source	In	2
30. Variance obtained for specialized processing methods	Not Applicable	1
31. Proper cooling methods used; adequate equipment for temperature control Proper Cooling Temperatures	In	1
32. Plant food properly cooked for hot holding Proper Cooking and Reheating Temperatures	Not Applicable	1
33. Approved thawing methods used	Not Observed	1
34. Thermometers provided and accurate	In	1
35. Food properly labeled: original container Molluscan Shellfish & Shellstock Information	In	1
36. Insects and rodents not present; no unauthorized animals	In	2
37. Contamination prevented during food preparation, storage and display	In	2
38. Personal cleanliness	In	2
39. Wiping cloths: properly used and stored	In	1
40. Washing fruits and vegetables	In	1
41. In-use utensils: properly stored	In	1
42. Utensils, equipment and linens: properly stored, dried & handled	In	1
43. Single-use and single-service articles; properly stored and used	In	1
44. Gloves used properly	In	1
45. Equipment, food and non-food-contact surfaces approved; cleanable, properly designed, constructed and used	In	2

46. Warewashing facilities: installed, maintained and used; test strips	In	1
47. Non-food-contact surfaces clean	In	1
48. Hot and cold water available; adequate pressure	In	2
49. Plumbing installed; proper backflow devices	In	2
50. Sewage and waste water properly disposed	In	2
51. Toilet facilities: properly constructed, supplied and cleaned	In	1
52. Garbage and refuse properly disposed; facilities maintained	In	1
53. Physical facilities installed, maintained and clean	In	1
54. Meets ventilation and lighting requirements; designated areas used	In	1
55. Chapter 8 - Meets all requirements of Chapter 8: Compliance & Enforcement	In	0
56. Chapter 9 - Meets all applicable requirements of Chapter 9: Standards for Additional Operations	In	1
Totals		100

Inspection Report Information

Item	Answer	Points Current
Grade Posted	A	
Is a Follow-Up required?	No	
Is a Routine required within 60 days?	No	
Totals		

Inspection Information

Item	Answer	Points Current
Facility Category	Category 2	
Type of Inspection.	Onsite	
Change of Ownership Permit Pending	No	
DHEC Contact Phone and Fax Number.	Upstate EA-BEHS Greenville - (864)372-3273 Fax- (864)282-4371	
Violations may be subject to enforcement action including but not limited to a monetary penalty of \$1,000.00 per violation for each day of non-compliance per S.C. Code Ann. Section 44-1-150 and S.C. Regulation 61-25. If the retail food establishment obscures, covers, defaces, relocates, or removes the posted grade decal, this is a violation of S.C. Regulation 61-25 and may result in enforcement action. Information collected on this form is open to public scrutiny or release in accordance with the Freedom of Information Act.		
For fact sheets, the regulation, and additional information, please see: https://www.scdhec.gov/food-safety .		
Totals		



SOUTH CAROLINA DEPARTMENT OF REVENUE

***** DO NOT ALTER THIS LICENSE *****

Any alterations to this license will make it null and void. Criminal charges may apply.

ABL-567

(Rev.
31-Aug-2021)

4282-LOP

LOP

LOCAL OPTION - 52 WEEKS

22

NO SALES ALLOWED BETWEEN

2:00 AM AND 10:00 AM

Letter ID: L0020325874

Owner Name and Mailing Address

O&E ENTERTAINMENT LLC
50 WOODS LAKE RD
GREENVILLE SC 29607-2718

LICENSE NO. 104845964-LOP
FILE NO. 104845964
DATE ISSUED: 12/10/21
STIPULATIONS: 0

Trade Name and Business Address

IBIZA
50 WOODS LAKE RD
GREENVILLE SC 29607-2718

START DATE: 12/12/21
END DATE: 12/04/22

COPY

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 *****

If you have any questions concerning this license, contact the South Carolina Department of Revenue ABL Section at 803-898-5864 or by mail at: SCDOR, ABL Section, P.O. Box 125, Columbia, SC 29214-0907.

You may not transfer this permit or license to another location or to another person. If you sell the business or change ownership, name, or business address, you **MUST** apply for a new ABL license.



INSTRUCTIONS

This is your new license. Please fold on the above perforation marks and display in a conspicuous place.

Please visit dor.sc.gov to download and print the appropriate ABL sign(s), listed below, for the license type shown above and display alongside your license. **A violation may be issued for failure to display the required sign(s).**

- All Licenses: ABL-570
- Retail Liquor Stores: ABL-563, ABL-570, and ABL-578

If the business is closed, moved, or sold, you must return the original license immediately. To be refunded the 2nd year of the biennial license, the license must be received by the Department of Revenue with at least a full year (12 months) remaining on the biennial license.



**Planning Staff Report to
Board of Zoning Appeals
May 5, 2023**
for the May 11, 2023 Public Hearing

Docket Number:	S 23-248
Applicant:	Smoke at the Mill, LLC (Charles Porter)
Property Owner:	Park Avenue Partnership, LLC (Wayne Gathings)
Property Location:	500 East Park Avenue
Tax Map Number:	003905-01-00100
Acreage:	0.286
Zoning:	C-2, Local Commercial District SFHA, Special Flood Hazard Area Overlay District
Proposal:	SPECIAL EXCEPTION to operate a 'Bar'

Applicable Sections of the City of Greenville Code of Ordinances:

Chapter 16 Article IV, *Smoking in Public Places and Places of Employment*
Sec. 19-2.1.3 (A) (1), *Board of Zoning Appeals/Powers and Duties/Special Exceptions*
Sec. 19-2.3.5, *Special Exception Permit*
Sec. 19-4.1, *Table of Uses*
Sec. 19-4.3.3 (A), *Use Specific Standards, Commercial Uses, General*
Sec. 19-4.3.3 (F) (10), *Nightclub or Bar*

Staff Recommendation: Approve with Conditions

Staff concludes that the Application complies with standards to grant a Special Exception Permit to operate a 'Bar' use. If the Board decides to grant the Permit, Staff suggests the following conditions:

1. Operation of the facility shall be limited to a "bar" as defined by this Code, and shall substantially conform to the statements of the applicant and the content of the application. Modification of the facility's operation shall require the applicant to seek a modification of the special exception permit. Operation of the business shall comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the department of revenue.
2. The Special Exception Permit is limited to the Applicant, Smoke at the Mill, LLC (Charles Porter), and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds within 30 days upon execution by the Administrator.
4. Hours of operation shall be substantially consistent with those stated by the Applicant and not exceed past 12:00 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 on the building and throughout the parking lot 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 and all its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors approved by the city police department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the administrator and the city police department. Current personnel shall receive training within 90 days of the date of the granting of a special exception permit and future personnel shall receive training within 30 days of hiring.
10. The applicant shall retain a minimum of one (1) security guard on premises on Fridays and Saturdays from 10:00 p.m. and continuing until close or 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. Repeated incidents requiring calls for service from law enforcement may be grounds for revocation of the permit.
11. The applicant shall designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons and compliance with occupancy capacity. Monitoring of ingress/egress points may consist of the installation of emergency access/exit devices, as acceptable by the Fire Department, and in compliance with applicable building codes.
12. Interior sound amplification is prohibited except in areas specifically authorized on the approved site plan and/or floor plan and shall be directed away from the principal entrance or directed toward the interior of the building.
13. Outdoor live entertainment is permitted within the screened-in patio area but shall cease by 10:00 p.m. Exterior sound amplification is prohibited.
14. Exterior doors shall remain closed except to provide ingress and egress between the hours of 10:00 p.m. and 5:00 a.m.
15. A copy of the special exception permit shall be maintained on the premises with other related inspection, licensing, and occupancy information.
16. Occupant capacity of the establishment shall comply with the life safety plan approved by the Building Codes Administrator.
17. Parking for the use shall fully comply with the minimum and maximum parking requirements associated with Land Management Ordinance Section 19-6.1. A parking plan indicating where the required parking for the business will come from shall be submitted as part of a site permit application to ensure compliance.

18. Outdoor dining areas shall be closed by 10:00 p.m. When the outdoor dining areas are open, the Applicant shall ensure that staff remain capable of adequately monitoring occupancy of all spaces and that alcohol consumption remains in compliance with the business' alcoholic beverage license.

Staff Analysis:

The Applicant, Smoke at the Mill, LLC (Charles Porter), doing business as Torch Cigar Pub requests a special exception for a cigar bar (classified as a 'bar' use) at 500 East Park Avenue. The property was last occupied by Stone Pizza Company, which initially operated as a bar, but later transitioned to a restaurant use.

Per Sections 19-4.1 (*Table of Uses*) and 19-4.3.3(A) and (F)(10) (*Use-specific standards for Commercial, General and Nightclubs or Bars*), a special exception permit is required for bars operating in the C-2 district.

The Applicant indicated in his application that the business hours of operation will be Tuesday through Thursday from 12:00 p.m. to 10:00 p.m., Friday and Saturday 12:00 p.m. to 12:00 a.m. and Sunday from 12:00 p.m. to 9:00 p.m. The business will be closed on Monday.

The business will feature a kitchen and will serve beer, wine, and liquor by the drink. Alcoholic beverage sales will account for approximately 20 percent of all revenues, food and non-alcoholic beverages will account for approximately 25 percent of revenues, and tobacco and retail sales will account for the remaining 55 percent of revenues.

The Technical Advisory Committee (TAC) met with the applicant on April 25, 2023, and recommended approval of the special exception permit with conditions; these recommended conditions are listed at the end of this report.

Although no special exception permits have been issued for the property in the past, a conditional use permit for a 'bar' use operating after midnight was approved in 2016.

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

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

The Future Land Use Map of the City's GVL 2040 Comprehensive Plan identifies this property in the 'Corridor Mixed-Use' classification.

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 proposed 'bar' use maintains the blend of commercial and retail uses along the Park Avenue corridor.

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 'Bars' are listed below:

Note that code language referring to conditional use permits should be substituted with special exception permits as a special exception permit is required for this application.

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

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

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

The Applicant did not propose to hire any dedicated security for the business. Given the later hours of operation on Fridays and Saturdays as well as past approval conditions by the Board for cigar bars,

staff in conjunction with TAC recommends that one security guard be available during those days and times.

Outdoor music will be performed in the existing screened-in patio area; however, no sound amplification is proposed, and all performances will cease by 10:00 p.m. according to the Applicant.

Upon discussion with the Technical Advisory Committee, the Applicant displayed awareness of potential issues related to noise, indoor smoking, parking, and the need for training of management and staff.

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 zoned and used as follows:

East: Undeveloped (C-2)

North: Emergency response facility (C-2)

West: Office (OD)

South: Emergency response facility and Detention center (C-2 and OD)

Existing adjacent uses include a city fire station, county police station, county jail, and a vacant office building that is proposed to be redeveloped into 32 multifamily residential units. These units would be the closest residential use to the subject property but would be approximately 350 feet away.

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

4. The Design Does Not Have Substantial Adverse Impact:

The use will occupy an existing single tenant commercial building. The applicant has indicated that some site changes will be made. An outdoor dining area that was added to accommodate COVID-19 restrictions is proposed to remain permanently. Code required landscaping improvements are also planned. No changes to the existing outside lighting are proposed. No adverse visual or glare impacts are anticipated.

Parking for the use is existing, however the available spaces on-site are less than the minimum required for 'bar' uses. To address this, the Applicant proposes to stripe up to five additional parking spaces where overflow parking had been occurring in the past and to add bicycle parking. Additionally, the Applicant indicates that on-street parking is available along Henrietta Street and that overflow parking occurred in this area when Stone Pizza was in operation. The Parking Services Division as well as the Traffic Engineering Division were contacted and reported no issues with the use of on-street parking along Henrietta Street. Service delivery and loading/unloading will continue to occur in the existing parking lot. With appropriate conditions, no adverse impacts related to delivery, parking, and loading are anticipated.

A dumpster serving the subject property is located just off-site at 450 East Park Avenue, which is slated to redevelop into 32 multifamily residential units. This dumpster will remain in place during and after the redevelopment of that property. No adverse impacts related to odors are anticipated.

The Applicant has stated that outdoor dining is existing and will continue to occur as part of the business. Outdoor music will be performed in the existing screened-in patio area, however no sound amplification is proposed, and all performances will cease by 10:00 p.m. These measures, along with other staff recommended conditions, should reduce any potential adverse noise and vibration impacts.

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 design does 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 cigar bar, known as Torch Cigar Pub, at the location. The use is similar to past establishments at the building.
3. The Applicant indicates that the hours of operation will be Tuesday through Thursday from 12:00 p.m. to 10:00 p.m., Friday and Saturday 12:00 p.m. to 12:00 a.m. and Sunday from 12:00 p.m. to 9:00 p.m. The business will be closed on Monday.
4. The Applicant, based on the proposed life safety plan, indicates that maximum occupancy of the premises will be 76 occupants.
5. The Applicant indicates alcohol sales, including beer, wine, and liquor by the drink, will occur on premise and that the applicant has or will obtain the required licenses.
6. The Applicant indicates that staff will be trained in all applicable manners relating to alcohol service and will obtain all required certifications.
7. The Applicant indicates that no dedicated security personnel would be retained for the cigar bar, although the applicant is a retired law enforcement officer.
8. The Applicant indicates that live, acoustic music will be played in the existing screened-in patio area. The Applicant indicates that performances will end by 10:00 p.m. No outdoor sound amplification was noted.
9. The Applicant indicates that an existing outdoor seating area installed as part of COVID-19 measures will be retained permanently.
10. The Applicant indicates that indoor smoking associated with cigars will occur inside and outside of the building. Commercial smoke eaters will be installed to ensure air inside the building will be cleaned on a regular basis. No walls and doors that would provide separation between the kitchen and the smoking areas are existing or proposed.

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(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 (not accounted for on the submitted life safety plan) to ensure the occupancy and life safety measures are met. The amended floor plan and life safety plan shall be submitted as part of the occupancy permit application and shall remain in close keeping to the currently proposed occupancy count of 76.
 - 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 that the Applicant ensure that the cigar bar will fully comply with Chapter 16 Article IV of the City Code of Ordinances.
 - 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 one (1) security guard on premises on Fridays and Saturdays from 10:00 p.m. and continuing until close or 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. 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 Land Management Ordinance Section 19-4.3.2 (G)"
- j. This Committee recommends that parking for the use generally comply with the minimum and maximum parking requirements associated with Land Management Ordinance Section 19-6.1. A parking plan indicating where the required parking for the business will come from shall be submitted as part of a site permit application to ensure compliance.
- k. This Committee recommends that the outdoor dining areas be closed by 10:00 p.m. When the outdoor dining areas are open, the Applicant shall ensure that 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

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:

NOTE: Building is located within the Special Flood Hazard Area.

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*: _____

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

APPLICANT'S REPRESENTATIVE: _____
(Optional)

_____ Name _____ Title / Organization _____

MAILING ADDRESS: _____

PHONE: _____ EMAIL: _____

PROPERTY OWNER: _____

MAILING ADDRESS: _____

PHONE: _____ EMAIL: _____

PROPERTY INFORMATION

STREET ADDRESS: _____

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

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE: _____

INSTRUCTIONS

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

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

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

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

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

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

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

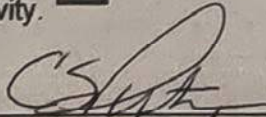
Applicant Signature

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

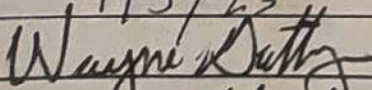
In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

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

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



4/5/23



4/5/23

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.

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

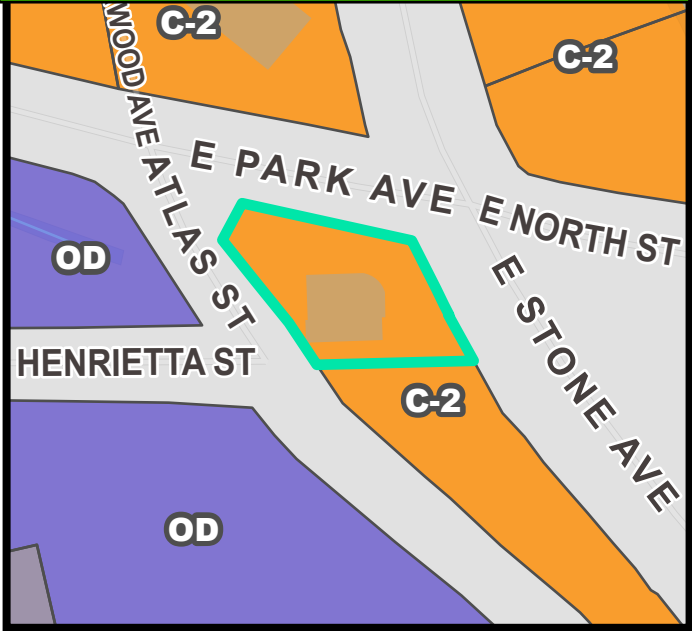
3. DESCRIBE THE WAYS IN WHICH THE REQUEST IS APPROPRIATE FOR ITS LOCATION AND IS COMPATIBLE WITH THE CHARACTER OF EXISTING AND PERMITTED USES OF SURROUNDING LANDS AND WILL NOT REDUCE THE PROPERTY VALUES THEREOF.

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.

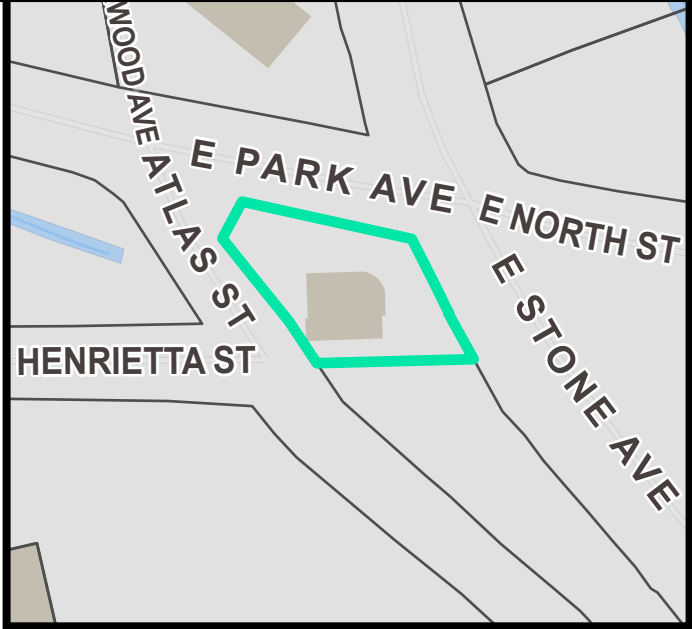
AERIAL VIEW



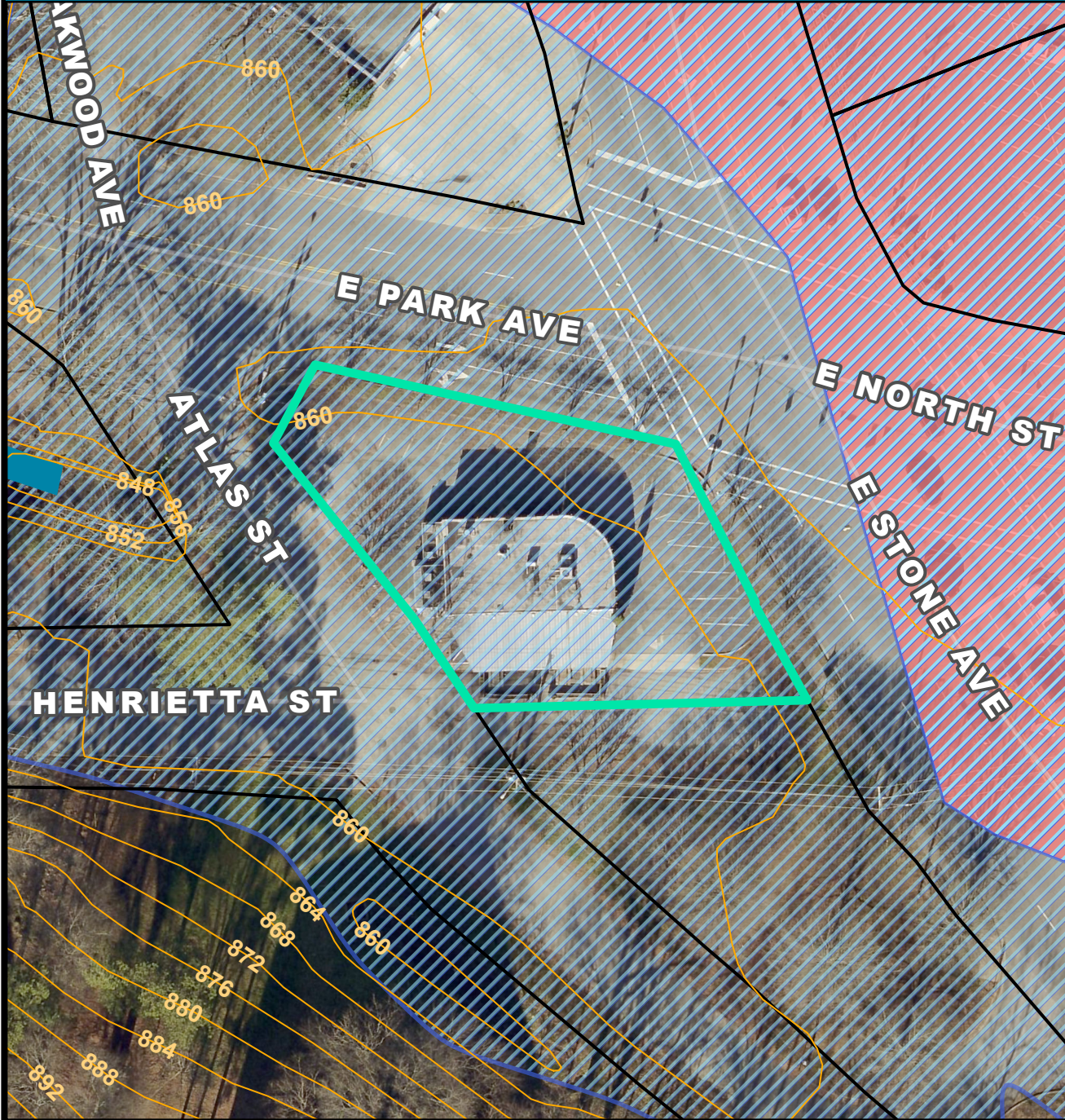
CURRENT ZONING



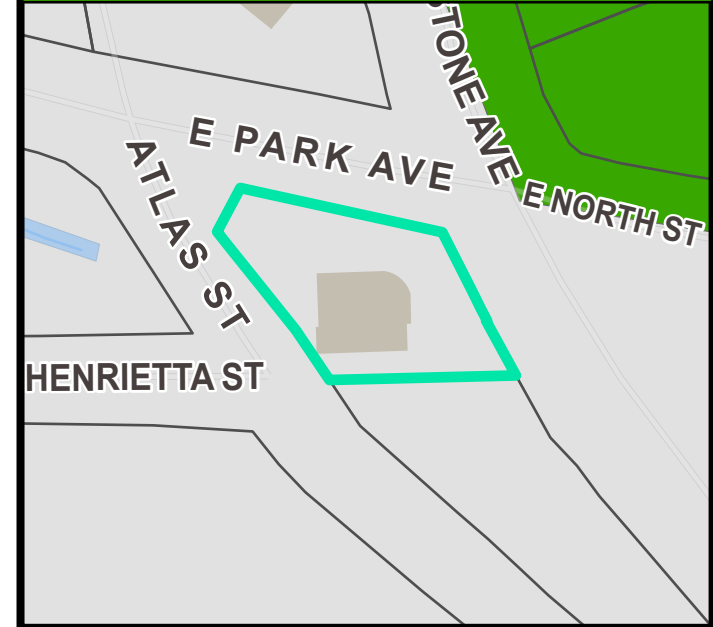
FUTURE LAND USE



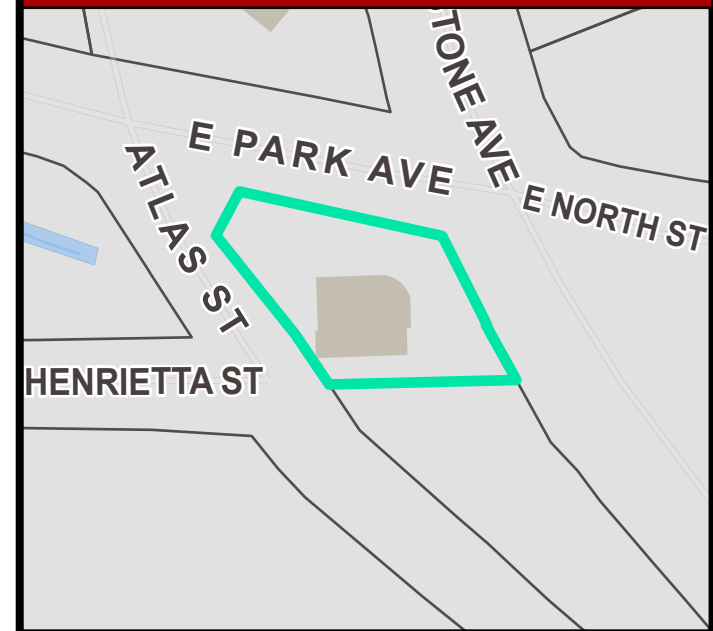
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS





city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Charles Porter Phone 8649072967

Mailing Address 9 Bruton Ct, Taylors, SC 29687

Email chuck@torchcigarpub.com

Signature of Applicant *Charles Porter* Date 4/5/23

Property Owner

Name Wayne Gathings Phone 8646301629

Mailing Address 1 103 Garraux Street, Greenville, SC 29609

Email marti@greenvillebuilding.com

Signature of Property Owner *Wayne Gathings* Date 4/5/23

Property Information

Address 500 E Park Ave, Greenville, SC 29601

TMS# 0039050100900 Zoning District Designation C-2

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.

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.

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.

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.

Smoke at the Mill LLC dba Torch Cigar Pub – Operating Plan for Zoning Review

- Type of Use
 - Restaurant/Cigar Shop/Pub
- Days and Hours of operation
 - Tuesday-Thursday 12pm - 10 pm
 - Sunday 12pm – 9pm
 - Friday -Saturday 12pm - 12 am
- Staffing Schedule
 - 11:30 am - 5 pm with 30 min break
 - 5 pm – 12:30 am with 30 min break
- Kitchen Equipment
 - Walk-in cooler
 - Commercial freezer, dishwasher, ice maker
 - Gas Pizza Oven
 - Wood Burning Pizza Oven
 - Coffee Maker/Urns
 - Convection oven
 - Air Fryer
 - Triple sinks
- Menu and hours of food service
 - Open to close food service
 - Mozzarella sticks
 - Baked dips
 - Flatbreads
 - Hummus
- Parking
 - Front and side(s) parking, street parking
- Smoking area
 - Cigar smoking indoors and on outdoor enclosed patio
 - No cigarettes allowed
- Type of entertainment
 - 8 TVs to show sports
 - Background music via wireless speakers
 - Live acoustic music on occasion, no later than 10pm
- Closing/ last call procedure
 - Last call 30 minutes before close
 - Staff to begin closing procedures 30 minutes before close

Security Procedures

- Number and type of designated security staff
 - Owner is retired Greenville County Sheriff's Deputy (certified)
- Training and certification
 - Serve Safe certified

- o Training on Point-of-Sale system
 - o Checking IDs for every customer to ensure 21 and over only enter the establishment
- o Specific Duties of Staff
 - o Knowledge of Cigars in the humidor
 - o Serve quality food
 - o Ensure every customer has an enjoyable experience
 - o Sanitizing all public areas, bathrooms, kitchen, and bar
- o Entry/ Exit procedures
 - o Leaving both front doors open during business hours
 - o Leaving back door open during business hours (outside patio)
 - o Leaving emergency backdoor exit clear in the case of an emergency
- o Crowd Management
 - o Training staff to keep an eye on current occupancy and keeping count.
 - o Maintaining a policy that customers find a seat if they are not shopping in the humidor or using the cutting station
- o Crime prevention
 - o Onsite safe for all cash, maintaining no more than \$1200 on-premises
 - o Security cameras on all exits, the bar and register, the parking lot and the humidor
 - o All POS cash boxes and bottles of alcohol behind the bar and only at reach of staff
 - o Staff member to accompany customers in the humidor
 - o Doors locked before/after normal operating hours.

Seating Plan

- o Indoor – leather accent chair seating, bar seating
- o Outdoor – table seating, bar seating

Business Plan

- o Please refer to the attached Business Plan document
- o Percentage of Alcohol to Food Sales
 - o +50% Premium Tobacco
 - o 25% Food and N/A drinks
 - o 10% Liquor
 - o 10% Beer and Wine
 - o 5% accessories
- o Status of required licenses
 - o City Business License – submitted pending approval
 - o SCDHEC – ready for submission, pending inspection
 - o ABL 901 – ready for submission, pending SCDHEC approval
 - o SLED Background Completed – attached (no arrests)

Application Questions:

A local restaurant and cigar shop where premium tobacco is sold. In the spirit of a public house, this is a place for the community to gather and enjoy food, premium cigars, and beverages of their choice.

1) To be in line with the Comprehensive Plan, Torch will organically promote community engagement. This will be a place for local business owners, residents, and travelers to congregate and meet new people. This location will provide those residing in and close to downtown, to include the downtown gateway, products and services not currently offered in the area.

Torch will cater to local networking, women's nights, Cigar 101 classes, trivia nights and local charity events to push for overall community involvement. Torch will open with a diverse staff of women and minorities. Torch will hire at least 3 additional employees within the first 2 years of being open. The average earnings for a Torch employee are expected to be at least \$20/hr. from hourly wages and tips. The goal for any public house is to provide a place where people can come to work, relax, and meet others in the area. Our goal for this establishment is to be all-inclusive of everyone. Our goal is to provide an atmosphere that exhibits the very best of Greenville, and that supports the GVL 2040 comprehensive plan goals.

2) 500 E Park Avenue has been a restaurant/bar for decades and is zoned as C-2. The previous business owners were granted a special exemption in 2016 as they planned to be open after midnight. Business operating times will vary; open daily (except Monday) at noon and closing between 9pm-midnight the rest of the week. Commercial Smokeaters will be installed to ensure the air is cleaned at a rate of 4x per hour, as we want to appeal to cigar smokers and nonsmokers alike. The closest district school to this location is .8 miles away, E North Street Academy (restaurant recently granted special permission located .4 miles from this school). The location is easily accessed from downtown, I385, Laurens Rd, E North St, Wade Hampton Blvd, Pleasantburg, etc. It is right next to the LEC and Fire Department.

The owner/manager will always be on premises to ensure all codes are followed as required. All staff will obtain Serve Safe certification. ID will be required by everyone that walks in the door; no one under 21 allowed. Staff will be expected to monitor occupancy. Background music only with occasional live acoustic (guitar) performances for events.

3) The building has sat empty for almost 2 years with a deteriorating exterior. The new restaurant will give a much needed uplift to a building that holds a place of prominence to Greenville's downtown gateway. This building is positioned to provide visitors to the downtown area an option to get a bite to eat and relax before going into or leaving downtown. There are currently no cigar options remaining in the downtown area. Based on experience, it is common for travelers to perform an internet search for "cigars near me". Given the amount of business travel and tourism to the constantly growing Greenville area, this is a benefit not only to the property, but to the City of Greenville.

Torch Cigar Pub Business Plan

1) Executive Summary

Torch Cigar Pub will be a local restaurant and cigar shop where premium tobacco is sold. In the spirit of a public house, this is a place for the community to gather and enjoy food, premium cigars, and beverages of their choice. We will be opening in the Spring of 2023, located in Greenville, SC near downtown. We will offer the following:

- Tapas style small plates
- Premium Cigars
- Comfortable indoor leather accent chair seating
- Ample outdoor (enclosed) table and bar seating
- Fine Wines
- Local Craft, Domestic, and Import Beers
- Coffee
- Cocktails
- Various Accessories
- Memberships

Chuck Porter will be the sole owner and operator under an LLC. Chuck has over 3 years as a GM in the premium tobacco industry and 12 years as a cigar smoker himself. Chuck previously owned and operated a small apparel company (sold to a larger competitor in the same niche).

The location was chosen based on its central proximity to the residence of Greenville County, as well as the fully equipped kitchen to include a \$54K wood fired pizza oven. Chuck is investing nearly \$100K of his own money in the renovations, licensing, and operating expenses to open the establishment.

2) Mission

Torch Cigar Pub will offer something a little different than other Cigar options in the area. We will be a place that is comfortable, friendly and a great spot to grab a small plate, a delicious cigar, and a refreshing drink. A place for cigar lovers and novices alike. In the tradition of a public house, it is where the community gathers.

As a veteran and retired law enforcement officer (Greenville County Sheriff's Office), Chuck has spent half his life serving the community. This presents an opportunity to continue serving in an uplifting environment. We will be the only cigar establishment in the upstate to offer a unique atmosphere with an indoor and outdoor floor plan to accommodate smokers and nonsmokers alike. This will allow mixed party preferences to grab a small plate of food and a refreshment together.

3) Keys to Success

Location: Torch Cigar Pub will be located at one of the busiest intersections entering downtown Greenville, and one of the more prominent buildings. Excellent proximity to Swamp Rabbit Trail, bicycle traffic, foot traffic, and relative safety nestled in the arms of the Greenville Law Enforcement Center and the Greenville Fire Department.

Offerings: We will offer 8 TV's for sporting events, an evolving menu with food cooked in a wood burning pizza oven, a large outdoor patio for nonsmoking patrons, and easy access to downtown's interior.

Selection: Wide selection of premium cigars in a custom built humidor to enhance the original architecture of the interior of the building.

4) Location and Facilities

The location will be located at 500 E Park Ave, Greenville, SC 29601

- The 1600sf location will be rented at \$8K per month (year 1)
- The owner agrees to have smoking indoors
- Within 29601:
 - o Population of 12,745 (approx. 72K in the city),
 - o Average HH Income \$65,866,
 - o Average house value \$580,000
 - o The average age is 41.3 years

5) Products

- Tapas style small plates
- Premium Cigars
- Cigar Accessories
- Alcohol and nonalcoholic drinks
- Memberships
 - o In the cigar industry, there is a means of providing exclusive privileges to an exclusive group that pays a monthly/ annual fee. This offers discounts, onsite cigar storage, special event access, and first rights to limited release products.

6) Competitive Comparison

Torch Cigar Pub will be the only Cigar establishment in the area with easy access to downtown, a large outdoor space, a custom built humidor, and a fully equipped kitchen and food options.

8) Sourcing/ Operating Margins

- Per Box Markup: 90% for box sales, 100% for individual sticks, plus 4% state tobacco tax
- Food: Industry standard markup, 28-32%
- Premium Wine: 30-50% depending on market competition and wholesale buying pricing
- Beer: 70-80% markup
- Liquor and Cocktails: 200-300% depending on complications of cocktails with mixtures and garnishes.
- NA Drinks: 100-200%. Varying profit margins come from much profitable coffee drinks to less profitable sodas
- Accessories: 100% margins on lighters, cutters, swag, and ashtrays
- Memberships: Nearly 100% profitable after lockers are paid for and minus their membership purchasing discounts.
 - o The industry standard is \$350-600/ year. for a humidified members storage locker.

- o 10-15% discounts off purchases
- o 1 cigar per month added to the locker
- o Discounted pricing if seeking benefits minus the box

9) Market Analysis Summary

August 2022 import numbers, released by Cigar Association of America, estimated 307.02M premium cigars were imported between January and August 2022.

- 254.23 million cigars were imported in the first 7 months of 2021.
- For comparison, the first 8 months of 2022 was roughly the same number as the entire year of 2014.

Whether you call it a cigar lounge, cigar bar, cigar pub, etc., they roughly offer the same thing. The overall competition in the upstate does exist, but none offers the experience that Torch will give them with the outdoor area and full kitchen/food options.

11) Strategy and Implementation Summary:

Our strategy is to provide an environment for community members to gather and engage socially over a common passion. This presents an opportunity for people to become acquainted with others in the community with whom they otherwise would not have an occasion to interact with. This is accomplished by ensuring that we are not just focused on existing cigar smokers, but creating an inviting environment and providing a pathway to the cigar culture. Not as a habit, but as a means of relaxation and socialization.

The Marketing Strategy is to make use of various forums of social media, informing hospitality markets through personal interaction, and leveraging Chuck's experience in the radio media market (radio advertising of the restaurant as available). The word of mouth marketing is underway as local print outlets have already engaged the owner based on the location alone.

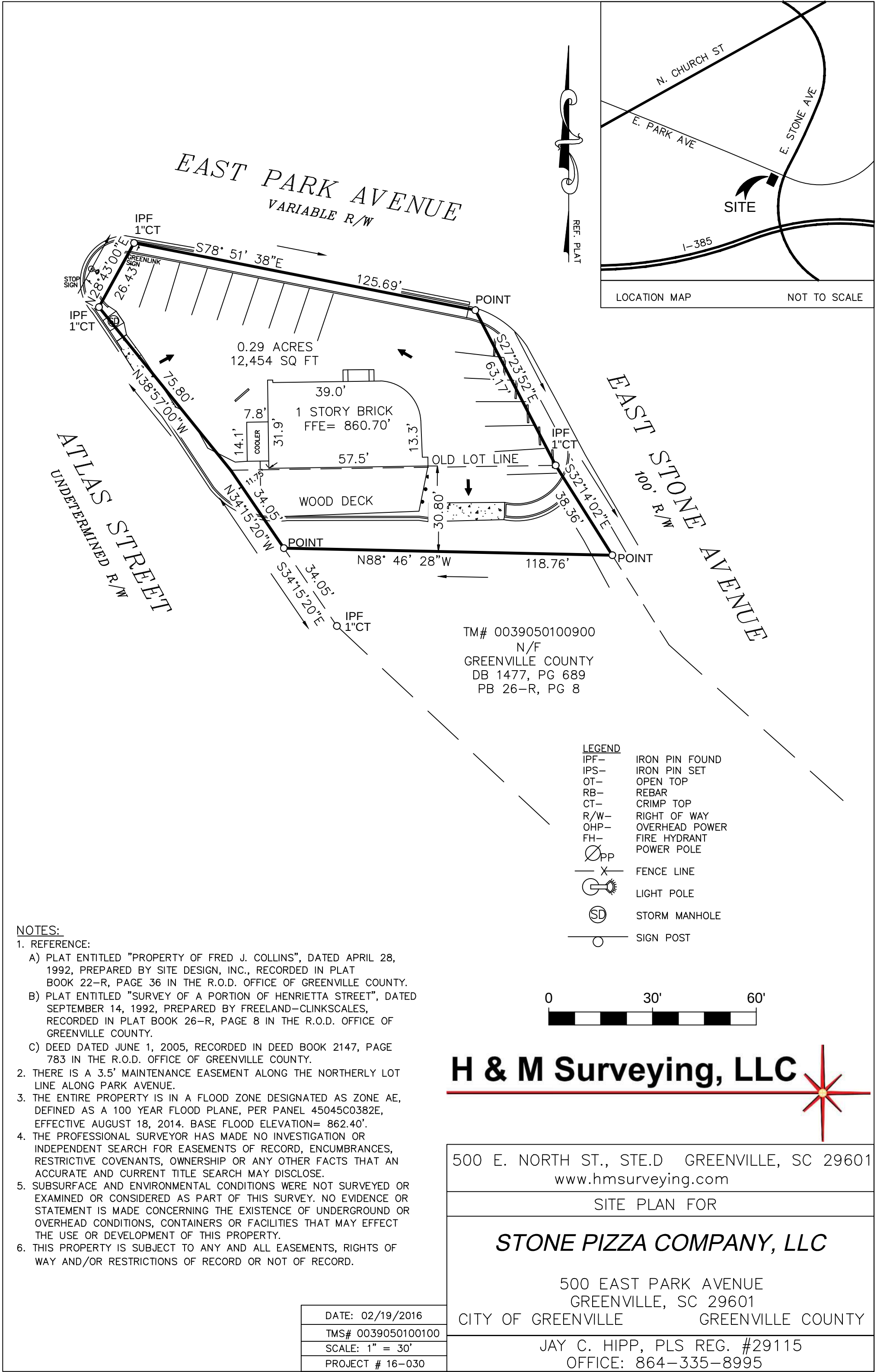
Once successfully opened and underway, we will use food trucks (for variety of food options and supporting other community small businesses), cigar 101 classes, women's night, trivia nights, and cigar branded events to draw in new people.

We will take advantage of the opportunities to partner with other small businesses in the community. Additional advertising will come from signage, branded merchandise, emailing platform through the POS, discounted promotions, memberships, and loyalty programs

Strategic Alliances will be formed to further promote Torch. Cigar Brand Representatives provide exclusive products, store exclusives, advertising, artwork, and accessories for the shop (ashtrays and lighters). Some local bars and restaurants offer premium cigars which opens the opportunity for partnership and white labeling Torch.

12) Financial Strategy

With the growth of the cigar market, and the local area, Torch plans to be in the black and will have reimbursed the initial startup costs by year two. No additional debt is expected to be needed (beyond initial startup). Financial Assumptions come from Chuck's experience as GM in another local Cigar establishment for comparison for growth, expenses, purchasing, etc.



GREENVILLE, SOUTH CAROLINA

1819 N MAIN ST
GREENVILLE, SOUTH CAROLINA 29609
PHONE: (864)710-0300

identified herein and is not to be used on any other project.

PROJECT DESIGNED IN ACCORDANCE WITH :

- | | |
|--|--|
| A. The International Building Code, 2012 Edition | F. The National Electrical Code NFPA 70, 2011 Edition |
| B. The International Plumbing Code, 2012 Edition | G. The International Energy Conservation Code, 2011 Edition |
| C. The International Mechanical Code, 2012 Edition | H. National Fire Protection Association NFPA 58, 1992 Edition |
| D. The International Fuel Gas Code, 2012 Edition | I. South Carolina Code Modifications 2012 |
| E. The International Fire Code, 2012 Edition | J. ICC-A117.8-2003, Providing Accessibility & Usability for Physically HC People |
| | K. Americans with Disabilities Act (ADA), latest edition |

BUILDING CODE SUMMARY

Name of Project: Tenant Improvement
Address: 500 East Park Avenue, Greenville SC
Proposed Use: Restaurant
Owner/Contact Person: Wayne Gathings Phone No.: (864) 630-1629
Code Enforcement Jurisdiction: Greenville

DESIGNER OF RECORD:			
DESIGNER	NAME	LICENSE No.	TELEPHONE No.
Architectural:	Lawrence J. Delaney III	8048	(864) 710-0300

CODES COMPLIANCE REVIEW AND RELATED INFORMATION (AS OF DATE 2-18-2016)

BUILDING DATA:

Occupancy: ☒ Assembly ☐ Business ☐ Educational ☐ Mercantile
☐ Hazardous ☐ Factory-Industrial ☐ Institutional (unrestrained)
☐ Institutional (unrestrained) Use Condition _____
☐ Residential ☐ Storage _____

Mixed Occupancy: Yes _____ No X Separation: 0 Hr.

Construction Type: ☐ IA ☐ IB ☐ IIA ☐ IIB ☐ IIIA
☐ IIIB ☐ IV ☐ IVA ☒ V ☐ VI
Mixed Construction Yes _____ No X

Sprinkled: Yes _____ No X ()

Fire District: Yes _____ No X

Building Height: 21'-0"± Number of Stories: 1

Mezzanine: Yes _____ No X

High Rise: Yes _____ No X

Building Design Occupant Load						
	SF (as designed)	SF as Allowed by IBC			No. of Exits Req'd	No. of Exits Provided
Area	Occupancy Type	Occupancy Floor Area	Floor Area in SF/occupant	Occ. per floor per occupancy		
Interior Dining	A-2	443	15	38	2	3
Bar		160"	1 : 18"	9		
Kitchen		417	200	3		
Exterior Dining		715	15	48		
TOTAL	A-2			98	2	3

Description and Use	(A) Bldg. Area (Actual)	(B) Table 503 Area ₅	(C) Area For Open Space Increase ₁	(D) Area For Sprinkler Increase ₂	(E) Allowable Area or Unlimited ₃	(F) Maximum Building Area ₄
FIRST FLOOR	1,740					
PATIO	860					
TOTAL BLDG	2,600					

Open Space Area increased from Section 506.2, are computed thus:

- Perimeter which fronts a public way or open space having 20 feet minimum width = $\frac{P}{2}$
- Total lot Perimeter = P
- Ratio $\left(\frac{P}{2} \div P\right) = \frac{P}{2P}$
- W = Minimum width of public way = $\frac{P}{2P} \times P$
- Percent of frontage increases $[W \div 100] [P - 0.25] \times W \div 406.25$

2. The multiplier per Section 506.3 is as follows:

- Multi-story building [W] 200 percent
- Single Story building [W] 300 percent

3. Unlimited area applicable under conditions of Sections Group B, F, M, S, A4, 507.1, 507.2, 507.3, 507.5, 507.6, 507.7, 507.8, 507.9, 508.1, 508.2, 508.3, 508.4, 508.5, 508.6, 508.7, 508.8, 508.9, 509.1, 509.2, 509.3, 509.4, 509.5, 509.6, 509.7, 509.8, 509.9, 510.1, 510.2, 510.3, 510.4, 510.5, 510.6, 510.7, 510.8, 510.9, 511.1, 511.2, 511.3, 511.4, 511.5, 511.6, 511.7, 511.8, 511.9, 512.1, 512.2, 512.3, 512.4, 512.5, 512.6, 512.7, 512.8, 512.9, 513.1, 513.2, 513.3, 513.4, 513.5, 513.6, 513.7, 513.8, 513.9, 514.1, 514.2, 514.3, 514.4, 514.5, 514.6, 514.7, 514.8, 514.9, 515.1, 515.2, 515.3, 515.4, 515.5, 515.6, 515.7, 515.8, 515.9, 516.1, 516.2, 516.3, 516.4, 516.5, 516.6, 516.7, 516.8, 516.9, 517.1, 517.2, 517.3, 517.4, 517.5, 517.6, 517.7, 517.8, 517.9, 518.1, 518.2, 518.3, 518.4, 518.5, 518.6, 518.7, 518.8, 518.9, 519.1, 519.2, 519.3, 519.4, 519.5, 519.6, 519.7, 519.8, 519.9, 520.1, 520.2, 520.3, 520.4, 520.5, 520.6, 520.7, 520.8, 520.9, 521.1, 521.2, 521.3, 521.4, 521.5, 521.6, 521.7, 521.8, 521.9, 522.1, 522.2, 522.3, 522.4, 522.5, 522.6, 522.7, 522.8, 522.9, 523.1, 523.2, 523.3, 523.4, 523.5, 523.6, 523.7, 523.8, 523.9, 524.1, 524.2, 524.3, 524.4, 524.5, 524.6, 524.7, 524.8, 524.9, 525.1, 525.2, 525.3, 525.4, 525.5, 525.6, 525.7, 525.8, 525.9, 526.1, 526.2, 526.3, 526.4, 526.5, 526.6, 526.7, 526.8, 526.9, 527.1, 527.2, 527.3, 527.4, 527.5, 527.6, 527.7, 527.8, 527.9, 528.1, 528.2, 528.3, 528.4, 528.5, 528.6, 528.7, 528.8, 528.9, 529.1, 529.2, 529.3, 529.4, 529.5, 529.6, 529.7, 529.8, 529.9, 530.1, 530.2, 530.3, 530.4, 530.5, 530.6, 530.7, 530.8, 530.9, 531.1, 531.2, 531.3, 531.4, 531.5, 531.6, 531.7, 531.8, 531.9, 532.1, 532.2, 532.3, 532.4, 532.5, 532.6, 532.7, 532.8, 532.9, 533.1, 533.2, 533.3, 533.4, 533.5, 533.6, 533.7, 533.8, 533.9, 534.1, 534.2, 534.3, 534.4, 534.5, 534.6, 534.7, 534.8, 534.9, 535.1, 535.2, 535.3, 535.4, 535.5, 535.6, 535.7, 535.8, 535.9, 536.1, 536.2, 536.3, 536.4, 536.5, 536.6, 536.7, 536.8, 536.9, 537.1, 537.2, 537.3, 537.4, 537.5, 537.6, 537.7, 537.8, 537.9, 538.1, 538.2, 538.3, 538.4, 538.5, 538.6, 538.7, 538.8, 538.9, 539.1, 539.2, 539.3, 539.4, 539.5, 539.6, 539.7, 539.8, 539.9, 540.1, 540.2, 540.3, 540.4, 540.5, 540.6, 540.7, 540.8, 540.9, 541.1, 541.2, 541.3, 541.4, 541.5, 541.6, 541.7, 541.8, 541.9, 542.1, 542.2, 542.3, 542.4, 542.5, 542.6, 542.7, 542.8, 542.9, 543.1, 543.2, 543.3, 543.4, 543.5, 543.6, 543.7, 543.8, 543.9, 544.1, 544.2, 544.3, 544.4, 544.5, 544.6, 544.7, 544.8, 544.9, 545.1, 545.2, 545.3, 545.4, 545.5, 545.6, 545.7, 545.8, 545.9, 546.1, 546.2, 546.3, 546.4, 546.5, 546.6, 546.7, 546.8, 546.9, 547.1, 547.2, 547.3, 547.4, 547.5, 547.6, 547.7, 547.8, 547.9, 548.1, 548.2, 548.3, 548.4, 548.5, 548.6, 548.7, 548.8, 548.9, 549.1, 549.2, 549.3, 549.4, 549.5, 549.6, 549.7, 549.8, 549.9, 550.1, 550.2, 550.3, 550.4, 550.5, 550.6, 550.7, 550.8, 550.9, 551.1, 551.2, 551.3, 551.4, 551.5, 551.6, 551.7, 551.8, 551.9, 552.1, 552.2, 552.3, 552.4, 552.5, 552.6, 552.7, 552.8, 552.9, 553.1, 553.2, 553.3, 553.4, 553.5, 553.6, 553.7, 553.8, 553.9, 554.1, 554.2, 554.3, 554.4, 554.5, 554.6, 554.7, 554.8, 554.9, 555.1, 555.2, 555.3, 555.4, 555.5, 555.6, 555.7, 555.8, 555.9, 556.1, 556.2, 556.3, 556.4, 556.5, 556.6, 556.7, 556.8, 556.9, 557.1, 557.2, 557.3, 557.4, 557.5, 557.6, 557.7, 557.8, 557.9, 558.1, 558.2, 558.3, 558.4, 558.5, 558.6, 558.7, 558.8, 558.9, 559.1, 559.2, 559.3, 559.4, 559.5, 559.6, 559.7, 559.8, 559.9, 560.1, 560.2, 560.3, 560.4, 560.5, 560.6, 560.7, 560.8, 560.9, 561.1, 561.2, 561.3, 561.4, 561.5, 561.6, 561.7, 561.8, 561.9, 562.1, 562.2, 562.3, 562.4, 562.5, 562.6, 562.7, 562.8, 562.9, 563.1, 563.2, 563.3, 563.4, 563.5, 563.6, 563.7, 563.8, 563.9, 564.1, 564.2, 564.3, 564.4, 564.5, 564.6, 564.7, 564.8, 564.9, 565.1, 565.2, 565.3, 565.4, 565.5, 565.6, 565.7, 565.8, 565.9, 566.1, 566.2, 566.3, 566.4, 566.5, 566.6, 566.7, 566.8, 566.9, 567.1, 567.2, 567.3, 567.4, 567.5, 567.6, 5

PLUMBING CALCULATIONS

OCCUPANCY: 98 Max (49/49 M/F) TYPE : Assembly - A-2

WATER CLOSETS: REQUIRED - 2 PROVIDED - 2

LAVATORIES: REQUIRED - 2 PROVIDED - 2

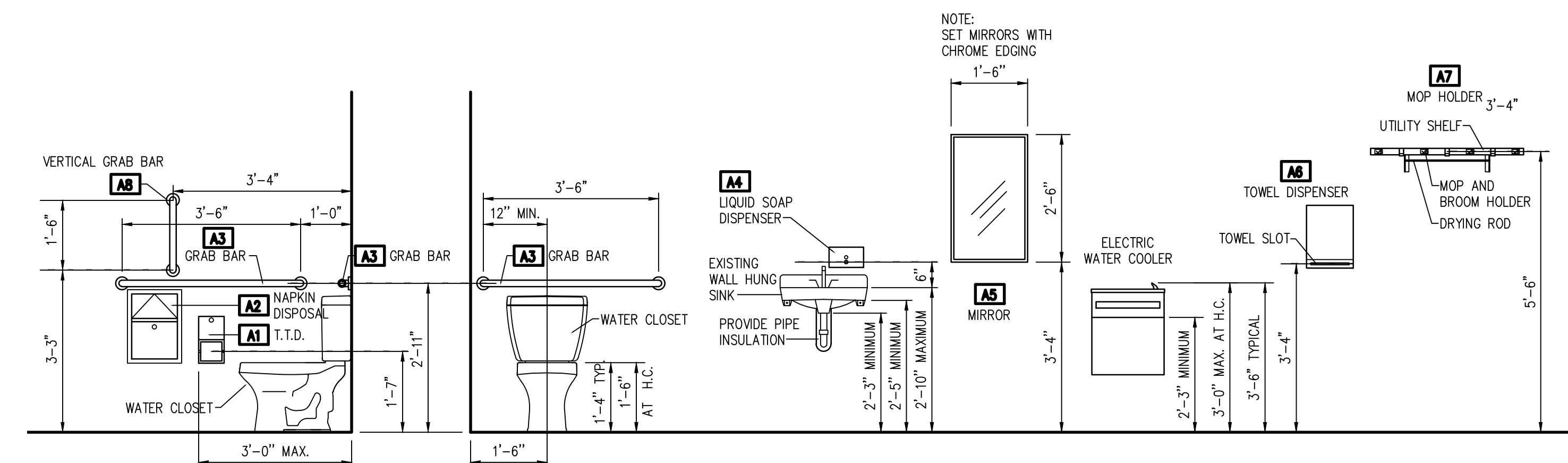
OTHER: SERVICE SINK: REQUIRED 1 PROVIDED 1

WATER FOUNTAIN: REQUIRED 0 PROVIDED 0SHOWER: REQUIRED 0 PROVIDED 0

ACCESSORY SCHEDULE

DESIGNATION	DESCRIPTION	MANUFACTURER NUMBER
A1	TOILET TISSUE HOLDER, SURFACE MOUNTED	BOBRICK: B-2888
A2	SANITARY NAPKIN DISPOSAL, SURFACE MOUNTED	BOBRICK: B-254
A3	HORIZONTAL GRAB BARS	BOBRICK: B-5806-99 SERIES
A4	LIQUID SOAP DISPENSER	BOBRICK: B-4112
A5	MIRROR, 18" X 30" GLASS WITH FRAME	BOBRICK: B-1658 SERIES
A6	PAPER TOWEL DISPENSER, SURFACE MOUNTED	BOBRICK: B-262
A7	MOP HOLDER/SHELF	BOBRICK: B-224X36
A8	VERTICAL GRAB BAR	BOBRICK: B-5806-99 SERIES

ACCESSORY DETAILS



BUILDING CODE SUMMARY

LIFE SAFETY SYSTEM:

Emergency Lighting and Exit Signs	Yes <u>X</u>	No _____
Fire Alarm and Smoke Detection Systems	Yes <u>X</u>	No _____
Panic Hardware	Yes <u>X</u>	No _____

EXIT REQUIREMENTS:		Feet
Dead end limit—maximum condition	<u>20'</u>	Feet
Travel distance to exit—maximum condition	<u>76'</u>	Feet
Travel distance to exit—allowable	<u>200'</u>	

Number of Exits: EXISTING

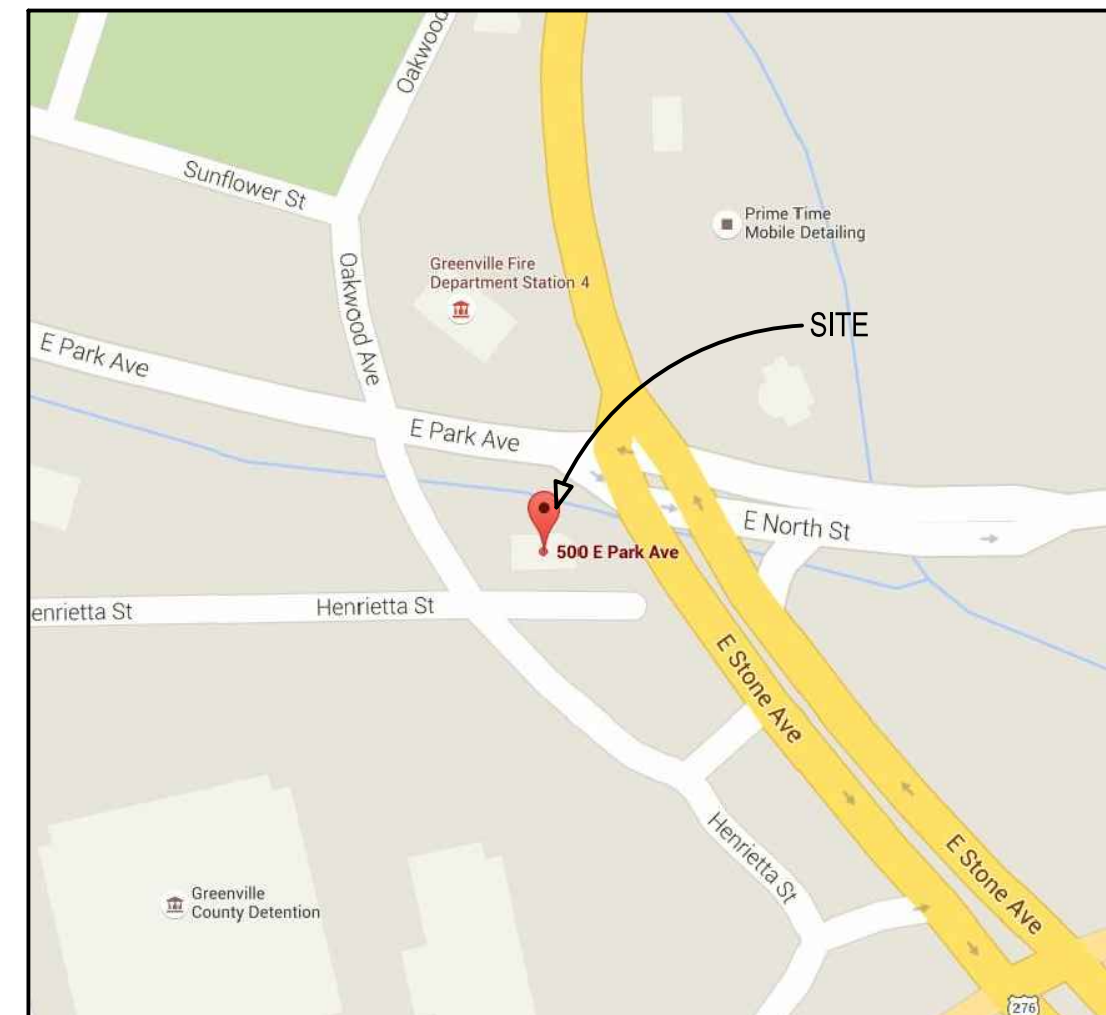
Total Square Footage of New and Existing Area: 2,600
divided by varies net square feet per person = 98 People

Number of doors provided: 3 Number of doors required: 2

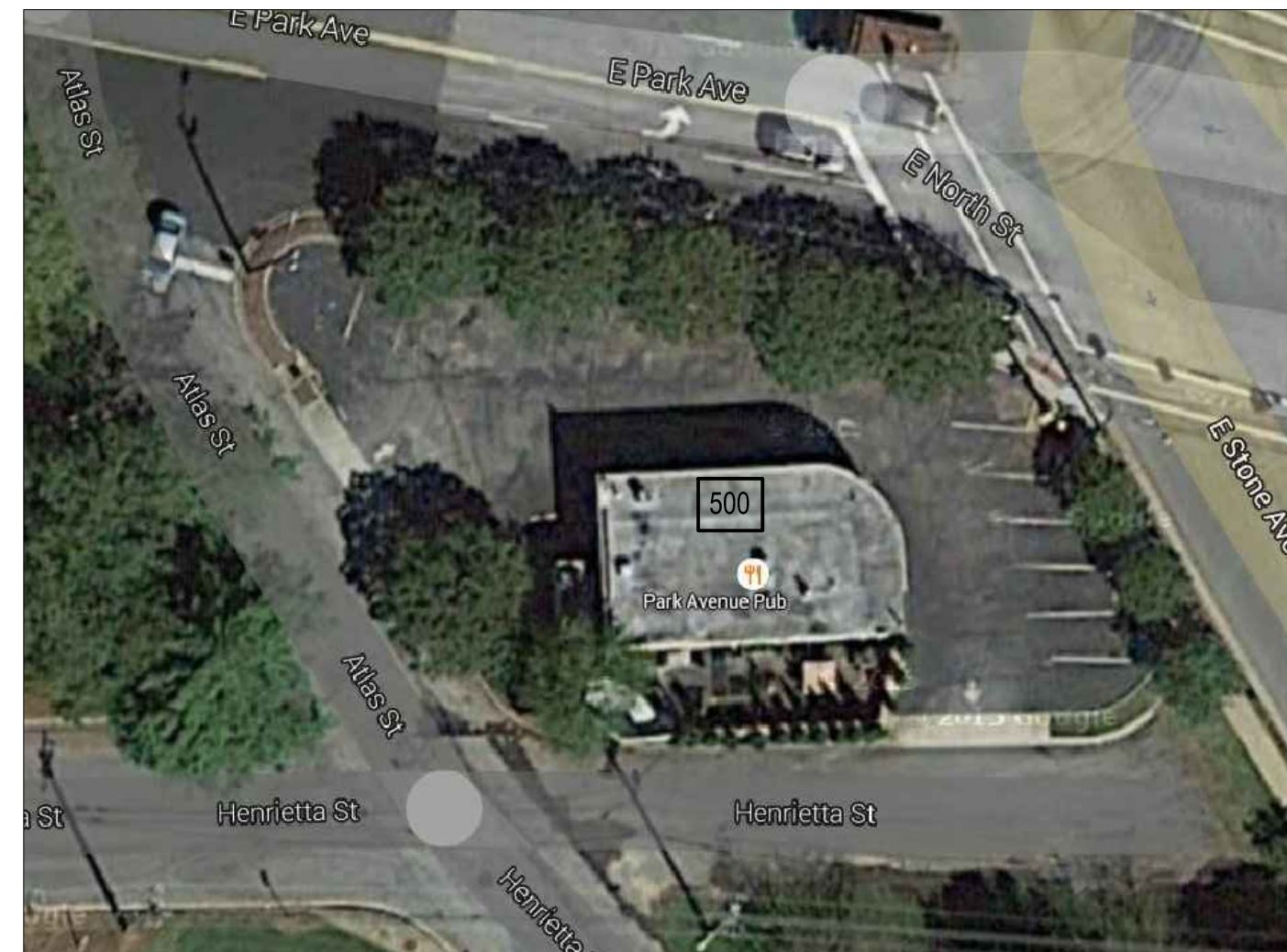
EXIT WIDTH

First floor = 80 occupants = 16" required 114" provided

PROJECT LOCATION

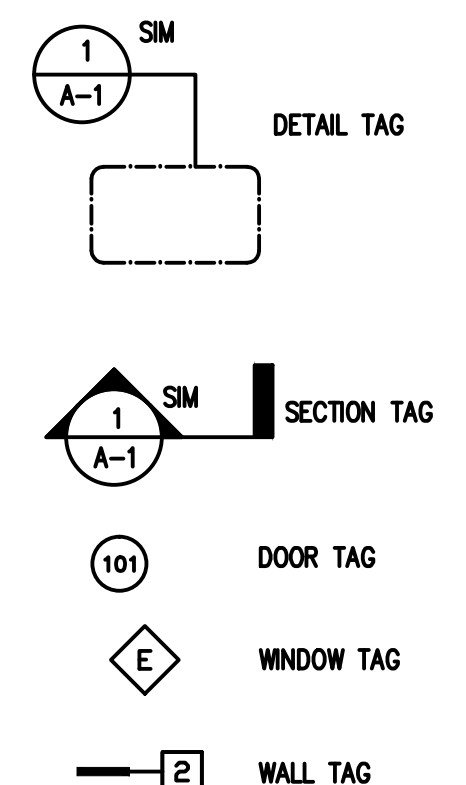


SITE VICINITY MAP

SITE AERIAL
NTS

NOTE: NO SITE WORK REQUIRED FOR RENOVATION
NO EXTERIOR SIGNAGE CHANGES UNDER THIS PERMIT

DRAWING SYMBOL LEGEND



2-18-2016

STATE OF SOUTH CAROLINA

LAWRENCE JOSEPH DELANEY III

GREENVILLE

No. 8048

REGISTERED ARCHITECT

COVER

Sheet Number:

A-0

A-1

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1 LIFE SAFETY PLAN

1/4"=1'-0"

GENERAL NOTES

- A. PROVIDE AN OCCUPANT LOAD SIGN: "MAXIMUM CAPACITY - XXX PERSONS" G.C. TO VERIFY THE EXACT LOCATION AND PROPER WORDING WITH THE LOCAL FIRE DEPARTMENT HAVING JURISDICTION. A NO SMOKING SIGN SHALL ALSO BE PROVIDED.
- B. PROVIDE EXIT DOOR TACTILE SIGNAGE IN ACCORDANCE WITH NFPA 101.7.10.1.3 SIGNS ARE TO BE 4X4 READING "EXIT" AND INCLUDING BRAILLE TEXT. SIGNS TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF ICC/ANSI A117.1 SIGNS TO BE MOUNTED BETWEEN 48" & 60" A.F.F. TO THE CENTER AND SHALL BE LOCATED TO THE LATCH SIDE OF SINGLE DOORS AND TO THE RIGHT OF DOUBLE DOORS. BEFORE INSTALLATION VERIFY THE SIGNAGE TYPE AND LOCATION WITH THE FIRE MARSHAL.
- C. PORTABLE FIRE EXTINGUISHERS TO BE MINIMUM 2A:10BC AND LOCATED SUCH THAT THE MAXIMUM TRAVEL DISTANCE TO AN EXTINGUISHER DOES NOT EXCEED 75-FT, PROVIDE ONE TYPE K' FIRE EXTINGUISHER IN KITCHEN.
- D. FIRE EXTINGUISHERS SHALL BE INSTALLED SO THAT THE TOP OF THE FIRE EXTINGUISHER IS NOT MORE THAN 5 FT ABOVE THE FLOOR AND MUST BE KEPT ON A BRACKET, ON A HANGER, OR IN AN APPROVED CABINET OR WALL RECESS.
- E. GC TO CONFIRM FIRE EXTINGUISHER PLACEMENT AND QUANTITIES WITH FIRE MARSHAL PRIOR TO INSTALLATION. PROVIDE ADDITIONAL FIRE EXTINGUISHERS AS REQUIRED BY FIRE MARSHAL.
- F. PROVIDE RAISED CHARACTER AND BRAILLE EXIT SIGNS STATING "EXIT" ADJACENT TO EACH EXIT PASSAGEWAY AND EXIT DISCHARGE.
- G. EXIT SIGNS ARE TO BE PLACED WHERE THE EXIT OR PATH TO EXIT IS NOT READILY VISIBLE. ADDITIONAL ILLUMINATED EXIT SIGNS MAY BE REQUIRED WHERE MISSING AT AREAS SUCH THAT VISIBILITY & SIGHT LINES ARE MAINTAINED ANY POINT DIRECTIONALLY.
- H. ALL INTERIOR WALL AND CEILING FINISHES TO BE CLASS 'C' OR BETTER.
- I. ALL FLOOR FINISHES TO BE CLASS II IN ACCORDANCE WITH NFPA 253.

KEYED NOTES

- 1 PROVIDE, ADJUST AND/OR AMEND INDICATED EMERGENCY LIGHT LOCATIONS AS REQUIRED TO MEET THE REQUIREMENTS OF NFPA 101.
- 2 AT THE EXISTING MAIN ENTRANCE DOOR PROVIDE A READILY VISIBLE SIGN WITH 1" LETTERS ON CONTRASTING BACKGROUND PLACED ON THE EGRESS SIDE OR ADJACENT TO THE DOOR STATING: "THIS DOOR TO REMAIN UNLOCKED WHEN THE BUILDING IS OCCUPIED"
- 3 EXISTING DOOR PANIC HARDWARE TO REMAIN.
- 4 EXISTING HANDICAP ACCESSIBLE RESTROOMS TO REMAIN.

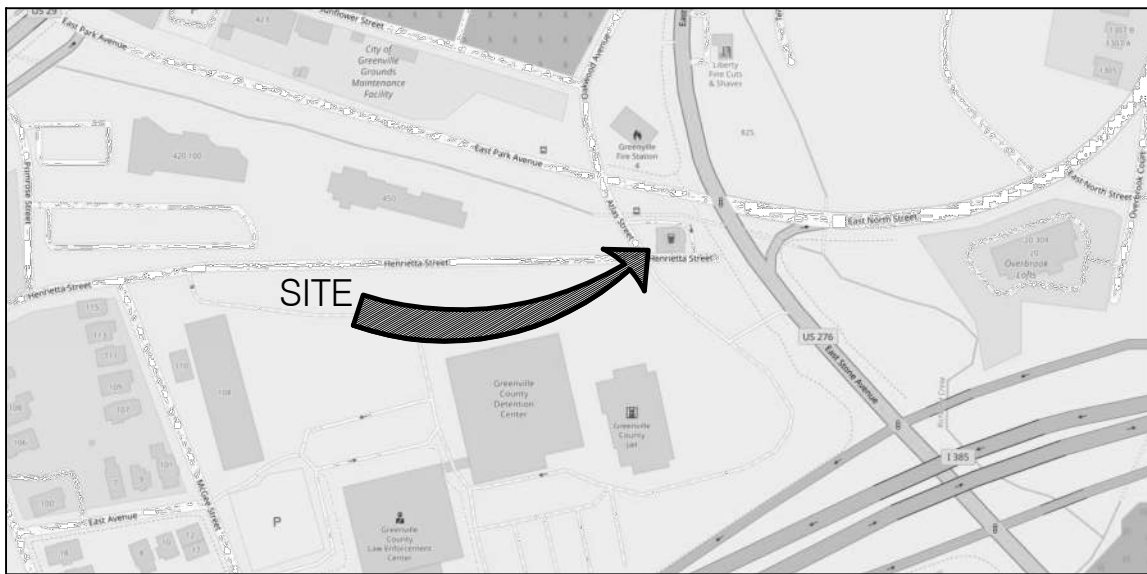
DESIGNERS OF RECORD

DESIGNER NAME LICENSE TELEPHONE
ARCHITECTURAL: LAWRENCE J. DELANEY III 8048 (864) 900-2262

LIFE SAFETY LEGEND

- EXIT LIGHT
EXIT LIGHT WITH DIRECTIONAL INDICATORS
EXIT LIGHT WITH EMERGENCY LIGHTS
EMERGENCY LIGHT
FIRE EXTINGUISHER
- EGRESS COMPONENT
OCCUPANTS ALLOWED
ACTUAL WIDTH
ACTUAL OCCUPANT LOAD

LOCATION MAP



CODE SUMMARY

DESIGNED IN ACCORDANCE WITH	
CODE	EDITION
International Building Code (with SC State Amendments)	2021
International Mechanical Code	2021
National Electric Code (with SC State Amendments)	2020
International Plumbing Code	2021
International Fire Code (with SC State Amendments)	2021
International Energy Conservation Code	2009
NFPA 101 Life Safety Code	2021
ICC/ANSI A117.1 SC Barrier Free Building Design Standard	2017

PROJECT NARRATIVE

- THIS PROJECT CONSISTS OF A CHANGE OF OCCUPANT IN AN EXISTING BAR/RESTAURANT, ONE LEVEL SLAB ON GRADE, ALL EXISTING EXITS TO REMAIN.

ALLOWABLE HEIGHTS AND NUMBER OF STORIES (TABLES 504.3, 504.4)

OCCUPANCY	CONSTRUCTION TYPE	MAX. HEIGHT (FT) ALLOWED	NO. OF STORIES ALLOWED	NO. OF STORIES PROVIDED
A-2	VB-NON SPRINKLERED	40'-0"	15'-0"	1

ALLOWABLE BUILDING AREAS (TABLE 506.2)

AREA	OCCUP. TYPE	CONST. TYPE	TAB. AREA ALLOWED	OPEN SPACE INCREASE	TOTAL AREA ALLOWED	ACTUAL PROVIDED
CIGAR BAR	A-2	VB	6,000 SF	N/A	6,000 SF	2,354 SF
TOTAL					2,354 SF	

FIRE RESISTANCE RATING (HOURS) REQUIREMENTS FOR BUILDING ELEMENTS (TABLE 601)		
BUILDING ELEMENT	REQUIRED	PROVIDED
PRIMARY STRUCTURAL FRAME	0	0
BEARING WALLS - EXTERIOR	0	0
BEARING WALLS - INTERIOR	0	0
NONBEARING WALLS - EXTERIOR (PER TABLE 602)	0	0
NONBEARING WALLS - INTERIOR	0	0
FLOOR CONSTRUCTION	0	0
ROOF CONSTRUCTION	0	0

INTERIOR WALL AND FINISH REQUIREMENTS (TABLE 803.1.1)

BUILDING ELEMENT	REQUIRED	PROVIDED
INTERIOR EXIT STAIRWAYS, INTERIOR EXIT RAMPS AND EXIT PASSAGeways	A	N/A
CORRIDORS AND ENCLOSURE FOR EXIT ACCESS STAIRWAYS AND EXIT ACCESS RAMPS	B	N/A
ROOMS AND ENCLOSED SPACES	C	C

MAXIMUM OCCUPANT LOAD (TABLE 1004.1.2)

FLOOR	USE OF SPACE	FLOOR AREA	FLOOR AREA ALLOWED PER OCCUPANT	OCCUPANT LOAD
GROUND	DINING	402 GSF	15 GSF	26.8
GROUND	BAR	COUNT	ACTUAL	9
GROUND	KITCHEN	346 GSF	200 GSF	1.7
GROUND	PATIO	282 GSF	15 GSF	16.8
GROUND	PATIO BAR	COUNT	ACTUAL	21
TOTAL OCCUPANT LOAD				76

EGRESS WIDTH PER OCCUPANCY SERVED (SECTION 1005)

OCCUPANCY, FLOOR, ROOM, OR SPACE	SPRINKLERED	REQUIRED INCHES PER OCCUPANT	REQUIRED TOTAL INCHES	PROVIDED TOTAL INCHES
	YES	NO	STAIRWAYS	OTHER
A-2	X	0.3	0.15	N/A

EXIT REQUIREMENTS (TABLE 1006.3.1)

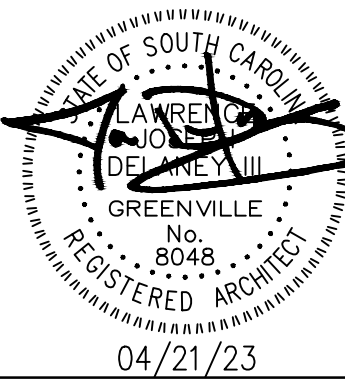
FLOOR/SPACE	OCCUPANT LOAD	NUMBER OF EXITS		ACCESSIBLE EXITS	
		REQUIRED	PROVIDED	REQUIRED	PROVIDED
GROUND FLOOR	76	2	2	1	2

MAXIMUM TRAVEL DISTANCE (TABLE 1017.2)

FLOOR/SPACE	SPRINKLERED	MAXIMUM ALLOWED TRAVEL DISTANCE	MAXIMUM ACTUAL TRAVEL DISTANCE
	YES	NO	
A-2	X	200'-0"	67'-9"

PLUMBING FIXTURES (TABLE 403.1)

TOTAL OCCUPANT LOAD:	76	OCCUPANCY CLASSIFICATION: ASSEMBLY	
ITEM	CALCULATION	REQUIRED	PROVIDED
WATER CLOSETS	1:40	2	2
LAVATORIES	1:75	2	2
DRINKING FOUNTAINS	1:500	1	0
SERVICE SINK		1	1
SHOWER		0	0



TORCH CIGAR PUB
500 EAST PARK AVENUE
GREENVILLE, SC

Job Number:
23052

Date:
21 APR 2023

Revision # Revision Date

LIFE
SAFETY
PLAN

LS1.1



**Planning Staff Report to
Board of Zoning Appeals
May 5, 2023**
for the May 11, 2023 Public Hearing

Docket Number:	S 23-254
Applicants:	Cooper Construction Company, Inc. (Richard Bartels) and Adeptus Architecture (Barry Agnew)
Property Owner:	Odum Investments, LLC
Property Location:	2643 Laurens Road
Tax Map Number:	026300-03-00400
Acreage:	6.427
Zoning:	S-1, Service District SSO, Special Sign Overlay District
Proposal:	SPECIAL EXCEPTION PERMIT to expand 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: 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 Owner, Odum Investments, LLC and is not transferrable.
3. The Special Exception Permit shall be recorded in the Greenville County Office of the Register of Deeds within 30 days upon execution by the Administrator.
4. The building shall be designed to ensure that any service bay or garage doors that face Laurens Road are recessed at least 15 feet beyond the main façade of the building.

Staff Analysis:

The Applicants, Cooper Construction Company, Inc. (Richard Bartels) and Adeptus Architecture (Barry Agnew) on behalf of Owner Odum Investments, LLC propose to expand an existing automobile sales use in an S-1, Service district. The subject site is located at 2643 Laurens Road and is part of the Big O Dodge of Greenville automobile dealership campus.

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 demolish an existing building and construct a new one story, 4,957 SF service building in its place. Site work will include parking, pedestrian path, and landscaping improvements. According to the information submitted and provided to staff, the new building will feature wash/detail bays, mechanical service bays, and a lobby area. A covered balcony area for employees is also proposed along the rear of the building. The primary purpose of this new building will be automobile service and automobile repair. Staff was informed the repair work does not include painting, bodywork, or framework, but would include engine rebuild and repair work. These uses are being considered accessory to the principal automobile sales use. No alterations to the existing sales building or changes to the remaining portion of the automobile dealership campus are proposed.

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 in the 'Urban Node Mixed-Use' classification.

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.

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.*

Although the subject property is already in use as an automobile sales use, the property nor dealership have a previous Special Exception Permit. The Applicant has stated their intent to

comply with the applicable automobile sales use specific standards and any other applicable requirements set forth in the Land Management Ordinance (LMO) to the maximum extent practical.

The property and the area dedicated to the use exceeds the minimum two-acre requirement and the building will be located reasonably close to the existing dealership building.

The vehicle display area appears to currently comply or will be able to comply after site work with the use specific standards.

The proposed service building will face the street, but most garage doors are rear loaded. Garage doors that face a public right-of-way will be required to be recessed at least 15 feet beyond the main facade of the building or removed altogether. All service activities will occur inside the building.

No changes related to a public address system or refuse collection were noted in the application or plans. New exterior lighting is proposed and will be required to meet all standards in the Land Management Ordinance.

The provided plans account for the required street yard buffer. No screening wall will be required.

Although automobile repair work will occur, no junked vehicle storage areas or other outdoor storage was proposed.

Staff finds, with appropriate conditions, 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:** Undeveloped (S-1, Service district)
- North:** Undeveloped (S-1)
- West:** Automobile sales (C-3, Regional commercial district)
- South:** Automobile sales and shopping center (S-1)

The subject property is located along Laurens Road, along the stretch commonly known as the motor mile. Adjacent properties include automobile sales uses as well as other non-residential uses. The closest residential use is the Velo Verdae Apartments, which are separated from the subject property by undeveloped commercially zoned property.

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. New lighting on the building along with any changes to the existing site lighting would be required to comply with the Land Management Ordinance. The existing wooded area to the rear of the dealership campus will remain in place to ensure limited visibility from the nearby residential apartments.

No adverse impacts are anticipated regarding delivery, parking, loading, and odors. The use is not anticipated to create a nuisance. Parking and service areas for the property and campus are already existing. Modifications to the property account for customer parking, employee parking, and display areas around the new building. No changes to the entry/exit points onto Laurens Road are proposed. No changes to delivery patterns were noted and trash will be handled through existing collection.

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

Staff 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:

None.

Environmental Engineer Comments

Comments:

Confirm that existing building to be replaced has a sewer lateral in adequate condition and is directly plumbed to the sanitary sewer system

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*: Richard Bartels Cooper Construction Company, Inc.
* _____ Name Title / Organization
permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: Barry Agnew Adeptus Architecture
(Optional) _____ Name Title / Organization

MAILING ADDRESS: 761 S. Allen Rd, Flat Rock NC 28731

PHONE: 828-692-7238 **EMAIL:** rbartels@cooperconst.com

PROPERTY OWNER: ODUM INVESTMENTS LLC

MAILING ADDRESS: 525 Stringer Rd, Anderson SC, 29601

PHONE: 864-918-2541 **EMAIL:** kyleodum@bigododge.com

PROPERTY INFORMATION

STREET ADDRESS: 2643 Laurens Rd, Greenville, SC 29607

TAX PARCEL #: 0263000300400 **ACREAGE:** 6.427 **ZONING DESIGNATION:** S-1

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Automobile repair, servicing, wash and detailing.

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. ☐

4/6/23

4-6-23

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 new construction for this property complies with the relevant requirements of Greenville City's Code of Ordinances article 19 for it's uses, primarily being automobile servicing, and does not alter the way this site is being currently used.

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

The intended use for the building of this site is for automobile repair, servicing, wash and detailing and shall take place entirely within the enclosed building.

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

The proposed use for the building and site is consistent with the existing use of the site as well as many of the neighboring sites at this portion of highway 276.

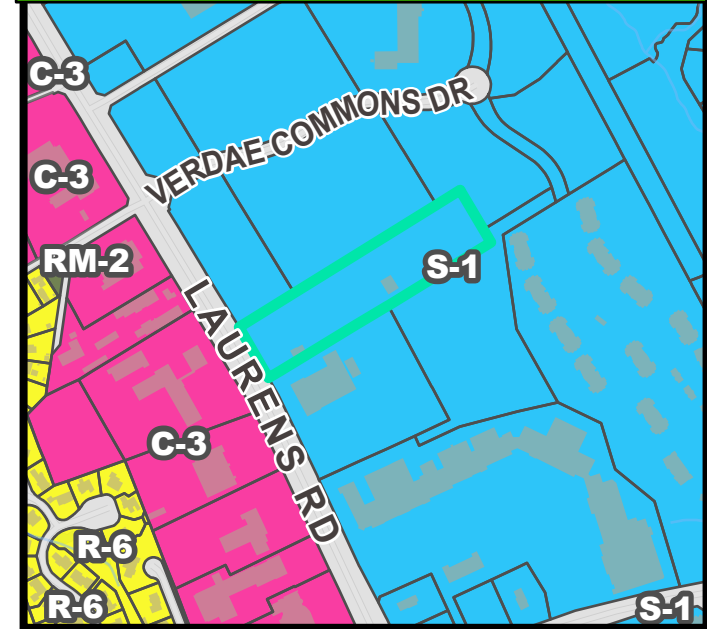
4. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL MINIMIZE ADVERSE EFFECTS ON ADJACENT LANDS INCLUDING: VISUAL IMPACTS; SERVICE DELIVERY; PARKING AND LOADING; ODORS; NOISE; GLARE; AND, VIBRATION. DESCRIBE THE WAYS IN WHICH THE REQUEST WILL NOT CREATE A NUISANCE.

The new building and site use is consistent with the existing use and will not change the way it impacts occupants of adjacent areas. Any changes for the site's parking and landscape requirements will not alter the existing entry/exits to the site.

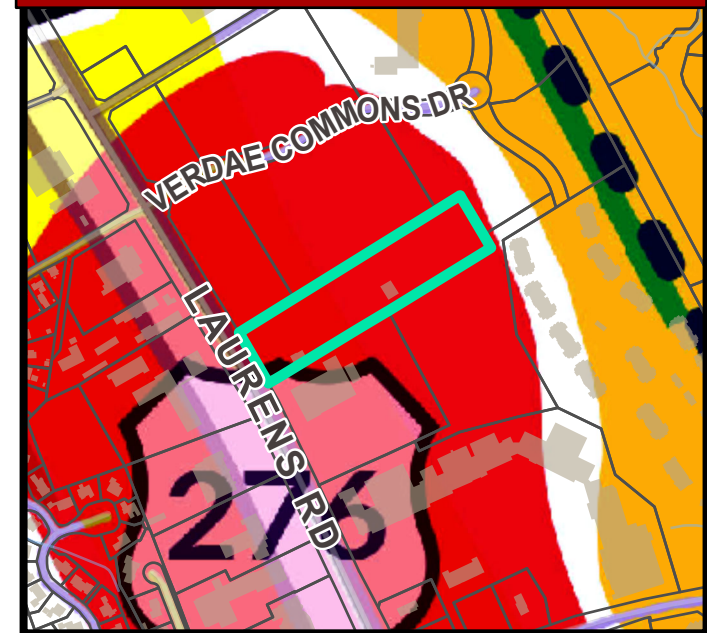
AERIAL VIEW



CURRENT ZONING



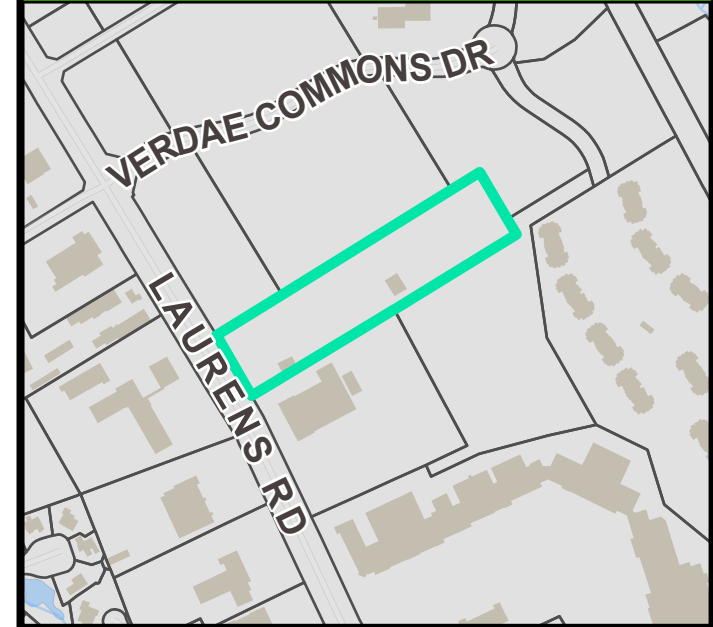
FUTURE LAND USE



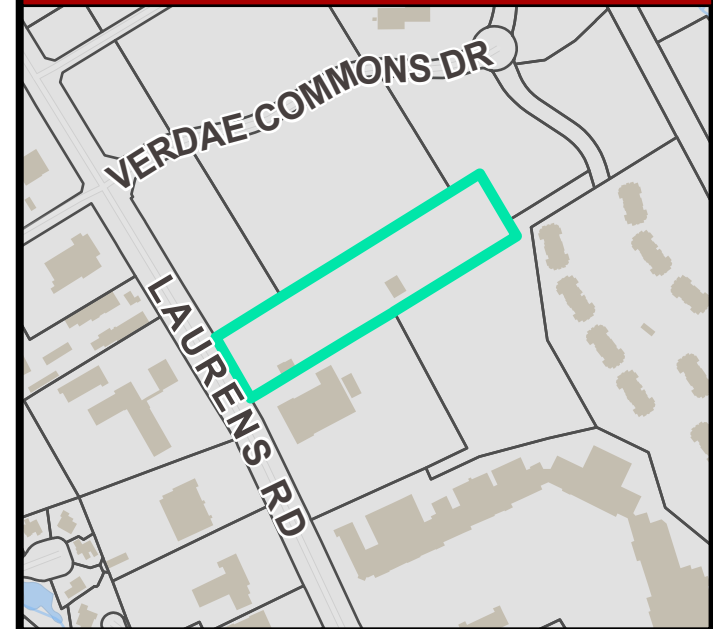
NATURAL / ENVIRONMENTAL FEATURES



SPECIAL EMPHASIS NEIGHBORHOODS



PRESERVATION OVERLAYS



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HIGHWAY 276 - LAURENS ROAD

PROPERTY LINE
SET BACK
EXISTING FIRE
HYDRANT

EXISTING TREE WITH
APPROXIMATELY 20'
WIDE CANOPY

CUSTOMER PARKING AREA (8 SPOTS)

EMPLOYEE PARKING (11 SPOTS)

PROVIDE STRIPING AT
DESIGNATED PEDESTRIAN
WALKWAY ON PAVEMENT,
MINIMUM 5' WIDE

NEW CONCRETE WALKWAY
SHOWN HATCHED

PROVIDE STRIPING AT
NEW PARKING SPACES
AT BUILDING ENTRANCE

CUSTOMER PARKING AREA (6 SPOTS)

NEW CONCRETE WALKWAY
SHOWN HATCHED

11 OFF-STREET BICYCLE
PARKING SPACES ARE
REQUIRED PER LMO
SECTION 19-6.13 (C).
SEE BIKE RACK LAYOUT
DETAILS SHEET A4.01

EXISTING BUILDING
TO BE REMOVED
SHOWN DASHED

PROVIDE OPAQUE SCREENING,
1' HIGHER THAN DUMPSTER
HEIGHTS, ON THREE SIDES OF
THE DUMPSTER LOCATION PER
LAND MANAGEMENT
ORDINANCE 19-6.5.1-H

EXISTING
DUMPSTER
PAD

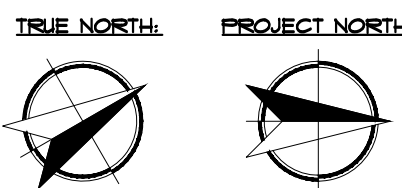
EXISTING DISPLAY PARKING, ENSURE ALL EXISTING
PARKING SPOTS ARE CLEARLY MARKED AND
RESTRIPE AS NECESSARY

PROVIDE STRIPING AT
DESIGNATED PEDESTRIAN
WALKWAY ON PAVEMENT,
MINIMUM 5' WIDE

SET BACK
PROPERTY LINE

ARCHITECTURAL SITE PLAN

SCALE: 1/16" = 1'-0"



HIGHWAY 276 - LAURENS ROAD

NEW VEHICLE
SERVICE BUILDING

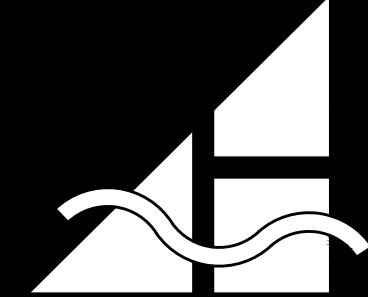
EXISTING
STORAGE
BUILDING

PROPERTY LINES
SHOWN DASHED

EXISTING SALES
BUILDING

KEY SITE PLAN

PHONE 828-692-7238
FAX 828-696-9978
COOPER
CONSTRUCTION COMPANY, INC.
761 S. ALLEN ROAD
FLAT ROCK, NC 28731
PO BOX 806 HENDERSONVILLE, NC 28793



ADEPTUS ARCHITECTURE, INC.
121 MANLY STREET GREENVILLE,
SC 29601 864-242-2514

General Contractor to comply with all
state and local codes. Any discrepancies
in plans shall be discussed with Architect
prior to assembly, ordering, and
construction.

DO NOT SCALE DIMENSIONS FROM
BLUEPRINT

NEW SERVICE BUILDING
FOR
BIG O DODGE

Revisions:

Scale:
As Noted

Date:
April 7, 2023

Drawn By:
BDC

Checked By:

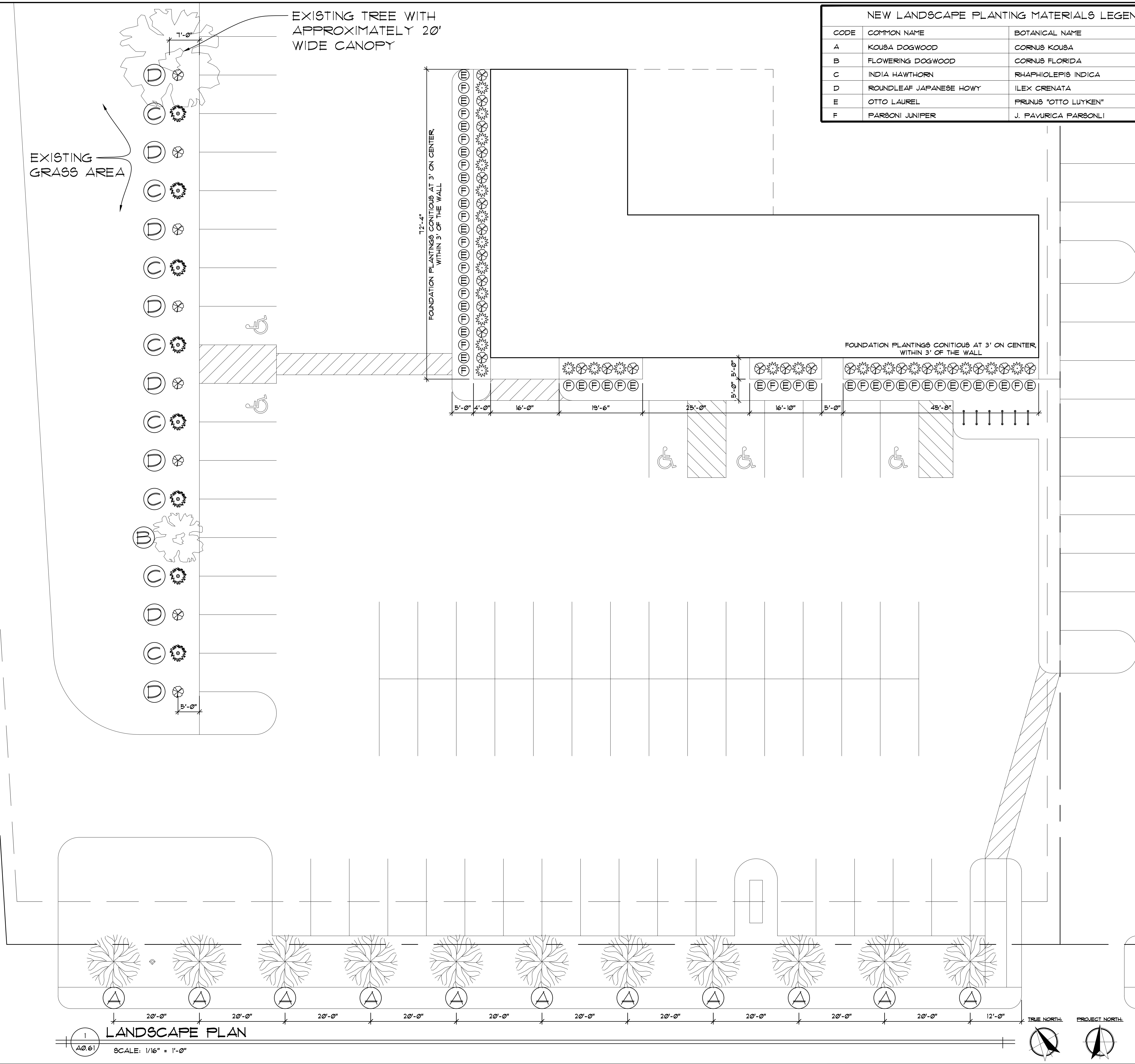
Project no.
2243

Description:
SITE PLAN

Sheet no.

A0.51

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NEW LANDSCAPE PLANTING MATERIALS LEGEND				
CODE	COMMON NAME	BOTANICAL NAME	SIZE	QTY.
A	KOUSA DOGWOOD	CORNUS KOUSA	12' TALL	11
B	FLOWERING DOGWOOD	CORNUS FLORIDA	12' TALL	3
C	INDIA HAWTHORN	RHAPHIOLEPIB INDICA	3 GAL.	8
D	ROUNDLEAF JAPANESE HOWY	ILEX CRENATA	3 GAL.	8
E	OTTO LAUREL	PRUNUS "OTTO LUYKEN"	3 GAL.	26
F	PARSONI JUNIPER	J. FAURICA PARSONI	3 GAL.	24

PHONE 828-692-7238
FAX 828-696-9978
COOPER
CONSTRUCTION COMPANY, INC.
761 S. ALLEN ROAD
FLAT ROCK, NC 28731
PO BOX 806 HENDERSONVILLE, NC 28793

4 / 10 / 2023

4 / 10 / 2023

ADEPTUS ARCHITECTURE, INC.
121 MANLY STREET GREENVILLE, SC 29601 864-242-2514
General Contractor to comply with all state and local codes. Any discrepancies in plans shall be discussed with Architect prior to assembly, ordering, and construction.
DO NOT SCALE DIMENSIONS FROM BLUEPRINT

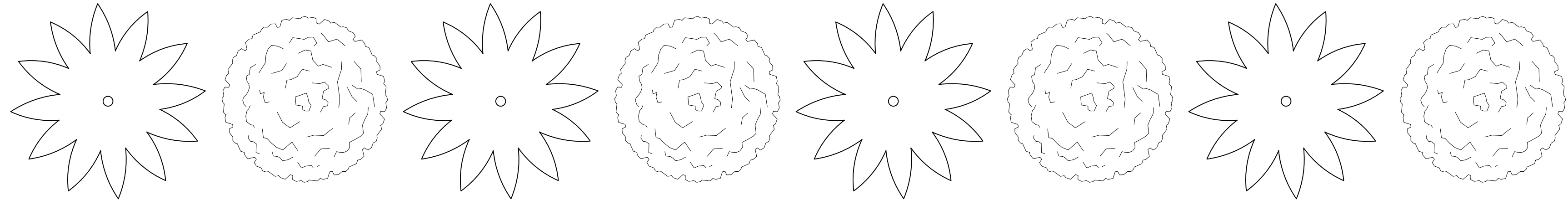
NEW SERVICE BUILDING
FOR
BIG O DODGE

Revisions:

Scale:
As Noted
Date:
April 7, 2023
Drawn By:
BDC
Checked By:

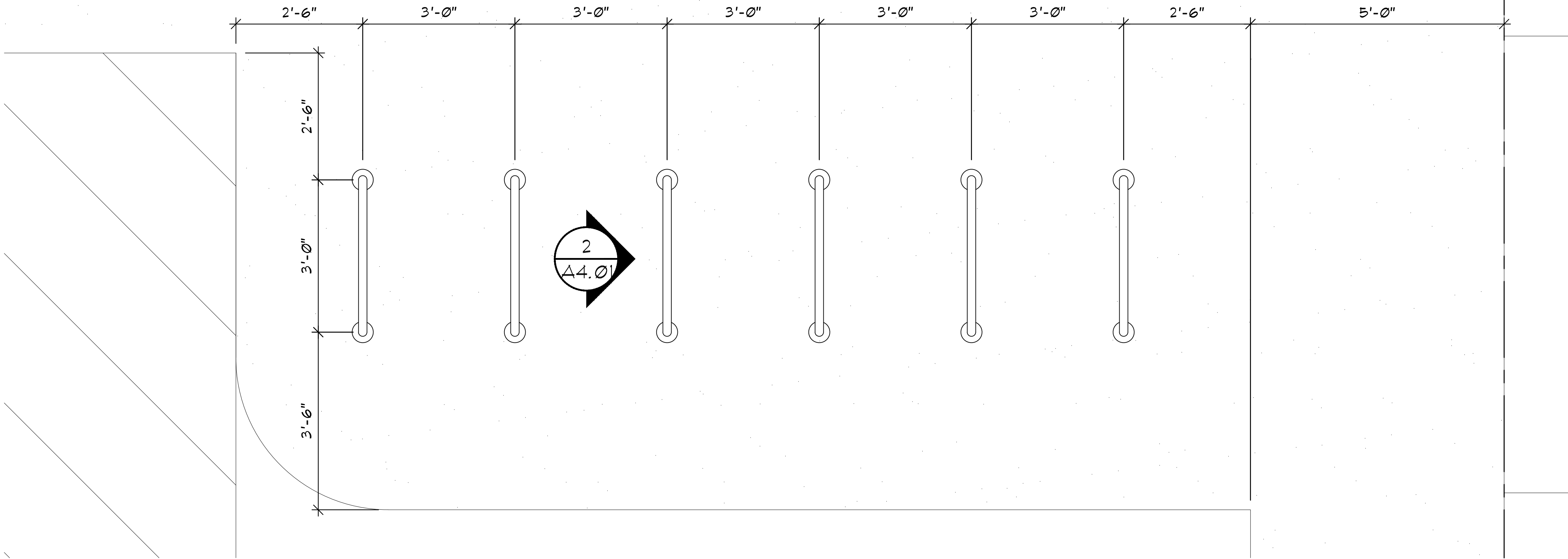
Project no.
2243
Description:
LANDSCAPE PLAN
Sheet no.
A0.61

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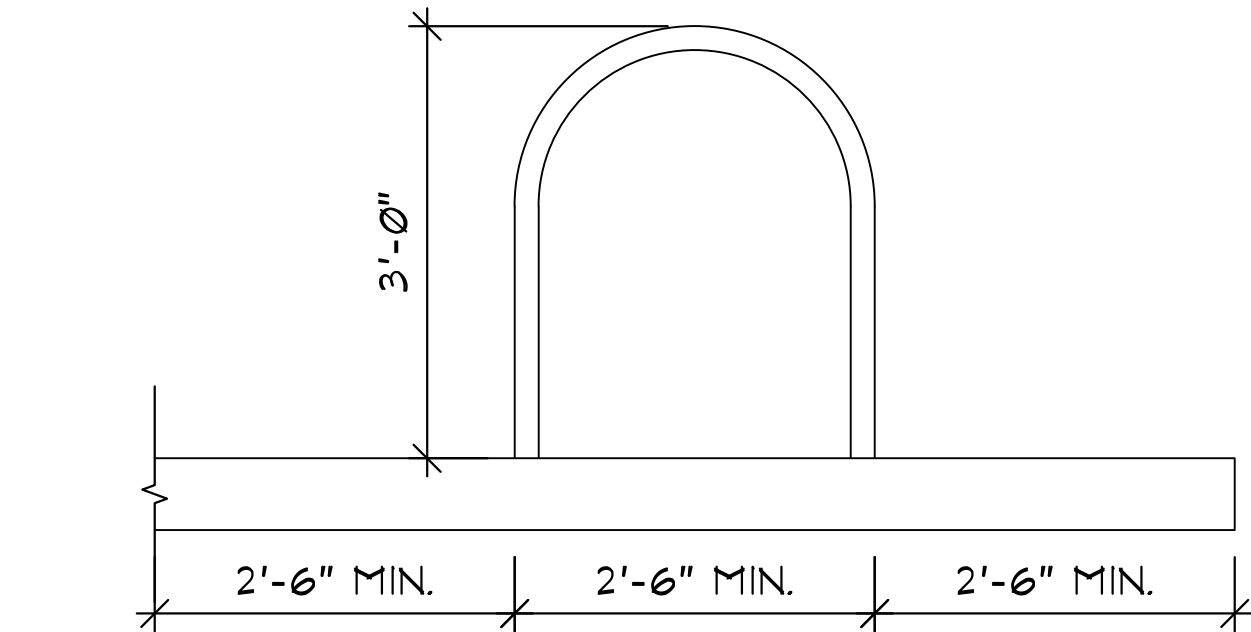


NEW SERVICE BUILDING

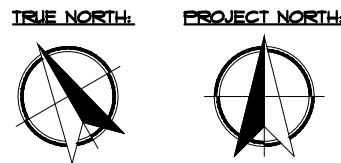
NEW FOUNDATION PLANTINGS,
SEE LANDSCAPE PLAN A0.61



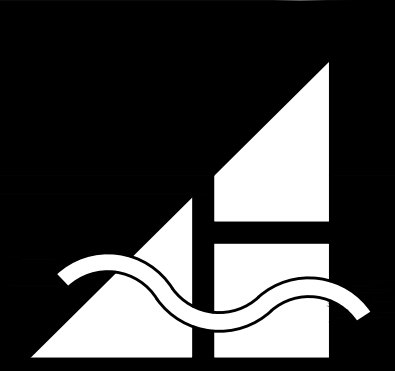
1 ENLARGED BIKE RACK LAYOUT
SCALE: 3/4" = 1'-0"



2 BIKE RACK ELEVATION
SCALE: 3/4" = 1'-0"



PHONE 828-692-7238
FAX 828-696-9978
COOPER
CONSTRUCTION COMPANY, INC.
761 S. ALLEN ROAD
FLAT ROCK, NC 28731
PO BOX 806 HENDERSONVILLE, NC 28793



ADEPTUS ARCHITECTURE, INC.
121 MANLY STREET GREENVILLE,
SC 29601 864-242-2514

General Contractor to comply with all
state and local codes. Any discrepancies
in plans shall be discussed with Architect
prior to assembly, ordering, and
construction.

DO NOT SCALE DIMENSIONS FROM
BLUEPRINT

NEW SERVICE BUILDING
FOR
BIG O DODGE

Revisions:

Scale:
As Noted

Date:
April 7, 2023

Drawn By:
BDC

Checked By:

Project no.
2243

Description:
BIKE RACK DETAILS

Sheet no.

A4.01



AGENDA

BOARD OF ZONING APPEALS REGULAR MEETING

Thursday, May 11, 2023 - 4:00 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. April 11, 2023 – Workshop
 - B. April 13, 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 23-069
Application by O+E Entertainment, LLC (Oscar Quiroga) dba Ibiza for a **SPECIAL EXCEPTION** to establish a 'Nightclub' use operating after midnight in a C-3, Regional commercial district at **50 WOODS LAKE RD** (TM# 028200-01-00412)
 - B. S 23-248
Application by Smoke at the Mill, LLC (Charles Porter) dba Torch Cigar Pub for a **SPECIAL EXCEPTION** to establish a 'Bar' use in a C-2, Local commercial district at **500 E PARK AV** (TM# 003905-01-00100)
 - C. S 23-254
Application by Cooper Construction Company, Inc. (Richard Bartels) on behalf of Odum Investments, LLC for a **SPECIAL EXCEPTION** to expand an 'Automobile sales' use in a S-1, Service district at **2643 LAURENS RD** (TM# 026300-03-00400)
 10. OTHER BUSINESS
 - A. Staff update on current planning projects
 11. Adjournment