

PLANNING & DEVELOPMENT STAFF REPORT
TO THE FOUNTAIN INN BOARD OF ZONING APPEALS

December 19th ~~July 19th~~, 2022

DOCKET NUMBER: FI-2022-~~021~~**38 BZA**

APPLICANT: The Wendy's Company
OWNER: Red Hill Properties II LLC

PROPERTY LOCATION: 303 Woodside Avenue

TAX MAP NUMBER: 0350000100408

ACREAGE: 1.62 acres

EXISTING ZONING: C-2, Commercial District

VARIANCE REQUEST: from Section 5:12. - GCO, Gateway Corridor Overlay District.
5:12 5-1 increase front building setback to 112.01'
5:12 3-2 Increase side building setback to 39.3'

Existing Land Use: Residential

Adjacent Land Use: North: Residential, Industrial
East: Industrial
South: Commercial
West: vacant, Residential

Adjacent Zoning: North: R-12, Residential District; I-1. Industrial District
East: C-2, Commercial District; R-12, Residential District
South: I-1. Industrial District; C-2 Commercial District
West: C-2, Commercial District

Future Land Use: This site was identified for Commercial in the City's 2017 Master Plan.

SUMMARY:

FI-2022-021BZA is requesting a variance from *Section 5:12.5. Dimensional Requirements* for the GCO, Gateway Commercial Overlay District as found in the Fountain Inn, South Carolina – Code of Ordinances. A request to vary from 5:12.5. Dimensional Requirement and 5:12.6-1. Off-Street Parking, to set the building back over fifty feet and allow parking in the front respectively, was granted by the Board on July 18, 2022.

The applicant has since returned to apply for another dimensional variance. This new site plan sets the building back even further, increasing the request for front setback. The square footage of the proposed restaurant The request for surface parking remains granted.

The variance requests include deviation from the following requirements:

- 1) **5:12.5-1. Front Setback.** Front setbacks shall be a minimum of 10 feet and shall not exceed 20 feet.
- 2) **5:12.5-2. Side Setback.** Side setbacks shall be a minimum of 5 feet and shall not exceed 64 feet on one side and 12 feet on the other side.
- ~~3) **5:12.6 1.1** Buildings located on corner lots shall not locate parking between the building and the road.~~
- ~~4) **5:12.6 1.2** Buildings located on corner lots shall not locate drive through lanes between the building and the road.~~

Aerial View (from Greenville County GIS):

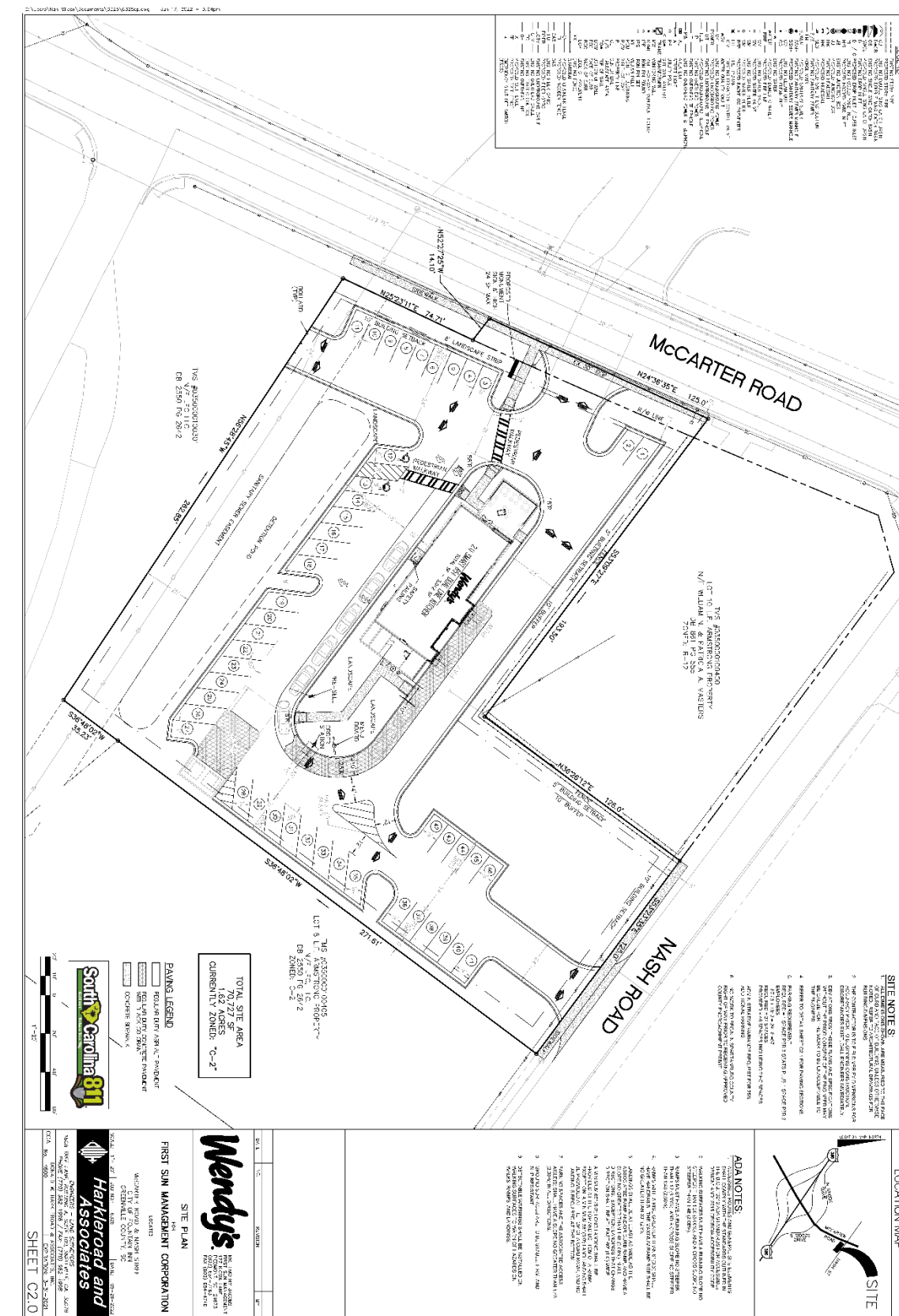


Zoning (from Greenville County GIS):



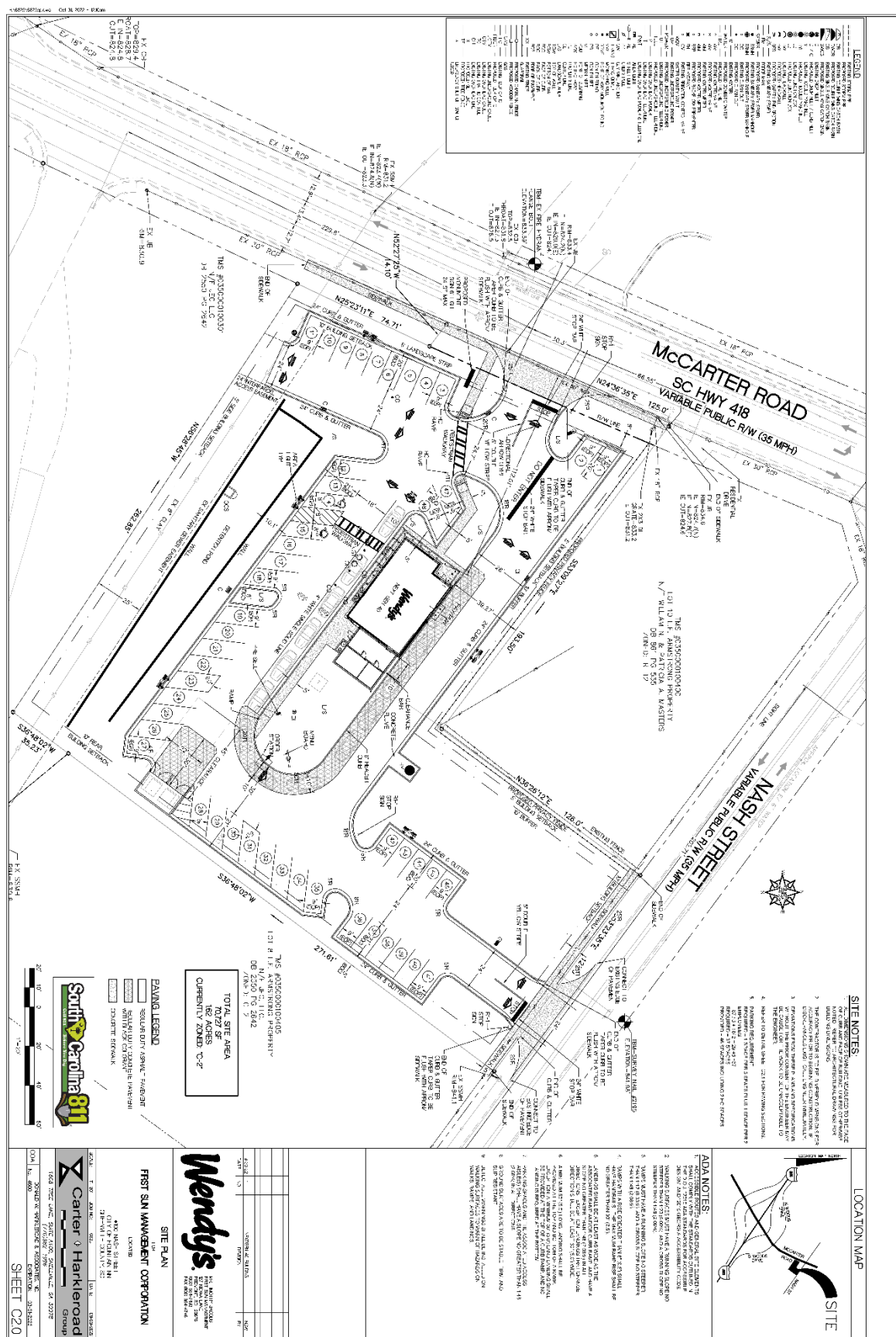
Site, from SC-418 looking north





WENDY'S - McCARTER ROAD

Exhibit B: new proposed restaurant layout with increased setback, delivery parking in front



ANALYSIS

FI-2022-038BZA is requesting a dimensional variance for building setbacks of ARTICLE 5. – DISTRICT REGULATIONS. Specifically, the property is zoned C-2 Commercial but also falls within the GCO zoning overlay district. This overlay applies to all properties between Interstate 385 and Walker Street (the municipal cemetery) regardless of zone.

5:12.1. Location and Applicability: The Gateway Corridor Overlay District is a special public interest district encompassing a particular geographic area that does not coincide with the boundaries of its underlying zoning districts and is identified on Fountain Inn's Official Zoning Map. It includes all properties contiguous to SC Highway 418 lying between the intersection of Interstate 385 and Highway 418 and continuing to Walker Street. The boundaries of the overlay district shall be measured from the edge of the right-of-way to a depth of three hundred (300) linear feet. Unless otherwise noted, the requirements of the Gateway Corridor Overlay District apply to all commercial, service, office, multi-family, and mixed-use development and are in addition to the requirements of the underlying zoning district. Where the requirements of the underlying zoning district and the overlay district are in conflict, the more restrictive requirements will apply.

Access to the (now-combined) tax parcel shall be provided from both McCarter Road and Nash Street. McDonald's is directly across the street from the subject property and driveways would align per SCDOT guidelines. On-side diagonal parking would serve traffic passing between the two egress-ingress points with a drive-thru window, with queueing distance shown, at the north of the building.

Staff has determined there is no way for a drive through restaurant on corner lots to comply with the GCO, Gateway Commercial Overlay guidelines. A passing lane for safety extends the building past the required 12' side setback, and Section 5:12.6-1.2 specifically prohibits their location between building/street.

The applicant represents a popular fast-service restaurant seeking to begin construction soon at this location.

District description:

Section 5:6. - C-2, Commercial District.

This district is established to provide goods and services for the convenience of local residents.

Section 5:12. - GCO, Gateway Corridor Overlay District.

Purpose and intent: The Gateway Corridor Overlay District has been created to encourage well planned, attractive development along Fountain Inn's Highway 418 gateway corridor that promotes safety for all modes of transportation, enhances the historical nature of the community, strengthens and stabilizes property values, creates and upholds a distinctive gateway character, and accommodates future expected growth in a way that is consistent with the SC 418 Corridor Plan and the City's comprehensive plan.

District Dimensional and Height Requirements:

5:12.5. Dimensional Requirements: Dimensions of lots and placement of buildings should promote visual continuity, encourage pedestrian activity and provide safe access. Buildings should face the street and be arranged so that they create and maintain a consistent uniform streetscape. Step-backs shall be used to permit sunlight and air access to lower-level buildings.

5:12.5-1. Front Setback. Front setbacks shall be a minimum of 10 feet and shall not exceed 20 feet.

5:12.5-2. Side Setback. Side setbacks shall be a minimum of 5 feet and shall not exceed 64 feet on one side and 12 feet on the other side.

5:12.5-3. Rear Setback. Rear setbacks shall not be required except where property abuts a residential use. Then rear setback shall be a minimum of 10 feet and shall be increased by 1 foot per 3 feet of building height above 12 feet.

5:12.5-4. Lot Width. Lot width shall be 50 feet at a minimum.

5:12.5-5. Height Limitation. Building heights shall not exceed 4 stories or 45 feet except as provided in Article 7, Section 7.

5:12.6. Parking: No parking area shall be located along frontage, or otherwise between building and road. Side and rear parking lots should be used when possible to promote pedestrian safety and accessibility and aesthetic continuity. Shared parking is encouraged to promote connectivity.

5:12.6-1. Off-Street Parking. Off-street parking shall be provided in accordance with the provisions set forth in Article 7, Section 9 in addition to the following:

5:12.6-1.1 Buildings located on corner lots shall not locate parking between the building and the road (see Figure 2 below).

5:12.6-1.2 Buildings located on corner lots shall not locate drive through lanes between the building and the road (see Figure 3 below).

5:12.6-1.3 A maximum of 20% of required parking or one double row, whichever is greater, may be located in one side yard (see Figure 2 below).

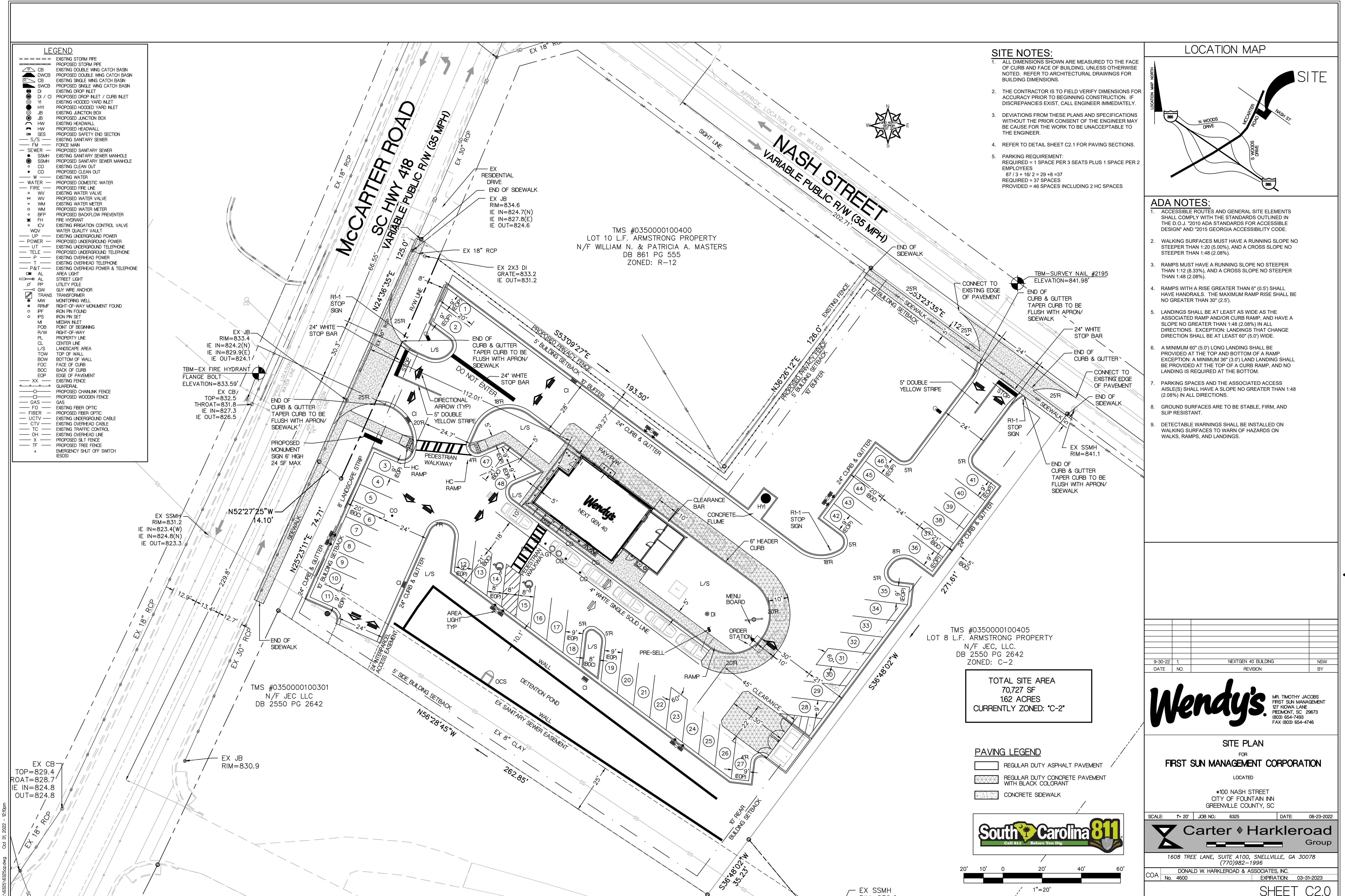
5:12.6-2. Roadside Buffer. A buffer yard shall be provided between all parking areas and the public right of way in accordance with Article 7, Section 9.12.

Determination:

If the request is granted, the Board shall determine that:

- (a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (b) these conditions do not generally apply to other property in the vicinity;
- (c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

If the Board denies the request, the reasons shall be entered in the minutes of the meeting at which the permit is denied.



PLANNING & DEVELOPMENT STAFF REPORT
TO THE FOUNTAIN INN BOARD OF ZONING APPEALS

January 23, 2023

DOCKET NUMBER: FI-2022-035 BZA

APPLICANT: Bluemont Group, LLC a Dunkin' Franchisee
OWNER: Zipplr LLC

PROPERTY LOCATION: McCarter Road & Woodside Avenue (E911 address TBD)

TAX MAP NUMBER: P/O 0351000100104

ACREAGE: 0.62 acres

EXISTING ZONING: S-1, Services District

VARIANCE REQUEST: from Section 5:12. - GCO, Gateway Corridor Overlay District.
~~i. 5:12.5. Dimensional Requirement~~
~~ii. 5:12.6-1. Off-Street Parking~~
**iii. 5:12.10. Signage: To create a cohesive, aesthetically pleasing
façade, permitted signage will be restricted to two signs per
business: one wall sign or canopy sign, and one freestanding
sign or decorative post sign.**

Existing Land Use: Vacant, Institutional

Adjacent Land Use: North: Commercial
East: Industrial
South: Commercial
West: Institutional, vacant

Adjacent Zoning: North: C-2, Commercial District
East: I-1, Industrial District
South: C-2 Commercial District
West: S-1, Services District

Future Land Use: This site was identified for Commercial in the City's 2017 Master Plan.

SUMMARY:

FI-2023-001BZA is requesting a variance from 5:12.10. Signage: for the GCO, Gateway Commercial Overlay District as found in the Fountain Inn, South Carolina – Code of Ordinances. The applicant is requesting three wall signs (two in excess of regulations) and one monument sign. Please see code reference below:

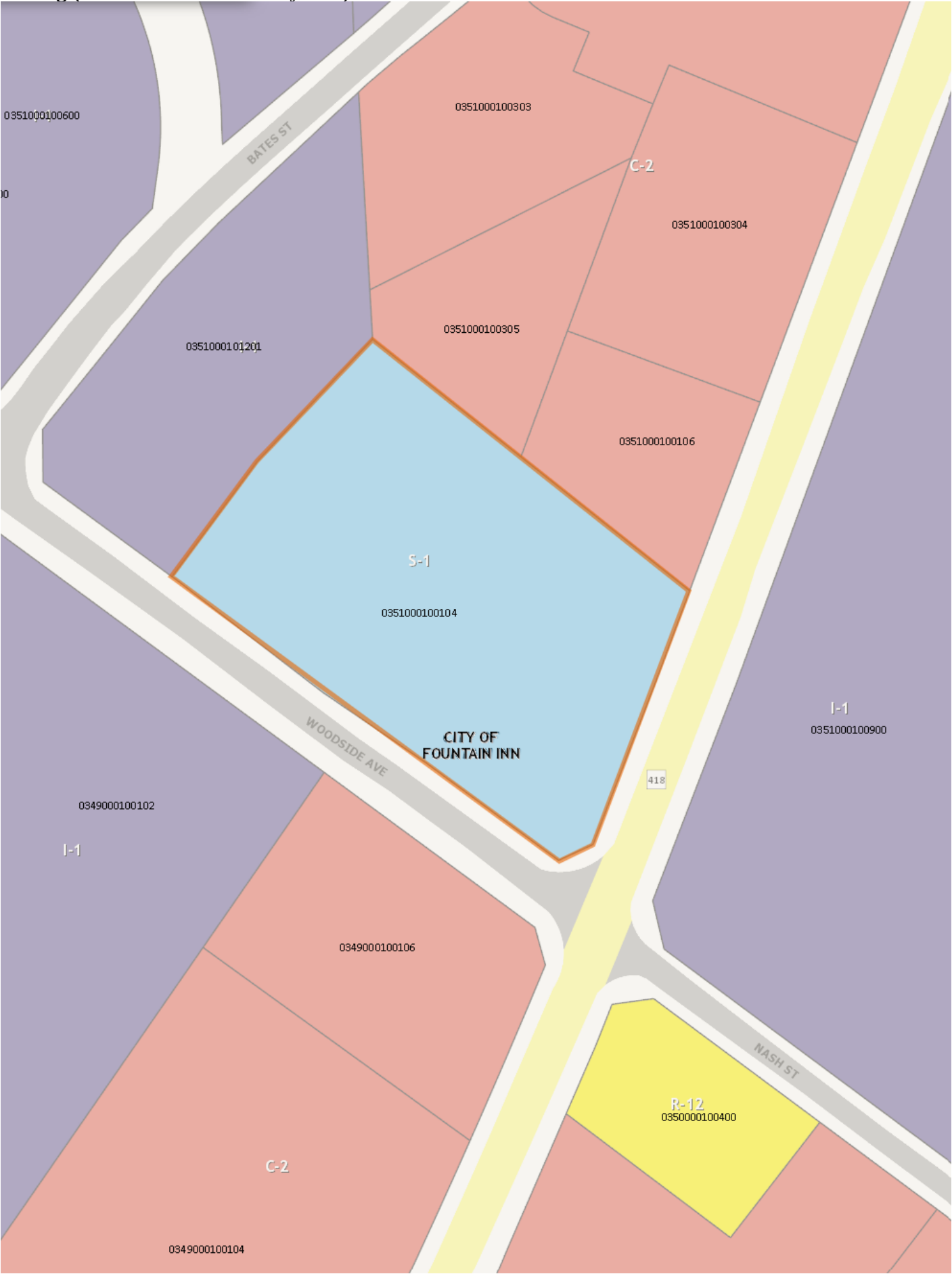
One from Column A

Wall sign, not exceeding 20 percent of usable wall space with a maximum of 100 square feet

Aerial View (from Greenville County GIS):



Zoning (from Greenville County GIS):



Site, from SC-418 looking south and north



ANALYSIS

FI-2023-001BZA is requesting a variance from sign quantity requirements of ARTICLE 5. – DISTRICT REGULATIONS. Specifically, the property is zoned S-1, Services District but also falls within the GCO zoning overlay district. This overlay applies to all properties between Interstate 385 and Walker Street (the municipal cemetery) regardless of zone.

FI2022-035BZA, granted in autumn 2022, allowed for parking and setback variances for the subject business.

5:12.1. Location and Applicability: The Gateway Corridor Overlay District is a special public interest district encompassing a particular geographic area that does not coincide with the boundaries of its underlying zoning districts and is identified on Fountain Inn's Official Zoning Map. It includes all properties contiguous to SC Highway 418 lying between the intersection of Interstate 385 and Highway 418 and continuing to Walker Street. The boundaries of the overlay district shall be measured from the edge of the right-of-way to a depth of three hundred (300) linear feet. Unless otherwise noted, the requirements of the Gateway Corridor Overlay District apply to all commercial, service, office, multi-family, and mixed-use development and are in addition to the requirements of the underlying zoning district. Where the requirements of the underlying zoning district and the overlay district are in conflict, the more restrictive requirements will apply.

The applicant represents a popular fast-service restaurant seeking to begin construction soon at this location. Permits have been submitted, however, they are not in compliance with GCO overlay guidelines – there are too many signs requested. Only one wall sign is permitted; a variance is requested to allow two more. One is a full-size sign. The other states “Dunkin’ Fountain Inn” but counts as a sign as it still contains the brand.

District description:

Section 5:7. - S-1, Services District.

This district is established to provide a transition between commercial and industrial districts by allowing: (1) commercial uses which are service-related; (2) service-related commercial uses which sell merchandise related directly to the service performed; (3) commercial uses which sell merchandise which requires storage in warehouses or outdoor areas; and (4) light industries which in their normal operations would have a minimal effect on adjoining properties.

Section 5:12. - GCO, Gateway Corridor Overlay District.

Purpose and intent: The Gateway Corridor Overlay District has been created to encourage well planned, attractive development along Fountain Inn's Highway 418 gateway corridor that promotes safety for all modes of transportation, enhances the historical nature of the community, strengthens and stabilizes property values, creates and upholds a distinctive gateway character, and accommodates future expected growth in a way that is consistent with the SC 418 Corridor Plan and the City's comprehensive plan.

District Dimensional and Height Requirements:

5:12.10. Signage: To create a cohesive, aesthetically pleasing façade, permitted signage will be restricted to two signs per business: one wall sign or canopy sign, and one freestanding sign or decorative post sign. The use of these signage forms will help promote an inviting, pedestrian-friendly environment, while still allowing businesses to express individuality and creativity with their designs.

5:12.10-1. Materials. Sign materials shall be consistent with and integrated into the overall design of the structure(s).

5:12.10-2. Two of the following permanent signs per business shall be permitted:

EXPAND

One from Column A	One from Column B
Wall sign, not exceeding 20 percent of usable wall space with a maximum of 100 square feet	Freestanding sign, not to exceed 6 feet in height
OR	OR
Canopy sign, not exceeding 20 percent of canopy face area with a maximum of 12 square feet	Decorative Post sign, not to exceed 6 feet in height and 6 feet in area (10 square feet per tenant for multiple tenants)

5:12.10-3. *Illumination.* Indirect light sources must be shielded from the view of persons viewing the sign and be further shielded and directed so that the light shines only on the sign and that illumination beyond the copy area is minimized. Neon lighting and electronic message signs are exclusively prohibited.

5:12.10-4. *Temporary Signage.* Temporary signage shall not be posted for more than 30 consecutive days and shall not account for more than 10 percent of a building's façade.

Determination:

If the request is granted, the Board shall determine that:

- (a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (b) these conditions do not generally apply to other property in the vicinity;
- (c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

If the Board denies the request, the reasons shall be entered in the minutes of the meeting at which the permit is denied.

EXHIBIT A: VARIANCE SUBMITTAL INCLUDING SIGN DIMENSIONS

DUNKIN' FOUNTAIN INN, SC - EXTERIOR ELEVATION - FRONT & REAR

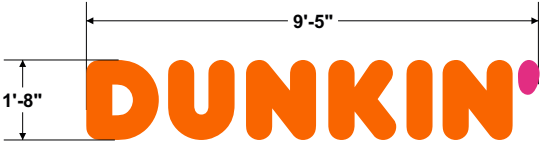
SCALE: 1/8" = 1'



FRONT

SCALE: 1/4" = 1'

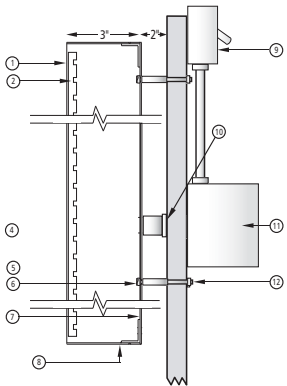
reverse channel letters with LED halo lighting



NIGHT VIEW



REVERSE CHANNEL LETTERS L.E.D. ILLUMINATION



1. .080 ALUMINUM FACE
2. WHITE LED STRIP LIGHTING
6. 1/4" ALUMINUM SPACERS
7. CLEAR LEXAN BACK
8. .063 ALUMINUM SIDEWALLS
9. DISCONNECT SWITCH
10. SEAL TIGHT PASS-THROUGH WIRING KIT
11. 30 ma TRANSFORMERS
12. 2" STAND-OFFS



PMS 219

PMS 165

PMS 7540

VINYL COLORS

3M 3630-3123
Orange Translucent

3M 3630-1379
Magenta Translucent

3M 7725-41
Gray Translucent

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VALUE OF THIS DRAWING: \$500.00

**SIGN & FAX BACK SO THAT
WE MAY APPROVE YOUR ORDER.**

FAX: 865.947.2089 info@signco-inc.com

- ☐ APPROVED
☐ APPROVED W/CHANGES
☐ REVISE & RESUBMIT

APPROVAL SIGNATURE

FILE LOCATION:
Baker/D/Dunkin Donuts

LOCATION:
Fountain Inn, SC

SALES REPRESENTATIVE:
Baker Jones

FILE:
Dunkin Bldg Fountain Inn

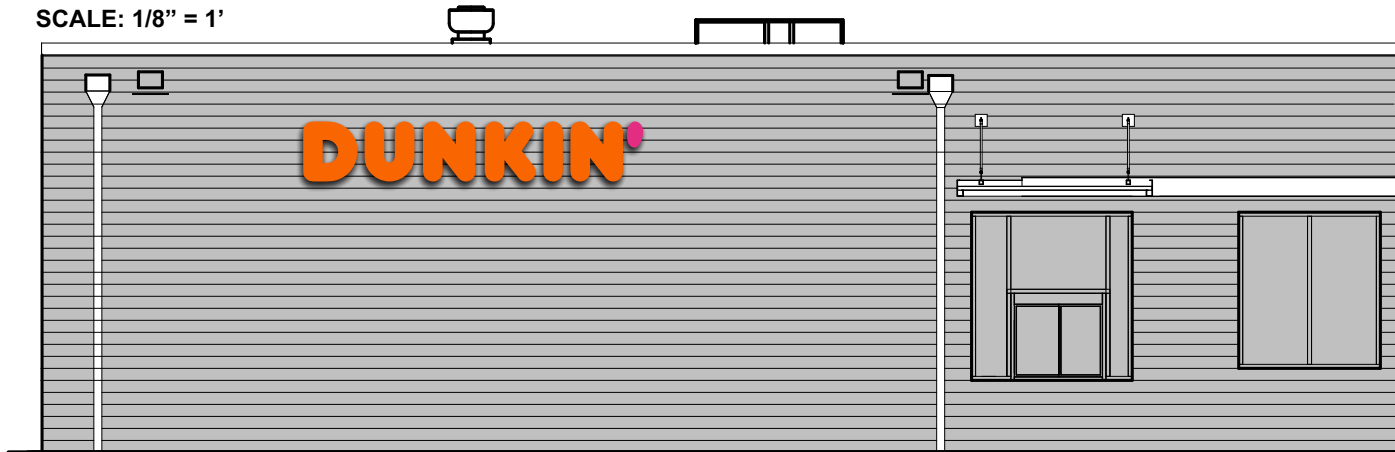
DATE:
12-22-2022

DRAWN BY:
Tiffany Poling

SCALE:
1/4" = 1'

DUNKIN' FOUNTAIN INN, SC - EXTERIOR ELEVATION - DT SIDE

SCALE: 1/8" = 1'



VINYL COLORS

3M 3630-3123
Orange Translucent

3M 3630-1379
Magenta Translucent

3M 7725-41
Gray Translucent

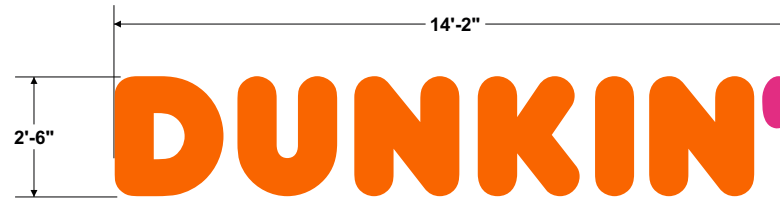
PMS 219

PMS 165

PMS 7540

SCALE: 1/4" = 1'

reverse channel letters with LED halo lighting

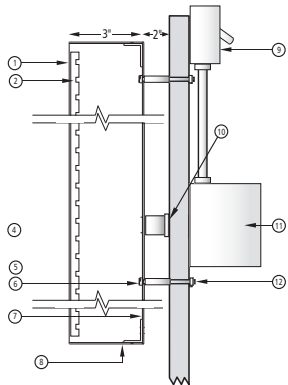


NIGHT VIEW



REVERSE CHANNEL LETTERS

L.E.D. ILLUMINATION



1. .080 ALUMINUM FACE
2. WHITE LED STRIP LIGHTING
6. 1/4" ALUMINUM SPACERS
7. CLEAR LEXAN BACK
8. .063 ALUMINUM SIDEWALLS
9. DISCONNECT SWITCH
10. SEAL TIGHT PASS-THROUGH WIRING KIT
11. 30 ma TRANSFORMERS
12. 2" STAND-OFFS



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- ☐ APPROVED
☐ APPROVED W/CHANGES
☐ REVISE & RESUBMIT

APPROVAL SIGNATURE

FILE LOCATION:
Baker/D/Dunkin Donuts

LOCATION:
Fountain Inn, SC

SALES REPRESENTATIVE:
Baker Jones

FILE:
Dunkin Bldg Fountain Inn

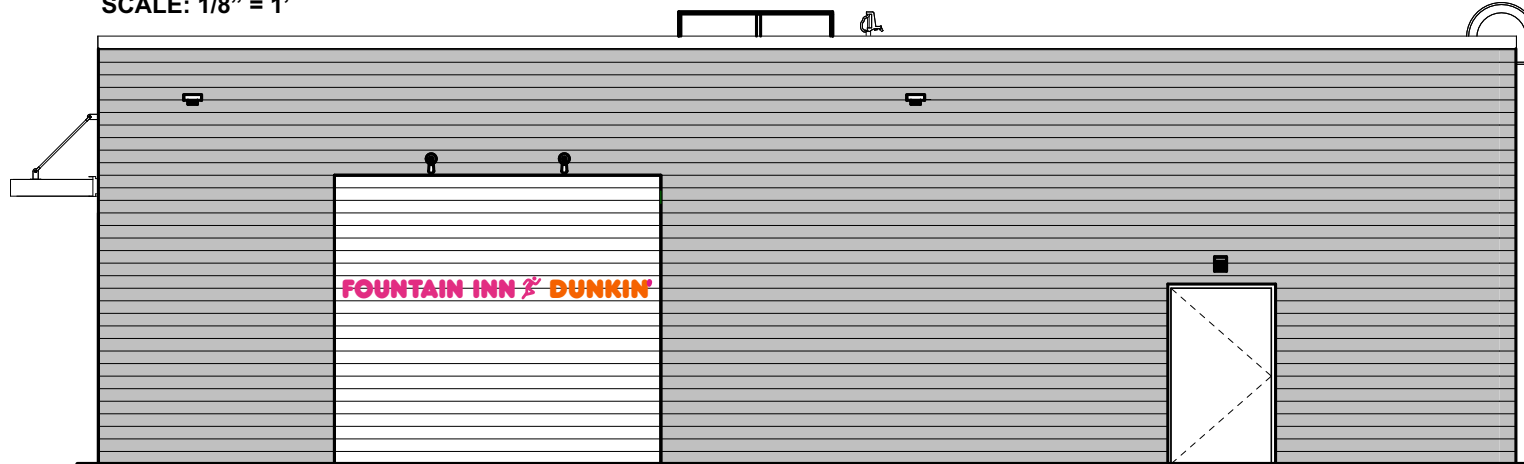
DATE:
12-22-2022

DRAWN BY:
Tiffany Poling

SCALE:
1/4" = 1'

DUNKIN' FOUNTAIN INN, SC - EXTERIOR ELEVATION - SIDE

SCALE: 1/8" = 1'



PMS 219

PMS 165

PMS 7540

VINYL COLORS

3M 3630-3123
Orange Translucent

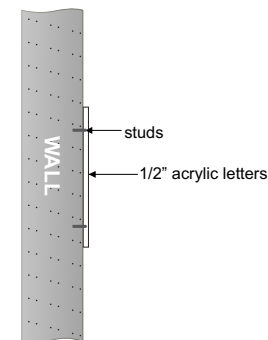
3M 3630-1379
Magenta Translucent

3M 7725-41
Gray Translucent

12'-4"



SIDE VIEW



**SIGN & FAX BACK SO THAT
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☐ APPROVED
☐ APPROVED W/CHANGES
☐ REVISE & RESUBMIT

APPROVAL SIGNATURE

SIGNCO inc.
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VALUE OF THIS DRAWING: \$500.00

FILE LOCATION:
Baker/D/Dunkin Donuts

LOCATION:
Fountain Inn, SC

SALES REPRESENTATIVE:
Baker Jones

FILE:
Dunkin Bldg Fountain Inn

DATE:
12-09-2022

DRAWN BY:
Tiffany Poling

SCALE:
1/4" = 1'