



City of Greenville

Notice of Administrative Decision for Application # CU 20-648

This public notice is mailed to property owners within 300 feet of the subject property

Property Address: 1635 E NORTH ST (TMS#: 018903-07-00100)

Application: Conditional Use Permit to establish CLARE'S CREAMERY & CONFECTIONS, LLC, restaurant with indoor and outdoor seating and/or food service areas use, in the C-1, Neighborhood Commercial District.

Decision: Approved with Conditions

Conditions:

- 1) The Conditional Use Permit is limited to the proposed use and shall substantially conform to the content of the application.
- 2) Outdoor seating areas to be allowed at the front entry and right side of the building where adjacent to the interior seating area.
- 3) Hours of operation shall be limited to between the hours of 6:00 a.m. and 10:00 p.m.
- 4) The sale of alcoholic beverages shall require a special exception permit.
- 5) Outdoor live entertainment shall not be allowed, unless separate approval is obtained for an outdoor entertainment use.
- 6) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

By application filed 10/12/20 the Applicant, Caitlyn Clare Hayes **dba "CLARE'S CREAMERY & CONFECTIONS, LLC"**; requested a Conditional Use pursuant to Section 19-2.3.6, *Conditional Use Permit*; Section 19-4.1, *Table of Uses*; and Section 19-4.3.3, *Use Specific Standards*, of the Greenville City Code to operate a restaurant with indoor and outdoor seating and/or food service areas in the C-1, Neighborhood Commercial District. Notice was mailed to property owners within 300 feet of the subject property on October 28, 2020.

Findings:

- The use complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of Section 19-4.3, *Use Specific Standards*.
- The infrastructure capacity is adequate to serve the conditional use.

Appeal:

Any person believing that the administrator erred in its decision has the right to appeal the decision to the City of Greenville Board of Zoning Appeals. The appeal form and fee must be submitted to the Planning and Development office within 10 business days after the decision is made, and must state the reasons he or she believes the decision is illegal, either in whole or in part.

Conditional Use Permit:

The Conditional Use Permit issued to the Applicant is required to be maintained with other posted occupancy information on the premises, available to city inspectors.

General Information:

The appropriate responsible party must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Conditional Use is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.



Kristopher Kurjiaka
Senior Development Planner

12/07/2020
Date



Office Use Only:

Application# _____ Fees Paid _____
Date Received _____ Accepted By _____

**APPLICATION FOR CONDITIONAL USE
CITY OF GREENVILLE, SOUTH CAROLINA**

APPLICANT / PERMITTEE: Caitlin Clare Hayes Owner / Clare's Creamery & Confections, LLC
**Operator of the proposed use; permit may be limited to this entity.*
Name _____ Title / Organization _____

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

MAILING ADDRESS: 9 Winn Street Greenville, SC 29601

PHONE: 440.829.2050 EMAIL: clarescreamery@gmail.com

PROPERTY OWNER: Windward Partners XVIII, LLC

MAILING ADDRESS: 104 West Broad Street Greenville, SC 29601

PHONE: 864.915.5240 EMAIL: harrison@oxcapital.com

PROPERTY INFORMATION

STREET ADDRESS: 1635 East North Street Greenville, SC 29607

TAX PARCEL #: 0189030700100 ACREAGE: 0.715 ZONING DESIGNATION: C-1

REQUEST

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

DESCRIPTION OF PROPOSED LAND USE:

Clare's Creamery Ice Cream Shoppe

INSTRUCTIONS

1. The application and fee, **made payable to the City of Greenville**, must be submitted to the planning and development office during normal business hours.
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 conditional use). See also **Section 19-2.3.6, Conditional Use Permit**, for additional information. You may attach a separate sheet addressing these questions.
3. For conditional use requests for nightclubs/bars, event venues, or businesses operating after midnight, the applicant must also submit the **Zoning Compliance Application for Establishments Serving Beer, Wine, or Liquor**.

4. 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.

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

6. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to routing the application for staff review. 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.**

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 and advise them to withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived.

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.

<u>Caitlin C Hayes</u>	APPLICANT SIGNATURE
<u>10-9-2020</u>	DATE
<u>[Signature]</u>	PROPERTY OWNER SIGNATURE
<u>10-9-2020</u>	DATE

**Applicant Response To
Section 19-2.3.6(D), Standards – Conditional Use Permit**

(You may attach a separate sheet)

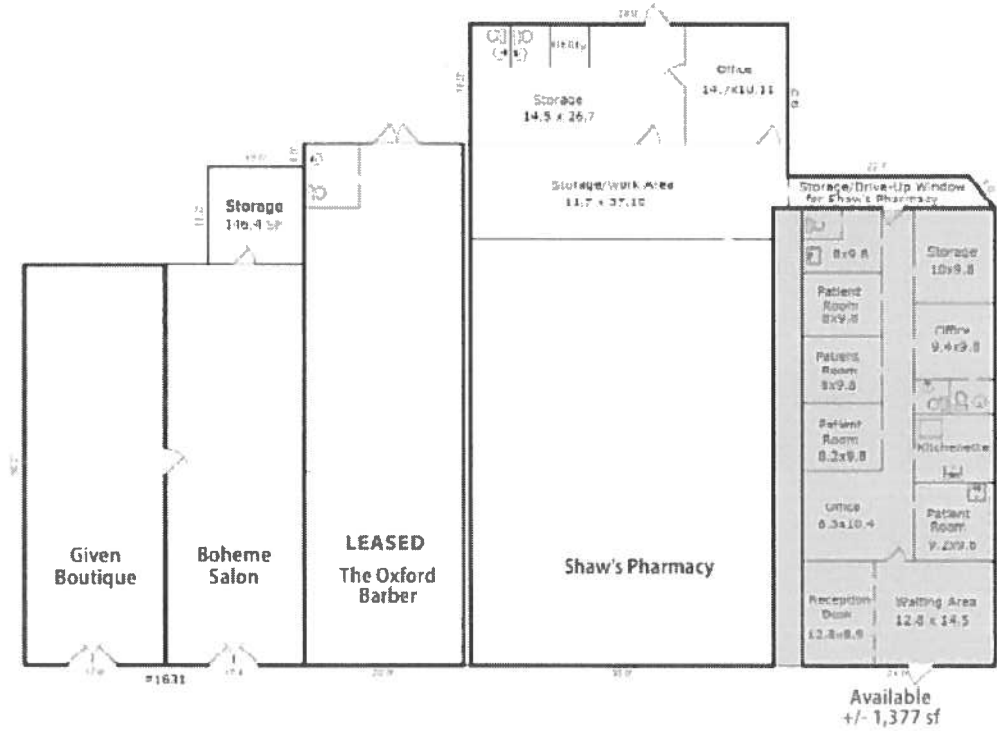
1. Describe the ways in which the proposal complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of **Section 19-4.3, Use Specific Standards**.

Clare's Creamery will be a community centre where people can come together to learn, love and celebrate. This includes severing premium ice cream at an affordable price so all members of the community can feel welcome and enjoy together.

2. Describe the ways in which the infrastructure (roads, potable water, sewerage, schools, parks, police, fire, and emergency facilities) capacity is adequate to serve the proposed conditional use.

The proposed use of a 1,377 SF for Clare's Creamery Ice Cream Shoppe should not effect the infrastructure capacity.

Floor Plan



The information contained herein is provided for informational purposes only and does not constitute an offer of any financial product or service. The information is not intended to be used as a basis for any investment decision. The information is not intended to be used as a basis for any investment decision. The information is not intended to be used as a basis for any investment decision.

