

ZONING DOCKETS FROM AUGUST 28, 2013 PLANNING COMMISSION MEETING

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2013-29	Spencer Bennett 4A Boling Road C-1 to C-2 T006001200102	18	D	D		
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on August 19, 2013 were:</p> <p><u>Speakers For</u></p> <ul style="list-style-type: none"> (1) Currently has a wine and beer license, but would like to open an ABC package store (retail liquor store) (2) Has met all of the requirements through SLED and Greenville County (3) No problems with police or crime at his store since it's been open (4) Lifelong resident of the community and responsible business owner seeking to continue to operate his convenience store, but also this new portion of the business <p><u>Speakers Against</u></p> <ul style="list-style-type: none"> (1) Residents, educators, and pastor speaking on behalf of the children in the community (2) Okay with it being a store, but not a liquor store (3) Will not feel safe if a liquor store opens (4) Child killed by drunk driver on Boling Road (5) 					<p>Petition/Letter</p> <p>For – 200 names on petition</p> <p>Against – 150 names on petition, plus 3 studies citing alcohol's effects on a community</p>
Staff Report	<p>All of the properties surrounding this site are zoned for residential uses and are occupied by various types and densities of residential uses. Some of the land being is undeveloped, including the property to the adjacent east, west, and south. The uses allowed in the requested C-2 not only include a liquor store, but also various other uses not currently permitted in C-1. Although the property is already zoned commercial, staff was not in favor of changing the zoning in 1986 and remains of this opinion. The permitted uses in the C-2 district, are inconsistent with the adjacent uses in the immediate area of the site. Based on the aforementioned reasons, staff recommends denial.</p>					

Planning Report

DOCKET NUMBER: CZ-2013-29

APPLICANT: Spencer Bennett

PROPERTY LOCATION: 4A Boling Road

PIN/TMS#(s): T006001200102

EXISTING ZONING: C-1, Commercial District

REQUESTED ZONING: C-2, Commercial District

ACREAGE: 0.48

COUNCIL DISTRICT: 18 – Baldwin

ZONING HISTORY: The property was originally zoned R-20 as part of Area 1 in May 1970. The property was rezoned from to C-1 in 1986 (CZ-1986-41). Staff recommended denial of the rezoning request.

EXISTING LAND USE: Convenience Store

AREA CHARACTERISTICS:

	Zoning	Land Use
North	R-20	single-family residences
East	R-20	undeveloped
South	R-20	single-family residences
West	R-20	undeveloped

WATER AVAILABILITY: Greenville Water

SEWER AVAILABILITY: Taylors

IMAGINE GREENVILLE PLAN: Residential Land Use 2

ROADS: Boling Road: 2-lane, County maintained road with sidewalks on the opposite side of the road from the project

TRAFFIC IMPACT: Traffic generated from the site can vary greatly due to the variety of uses permitted in the requested C-2; owever, the building on site is already developed. There is no traffic count station available on Boling Road.

SUMMARY

The property is zoned C-1, a district established to provide commercial establishments for the convenience of local residents. The request is for C-2, a district established to provide for the development on major thoroughfares of commercial land uses that are oriented to customers traveling by automobile and for the convenience of local residents.

The purpose of this request is to obtain the zoning classification of C-2 to permit a retail liquor store on site. The store is ready to open and the owner has obtained all of the necessary permits required by law from the State of South Carolina. This process began when the property owner filed an application with Greenville County to convert a portion of his store into a liquor store. The State of South Carolina requires that a retail liquor store have a separate entrance and be separated from the sale of other items. Therefore, this conversion required a building permit. The building permitting process in this case involved a Feasibility Study. This process is completed by members of the Planning and Code Compliance Staff and involves a review by the Plan Review Staff and the Zoning Administration Staff. During this process, the applicant's request was approved for use as a liquor store in the C-1 district. This was an error on part of staff and a permit was issued. When the applicant called and received a building inspection, the inspector determined that zoning was incorrect on the property. At that time, the applicant was informed that retail liquor stores require C-2 zoning and that a rezoning application would need to be filed to attempt to remedy this situation.

CONCLUSION

All of the properties surrounding this site are zoned for residential uses and are occupied by various types and densities of residential uses. Some of the land being is undeveloped, including the property to the adjacent east, west, and south. The uses allowed in the requested C-2 not only include a liquor store, but also various other uses not currently permitted in C-1. Although the property is already zoned commercial, staff was not in favor of changing the zoning in 1986 and remains of this opinion. The permitted uses in the C-2 district, are inconsistent with the adjacent uses in the immediate area of the site. Based on the aforementioned reasons, staff recommends denial. The Planning Commission recommends denial.

