

ZONING DOCKET FROM FEBRUARY 17, 2014 P and D MEETING

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2014-4	Karl B. Allen Walker Road and Durant Road R-S to C-3 0593030102100 (portion)	25	Denial	Denial	Held until next Committee Meeting	
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on January 13, 2014 were:</p> <p><u>Speakers For:</u> None</p> <p><u>Speakers Against</u> None</p>					Petition/Letter For – None Against – None
Staff Report	<p>The subject property is comprised of two (2) lots, both of which are zoned R-S. This seven (7)-acre parcel is bisected by Durant Road, resulting in a larger lot and a smaller lot. The applicant is requesting to rezone a 0.23-acre portion of the larger lot at its southernmost point where it has frontage on both Walker Road and Durant Road. Staff understands the applicant wants the ability to park vehicles at this location, possibly in connection with an automotive dealership, which is prohibited under the current R-S zoning pursuant to Article 6, Use Regulations of the Zoning Ordinance. The Use Regulations classifies an automotive dealership as “<i>Automobile, boats, motorcycles, and rv sales, service, and rental,</i>” which is permitted by right in the C-3 district. If successfully rezoned, any use listed in the C-3 district in accordance with the Use Regulations, in addition to an automotive dealership would also be allowed on the subject property.</p> <p>With respect to the subject parcel and the Imagine Greenville Comprehensive Plan, rezoning to the C-3 zoning district would be inconsistent with the assigned Residential Land Use 3 future land use classification. However, the Imagine Greenville Comprehensive Plan is to be used as a guideline (on a large scale basis), and future development need not strictly adhere to its recommendations for any particular parcel of land.</p> <p>The purpose and intent of C-3 district is “to provide for the development of commercial and light service land uses that are oriented to customers traveling by automobile located in non-residentially zoned areas and along major thoroughfares.” The subject property is located on the western fringe of suburban residential zoning, amongst many undeveloped properties. The aforementioned purpose and intent of the C-3 zoning district is intended for property with this zoning classification, to be located in “non-residentially zoned areas along major thoroughfares.” Walker Road and Durant Road are not major thoroughfares. While it is not staff’s primary objective or technical expertise to conduct/predict the feasibility or viability of C-3-permitted uses on this site – this is the role of the free market; it is incumbent upon staff to enforce the regulations of the Zoning Ordinance to ensure the purpose of intent of each zoning district is being met. Based on the reasons stated herein, staff recommends denial of the applicant’s request to rezone from R-S to C-3.</p>					
2-17-14	The Planning and Development Committee held the item until the next Committee meeting in order to obtain additional information regarding the request.					

Planning Report

DOCKET NUMBER: CZ-2014-4

APPLICANT: Karl B. Allen

PROPERTY LOCATION: Walker Road and Durant Road

PIN/TMS#(s): 0593030102100 (portion)

EXISTING ZONING: R-S, Residential Suburban

REQUESTED ZONING: C-3, Commercial

ACREAGE: 0.23-acre

COUNCIL DISTRICT: 25 - Gibson

ZONING HISTORY: The parcel was originally zoned R-S in May of 1971 (Area 2)

EXISTING LAND USE: Vacant lot/undeveloped

AREA CHARACTERISTICS:

	Zoning	Land Use
North	R-S	Undeveloped land
East	R-S	Right-of-way for Durant Road; then farther east is undeveloped land
South	R-S	Right-of-way for Durant Road; then farther south is a single-family home
West	I-1	Right-of-way for Walker Road; then farther west is undeveloped land

WATER AVAILABILITY: Greenville Water System – No water available on Durant Road

SEWER AVAILABILITY: Metropolitan Sewer Sub District - No sanitary sewer available

IMAGINE GREENVILLE PLAN: Employment Center

ROADS: Walker Road: 2-lane County-maintained minor collector
Durant Road: 2-lane, County-maintained minor collector

TRAFFIC IMPACT: Traffic is expected to increase. No traffic count station was found in the immediate area.

SUMMARY

The subject parcel is undeveloped and comprised of two (2) separate lots. The lots are bisected by Durant Road, resulting in a larger lot (on the west side of Durant Road) and a smaller lot (on the east side). The intent of this application is to rezone a 0.23-acre portion of the larger lot at its southernmost point where it has frontage on both Walker Road and Durant Road. Staff understands the applicant wants the ability to park

vehicles on this portion of the property, possibly in connection with an automotive dealership, which would include the construction of a small building from which to conduct business. Pursuant to Article 6, Use Regulations of the Zoning Ordinance, an automotive dealership is classified as “Automobile, boats, motorcycles, and RV sales, service, and rental” and is prohibited in the R-S district; however, it would be a permitted use (by right) in the C-3 district. The subject property is abutted by R-S zoning on all three (3) sides, except for the west where it abuts the I-1 zoning district.

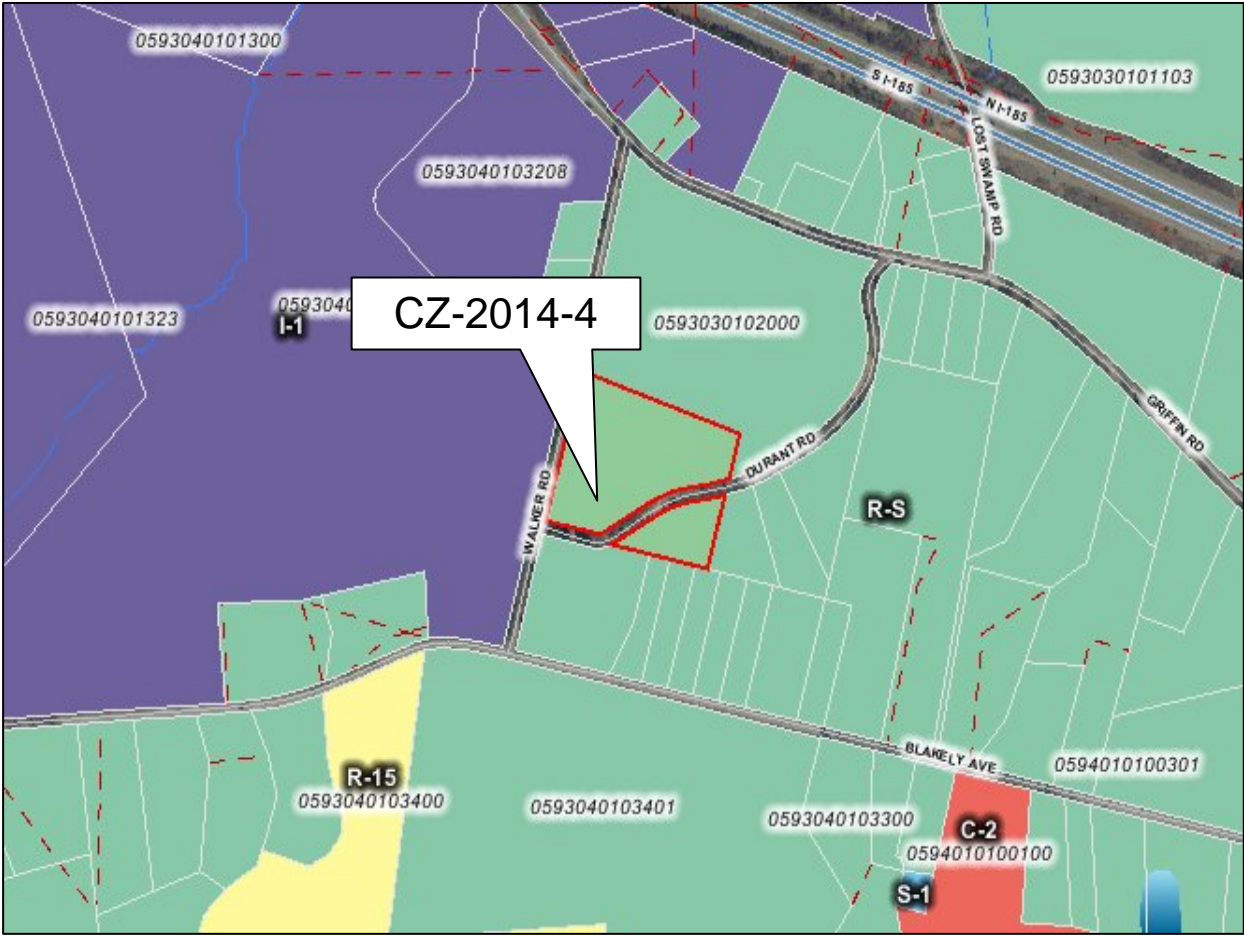
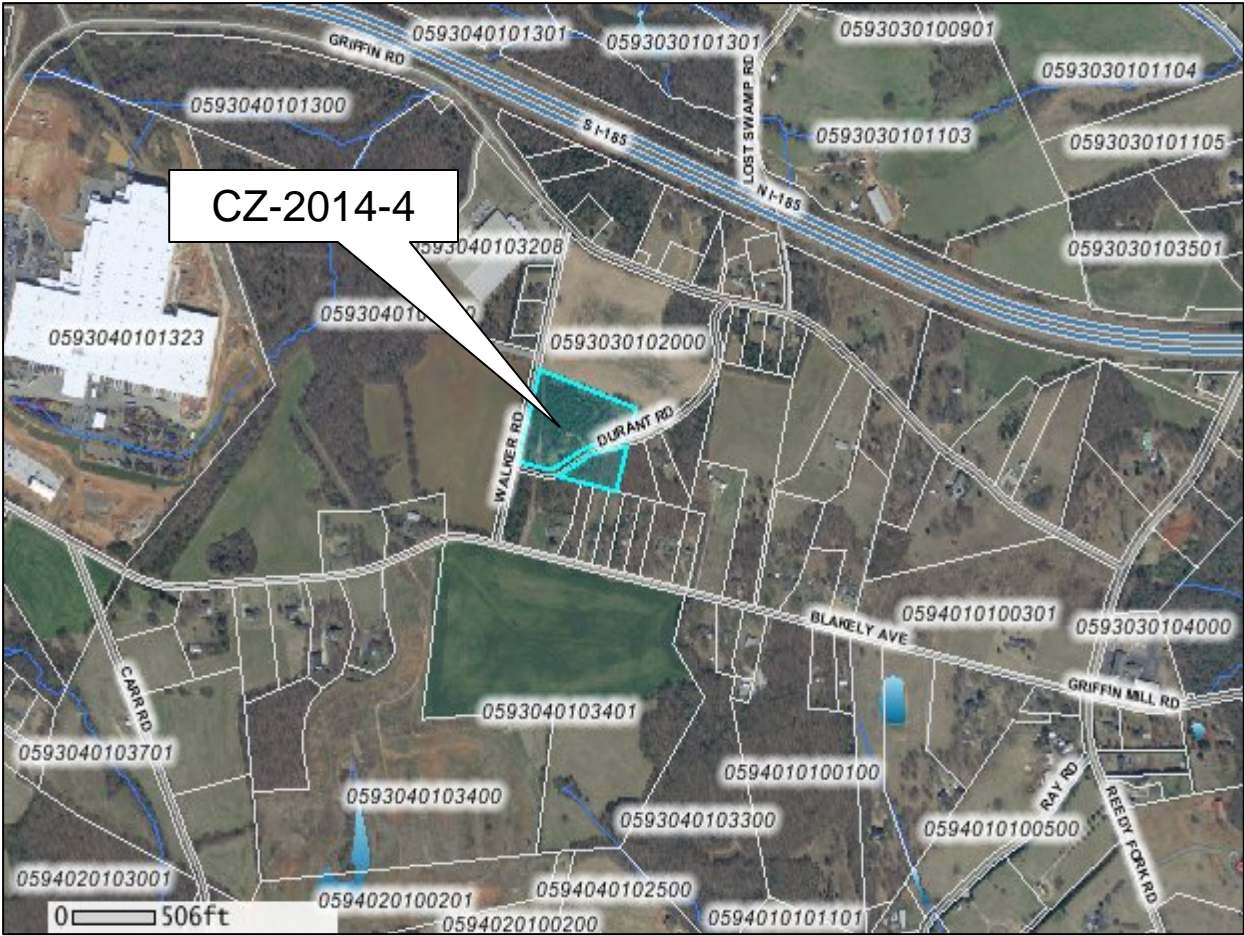
The C-3 district was established to provide for the development of commercial and light service land uses that are oriented to customers traveling by automobile located in non-residentially zoned areas and along major thoroughfares and for the convenience of local residents, including but not limited to the following: commercial amusement, animal shelters, cabinet/carpentry shops, nursing care facilities, firework stand, hospitals, museums, pawn shops, recording studios, and sign manufacturing. The C-3 district also allows for single-family and multi-family residential as conditional uses.

CONCLUSION

The subject property is comprised of two (2) lots, both of which are zoned R-S and bisected by Durant Road. The applicant is requesting to rezone a 0.23-acre portion of the larger lot at its southernmost point where it has frontage on both Walker Road and Durant Road. Staff understands the applicant wants the ability to park vehicles at this location, possibly in connection with an automotive dealership, which is prohibited under the current R-S zoning but permitted by right in the C-3 district. If successfully rezoned, any use listed in the C-3 district in accordance with the Use Regulations, in addition to an automotive dealership would also be allowed on the subject property.

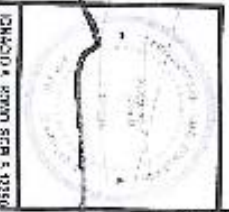
With respect to the subject parcel and the Imagine Greenville Comprehensive Plan, rezoning to the C-3 zoning district would be inconsistent with the assigned Residential Land Use 3 future land use classification. However, the Imagine Greenville Comprehensive Plan is to be used as a guideline (on a large scale basis), and future development need not strictly adhere to its recommendations for any particular parcel of land.

The purpose and intent of C-3 district is “to provide for the development of commercial and light service land uses that are oriented to customers traveling by automobile located in non-residentially zoned areas and along major thoroughfares.” The subject property is located on the western fringe of suburban residential zoning, amongst many undeveloped properties. The aforementioned purpose and intent of the C-3 zoning district is intended for property with this zoning classification, to be located in “non-residentially zoned areas along major thoroughfares.” Walker Road and Durant Road are not major thoroughfares. While it is not staff’s primary objective or technical expertise to conduct/predict the feasibility or viability of C-3-permitted uses on this site – this is the role of the free market; it is incumbent upon staff to enforce the regulations of the Zoning Ordinance to ensure the purpose of intent of each zoning district is being met. Based on the reasons stated herein, staff recommends denial of the applicant’s request to rezone from R-S to C-3. The Planning Commission recommends denial of the request.



**A 0.23 ACRE PORTION
OF THE MAUDIE E. ALLEN PROPERTY
(TAX MAP # 0593030102100)
SITUATED AT THE CORNER OF
WALKER ROAD AND DURANT ROAD
PIEDMONT, SC 29673
GREENVILLE COUNTY**

NOTE:
DURING THE COURSE OF THIS SURVEY,
ON THE WALKER ROAD SIDE, THE EASEMENT EVIDENT
WAS FOUND TO BE A 10' EASEMENT
WHICH IS NOT SHOWN ON THE TAX MAP.
IT IS FROM THE CENTER LINE OF WALKER ROAD.



NOTES:
1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE
REQUIREMENTS OF THE SOUTH CAROLINA SURVEYING
ACT OF 1962, AS AMENDED, AND THE RULES AND
REGULATIONS THEREUNDER.
2. THE SURVEY WAS MADE BY ME OR UNDER MY
SUPERVISION AND TO THE BEST OF MY KNOWLEDGE
AND BELIEF IT IS TRUE AND CORRECT.
3. I HAVE NOT BEEN ADVISED OF ANY OTHER
SURVEYS MADE IN THE VICINITY OF THIS TRACT
WHICH COULD AFFECT THE RESULTS OF THIS SURVEY.
4. THE SURVEY WAS MADE BY ME OR UNDER MY
SUPERVISION AND TO THE BEST OF MY KNOWLEDGE
AND BELIEF IT IS TRUE AND CORRECT.
5. I HAVE NOT BEEN ADVISED OF ANY OTHER
SURVEYS MADE IN THE VICINITY OF THIS TRACT
WHICH COULD AFFECT THE RESULTS OF THIS SURVEY.

REMARKS	DATE	BY

**PROPERTY SURVEY FOR
MAUDIE E. ALLEN**



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