

**ZONING DOCKET FROM May 28, 2014 GCPC MEETING**

<b>Number</b>	<b>Applicant</b>	<b>CC DIST.</b>	<b>STAFF REC.</b>	<b>GCPC REC.</b>	<b>P&amp;D REC.</b>	<b>COUNCIL ACTION</b>
<b>CZ-2014-23</b>	Gregory Heintz for Pedro Mateo 1325 Brushy Creek Road 0538040101200 POD to OD and R-15	20	Approval (R-15 portion) & Denial (OD portion)	Forward To P and D with no recommendation 5-28-14		
<b>Public Comments</b>	<p><b>Some of the general comments made by Speakers at the Public Hearing on May 19, 2014 were:</b></p> <p><u>Speakers For:</u> Rezoned to POD last year, at that time owner was to sell entire property. Now, church wants to maintain ownership and split the property. He will build vacant portion of property.</p> <p><u>Speakers Against</u> Appraisal done on property. Survey moved lines. New property will not have enough space for church parking. Capacity is 125. Church has contract on property. Contract drafted, not signed.</p>					<p><b>Petition/ Letter</b></p> <p><u>For:</u> None</p> <p><u>Against:</u> None</p>
<b>Staff Report</b>	<p>The subject parcel is currently zoned POD (Planned Office Development). The request is for the western 1.17 acres to be rezoned to OD (Office Development) and the eastern 0.52 acres to be rezoned to R-15 (Residential). The purpose of the OD District is to provide for office uses including but not limited to the following: accountant, advertising agency, bank, savings and loan, broadcasting studio, brokerage house, employment agency, insurance, professional offices, real estate, and research facilities. The purpose of the R-15 District is for parcels with a minimum square footage of 15,000 (0.34 acres) in which the principal use of land is for single-family dwellings and for related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area.</p> <p>The applicant has stated his intent to subdivide the property into the two parcels described above. The intent of the applicant is to revert the eastern 0.52 acres to that of its former use as a church. A church is an allowable Use by Special Exception in the R-15 District. The intent of the applicant is for office use on the western 1.17 acres.</p> <p>This entire 1.67 acre site was rezoned in 2013 from R-15 to POD (CZ-2013-27). The intent of the site at the time of rezoning was to allow for the retro-fit of an existing church for use as an insurance office, with the remainder of the site to remain undeveloped.</p>					
<b>GCPC</b>	<p>At the May 28, 2014 Planning Commission meeting, the Commission discussed the request; noting the subject property had recently been rezoned to POD in 2013. Additionally it was noted at the Public Hearing there was an ongoing dispute between the applicant, the current owner of the property and a potential purchaser of the property. The Commission forwarded the docket to the P and D Committee with no recommendation.</p>					

**Planning Report**

**DOCKET NUMBER:** CZ-2014-23

**APPLICANT:** Gregory Heintz for Pedro Mateo

**PROPERTY LOCATION:** 1325 Brushy Creek Road, Taylors, SC 29687

**PIN/TMS#(s):** 0538040101200

**EXISTING ZONING:** POD, Planned Office District

**REQUESTED ZONING:** O-D (Office District) (1.17 acres), and  
R-15 (Single-Family Residential 15,000) (0.52 acres)

**ACREAGE:** 1.67

**COUNCIL DISTRICT:** 20 - Cates

**ZONING HISTORY:** Parcel was zoned R-15 in May 1970 as part of Area 1  
Parcel was rezoned to POD in September 2013 (CZ-2013-27)

**EXISTING LAND USE:** Vacant church

**AREA CHARACTERISTICS:**

Direction	Zoning	Land Use
North	R-15	Gray Fox Run subdivision
East	R-15	Single-family residence
South	R-15	Institutional use (Eastside High School)
West	R-15	Single-family residence

**WATER AVAILABILITY:** Greenville Water System

**SEWER AVAILABILITY:** Taylors Sewer District

**IMAGINE GREENVILLE PLAN:** Residential Land Use 2

**ROADS:** Brushy Creek Road: Three lane State-maintained minor arterial

**TRAFFIC IMPACT:** Traffic generated from the site would vary due to the variety of office uses and sizes permitted in the OD. A traffic count station was conducted on Brushy Creek Road in 2012, approximately 150 feet southeast of the subject site. The station counted 9,400 average daily traffic trips, which represented a 15% decrease from the traffic count generated in 2011, and a 4% decrease from the traffic count generated in 2007.

**SUMMARY:**

The subject parcel is currently zoned POD (Planned Office Development). The request is for the western 1.17 acres to be rezoned to OD (Office Development) and the eastern 0.52 acres to be rezoned to R-15 (Residential). The purpose of the OD District is to provide for office uses including but not limited to the following: accountant, advertising agency, bank, savings and loan, broadcasting studio, brokerage house, employment agency, insurance, professional offices, real estate, and research facilities. The purpose of the R-15 District is for parcels with a minimum square footage of 15,000 (0.34 acres) in which the principal use of land is for single-family dwellings and for related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area.

The applicant has stated his intent to subdivide the property into the two parcels described above. The intent of the applicant is to revert the eastern 0.52 acres to that of its former use as a church. A church is an allowable Use by Special Exception in the R-15 District. The intent of the applicant is for office use on the western 1.17 acres.

This entire 1.67 acre site was rezoned in 2013 from R-15 to POD (CZ-2013-27). The intent of the site at the time of rezoning was to allow for the retro-fit of an existing church for use as an insurance office, with the remainder of the site to remain undeveloped.

**CONCLUSION:**

It is staff's opinion that the requested OD (Office District), permits uses incompatible with the adjacent single-family residences. Staff understands that the current zoning classification of POD (Planned Office Development) would allow for similar uses to the OD District, but with stricter site plan review requirements before final development may commence. This additional review would ensure any proposed development is compatible with existing surrounding development. It is also staff's opinion that the requested R-15 (Residential) zoning for use as a church is appropriate for the eastern 0.52 acres of this parcel.

Therefore, based on these reasons, staff recommends denial of this portion of the application to rezone 1.17 parcel from the POD district to the O-D district, and approval of this portion of the application to rezone 0.52 parcel from the POD district to the R-15 district. The Planning Commission discussed the item, noting the property had recently been rezoned to POD in 2013. Additionally, it was noted at the Public Hearing that there is an ongoing dispute between the applicant, the current owner of the property and a potential purchaser of the property. The Commission forwarded the docket to the P and D Committee with no recommendation.

