

Zoning Docket from May 16, 2016 Public Hearing

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2016-33	Kenneth M. Brown for Jack H. Nimmons, Jr. 2200 Block of W. Blue Ridge Drive 0135001000200, 0135001000300 and 0135001000500 I-1, Industrial to C-3, Commercial	23	Approval	Approval 5/25/16	6/6/16	
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on May 16, 2016 were:</p> <p><u>Speakers For:</u></p> <ol style="list-style-type: none"> 1) Kenneth Brown, Applicant and owner's representative <ul style="list-style-type: none"> • No retail allowed in I-1, so it needs to be rezoned for • Setbacks for I-1 are large, about 50 feet, which would limit the building size • Site and location best used for retail. It's no longer the gas station • DHEC has monitoring wells on the site, and currently no issues and been cleared by DHEC through a voluntary cleanup with any use can go back onto the site. • Wants to prevent ABC stores and night clubs, but love a restaurant <p><u>Speakers Against:</u> none</p> <p>List of meetings with staff: none</p>					<p>Petition/Letter</p> <p><u>For:</u> none</p> <p><u>Against:</u> none</p>
Staff Report	<p>The subject parcel is 1 acre of property located on West Blue Ridge Drive approximately 0.6 miles southwest of the intersection of West Blue Ridge Drive and Cedar Lane Road. The parcel has approximately 300 feet of frontage along West Blue Ridge Drive, 60 feet of frontage along Hoyt Street, 200 feet of frontage along Cobb Street and 270 feet of frontage along Santuck Street.</p> <p>The applicant states the proposed land use is for retail. This property has been used in the past as a gas station. However, the location continues to be a good location for retail operations being on an arterial roadway among other similar uses.</p> <p>It is staff's opinion that this requested rezoning would have minimal impact to the character of the surrounding area.</p> <p>Based on these reasons, staff recommends approval of the request for C-3, Commercial.</p>					

Planning Report

DOCKET NUMBER: CZ-2016-33

APPLICANT: Kenneth M. Brown for Jack H. Nimmons, Jr.

PROPERTY LOCATION: 2200 Block of W. Blue Ridge Drive

PIN/TMS#(s): 0135001000200, 0135001000300 and 0135001000500

EXISTING ZONING: I-1, Industrial

REQUESTED ZONING: C-3, Commercial

ACREAGE: 1

COUNCIL DISTRICT: 23 – Norris

ZONING HISTORY: The parcel was originally zoned I-1, Industrial in June 1973, as part of Area 4A.

EXISTING LAND USE: vacant gas station

AREA CHARACTERISTICS:

Direction	Zoning	Land Use
North	C-2	retail
East	R-7.5	single-family residential
South	I-1	warehouse and manufactured home park
West	R-10 and S-1	church, retail and single-family residential

WATER AVAILABILITY: Greenville Water

SEWER AVAILABILITY: Parker Sewer

FUTURE LAND USE: The subject property is part of the Imagine Greenville comprehensive plan and designates as a *Community Corridor*. These corridors are a near-balance of residential and nonresidential uses and the form and function is markedly different from the Neighborhood Corridor. Intensity of traffic, speed, and use is greater in a Community Corridor. These corridor roads are typically three lanes in width and have signals at most intersections. Given the higher volume and speed of traffic, access is managed with design principles that limit curb cut access.

DENSITY WORKSHEET: The following scenario provides the potential capacity of residential units based upon county records for acreage.

	Zoning	Zoning Density	GIS Acres	Total Units
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<i>Current</i>	<i>0</i>	<i>units/acre</i>	<i>0.84</i>	<i>0 units</i>
Requested	16	units/acre		13 units

A successful rezoning may add up to 13 units.

ROADS:

West Blue Ridge Drive: four-lane State-maintained minor arterial
Hoyt Street: two-lane County-maintained local
Cobb Street: two-lane County-maintained local
Santuck Street: one-lane County-maintained local

TRAFFIC:

Location of Traffic Count	Distance to Site	2007	2013	2014
Charleston Street	1,800' SW	20,200	21,900 8.4%	21,200 -3.2%

SUMMARY:

The subject parcel is 1 acre of property located on West Blue Ridge Drive approximately 0.6 miles southwest of the intersection of West Blue Ridge Drive and Cedar Lane Road. The parcel has approximately 300 feet of frontage along West Blue Ridge Drive, 60 feet of frontage along Hoyt Street, 200 feet of frontage along Cobb Street and 270 feet of frontage along Santuck Street.

The subject parcel is zoned I-1, Industrial. This district is established as a district for manufacturing plants, assembly plants, and warehouses. The regulations are intended to protect neighboring land uses from potentially harmful noise, odor, smoke, dust, glare, or other objectionable effects, and to protect streams, rivers, and the air from pollution.

The applicant is requesting to rezone the property to C-3, Commercial. This district is established to provide for the development of commercial and light service land uses that are oriented to customers traveling by automobile. The land uses in this district are intended to be located in non-residentially zoned areas and along major thoroughfares. Establishments in this district provide goods and services for the traveling public.

The applicant states the proposed land use is for retail. This property has been used in the past as a gas station. However, the location continues to be a good location for retail operations being on an arterial roadway among other similar uses.

CONCLUSION:

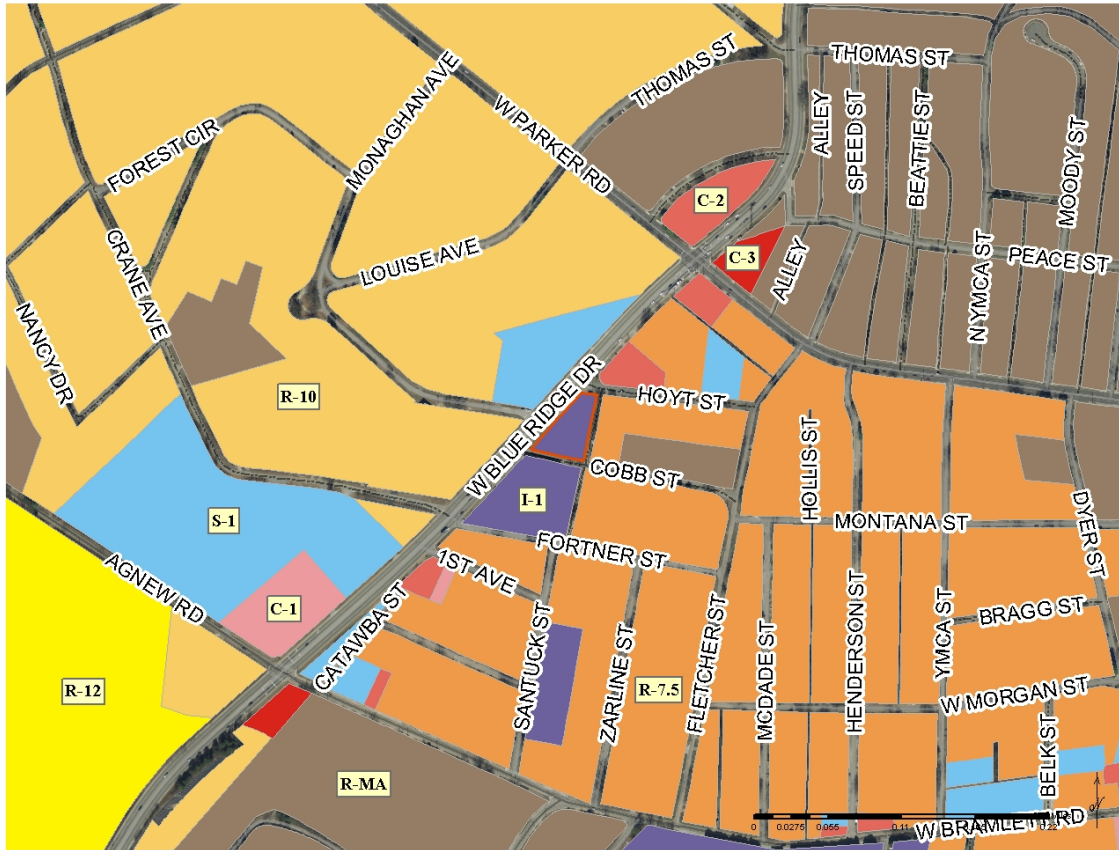
It is staff's opinion that this requested rezoning would have minimal impact to the character of the surrounding area.

Based on these reasons, staff recommends approval of the request for C-3, Commercial. The Planning Commission recommends approval.

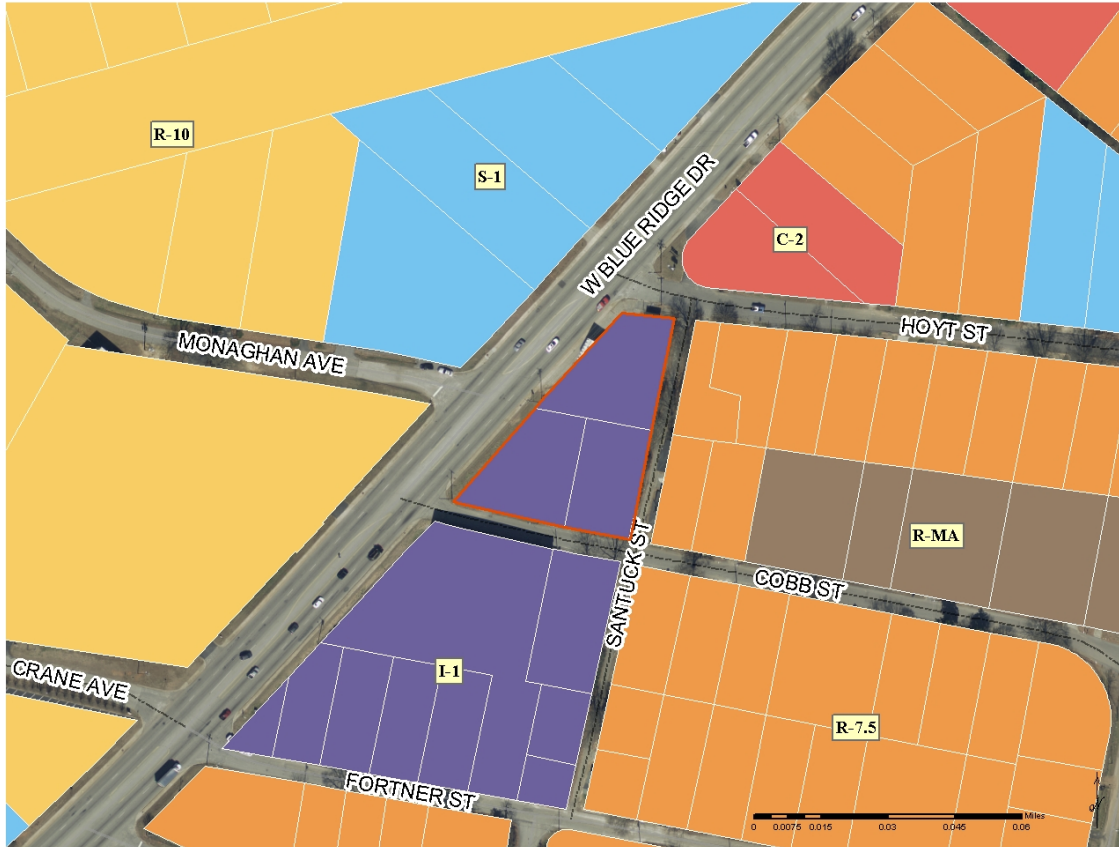


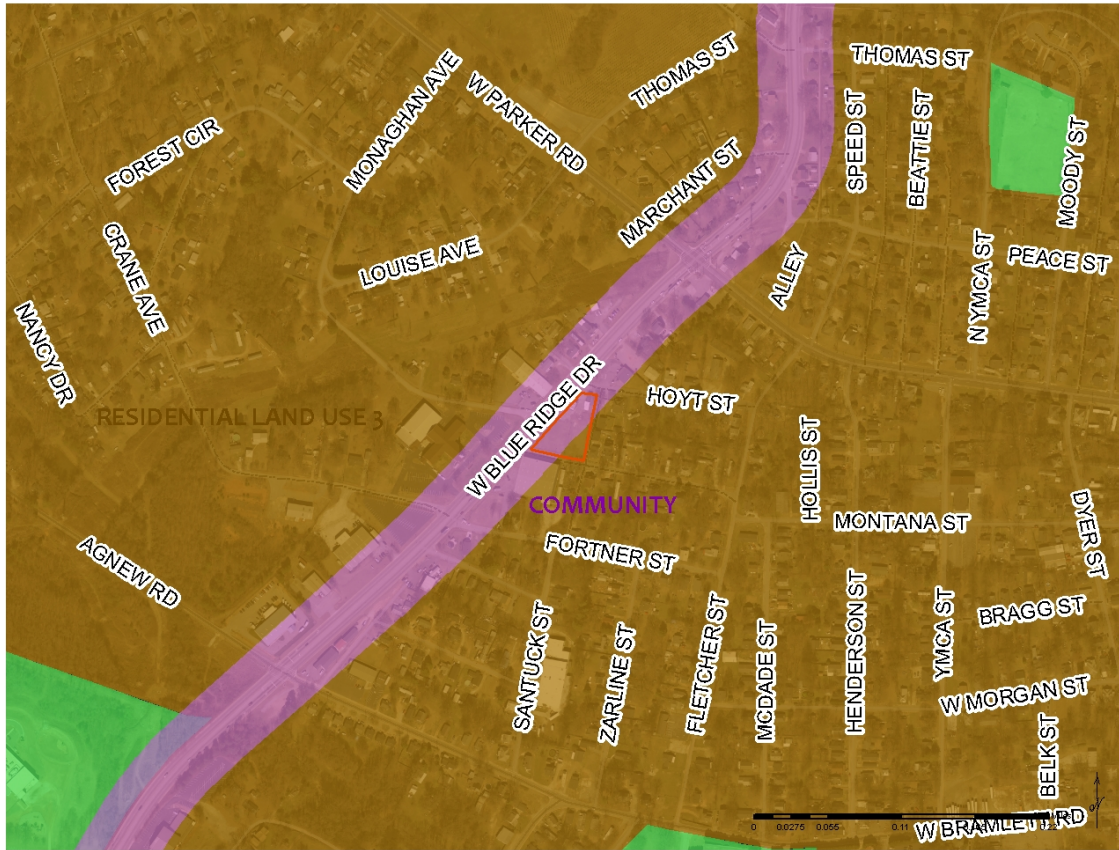
Aerial Photography, 2014





Zoning Map





Future Land Use Map



Catherine E. Heigel, Director

Promoting and protecting the health of the public and the environment

MAY 06 2016

MR JACK NIMMONS
NIMMONS OIL CO
1902 N PLEASANTBURG DR
GREENVILLE SC 29609-4026

Re: **Letter of Concern**

Nimmons Oil Co, 21 Hoyt St, Greenville, SC
UST Permit #04179
Release reported April 7, 1993
Request received May 5, 2016
Greenville County

Dear Mr. Nimmons:

In response to your request for information about environmental conditions and liability associated with the referenced facilities and adjacent property, the following is provided by Underground Storage Tank (UST) Management Division of the South Carolina Department of Health and Environmental Control (Agency).

On April 7, 1993, a petroleum release at UST Permit #04179 was reported to the Agency. According to Agency records, five (5) USTs were registered by Nimmons Oil Co. and were removed June 24-25, 1992. Agency records indicate that Nimmons Oil Co., the tank owner at the time of the release, complied with the regulatory requirements and stopped the leak from the tanks. In addition, the Agency directed Nimmons Oil Co., to assess the extent and severity of the release. As of February 2014, the assessment of this release has been completed and the site has proceeded to monitored natural attenuation. The next scope of work is a comprehensive groundwater sampling event to assess the progress of natural attenuation of dissolved petroleum constituents.

The release of petroleum products from UST Permit #04179 is qualified to receive funding under the conditions of the State Underground Petroleum Environmental Response Bank (SUPERB) Act. This means that reasonable costs up to \$1,000,000 can be paid by the SUPERB account for site rehabilitation actions associated with each release. Should cleanup costs exceed \$1,000,000, Nimmons Oil Co., under state and federal law, retains responsibility for any additional actions and associated costs for this release.

The Agency is not aware of any laws or regulations that prohibit the use or development of properties where a petroleum release has occurred. However, the Agency advises against installing a water supply well for drinking, cooking, or bathing purposes until active corrective action is completed. If you should choose to install a water supply well for these purposes at this time, it is at your discretion. As stated above, active corrective action measures will be implemented to rehabilitate affected ground water to acceptable levels.

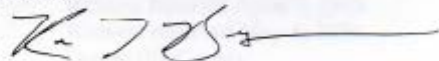
SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

2600 Bull Street • Columbia, SC 29201 • Phone: (803) 898-3432 • www.scdhec.gov

Any future work required by the Agency should not cause any damage to the building, disrupt deliveries, prevent access to customers, or block main access routes. To further assure you, any required activities associated with the petroleum release would be performed by a SC Certified Site Rehabilitation Contractor who maintains specific levels of insurance coverage for General and Professional Liability and Pollution/Property Damage. Such coverage is required by Section IV of the SUPERB Site Rehabilitation and Fund Access Regulations R. 61-98.

If you have any questions, please contact me at (803) 898-0614. I can also be reached by email at barneskt@dhec.sc.gov or by fax at (803) 898-0673.

Sincerely,



Kevin T Barnes, GIT
Hydrogeologist
Corrective Action Section
UST Management Division
Bureau of Land and Waste Management

cc: Mr. Ken Brown, New Mark Commercial Real Estate, 326 Wellington Way, Central, SC 29630
Mr. Trevor Benton, Bunnell-Lammons Engineering, Inc., 6004 Ponders Ct, Greenville, SC
29615
Technical File