

**MINUTES**  
**GREENVILLE COUNTY PLANNING COMMISSION**  
October 22, 2008

**MEMBERS PRESENT:** B. Robinson, Chair; F. Mansbach, V. Chair; J. Barbare, D. Eldridge, S. Pruitt, R. Bell, T. Usher, and R. McCoy

**MEMBERS ABSENT:** L. Stevens

**STAFF:** M. Long; J. Owings; T. Meeks; S. Limbaker, P. Webb, K. McCormick; and H. Hahn

**CALL TO ORDER; OPENING REMARKS**

The Chair called the meeting to order at 4:30 p.m. and gave the invocation.

**APPROVAL OF THE SEPTEMBER 24, 2008 MINUTES**

Without objection the minutes of the September 24, 2008 meeting were approved as presented.

**PRELIMINARY SUBDIVISION APPLICATIONS**

06-105M, Cliffs Mountain Park, Phase 3  
07-170, Saluda Pointe (withdrawn)  
08-176, Gowensville Farm (revised) (withdrawn)  
08-181, Milestone Village

Ms. Webb presented the above subdivision applications, noting two have been withdrawn by the applicants.

**MOTION:** By Ms. Eldridge, seconded by Mr. Mansbach to approve the above. The motion carried unanimously.

**VARIANCE REQUEST**

**04-251, Carolina Moon Equestrian Estates**

Ms. Webb explained the request was to add two (2) additional lots to Carolina Moon Equestrian Estates, Phase I. This request would increase each cul-de-sac to serve eight (8) lots rather than six (6) lots.

**MOTION:** By Mr. Barbare, seconded by Ms. Eldridge to approve the applicant's request. The motion carried unanimously.

**REQUEST FOR EXTENSION OF PRELIMINARY APPROVAL**

**05-269, Harvest Glen (was the Enclave at Willow Grove)**

Ms. Webb stated the above mentioned subdivision has requested an extension of preliminary approval due to negotiations that were currently in progress with Metropolitan Sewer and Western Carolina Sewer Authority.

**MOTION:** By Ms. Eldridge, seconded by Mr. Mansbach to add a contingency for the subdivision to meet the requirements of the Tree Ordinance. The motion carried with one in opposition (Robinson).

**MOTION:** By Ms. Eldridge, seconded by Mr. Mansbach to approve the applicants request for extension with the added requirement of observing the Tree Ordinance. The motion carried with one in opposition (Robinson).

**REZONING REQUESTS**

**RECONSIDERATION**

CZ-2008-35 (hold due to docket CZ-2008-53)

**MOTION:** By Mr. Barbare, seconded by Mr. Robinson to hold CZ-2008-35. The motion carried unanimously.

**NEW APPLICATIONS**

Chairman Robinson moved ahead Zoning Dockets CZ-2008-72 and CZ-2008-73.

Mr. Limbaker explained the rezoning process for all attending the meeting. In addition, he noted this meeting would be the first that would allow public comments regarding zoning requests.

Mr. Limbaker explained the public comment process to the audience.

**CZ-20098-72,** Bobby Carpenter for Kenneth & Cheryl Burehring and WILL-S LTD Partnership, located on Pelham Road and Hudson Road, requesting rezoning from R-20 to NC.

- § Ms. Gaye Sprague, with Sprague and Sprague addressed the Commission members in favor of the proposed.
- § Mr. Robert M. Carpenter, developer, addressed the Commission members in favor of the proposed.
- § Mr. Robert Sharp, representing the neighborhood associations, addressed the Commission members in opposition of the proposed.
- § Mr. Copper addressed the Commission members in opposition to the proposed.

**CZ-2008-73,** Bobby Carpenter for Wesley Giles, MM Capital, located on Brushy Creek Road at Old Spartanburg Road, requesting rezoning from R-15 to NC.

- § Mr. Robert M. Carpenter, developer, addressed the Commission members in favor of the proposed
- § Ms. Gaye Sprague, with Sprague and Sprague addressed the Commission members in favor of the proposed.
- § Mr. Rusty Harter addressed the Commission members in opposition to the proposed.

**CZ-2008-69**, John Messer, III., located on E. Main Street, Taylors, requesting rezoning from R-S to C-1.

§ Mr. Matt Carter addressed the Commission members in opposition to the proposed.

**CZ-2008-71**, Cathy Frohnheiser and Connie Judd, located on Old Spartanburg Road, requesting rezoning from R-MA to O-D.

§ Cathy Frohnheiser addressed the Commission members in favor of the proposed.

Mr. Limbaker presented the following with staff's recommendations:

**CZ-2008-69**, John Messer, III., located on E. Main Street, Taylors, requesting rezoning from R-S to C-1. Staff recommends approval.

**CZ-2008-71**, Cathy Frohnheiser and Connie Judd, located on Old Spartanburg Road, requesting rezoning from R-MA to O-D. Staff recommends denial.

**CZ-20098-72**, Bobby Carpenter for Kenneth & Cheryl Burehring and WILL-S LTD Partnership, located on Pelham Road and Hudson Road, requesting rezoning from R-20 to NC. Staff recommends denial.

**CZ-2008-73**, Bobby Carpenter for Wesley Giles, MM Capital, located on Brushy Creek Road at Old Spartanburg Road, requesting rezoning from R-15 to NC. Staff recommends denial.

The Commissioners requested a more detailed explanation of each zoning application.

**CZ-2008-69, County Council District 18**

The subject property is zoned R-20, Single-Family Residential, and allows single-family residences at a density of 2.2 units per acre. The requested C-1, Commercial, allows commercial uses established for the convenience of local residents at a maximum gross floor area of 75,000 square feet.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Suburban Residential uses are preferred for this area at a density of 2-7 units per acre.

**Taylors Area Land Use Plan (June 2002).** The Future Land Use Plan indicates Commercial Uses are preferred for the site.

East Main Street is a two-lane SCDOT maintained road. Sidewalks are present along a portion of one side of East Main Street and no road improvements are scheduled for this area.

The subject property is located on East Main Street in Taylors. The subject property is zoned R-20, Single-Family Residential, and is occupied by a vacant commercial structure. The parcel to the adjacent west also is zoned R-20, Single-Family Residential, and is occupied by two vacant commercial structures. The parcel to the adjacent north and east is zoned R-20, Single-Family Residential, and is undeveloped. The parcels to the south across E. Main Street are zoned C-2, Commercial, and are occupied by a commercial use (Supertone Auto Products) and a church.

The subject property was originally zoned R-20, Single-Family Residential, as part of Area 1 in May 1970. There have been no other rezoning requests for the subject property. A request to rezone the parcel to the adjacent north and east from R-20, Single-Family Residential, to S-1, Services, was submitted in 2006 as Docket CZ-2006-97. Staff, Planning Commission and PWRD Committee recommended denial and Council subsequently denied the request. The parcels to the south across E. Main Street were rezoned C-2, Commercial, in 1973 as Docket CZ-1973-79.

Staff is of the opinion the proposed C-1, Commercial, zoning designation and permitted uses are consistent with the existing zoning and commercial/office uses in the immediate vicinity of the site. Staff is also of the opinion the proposed C-1, Commercial, request complies with the Taylors Area Land Use Plan, which designates this site for commercial zoning. The intent of the Taylors Area Land Use Plan is to maintain the residential and neighborhood commercial character of this area of East Main Street. Staff is of the opinion the proposed C-1, Commercial, district complies with the intent of the Taylors Area Land Use Plan and the size of the parcel precludes large scale commercial development that would be incompatible with the neighborhood commercial intent of the Taylors Area Land Use Plan. Based on the aforementioned reasons, staff recommends approval.

**MOTION:** By Mr. Mansbach, seconded by Mr. Barbare to approve the applicant's request. The motion carried unanimously.

#### **CZ-2008-71, County Council District 21**

The subject property is zoned R-MA, Multifamily Residential, and allows multifamily residences at a maximum density of 20 units per acre. The requested O-D, Office District allows offices and similar uses.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Urban Residential uses are preferred for this area at a density of 8-20 units per acre.

#### **Roads**

Old Spartanburg Road is a five-lane SCDOT maintained road. Sidewalks are present on both sides of Old Spartanburg Road and no road improvements are scheduled for this area.

The subject property located on Old Spartanburg Road is zoned R-MA, Multifamily Residential, and is occupied by a vacant single-family residence. The properties to the adjacent west, east and south are zoned R-MA, Multifamily Residential, and are occupied by an undeveloped tract, a daycare center (Small Impressions) and a recreation area (GCRD Brushy Creek Soccer Complex) respectively. The parcels to the north across Old Spartanburg Road are zoned R-MA, Multifamily Residential, and R-M10, Multifamily Residential, and are occupied by offices (Eastside Professional Park) and multifamily residences (Greyeagle Apartments).

The subject property was originally zoned R-MA, Multifamily Residential, as part of Area 1 in May 1970. A request to rezone the subject site from R-MA, Multifamily Residential, to S-1, Services, was submitted in 2006 as Docket CZ-2006-99. Staff, Planning Commission and PWRD Committee recommended denial and County Council subsequently denied the request on February 6, 2007. There have been no other rezoning requests for the subject property.

The Planning Staff recognizes that the proposed O-D, Office District, request allows uses that may be compatible with the commercial/office uses in the immediate vicinity to the north and

east of the site. However, the O-D, Office District, does not require architectural and design standards, building size constraints, etc. to ensure compatibility with the existing single-family residential uses to the west and northwest along Old Spartanburg Road. By contrast, the POD, Planned Office District, ensures that any structures and uses are compatible with the single-family residences in the area. Furthermore, the undeveloped parcel to the adjacent west is 2.3 acres in size. If the subject site were approved to O-D, Office District, a precedent could be set for the adjacent tract to be zoned O-D, Office District, which staff is of the opinion is inappropriate considering the adjacent single-family residence.

Rezoning has occurred for office uses in this area; however, the requests have been for POD, Planned Office District, zoning. For instance, a request for a POD, Planned Office District, (CZ-2007-1) was approved to the west on E. North Street to reuse an existing home for a nurse training center adjacent to the Bradford Subdivision. A request for a POD, Planned Office District, across Old Spartanburg Road to the northeast has been approved by Council, but is currently pending an amendment by the PWPD Committee for additional square footage (CZ-2008-41).

The Eastside Office Park across Old Spartanburg Road and the adjacent daycare center were both developed on property zoned R-M10, Multifamily Residential, and R-MA, Multifamily Residential, respectively. At the time of development, the aforementioned uses were allowed in the multifamily zoning districts as a use on review with approval granted by the Board of Zoning Appeals. In 2003, County Council eliminated offices and similar uses as a use on review in these districts. Based on the aforementioned reasons, staff recommends denial.

Chairman Robinson passed the gavel to Vice-Chairman Mansbach.

**MOTION:** By Mr. Robinson to approve the applicant's request. There being no second, the motion failed.

**MOTION:** By Mr. Barbare, seconded by Ms. Eldridge to deny the applicant's request. The motion carried with one in opposition (Robinson).

Vice-Chairman Mansbach passed the gavel back to Chairman Robinson.

#### **CZ-2008-72, County Council District 22**

The property is zoned R-20, Single-Family Residential, allows single-family residences at a maximum density of 2.2 units per acre. The requested NC, Neighborhood Commercial, would allow a 13,225 square foot pharmacy (CVS) and includes 6 acres of property to be preserved as a conservation area.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Suburban Residential uses are preferred for this area at a density of 2-7 units per acre.

**Pelham Road Corridor Plan (June 2006).** The Future Land Use Map indicates Low Density Residential uses are preferred for this area. (R-10, R-12, R-15, R-20 and PD zoning classifications)

#### **Roads**

Pelham Road is a five-lane SCDOT maintained road with turn lanes at the Hudson Road intersection. Hudson Road is a two-lane SCDOT maintained road that widens to five lanes at the

Pelham Road intersection. Sidewalks are not present on either road and no road improvements are scheduled for this area.

The subject parcels were zoned R-20, Single Family Residential, as part of Area 1 in May 1970. In 1999, a request to annex and rezone the subject properties from R-20, Single-Family Residential, to PD, Planned Development, was denied by the City of Greenville. A request to rezone the subject properties from R-20, Single-Family Residential, to C-1, Commercial, was submitted in 2006 as Docket CZ-2006-87 and was withdrawn by the applicant prior to the October 16, 2006 public hearing. Most recently, a request to rezone the properties to C-1, Commercial, was made by the applicant as Docket CZ-2008-55. This docket is currently being held in PWPD committee pending action on this case. Staff and Planning Commission both recommended denial of C-1, Commercial, for CZ-2008-55.

### **Existing Zoning and Land Use**

The subject properties are located at the intersection of Pelham Road and Hudson Road. The parcels are zoned R-20, Single-Family Residential, and are occupied by a single-family residence. The remainder of the land is undeveloped. The parcels to the adjacent north and to the west across Hudson Road are zoned R-20, Single-Family Residential, and are occupied by single-family residences in the Pelham Estates subdivision. The parcels to the adjacent east are zoned R-20, Single-Family Residential, and are occupied by single-family residences in the Roper at Pelham subdivision. The parcels to the south across Pelham Road are zoned O-D, Office District, in the City Limits of Greenville and are occupied by the Greenville Hospital System.

Although this plan meets the ordinance requirements for a use typically expected in a NC, Neighborhood Commercial, request, staff is of the opinion the recommended land use pattern in the Pelham Road Corridor Future Land Use Plan remains appropriate for this location. The following recommendations were stated in the staff report for CZ-2008-55 and staff remains of the same opinion:

The Pelham Corridor Plan, adopted by County Council in June 2006, indicates Low Density Single-Family Residential uses are preferred at this location and in this area north of Pelham Road. Numerous public meetings were held, surveys conducted, etc. to arrive at the proposed land uses in the area which were supported by the study committee and County Council. It should also be noted the subject site was designated for multifamily uses on a draft future land use plan; however, prior to adoption and based on discussions with County Council and the citizens in the area, the subject site was designated Low Density Single-Family Residential. Based on these reasons, staff recommends denial of the request.

**MOTION:** By Mr. Mansbach, seconded by Mr. McCoy to deny the applicant's request. The motion carried with three in opposition (Barbare, Pruitt and Usher).

### **CZ-2008-73, County Council District 20**

The property is zoned R-15, Single-Family Residential, which allows single-family residences at a maximum density of 2.9 units per acre. The requested NC, Neighborhood Commercial, would allow an 11,945 square foot pharmacy (CVS) and includes 2.1 acres of property to be preserved as a conservation area.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Suburban Residential uses are preferred for this area at a density of 2-7 units per acre.

### **Roads**

Brushy Creek Road is a SCDOT-maintained three-lane road with a center turn lane at the intersection with Old Spartanburg Road. Old Spartanburg Road is a SCDOT-maintained two-lane road with a center turn lane at the intersection of Brushy Creek Road. Sidewalks are present on one side of Brushy Creek Road and both sides of Old Spartanburg Road.

### **Zoning History**

The subject property was zoned R-15, Single-Family Residential as part of Area 1 in May 1970.

1972: A request to rezone the adjacent O-D, Office District, parcel from R-15, Single-Family Residential, to S-1, Services, was denied in 1972 as Docket CZ-1972-25.

1975: Another request to rezone the adjacent O-D, Office District, parcel from R-15, Single-Family Residential, to S-1, Services, was denied in 1975 as Docket CZ-1975-24.

1975: A request to rezone the adjacent O-D, Office District, parcel from R-15, Single-Family Residential, to C-2, Commercial, was denied in 1975 as Docket CZ-1975-53.

1981: The three adjacent parcels zoned O-D, Office District, were rezoned from R-15, Single-Family Residential, to O-D, Office District, in 1981 as Docket CZ-1981-72.

2003: The subject site was part of a request in 2003 to rezone from R-15, Single-Family Residential, and O-D, Office District, to PD, Planned Development, to allow for a 14,560 sq. ft. commercial building, a 6,300 sq. ft. office building and 2.84 acres of open space. The request was known as Docket CZ-2003-20 and staff recommended denial, Planning Commission recommended denial, PWPD recommended approval and County Council denied the request on April 15, 2003.

2005: A similar request to rezone from R-15, Single-Family Residential, and O-D, Office District, to PD, Planned Development was submitted in 2005 as Docket CZ-2005-109. The request was for a 12,900 sq. ft. commercial building, a 6,000 sq. ft. office building and 2.73 acres of open space. Staff recommended denial, Planning Commission recommended approval, PWPD recommended denial, and County Council denied the request on July 18, 2006.

Most recently, a request to rezone the property to C-1, Commercial, was made by the applicant as Docket CZ-2008-54. This docket is currently being held in PWPD committee pending action on this case. Staff and Planning Commission have both recommended denial of C-1, Commercial, for CZ-2008-54.

The subject property is located on Brushy Creek Road near the intersection of Old Spartanburg Road. The parcel is zoned R-15, Single-Family Residential, and is occupied by a single-family residence on a small portion of the tract. The remainder of the land is undeveloped. The parcels to the adjacent north, east and west are zoned R-15, Single-Family Residential, and are occupied by single-family residences (Woodharbor Subdivision to the north and east). The parcels to the adjacent south are zoned O-D, Office District, and are occupied by a dental office and an insurance office. The parcels to the south across Brushy Creek Road are zoned O-D, Office

District, occupied by an ATM machine and R-15, Single-Family Residential, occupied by a cemetery.

In the staff report for CZ-2008-54, staff concurred with the following opinions from 2003 and 2005:

*Commercial land uses, meanwhile, are located at the intersection of Old Spartanburg Road and Hudson Road to the east of the subject properties. Consequently, the long-held expectation has been for commercial traffic and land uses to be oriented to that area.*

Staff continues to concur with this position. There have not been significant changes to this area to allow commercial zoning and or uses on this property. Staff is of the opinion establishing a commercial use on this property would be incompatible with the established residential character of the area. Although, there are nonresidential uses adjacent to the site; they are located at the intersection and are restricted to the uses allowed in the O-D, Office District. Staff recommends denial of the requested rezoning.

**MOTION:** By Mr. Barbare, seconded by Mr. Pruitt to approve the applicant's request. The motion failed with six in opposition (Bell, McCoy, Eldridge, Robinson, Mansbach and Usher).

#### **DISCUSSION OF TND (TRADITIONAL NEIGHBORHOOD DEVELOPMENT)**

Kelli McCormick addressed the Commission members regarding TND's. She stated she has prepared additional information which was included in the Commission agenda packet which would provide examples of TND's within South Carolina. Ms. McCormick presented some suggestions for the Commissioners to think over regarding TND's and also gave examples from throughout the state. Ms. McCormick welcomed feedback from the Commissioners and after further discussions the Commission members voiced interest in having a workshop on TND's.

#### **UPDATE REGARDING WEB SITE INFORMATION**

Ms. Long states she would give the Commission members an answer from the County Attorney at next months meeting regarding having certain information on the County web site.

#### **APPEARANCES (Non Agenda Items)**

There were no appearances regarding non agenda items.

#### **OLD/NEW BUSINESS**

##### **Directors Report**

Ms. Long reminded the Commission members about verbiage in making a motion.

Mr. Robinson asked if there had been any word from County Council regarding the TIS.

Ms. Long stated she had not received any word regarding the TIS.

Ms. Long suggested finding a way not to recommend zoning to applicants.

Ms. Long showed the award Norman Wright won at the SCAPA Conference.

Mr. Robinson suggested foregoing the Planning Commission workshop on November 12, 2008 to attend the November 11, 2008 presentation at the Carolina First Center.

Ms. Eldridge inquired about the November meeting and December meeting. After some discussion the following motion was made.

**MOTION:** By Mr. Mansbach, seconded by Ms. Eldridge to combine the November and December meeting and meet on December 3, 2008. The motion carried unanimously.

Mr. Limbaker stated November 5, 2008 there would be an audio web conference in Conference Room D at 4:00 p.m.

**MOTION:** By Ms. Eldridge, seconded by Mr. Usher to cancel the regular scheduled December Planning Commission meeting on December 24, 2008 and allow staff to handle the subdivision requests. The motion carried unanimously.

Ms. Long stated the web conference would be on Creating Successful Meetings from 4:00 p.m. to 5:00 p.m. The next web conference will be on February 18, 2009 titled Informed Decisions from 4:00 p.m. to 5:00 p.m. and the last would be on April 15, 2009 titled Zoning for Transit Oriented Development.

Mr. Robinson stated December 10, 2008 would be the Planning Commission Workshop.

The Commission members discussed having an off-site retreat in January; the tentative date would be January 9, 2009, perhaps at the Younts Center. All Commissioners agreed on the date.

Mr. Robinson stated he would like all to research and discuss an ordinance to apply for a grandfather type zoning cases, to weigh the intent of the application verses the zoning restrictions.

Mr. Barbare requested any traffic studies be forwarded to the Commissioners in a timely manner.

**ADJOURNMENT**

**ACTION:** Without objection, the meeting adjourned at 6:57 p.m.

Submitted by Recording Secretary

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