

MINUTES
GREENVILLE COUNTY PLANNING COMMISSION
June 24, 2009

MEMBERS PRESENT: T. Usher, Chair, R. Bell, V. Chair; J. Barbare, B. Robinson, L. Stevens, F. Mansbach, M. Shockley, R. McCoy, and S. Pruitt

MEMBERS ABSENT: none

STAFF: M. Long, P. Webb, K. McCormick; J. Owings, N. Wright and H. Hahn

CALL TO ORDER; OPENING REMARKS

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

SPECIAL RECOGNITION

Mr. Usher recognized past Chair Bill Robinson and past Vice Chair Frank Mansbach for all their dedicated work. He presented each with a gift from the Commission and staff.

APPROVAL OF THE May 27, 2009 MINUTES

MOTION: By Mr. Barbare, seconded by Mr. Bell to approve the minutes of the May 27, 2009 minutes. The motion carried unanimously.

PRELIMINARY SUBDIVISION APPLICATION

09-119, Neeley Ferry Commercial Development

Pat Webb addressed the Commission members regarding the above subdivision, stating the application was a revision to what was submitted last month. Ms. Webb explained the request for variance allowing lots 1, 3, and 9 to be able to access Neely Ferry and E. Standing Springs Road.

Ms. Webb stated the following contingencies were the recommendation of staff:

CONTINGENCIES

SCDOT MAINTAINS THIS PORTION OF NEELY FERRY ROAD. WITH THE REVISION TO THE PLAT, SCDOT OFFERS NO OBJECTION TO THE VARIANCE REQUEST. SCDOT WILL APPROVE DIRECT ACCESS TO NEELY FERRY ROAD, AS SHOWN ON THE REVISED PRELIMINARY PLAT.

GREENVILLE COUNTY MAINTAINS E. STANDING SPRINGS ROAD. THERE IS NO SUPPORT FOR THE VARIANCE TO ALLOW DIRECT ACCESS TO NEWLY CREATED LOTS ON E. STANDING SPRINGS ROAD FROM THE GREENVILLE COUNTY PUBLIC WORKS DEPARTMENT.

PLANNING STAFF TO BE FURNISHED WITH COPIES OF THE APPROVED ENCROACHMENT PERMITS FROM THE SCDOT AND THE GREENVILLE COUNTY PUBLIC WORKS DEPARTMENT PRIOR TO RECORDING ANY FINAL PLAT.

WHILE THERE IS CAPACITY IN THE NEAREST SEWER LINE, THE NEAREST SEWER LINE DOES NOT TOUCH THIS PROPERTY. THE DEVELOPER WILL HAVE TO PROVIDE METROPOLITAN SEWER WITH COPIES OF THE EXECUTED EASEMENTS ALLOWING THE PLACEMENT OF A SEWER LINE ACROSS ADJACENT PROPERTIES TO CONNECT WITH THE EXISTING SEWER TRUNK LINE PRIOR TO ANY APPROVAL OF A SEWER PLAN.

LOTS 1, 3, & 9 ARE PART OF A LARGER OVER-ALL DEVELOPMENT. NO SUMMARY PLAT FOR LOTS 1, 3, & 9 CAN BE RECORDED UNTIL SUCH TIME AS THE STORMWATER MANAGEMENT PLAN FOR THE ENTIRE SUBDIVISION HAS BEEN APPROVED, AND SEWER SERVICE HAS BEEN ESTABLISHED.

THE FIRE DISTRICT REQUIRES THAT ALL ENTRANCE DRIVES AND THE NEW ROAD MUST BE DESIGNED TO SUPPORT AERIAL FIRE FIGHTING APPARATUS.

THE STORMWATER MANAGEMENT PLAN CANNOT BE APPROVED UNTIL EASEMENTS FOR THE OUTFALL FROM THE DETENTION POND THROUGH ALL DOWN STREAM PROPERTIES TO THE NEAREST RECEIVING BODY HAVE BEEN SECURED AND COPIES OF THE RECORDED EASEMENTS HAVE BEEN FURNISHED TO THE GREENVILLE COUNTY LAND DEVELOPMENT DIVISION.

NO TREE PRESERVATION PLAN HAS BEEN SUBMITTED. A TREE PLANTING PLAN FOR THE DEVELOPMENT WILL BE REQUIRED PRIOR TO THE ISSUANCE OF A STORMWATER MANAGEMENT PLAN AND A GRADING PERMIT.

Mr. Shockley asked about the engineer having to obtain an easement for the outfall of the Stormwater retention and the easement would have to be approved?

Ms. Webb stated the easement would have to be recorded. She explained the discharge from this pond would be going through existing lots downhill. The Land Development Division stated before they would approve a Stormwater Management Plan they would need the easements in hand.

Mr. Shockley questioned the discharge of water and requested clarification. He stated he understood the need to control the discharge but was unfamiliar with downstream easements.

After further discussion regarding the contingencies, the following motion was made:

MOTION: By Mr. Shockley, seconded by Mr. McCoy to defer the item until further information becomes available regarding the storm drainage regarding outflow.

After further discussion regarding stormwater, the Commissioners requested someone from the Land Development Division attend the next Planning Commission meeting to explain the Stormwater Ordinance. Mr. Shockley restated his motion as:

MOTION: By Mr. Shockley, seconded by Mr. Bell to defer the item until next month to receive further clarification from the Land Development Department on the Stormwater, the access points and any other information. The motion carried unanimously.

Mr. Barbare also requested the developer or his representative is present also.

DRAINAGE EASEMENT ABANDONMENT REQUEST

DA-2009-02 Lots 120 & 121 Roper Mountain Estates

Ms. Webb addressed the Commission members regarding a drainage easement abandonment request for the above lots. She stated over the years the lot line between the two lots has been reconfigured to provide additional road frontage for lot 120 and an additional portion of lot 38 in Caaunessy was added to lot 121. At the time of the reconfiguration of the lot lines, there was no effort to change the location of the 24" diameter reinforced concrete pipe (RCP) from the existing catch basin. The pipe and its easement are now located in the center of what could be the only building site on the lot. Ms. Webb stated the applicant was requesting the lot now abandon the old 24" RCP and its easement in favor of a new pipe and easement to be located along the north side of lot 120 near another drainage easement.

MOTION: By Mr. Shockley, seconded by Mr. Mansbach to approve the request with the owner of the lot to be responsible for the installation of the line and the creation of the easement. An encroachment permit will be required for any work done within the right-of-way of the County road. The motion carried unanimously.

REZONING REQUESTS

NEW APPLICATIONS

Ms. McCormick briefly explained the rezoning process and presented the following rezoning requests with staff's recommendations.

CZ-2009-27, Lindsey Neese for Theresa Neece, located on S. Washington Avenue, requesting rezoning from R-10 to C-3. Staff recommends denial.

CZ-2009-28, Andres Rojas, located on W. Blue Ridge Drive, requesting rezoning from R-12 to C-3. Staff recommends denial.

CZ-2009-29 Jamie McCutchen for Lawton Fleming, located on Old Buncombe Road requesting rezoning from C-2 to R-M20. Staff recommends approval.

CZ-2009-30, John McNeeley for CRNS, Inc. located on Camden Drive, requesting rezoning from R-7.5 to R-MA. Staff recommends denial.

CZ-2009-31, Linda Tinsley, located on Arch Street Extension, requesting rezoning from R-M20 to C-3. Staff recommends approval.

CZ-2009-32, James Theodore II for Helen Theodore, located on Augusta Road, requesting rezoning from C-2 to S-1. Staff recommends approval.

CZ-2009-33, County Council for Windermere Subdivision, requesting rezoning from R-M20 and R-10 to R-12. Staff recommends approval.

The Planning Commissioners requested a more detailed explanation of zoning applications CZ-2009-33 and CP-2009-1.

CZ-2009-33

The subject properties are zoned R-M20, Multifamily Residential, district which allows multifamily residences at a maximum density of 20 units per acre and single-family residences at a maximum density of 5.8 dwelling units per acre with a portion of one parcel zoned R-10, Single-Family Residential, which allows single-family residences at a maximum density of 4.4 dwelling units per acre.

There are currently 50 platted lots in the rezoning request area of the Windermere Subdivision. The proposed zoning district would permit up to 88 single-family dwelling units; however, as it is a platted and mostly developed subdivision, the creation of new lots is unlikely.

The subject area was zoned R-M20, Multifamily Residential, and R-10, Single-Family Residential, as part of Area 2 in April 1972. No other rezoning requests have been submitted for the parcels. The surrounding area was zoned R-10, Single-Family Residential, R-12, Single-Family Residential, and R-M20 Multifamily Residential, as part of Area 2 in April 1972. The Summersett Golf course area was rezoned from R-S, Residential Suburban, and R-M, Multifamily Residential, to PD, Planned Development, in 1984 as Docket CZ-1984-28. Staff and PWPDC Committee recommended approval and Council approved the PD, Planned Development request on May 1, 1984.

Existing Zoning and Land Use

The properties in the rezoning area are zoned R-M20, Multifamily Residential, and a portion of one parcel is zoned R-10, Single-Family Residential. The properties in the rezoning area are occupied by single-family residences with a few undeveloped parcels in the subdivision. The site is adjacent to properties zoned R-10, Single-Family Residential, R-12, Single-Family Residential and R-M20, Multifamily Residential occupied by single-family residences.

The stated goals and objectives of the citizens requesting this rezoning were directed toward preservation of the existing character of single-family residential development in the area. To further this goal, the properties in the zoning area are proposed to be zoned R-12, Single-Family Residential. Staff is of the opinion the proposed R-12, Single-Family Residential, zoning and permitted uses are appropriate at this location. The proposed zoning area is adjacent to areas zoned R-10, Single-Family Residential, (Rock View Heights Subdivision) and R-12, Single-Family Residential, occupied by single-family residences. The remainder of the adjacent properties are zoned R-M20, Multifamily Residential, but are occupied by single-family residences on individual lots and/or single-family residential subdivisions such as the Club View Heights Subdivision to the adjacent east.

The subject properties are all occupied by single-family residences or undeveloped tracts and have been developed as part of a single-family residential subdivision known as Windermere. Although single-family residences are a permitted use in R-M20, Multifamily Residential, the proposed R-12, Single-Family Residential, district best represents the existing land use and is the more appropriate zoning district to reach the property owners objective of preserving the single-family residential character of the area. All lots will remain conforming based on use and lot size if the rezoning request is approved. The minimum lot size for the R-12, Single-Family Residential, district is 12,000 square feet. The smallest lot in the subdivision is 12,632 square feet and the largest lot is 30,056 square feet.

The following is a timeline of activities that have taken place to rezone the area:

April 28, 2009 – A petition containing 53 names was submitted by the property owners in the Windermere Subdivision. Staff proofed the petition and found a total of 38 parcels out of 50 in the subdivision were represented to rezone to R-12, Single-Family Residential.

May 8, 2009 – Another petition was submitted by several property owners containing 6 names representing 4 additional parcels in favor of the rezoning request. A total of 42 parcels out of 50 are now represented in favor of the request.

May 18, 2009 – Councilman Dr. Sid Cates made a motion at PWRPD Committee to recommend Council approval to initiate the rezoning of the entire Windermere Subdivision and the motion carried.

May 29, 2009 – Staff sent a letter to the property owners of the parcels who had not signed the petition to inform them of the proposed request and the public hearing date. The letter informed the property owners of the permitted uses and differences between the current and proposed zoning districts. The letter also advised the property owners to contact the Planning Department with any questions or concerns and provided an opportunity for the owner to return a letter to the Department with their stance on the rezoning request via a check box.

June 2, 2009 – County Council approved a request to initiate the Windermere Subdivision rezoning.

June 3, 2009 – One of the letters staff sent to the property owners on May 29th was returned stating the property owner supported the rezoning request. A total of 43 parcels out of 50 are now represented in favor of the request.

June 8, 2009 – Two letters staff sent to property owners on May 29th were returned stating the property owner supported the rezoning request. A total of 45 parcels out of 50 are now represented in favor of the request.

Staff recommends approval of the request.

Mr. Barbare requested Ms. McCormick to explain what prompted the citizens to ask for the rezoning?

Ms. McCormick stated the area has been zoned RM-20, for Multi-Family Residential. She stated one home was acting as a Fraternity residence and the citizens in the area did not want a repeat of activities and are requesting being rezoned. Forty five of the fifty residents have signed a petition in favor of the rezoning.

Mr. Barbare asked this item be placed back with the other rezoning applications.

MOTION: By Mr. Mansbach, seconded by Mr. Robinson to approve Zoning Dockets CZ-2009-27 through CZ-2009-33. The motion carried unanimously.

LDR-2009-1, HIGHWAY 290 DESIGN STANDARDS

Norman Wright addressed the Commission members with a request to hold both the item as well as CP-2009-1, until such time additional meetings with the community can be completed.

CP-2009-1. HIGHWAY 290 AREA PLAN

MOTION: By Mr. Barbare, seconded by Mr. Shockley to hold both items, Highway 290 Design Standards and Highway 290 Area Plan until additional meetings with the community can be completed. The motion carried unanimously.

CP-2009-2, AMENDMENT TO THE CHERRYDALE AREA PLAN

Norman Wright presented the information to change the selected properties from Medium Density Residential to Special Policy Area 2 within the Cherrydale Area Plan Future Land Use Map.

MOTION: By Mr. Barbare, seconded by Mr. Shockley to approve the amendment to the Cherrydale Area Plan. The motion carried unanimously.

REVIEW OF THE DRAFT COMPREHENSIVE PLAN

Mr. Meeks addressed the Commission members about the Comprehensive Plan. He updated the Commissioners on the Public Hearing that was held on the Draft Comprehensive Plan, giving citizens an opportunity to voice their opinions. Mr. Meeks stated there were about 50 to 60 people in attendance. In opposition, were seven people, who expressed concerns about private property rights not addressed strong enough, outside influence, and economic development. In favor a comment was made that the plan was a good idea, but additional tools and policies were not needed to implement the plan. Staff and the Commission were complimented on the process and the effort that was made for public participation. Mr. Meeks distributed a table identifying the objectives for each element and shows the ratings that were submitted by County Council, staff priority, Planning Commission priority and an average.

DISCUSSION OF COMPREHENSIVE PLAN PATH FORWARD

The Planning Commission members discussed individual comments regarding the plan, changes in wording, and spending more time as a Commission familiarizing them with the process. Publicity regarding the plan was discussed along with citizen participation. Mr. Usher requested the Commissioners submit their edits of the draft and get together to discuss the suggestions. He asked the edits be emailed to Mr. Bell by July 9, 2009. The next workshop will be on July 13, 2009 at 3:30 p.m. in the Planning Department Conference Room.

APPEARANCES (Non Agenda Items)

There were no appearances regarding non agenda items.

DIRECTORS REPORT

Ms. Long reminded the Commissioners' that there would be a Steering Committee meeting tomorrow morning at 7:30 a.m. in Conference Room G.

ADJOURNMENT

ACTION: Without objection, the meeting adjourned at 6:26 p.m.

Submitted by Recording Secretary
