

MINUTES
GREENVILLE COUNTY PLANNING COMMISSION
June 25, 2008

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

MEMBERS ABSENT: none

STAFF: M. Long; J. Owings; T. Meeks; P. Webb; P. Gordon; S. Limbaker; and H. Hahn

CALL TO ORDER; OPENING REMARKS

The Chair called the meeting to order at 4:31 p.m. and gave the invocation.

APPROVAL OF THE MAY 28, 2008 MINUTES

Ms. Eldridge pointed out one typographical error on Page 17, discussion of Urban Planning Areas; the word “plants” should be “plans”. Without objection the minutes of the May 28, 2008 meeting were approved as amended.

PRELIMINARY SUBDIVISION APPLICATIONS

Ms. Gordon presented the following Subdivision Applications with staff’s recommendations:

#08-113 COPPER LAKES, PHASE 1 (REVISED) (County Council District 17)
CONTINGENCIES

- ROAD NAMES REQUIRED PRIOR TO RECORDING FINAL PLAT.
- FLOOD STUDY IS REQUIRED.
- TREE PRESERVATION PLAN HAS BEEN SUBMITTED. A STREAM BUFFER IS REQUIRED ON ANY BLUE-LINE STREAM.
- FINAL PLAT TO SHOW A 20’ SETBACK FROM NEW ROADS AND A 50’ SETBACK FROM HWY 11.
- PRELIMINARY APPROVAL IS FOR PHASE ONE ONLY. ADDITIONAL PHASES WILL BE SUBMITTED SEPARATELY.
- ROAD TO BE CONSTRUCTED TO COLLECTOR STANDARDS.
- DEVELOPER TO MEET ALL REQUIREMENTS FOR THE SCDOT ENCROACHMENT PERMIT.
- STORMWATER MANAGEMENT PLAN REQUIRED.
- STAFF CAN SUPPORT VARIANCE TO ELIMINATE SCREENING ALONG HWY 11 IF EXISTING TREES IN THE FLOOD ZONE (STREAM BUFFER) ARE TO REMAIN.

- STAFF HAS NO OPPOSITION TO VARIANCE TO ELIMINATE THE SUBDIVISION WALLS. ANY SUBDIVISION SIGNAGE WILL HAVE TO BE CONSIDERED SEPARATELY.

08-113B, Copper Lake Phase 3 (Variance Letter) (County Council District 18)

CONTINGENCIES

- LDD REQUESTS A TRAFFIC VOLUME STUDY BE DONE ON COPPER LAKES DRIVE TO DETERMINE WHAT TYPE OF ROAD IT WILL BE.
- ROAD NAMES REQUIRED PRIOR TO RECORDING FINAL PLAT.
- FLOOD STUDY IS REQUIRED. NO PERMIT WILL BE ISSUED ON LOT 59 UNTIL A FLOOD STUDY IS DONE.
- TREE PRESERVATION PLAN HAS BEEN SUBMITTED. A STREAM BUFFER IS REQUIRED ON ANY BLUE-LINE STREAM.
- FINAL PLAT TO SHOW A 20' SETBACK FROM NEW ROADS AND A 50' SETBACK FROM HWY 11.
- DEVELOPER TO MEET ALL REQUIREMENTS FOR THE SCDOT ENCROACHMENT PERMIT.
- STORMWATER MANAGEMENT PLAN REQUIRED.
- STAFF CAN SUPPORT VARIANCE TO ELIMINATE SCREENING ALONG MOODY BRIDGE AND TALLEY BRIDGE ROADS IF EXISTING TREES ARE TO REMAIN.

08-151, Parke Wood North (Cluster) (County Council District 20)

CONTINGENCIES

- MEETS SIDEWALK CRITERIA.
- TREE PROTECTION PLAN HAS BEEN REVIEWED. 289.2 TREE CREDITS ARE PROVIDED.
- SIX (6) ROAD NAMES ARE REQUIRED.
- LDD REQUESTS LOW POINT BE INDICATED ON TOPOGRAPHIC CONTOURS FOR LOTS 6, 7, 116 AND 117.
- TEMPORARY STREET SIGNS ARE REQUIRED BY ZONING.
- SIGHT TRIANGE NEEDED AT THE INTERSECTION OF PINE FOREST ROAD AND LITTLE TEXAS ROAD.

08-152, Paris Vista North (Cluster) (County Council District 20)

CONTINGENCIES

- MEETS SIDEWALK CRITERIA.
- TREE PROTECTION PLAN HAS BEEN REVIEWED. 206.4 TREE CREDITS ARE PROVIDED.
- FOUR (4) ROAD NAMES ARE REQUIRED.
- LDD STATES TRAFFIC CALMING MAY BE NEEDED.
- LIVE STREAM BUFFERS REQUIRED.
- TEMPORARY STREET SIGNS ARE REQUIRED BY ZONING.

MOTION: By Mr. Barbare, seconded by Mr. Mansbach to approve staff's recommendations. The motion carried unanimously.

REQUEST FOR EXTENSION OF PRELIMINARY APPROVAL

Ms. Webb addressed the Commission members regarding a request by the developer for Pine Springs Subdivision, 05-203, for an extension of preliminary approval. Ms. Webb stated The County Land Development Regulations and the State Enabling Legislation allow the extension of a preliminary approval for a maximum period of five (5) years. Staff may approve an initial one (1) year extension and subsequent extensions must be granted by the Planning Commission.

MOTION: By Mr. Barbare, seconded by Ms. Stevens to approve the request. The motion carried with one in opposition (Eldridge).

DRAINAGE EASEMENT ABANDONMENT

DA-2008-04, Park Vista Way

Ms. Webb stated the applicant was requesting the abandonment of a portion of the five (5) foot drainage and utility easement along the eastern property line. She stated there was a clearly established 15 foot drainage easement located adjacent to the property in the common area.

DA-2008-5, Park Vista Way

Ms. Webb stated the applicant was requesting the abandonment of a portion of the 15 foot drainage and utility easement along the northern property line. The applicant would need a 1.69 foot by 33.52 foot abandonment.

MOTION: By Mr. Barbare, seconded by Mr. Usher to approve both requests. The motion carried unanimously.

REQUEST COMMISSION TO AUTHORIZE STAFF TO APPROVE SUBDIVISION REQUESTS DURING THE MONTH OF JULY

Chair Robinson tabled the request and opened the floor to discussion regarding a July Planning Commission meeting.

MOTION: By Mr. Barbare to cancel the regular meeting of the Planning Commission scheduled for July 2008 and authorize staff to approve and/or hold for the regular meeting of August 27, 2008 any subdivision application that will be received by the cut-off date in July 2008, with the exception of any subdivision application requesting a variance.

Having no second, the motion failed.

The Planning Commission members discussed the July schedule and after some discussion the following motion was made:

MOTION: By Ms. Stevens, seconded by Ms. Eldridge to hold the regular July meeting followed by a brief workshop. The motion carried unanimously.

REZONING REQUESTS

Mr. Limbaker gave a brief explanation of the process in which rezoning requests are considered. In addition, he explained how the Planning Commission handled the agenda items.

Mr. Limbaker presented the following rezoning requests, giving the staff recommendations as follows:

RECONSIDERATION

CZ-2007-78

Greenville County Council Proposed Text Amendment to Amend Section 3:2 of the Greenville County Zoning Ordinance to Create a Petition Method for Adoption of Zoning in Unzoned Areas of the County.

The proposed text amendment to the Greenville County Zoning Ordinance would establish a formal process for the expansion of the zoning jurisdiction through the use of petition and referendum in the unincorporated Unzoned areas of Greenville County. The proposed amendment would allow for the imposition of zoning only in the unincorporated Unzoned areas of the County where at least 15 percent of registered voters residing in a precinct sign a petition that is certified by the Greenville County Voter Registration and Election Office. After certification of the petition is complete, County Council will be notified and a referendum shall be scheduled to allow the voters of said precinct to recommend to County Council whether to adopt zoning in the unincorporated Unzoned areas of the respective precinct.

One concern Staff has with the proposed text amendment is that the fact that the size of the voter precincts vary widely in the unincorporated Unzoned areas of the County. Also, the number of registered voters may not accurately represent the size of the precinct. For instance, the Jennings Mill precinct in the northwest section of the County is 89.37 square miles in area with 1,153 registered voters. Whereas, the Ware Place precinct in the southwest section of the County is only 32.21 square miles in area with 2,678 registered voters.

Staff's concern is that due to the size of certain precincts an accurate representation of the overall population may not be obtained from 15 percent of the overall district. For example, 15 percent of registered voters in the eastern portion of a precinct could submit a petition for zoning

although the registered voters in the western section of a precinct may not desire zoning in their precinct.

There are 25 voter precincts in the County that are located either completely Unzoned or partially Unzoned. The precincts range from 2.3 to 89 square miles in size and are an average size of 20.5 square miles. There is a total of 514.98 square miles or 329,587 acres of land in the 25 voter precincts containing Unzoned land. For comparison, there are 280,776 acres of Unzoned land in the County, therefore, 55.2% of the County is Unzoned.

The Staff concern as previously mentioned relates to the size of some of the precincts. Staff is of the opinion in certain circumstances it may be best to allow areas smaller than a precinct to be zoned. This alternative allows citizens in an area as small as one square mile to be zoned. In these cases, Staff can work with the citizens in small areas where a consensus has been reached about zoning their properties. Through group citizen meetings Staff can identify specific areas to be zoned and expedite the zoning of smaller areas. In most of these instances the smaller areas are typically one type of land use and a single zoning classification such as R-R1 or R-S is appropriate for all parcels. In these cases, not as much information or detail is required to complete a land use plan. Criteria should be included in the Ordinance to establish when either the precinct voting method or the small area zoning method should be applied.

CZ-2008-35 (County Council District 28)

The subject properties are zoned R-S, Residential Suburban, which allows single-family residences at a maximum density of 1.7 dwelling unit per acre. Current density would permit approximately 80 single-family units. The Statement of Intent and Concept Plan for the PD, Planned Development, include residential uses (single-family detached, single-family attached, and multifamily)* and commercial/office uses (church, daycare, small fitness facility, professional offices, and neighborhood-type commercial uses). They are requesting densities of R-15 for the single-family detached area (up to 25 units), 8 units per acre for the single-family attached area (up to 82 units), and 10 units per acre for the multifamily area (up to 65 units) for a total of 172 units of residential.

*Applicant has noted that they may develop single-family detached in the attached area.

There are several points to consider when reviewing Georgia Creek, including the following:

Tree Ordinance:

Georgia Creek, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Connectivity and Traffic:

The Statement of Intent states the property will have controlled access from W. Georgia Road and Rocky Creek Roads. Therefore, direct access for individual businesses and residential uses will not be permitted.

The main collector street running between the commercial and residential areas should be designed as a boulevard with street trees, sidewalks, and cross walks. In addition, there should not be any residential driveways on this road. Therefore, the attached residential area across from the neighborhood commercial uses should have vehicular access through a rear alley only. To ensure flow within the development, there should also be limited driveways into the commercial/office areas with internal cross access completed as follows:

While the Concept Plan and the Statement of Intent show improvements to Sherman Drive, staff is of the opinion a connection with the adjacent cul-de-sac is preferred to increase connectivity.

Georgia Creek is also proposed to have full pedestrian connectivity. Keeping with this idea, sidewalks should be provided along all external and internal road frontages.

The concept plan shows left turn lanes into Georgia Creek at both entrances from W. Georgia Road. A left turn lane is also shown on Rocky Creek Road at the entrance near the professional offices. While these turn lanes will assist the turn movements into Georgia Creek, the overall traffic increase also warrants additional road improvements, including a left turn lane onto W. Georgia Road from Rocky Creek Road and a left turn lane onto Rocky Creek Road from W. Georgia Road. While the widening of W. Georgia Road to five lanes is in the GPATS Long Range Plan, no funding has been identified for the entire project. Several intersection projects may be completed along this corridor by GPATS, the Greenville Legislative Delegation Transportation Committee, or through the Prescription for Progress. However, this intersection does not fall on the current list for any of these committees. Georgia Creek will create traffic that will likely cause this intersection to operate less efficiently. Therefore, staff recommends that the developer coordinate with SCDOT to complete a full intersection improvement at the current light. Staff would also recommend the developer provide enough right-of-way on W. Georgia Road and Rocky Creek Road to allow for a future widening. The amount of right-of-way needed on each road should be coordinated with SCDOT.

In addition, staff is of the opinion that aligning the proposed intersection shown below, if feasible, would improve the internal flow of traffic:

There are also two parcels shown on the concept plan that are not connected to the other parcels in Georgia Creek. These parcels are reserved for a daycare and church. Staff would recommend that a Final Development Plan not be approved for these parcels until the remaining parcel separating the two areas of Georgia Creek be included in the Planned Development with access to the closest curb cut on W. Georgia Road. This addition would also require a major change to this Planned Development. An additional curb cut on W. Georgia Road should not be permitted.

Design and Signage:

In order to keep the commercial and office structures similar to the design of those buildings featured in the Statement of Intent, including Greenville Technical College and the McCall Hospice House, all roofs should be of a similar pitch.

The Statement of Intent also indicates internally illuminated signage for the main monument signs and the neighborhood commercial storefronts. As all structures in this planned development are designed with a neighborhood orientation (oriented inward and residential in design and character), internally illuminated signage is not appropriate. Monument style signage should be constructed of masonry materials, such as brick or stone, and should have channel mounted externally lit lettering. In addition, building signage for all structures should be limited to channel lettering with external illumination. In addition, no electronic reader boards should be permitted.

Non-Residential Uses:

Recognizing that this development is proposed as neighborhood oriented design, the office uses, the commercial and office area should not permit drive through restaurants, gas stations, or banks. In addition, individual tenant spaces are preferred to be small in size with no one tenant occupying over 5,000 square feet in size.

With the aforementioned concerns in mind, Staff recommends approval of this request with the following conditions:

Conditions:

- The development must conform to the requirements of the tree ordinance.
- Access to the development will be limited to the two entrances on W. Georgia Road and the four entrances on Rocky Creek Road. The fourth entrance shall be created when Sherman Drive is designed to connect with the adjacent cul-de-sac.
- No access to W. Georgia or Rocky Creek Roads is permitted from individual tenants.
- The main collector street running between the commercial and residential areas should be designed as a boulevard with street trees, sidewalks, and cross walks. In addition, there should not be any residential driveways on this road. Therefore, the attached residential area across from the neighborhood commercial uses should have vehicular access through a rear alley only.
- Access into the commercial and office uses is limited to those points depicted on the concept plan. Cross access between uses is required.
- Sidewalks are required along all external and internal road frontages.
- A left turn lane onto W. Georgia Road from Rocky Creek Road and a left turn lane onto Rocky Creek Road from W. Georgia Road is required. Design should be approved by this office and SCDOT prior to construction.
- The developer shall work with SCDOT on a full intersection improvement at Rocky Creek Road and West Georgia Road. The developer shall also provide sufficient right-of-way on W. Georgia Road and Rocky Creek Road in the event of future widening. The amount of right-of-way needed on each road should be coordinated with SCDOT.
- The FDP for the church and daycare shall not be approved until the remaining parcel separating the two areas of Georgia Creek is included in the Planned Development providing all three parcels access to the closest curb cut on W. Georgia Road.
- All structures shall have pitched roofs.
- No signage is to be internally lit. All monument signage proposed should be fully constructed of masonry materials. Building signage for the commercial and office buildings is limited to channel lettering with external illumination only. No electronic reader boards are permitted.
- No drive through restaurants, gas stations, or banks shall be permitted
- No one commercial tenant shall occupy over 5,000 square feet.

Staff recommends approval with conditions.

CZ-2008-36 (County Council District 20)

Mr. Limbaker stated the subject property is zoned S-1, Services, and allows for light manufacturing uses. The requested C-3, Commercial, allows intensive commercial uses.

The Future Land Use Map indicates Suburban Residential uses are preferred for this area at a density of 2-7 residential units per acre.

The subject property is located on Pine Knoll Drive at the intersection of West Lee Road and is zoned S-1, Services, and is occupied by an automotive repair shop. The adjacent property to the north is zoned S-1, Services, is also occupied by an automotive repair shop. The properties to the east across Pine Knoll Drive are zoned I-1, Industrial, and are occupied by an industrial business known as Gossett Concrete Pipe Company. The remainder of the lots along Pine Knoll Drive are zoned R-M20, Multifamily Residential, and R-20, Single-Family Residential, and are occupied by single-family residences. The parcel to the south is zoned S-1, Services, and is occupied by the Wade Hampton Fire Department training facility. The parcel to the adjacent west is zoned S-1, Services, and is occupied by a legal non-conforming single-family residence.

The subject property was originally zoned S-1, Services, as part of Area 1 in May 1970. A request to rezone the site and the parcel to the adjacent north from S-1, Services, to R-MA, Multifamily Residential, was recommended for denial by staff in 1977 and subsequently denied by County Council as Docket CZ-1977-78 on January 3, 1978. There have not been any additional rezoning requests for the subject site.

Staff is concerned that if commercial zoning is approved at this location it would establish a precedent for additional commercial rezoning requests leading to strip commercialization of this segment of Pine Knoll Drive in an area dominated by S-1, Services, zoning and similar service and industrial uses. This area is occupied by a mixed land use and zoning pattern consisting of various service and industrial uses on appropriately zoned parcels as well as multifamily and single-family residences on appropriately zoned parcels. If approved, a C-3, Commercial, split-zone site would increase the mixed use land zoning pattern and allow for uses that could be incompatible with the surrounding zoning and uses. Some of the same reasons stated above were included as part of the recommendation of denial by staff in 1977 for the R-MA, Multifamily Residential, request. Staff is of the opinion these reasons still apply as the area has not undergone any substantial land use or zoning changes. Based on these reasons, staff recommends denial.

CZ-2008-37 (County Council District 18)

The subject property is zoned R-20, Single-Family Residential, and allows for single-family residences at a density of 2.2 units per acre. The requested C-3, Commercial District, allows for intensive commercial uses. The Future Land Use Map indicates Commercial/Office uses are preferred for this area.

The subject property is located on North Buncombe Road north of its intersection with Wade Hampton Boulevard. It is currently used as a parking lot and is zoned R-20, Single-Family Residential. The property to the north is zoned C-3, Commercial, in the City of Greer and is occupied by a commercial business (Upstate Mulch). The properties to the east across North Buncombe Road are zoned C-2, Commercial, and C-3, Commercial, in the City of Greer and are occupied by single-family residences and a commercial business (Walgreens), respectively. The property to the south is zoned C-2, Commercial, and is occupied by professional offices (Aho Homes and attorney's office). The parcel to the adjacent west is zoned C-3, Commercial, in the City of Greer and is occupied by operational and vacant commercial businesses.

The subject property was zoned R-20, Single-Family Residential, as part of Area 1 in May 1970. The parcels in the County zoned C-2, Commercial, were zoned C-2, Commercial, as part of Area 1 in May 1970 as well. The parcels to the adjacent north and west were annexed into the City of Greer and zoned C-3, Commercial, after 2000 per County zoning maps. There have been no additional rezoning requests for the subject parcel.

The Future Land Use Map indicates Commercial/Office uses are preferred for this site and as mentioned above, the majority of this area has been zoned commercial since 1970. Additionally, staff is of the opinion commercial zoning such as C-3, Commercial, is appropriate at this location due to the various commercial zoned parcels and uses surrounding the site. Rezoning the subject site to C-3, Commercial, will also complete the commercial zoning in this area. Based on these reasons, staff recommends approval.

CZ-2008-38 (County Council District

The subject property is zoned C-2, Commercial, which allows intensive commercial uses. The requested R-S, Residential Suburban, allows single-family residences at a maximum density of 1.7 dwelling unit per acre.

The subject property is located just south of the intersection of Old White Horse Road and Roe Ford Road. The property to the adjacent north is zoned C-2, Commercial, and is occupied by a single-family residence with a large portion of the property remaining undeveloped. The property to the adjacent east is zoned R-S, Residential Suburban, and is used for agriculture. The property to the west across Old White Horse Road is zoned R-S, Residential Suburban, and is occupied by horse stables and accompanying riding areas. The remainder of the subject parcel to the south is zoned R-S, Residential Suburban, and is vacant and the parcel to the adjacent south is occupied by the property owners residence and is zoned R-S, Residential Suburban.

The subject property was originally zoned C-2, Commercial, as part of Area 3 in April 1972. The parcels to the adjacent north are currently in the rezoning process for a request of C-2, Commercial, to R-S, Residential Suburban. The request is known as Docket CZ-2008-31 and has received a recommendation of approval from staff, Planning Commission and the PWRPD Committee. The request is scheduled for Second Reading by County Council on June 17, 2008. No additional rezoning requests have been made for the subject property.

Staff is of the opinion the requested R-S, Residential Suburban, request is appropriate based on the surrounding R-S, Residential Suburban, zoning and accompanying single-family residential uses on estate size lots and the rural character of the area. The following is cited from the staff report for Docket CZ-2008-31, which is the rezoning request for the parcels to the adjacent north as noted in the Zoning History Section. Staff is of the opinion the same reasons for approval of the previous request stand for this case as well. The report states the following:

This area was zoned C-2, Commercial, as part of Area 3 in April 1972 apparently under the assumption this would be an appropriate location for a commercial node to serve the residents in the area. Staff is also of the opinion if these parcels were developed, a Neighborhood Commercial district would be more appropriate. The properties are located just over one mile from the City Limits of Travelers Rest and just under two miles from Highway 276, which both provide commercial uses and services to the residents of the area.

The property owners in the subject case, as well as the property owner to the south, were not aware that their parcels were zoned C-2, Commercial. As noted above, this area has been zoned C-2, Commercial, since 1972 and the only commercial business in this area is the Texaco station, which has been the location of a service station since at least 1971.

Typically, staff encourages commercial nodes to serve residential areas, however, C-2, Commercial, is not considered a neighborhood commercial district and is not considered appropriate in a rural residential area which can be served by existing large scale commercial areas in close proximity. Based on these reasons, staff recommends approval.

CZ-2008-39 (County Council District 20)

The subject property is zoned I-1, Industrial, which allows intensive industrial/manufacturing uses. The requested S-1, Services, district allows light manufacturing/warehousing uses. The Future Land Use Map indicates Industrial/Service uses are preferred for this area.

The subject property is located on Rutherford Road at its intersection with Donkle Road and is zoned I-1, Industrial. The property adjacent to the north across Donkle Road is zoned I-1, Industrial, and is occupied by the B.C. Cannon Company. The properties to the west are zoned I-1, Industrial, and are occupied by several industrial/service uses across a railroad line. The parcels to the east across Rutherford Road and the railroad lines are zoned I-1, Industrial, and are occupied by various industrial/service uses. The parcel to the adjacent south is zoned I-1, Industrial, and is occupied by an industrial use.

The subject property and surrounding properties were originally zoned I-1, Industrial, as part of Area 1 in May 1970. There have been no additional rezoning requests for the subject property.

This area of Greenville County developed with industrial and service uses for many decades before zoning was instituted in this area in May 1970. Staff is of the opinion the requested S-1, Services, district for this site is appropriate based on its location. The site is surrounded by properties that are occupied by a variety of industrial/service uses on property zoned I-1, Industrial. As previously stated, the Future Land Use Map identifies site for Industrial/Service uses and the requested S-1, Services, request falls into this category. This area is clearly an industrial/service district and the uses permitted I, Services, districts are compatible with the surrounding area. Based on these reasons, staff recommends approval.

CZ-2008-40 (County Council District 23)

The subject property is zoned I-1, Industrial, which allows intensive industrial/manufacturing uses. Current zoning would not permit any dwelling units. The Statement of Intent and Concept Plan for the PD, Planned Development, include a 192 unit apartment complex marketed to individuals and families that earn 80% or less than the average median income in Greenville County. They are requesting a density of 12 units per acre. This development would be known as Companion on the Reedy.

The subject property is located between the Reedy River and Hampton Avenue Extension. The properties to the north are zoned S-1, Services, and I-1, Industrial, and are occupied by two churches and several single-family residences. The adjacent properties to the east are zoned R-M20, Multifamily Residential, and S-1, Services, and are occupied by various multifamily and single-family residences. The properties to the west across the Reedy River are zoned I-1, Industrial, and are owned by Duke Power and the Parker Sewer and Fire Sub District. Adjacent to these properties is the Lofts of Greenville (Monaghan Mill) zoned PD, Planned Development. The parcels to the south are zoned I-1, Industrial, and are occupied by various industrial and single-family uses.

The subject property was originally zoned I-1, Industrial, as part of Area 3 in 1972. A request to rezone this parcel to R-M20, Multifamily Residential, in 2006 as CZ-2006-37, was withdrawn on May 30, 2006. There have been no additional rezoning requests for the subject property.

There are several points to consider when reviewing this development, including the following:

Tree Ordinance:

This development, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Traffic:

While this site may generate near 1,200 weekday trips, staff is of the opinion this area and the surrounding road network are capable of handling this additional traffic.

Design and Use:

As stated in the staff report from 2006, this area has seen a shift to residential development, namely with the conversion of Monaghan Mill to the Lofts of Greenville. Staff is of the opinion the requested density and use would be appropriate at this location based on the existing zoning and land uses in the area.

Staff is also of the opinion the proposed mixture of income assisted and market rate housing in this development will be beneficial to the area.

In addition, staff is of the opinion the design of the structures should incorporate more natural materials and be designed using more craftsman-style architecture. With its proximity to the Reedy River, using materials such as HardiePlank siding or stone and brick would make a more pleasing aesthetic.

Staff has also discussed the possibility of having a portion of the Swamp Rabbit Trail run parallel to the Reedy River in this area. The land necessary for this route should be saved during the Final Development Plan (FDP) phase through coordination with Planning Staff and Recreation Department Staff. Connections to the trail from this development should also be considered.

In addition, the PD, Planned Development, zoning provides an opportunity for innovative design requirements and various amenities, such as the trail connections. With the aforementioned in mind, staff recommends approval of this request with the following conditions:

Conditions:

- The development must conform to the requirements of the Tree Ordinance.
- The Statement of Intent should be revised to reflect natural and craftsman materials, such as HardiPlank siding, to be used for building materials.
- Reserve needed right-of-way for the Swamp Rabbit Trail by coordinating with Planning Staff and Recreation Department Staff at the FDP stage.

Staff recommends approval with conditions.

CZ-2008-41 (County Council District 20)

The subject properties are zoned R-M10, Multifamily Residential, which allows multifamily residential dwelling at a density of 10 units per acre. Current zoning would permit up to 40 multifamily units. The Statement of Intent and Concept Plan for the POD, Planned Office District, include up to 18 Williamsburg-style office buildings with up to 50,000 square feet of total office space. This development would be known as the Eastside Office Park. The Future Land Use Map indicates Urban Residential uses are preferred for this location at a density of 8-20 units/acre.

The subject properties are located on Old Spartanburg Road near the intersection of Old Spartanburg Road and Jamestowne Way. The properties to the north are zoned R-7.5, Single-Family Residential, and are occupied by Raintree Cove Subdivision. The adjacent property to the east is zoned R-MA, Multifamily Residential, and is occupied by Jamestown Commons Apartments. The property to the west is zoned R-MA, Multifamily Residential, and is occupied by Grey Eagle Apartments. The properties to the south are zoned R-MA, Multifamily Residential, and are occupied several apartment complexes.

The subject properties were originally zoned R-MA, Multifamily Residential, as part of Area 1 in May 1970. These parcels were rezoned to R-M1, Multifamily Residential, in 2003 as CZ-2003-10, to allow for additional options for the properties, including a group office development, which at the time was a permitted use in R-M1, Multifamily Residential. At that time, approval would come from the Board of Zoning Appeals. In 2003, County Council eliminated offices as a use on review in R-M1, Multifamily Residential. There have been no additional requests for the subject properties.

There are several points to consider when reviewing this development, including the following:

Tree Ordinance and Site Grading:

This development, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Since this site is surrounded by residential properties, staff is of the opinion no mass grading should occur. In an effort to maintain the existing trees on the property as a natural buffer to the adjacent residential uses, a tree protection plan and landscaping plan should be submitted prior to the issuance of any grading permits to show an adequate buffer exists. The site plan submitted shows a 25' buffer area between the existing residential uses and the buildings on site. This buffer should be heavily landscaped to minimize impacts on surrounding uses.

Traffic:

While this site may generate near 550 trips per day, staff is of the opinion this area and the surrounding road network are capable of handling this additional traffic and is not a significant variation from the existing zoning's traffic generation.

Signage and Design:

The signage plan submitted with the application to rezone the properties POD, Planned Office District, shows a large monument sign and electronic reader board. While staff is of the opinion a multi-tenant monument style sign matching the building materials is appropriate for this location, staff is also of the opinion the height permitted in the zoning ordinance (up to 16' for a group sign) is not appropriate at this location. Staff recommends limiting the sign to a height of 12'. In addition, electronic reader boards are not consistent

with the majority of signage or the residential character of the area. Therefore, staff is of the opinion electronic reader boards should not be permitted.

The Statement of Intent also stipulates that individual tenant signage may be internally lit. Staff is of the opinion the signage should be externally illuminated only. In addition, building façade signage should be limited to a wood-routed style or channel mounted lettering.

The Statement of Intent shows residential style buildings with the roof line of each structure starting just above the first floor. While two-story structures will be permitted, all buildings should be designed with the roof line as depicted in the renderings provided. In addition, staff is of the opinion limiting the square footage to 30,000 is necessary to create a more neighborhood friendly environment.

With the aforementioned in mind, Staff recommends approval of this request with these specific conditions:

- The development must conform to the requirements of the Tree Ordinance.
- The site may not be mass graded.
- A tree protection plan and landscaping plan must be submitted with the Final Development Plan prior to the issuance of any grading permits or removal of any trees. These plans must show heavy landscaping within the 25' buffer area on both sides and at the rear of the site.
- Group development signage is not to exceed 12' in height.
- No electronic reader boards are permitted.
- No internally illuminated signage is permitted. All tenant signage must be a wood-routed style or channel mounted lettering.
- Buildings should be designed with the roof line starting at the top of the first floor of offices.
- Total building square footage is limited to 30,000 square feet.

CZ-2008-42 (County Council District 22)

The subject property is zoned O-D, Office District, which allows professional office uses. The Statement of Intent and Concept Plan for the NC, Neighborhood Commercial, stipulate the conversion of the existing structure into a private dining and banquet/reception facility. This development would be known as Nino's Private Dining. The Future Land Use Map indicates Commercial/Office uses are preferred for this location.

The subject property is located on East North Street near the intersection of East North Street and Pelham Road. The properties to the north and east are zoned R-20, Single-Family Residential, and are occupied by Glenwood Acres Subdivision. The property to the west is zoned C-2, Commercial, and is occupied by the North Hills/Bi-Lo Shopping Center. The properties to the south across East North Street are zoned C-2, Commercial, and C-3, Commercial, and are occupied by a strip commercial center.

The subject property was originally zoned R-20, Single-Family Residential, as part of Area 1 in May 1970. This parcel was requested for rezoning from R-20, Single-Family Residential, to C-2, Commercial in March of 1981. This request was amended and approved by County Council as O-D, Office District (CZ-81-19). An additional request to rezone this property from O-D, Office District, to C-2, Commercial, was made in February 1989 (CZ-89-25). This request was

denied by staff, PWRD, and finally by County Council on March 7, 1989. There have been no additional requests for the subject properties.

There are several points to consider when reviewing this development, including the following:

Tree Ordinance:

This development, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Traffic and Parking:

Based upon the Zoning Ordinance Parking Requirements, this site does not have adequate parking to accommodate most of the permitted uses in NC, Neighborhood Commercial. The Zoning Administrator is working with the applicant on a shared parking arrangement with the adjacent properties (North Hills Shopping Center and the shopping center across the street). However, staff is of the opinion this arrangement is not appropriate due to physical constraints in the area. Patrons of this development would have to cross 5-lanes of traffic on East North Street or walk to the adjacent North Hills Shopping Center to park. Because of these limitations, patrons may be inclined to park on existing residential streets rather than using the appropriate shared parking spaces.

An additional option currently being explored with the Zoning Administrator is to limit the occupant load of the building to match the parking available on site. However, staff is of the opinion this may not be appropriate and may be difficult to enforce due to the nature of banquet functions.

Staff is of the opinion the requested NC, Neighborhood Commercial, is not appropriate for the subject site. With the site being a use that is open for business in the evening, approval of this rezoning could potentially create incompatible land uses with the directly adjacent and established residential neighborhood. Rezoning this parcel could also begin a pattern of change and encroach into an existing residential area. Staff is of the opinion the existing O-D, Office District, is appropriate and serves as a suitable transitional district for this location.

With the aforementioned concerns in mind, staff recommends denial of this request.

CZ-2008-43

This item was held until the August Public Hearing.

CZ-2008-44 (County Council District 23)

The subject properties are zoned R-7.5, Single-Family Residential, which allows single-family residences at a maximum density of 5.8 dwelling units per acre allowing a maximum of 3 single-family residences. The requested R-M10, Multifamily Residential, allows a maximum of 10 multifamily dwelling units per acre or a maximum of 5 dwelling units on the subject parcels. However, the subject site is less than 2 acres which will not permit apartment units on the site and the proposal per the Brutontown Master Plan stated by the applicant will provide for 4 dwelling units in 2 structures. The Future Land Use Map indicates Suburban Residential uses are preferred for this area at a density of 2-7 dwelling units per acre.

The subject properties are located on Rutherford Road just east of Poinsett Highway. The properties are zoned R-7.5, Single-Family Residential, and currently vacant. The adjacent properties to the north are zoned R-7.5, Single-Family Residential, and are occupied by single and multifamily residences and the Mountain View Church. The properties to the east across Rutherford Road are zoned R-M2, Single and Multifamily Residential, within the City Limits of Greenville and are occupied by single and multifamily residences. The parcels to the south are zoned R-7.5, Single-Family Residential, and are vacant and one parcel is occupied by the Brutontown Subdivision Sign. The adjacent properties to the west are zoned R-7.5, Single-Family Residential, and are occupied by single-family residences.

The subject properties and surrounding area were originally zoned R-7.5, Single-Family Residential, as part of Area 3 in April 1972. There have been no additional rezoning requests for the subject properties. The two parcels to the adjacent west of the site applied for a rezoning from R-7.5, Single-Family Residential, to C-2, Commercial, in 1982 as Docket CZ-1982-37. The request was recommended for denial by staff, PWPD Committee and was subsequently denied by County Council on June 29, 1982.

Staff is of the opinion the requested R-M10, Multifamily Residential, request is appropriate at this location considering the surrounding zoning and land uses. The subject site is surrounded by medium/high density single-family residential uses as well as multifamily zoning in the City Limits of Greenville across Rutherford Road and to the immediate west at the intersection of Old Paris Mountain Road. This site as well as the parcels to the east could serve as an appropriate transitional zoning district between Rutherford Road and the existing single-family residential zoning to the adjacent north.

The area along Old Paris Mountain Road, known as Brutontown, is currently undergoing redevelopment by the Greenville County Redevelopment Authority. These parcels are part of the master plan. The subject properties have been identified to be developed with duplexes for the elderly. The limited size of the parcels precludes the development of apartments. The master plan for the area also has identified transportation components such as closing direct access from Rutherford Road to Mack Street to allow for an alley type of access from Love Street, to the parcels fronting Rutherford Road. The master plan proposes that the subject properties only have access from Love Street which would reduce the number of curb cuts onto Rutherford Road. Another component of the master plan is to landscape and screen the proposed residences along Rutherford Road. Based on these reasons, staff recommends approval.

CZ-2008-45

The proposed text amendment to the Greenville County Zoning Ordinance will amend the Ordinance by maintaining the same standards and permitted uses in the R-M10 and R-M20 Multifamily Zoning Districts; however, it will also add a wider range of specific permitted densities. Due to numerous rezoning requests involving multifamily densities less than or between the existing 10 units and 20 units per acre maximum density, staff investigated the possibility of creating additional districts to allow for more flexibility in the rezoning process.

Conclusion

Planning Staff has encountered numerous rezoning requests involving applicants who wish to apply for a multifamily residential zoning district less than R-M10, Multifamily Residential, or R-M20, Multifamily Residential. In various instances, the density proposed by the applicant has been deemed appropriate by staff, Planning Commission, County Council and citizens in the

area. However, because the County only has two multifamily density options, either R-M10, Multifamily Residential, (10 dwelling units per acre) or R-M20, Multifamily Residential, (20 dwelling units per acre) the applicants have limited options. Applicants are required to apply for the R-M10, Multifamily Residential, or R-M20, Multifamily Residential, district which in certain circumstances allows too high a density for an area. Therefore, the rezoning requests have been denied. Staff is of the opinion allowing additional densities will give applicants, citizens and County Council additional assurances of the actual density proposed in rezoning requests.

As previously stated, to make the transition to new districts as simple as possible, staff proposes to maintain the same requirements set forth in the existing R-M10, Multifamily Residential, and R-M20, Multifamily Residential, zoning districts. For example, a minimum of two (2) acres is required for multiple-family dwellings (apartments). The only change would be to create additional districts allowing varying densities in whole numbers only as follows:

R-M2 (2 dwelling units per acre), R-M3, R-M4, R-M5, R-M6, R-M7, R-M8, R-M9, R-M10, R-M11, R-M12, R-M13, R-M14, R-M15, R-M16, R-M17, R-M18, R-M19 and R-M20 (20 dwelling units per acre) Staff recommends approval.

The Planning Commission members requested a more detailed review of Dockets CZ-2007-78, CZ-2008-35, CZ-2008-38, CZ-2008-40, CZ-2008-41, CZ-2008-42 and CZ-2008-45.

Without objection the Planning Commission accepted staff's recommendations for CZ-2008-36, CZ-2008-37, CZ-2008-39 and CZ-2008-45.

CZ-2008-78

Mr. Limbaker stated again the proposed text amendment to the Greenville County Zoning Ordinance would establish a formal process for the expansion of the zoning jurisdiction through the use of petition and referendum in the unincorporated Unzoned areas of Greenville County. The proposed amendment would allow for the imposition of zoning only in the unincorporated Unzoned areas of the County where at least 15 percent of registered voters residing in a precinct sign a petition that is certified by the Greenville County Voter Registration and Election Office. After certification of the petition is complete, County Council will be notified and a referendum shall be scheduled to allow the voters of said precinct to recommend to County Council whether to adopt zoning in the unincorporated Unzoned areas of the respective precinct.

One concern Staff has with the proposed text amendment is that the fact that the size of the voter precincts vary widely in the unincorporated Unzoned areas of the County. Also, the number of registered voters may not accurately represent the size of the precinct. For instance, the Jennings Mill precinct in the northwest section of the County is 89.37 square miles in area with 1,153 registered voters. Whereas, the Ware Place precinct in the southwest section of the County is only 32.21 square miles in area with 2,678 registered voters.

Staff's concern is that due to the size of certain precincts an accurate representation of the overall population may not be obtained from 15 percent of the overall district. For example, 15 percent of registered voters in the eastern portion of a precinct could submit a petition for zoning although the registered voters in the western section of a precinct may not desire zoning in their precinct.

There are 25 voter precincts in the County that are located either completely Unzoned or partially Unzoned. The precincts range from 2.3 to 89 square miles in size and are an average size of 20.5 square miles. There is a total of 514.98 square miles or 329,587 acres of land in the

25 voter precincts containing Unzoned land. For comparison, there are 280,776 acres of Unzoned land in the County, therefore, 55.2% of the County is Unzoned.

The Staff concern as previously mentioned relates to the size of some of the precincts. Staff is of the opinion in certain circumstances it may be best to allow areas smaller than a precinct to be zoned. This alternative allows citizens in an area as small as one square mile to be zoned. In these cases, Staff can work with the citizens in small areas where a consensus has been reached about zoning their properties. Through group citizen meetings Staff can identify specific areas to be zoned and expedite the zoning of smaller areas. In most of these instances the smaller areas are typically one type of land use and a single zoning classification such as R-R1 or R-S is appropriate for all parcels. In these cases, not as much information or detail is required to complete a land use plan. Criteria should be included in the Ordinance to establish when either the precinct voting method or the small area zoning method should be applied.

Mr. Limbaker clarified the revised version was for the referendum method, not including a petition method.

County Attorney, Mark Tollison addressed the Commission members regarding the referendum, stating a petition element was still at the front, meeting 15% of voters. He stated in adopting this, it does not become the exclusive methodology for getting new zoning generated in unzoned parts of the County.

Ms. Eldridge expressed her concern regarding property owners not living in the district to vote on how their property would be treated. She stated she could not support the item.

After further discussions the following motion was made.

MOTION: By Mr. Barbare, seconded by Ms. Stevens to approve CZ-2007-78. The motion carried with two in opposition (Eldridge and Bell).

CZ-2008-35

Mr. Limbaker stated the applicant's representative has asked for the item to be held.

MOTION: By Ms. Eldridge, seconded by Mr. Barbare to hold the item until the July meeting. The motion carried unanimously.

CZ-2008-40

The subject property is zoned I-1, Industrial, which allows intensive industrial/manufacturing uses. Current zoning would not permit any dwelling units. The Statement of Intent and Concept Plan for the PD, Planned Development, include a 192 unit apartment complex marketed to individuals and families that earn 80% or less than the average median income in Greenville County. They are requesting a density of 12 units per acre. This development would be known as Companion on the Reedy.

The subject property is located between the Reedy River and Hampton Avenue Extension. The properties to the north are zoned S-1, Services, and I-1, Industrial, and are occupied by two churches and several single-family residences. The adjacent properties to the east are zoned R-M20, Multifamily Residential, and S-1, Services, and are occupied by various multifamily and single-family residences. The properties to the west across the Reedy River are zoned I-1, Industrial, and are owned by Duke Power and the Parker Sewer and Fire Sub District. Adjacent to these properties is the Lofts of Greenville (Monaghan Mill) zoned PD, Planned Development.

The parcels to the south are zoned I-1, Industrial, and are occupied by various industrial and single-family uses.

The subject property was originally zoned I-1, Industrial, as part of Area 3 in 1972. A request to rezone this parcel to R-M20, Multifamily Residential, in 2006 as CZ-2006-37, was withdrawn on May 30, 2006. There have been no additional rezoning requests for the subject property.

There are several points to consider when reviewing this development, including the following:

Tree Ordinance:

This development, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Traffic:

While this site may generate near 1,200 weekday trips, staff is of the opinion this area and the surrounding road network are capable of handling this additional traffic.

Design and Use:

As stated in the staff report from 2006, this area has seen a shift to residential development, namely with the conversion of Monaghan Mill to the Lofts of Greenville. Staff is of the opinion the requested density and use would be appropriate at this location based on the existing zoning and land uses in the area.

Staff is also of the opinion the proposed mixture of income assisted and market rate housing in this development will be beneficial to the area.

In addition, staff is of the opinion the design of the structures should incorporate more natural materials and be designed using more craftsman-style architecture. With its proximity to the Reedy River, using materials such as HardiePlank siding or stone and brick would make a more pleasing aesthetic.

Staff has also discussed the possibility of having a portion of the Swamp Rabbit Trail run parallel to the Reedy River in this area. The land necessary for this route should be saved during the Final Development Plan (FDP) phase through coordination with Planning Staff and Recreation Department Staff. Connections to the trail from this development should also be considered.

In addition, the PD, Planned Development, zoning provides an opportunity for innovative design requirements and various amenities, such as the trail connections. With the aforementioned in mind, staff recommends approval of this request with the following conditions:

Conditions:

- The development must conform to the requirements of the Tree Ordinance.
- The Statement of Intent should be revised to reflect natural and craftsman materials, such as HardiPlank siding, to be used for building materials.
- Reserve needed right-of-way for the Swamp Rabbit Trail by coordinating with Planning Staff and Recreation Department Staff at the FDP stage.

Staff recommends approval with conditions.

Ms. Eldridge invited Mr. Holloman, member of Friends of the Reedy River to address the Commission members regarding the item. Mr. Holloman stated his group supports development, but with this item the concern was the location in the old Flood Plain. He stated the concern was how the storm water would be managed in a hundred year flood plain and would like to see backing away from the river as much as possible.

After further discussion, the following motion was made.

MOTION: By Ms. Eldridge, seconded by Mr. Mansbach to hold the item (30 or 60 days) at such time that the applicant can meet with representatives of the Friends of the Reedy and others who would have information that would be helpful in addressing the flood plain issue.

After further discussion, Ms. Stevens called the question.

Motion to hold the item carried unanimously.

CZ-2008-41

The subject properties are zoned R-M10, Multifamily Residential, which allows multifamily residential dwelling at a density of 10 units per acre. Current zoning would permit up to 40 multifamily units. The Statement of Intent and Concept Plan for the POD, Planned Office District, include up to 18 Williamsburg-style office buildings with up to 50,000 square feet of total office space. This development would be known as the Eastside Office Park. The Future Land Use Map indicates Urban Residential uses are preferred for this location at a density of 8-20 units/acre.

The subject properties are located on Old Spartanburg Road near the intersection of Old Spartanburg Road and Jamestowne Way. The properties to the north are zoned R-7.5, Single-Family Residential, and are occupied by Raintree Cove Subdivision. The adjacent property to the east is zoned R-MA, Multifamily Residential, and is occupied by Jamestown Commons Apartments. The property to the west is zoned R-MA, Multifamily Residential, and is occupied by Grey Eagle Apartments. The properties to the south are zoned R-MA, Multifamily Residential, and are occupied several apartment complexes.

The subject properties were originally zoned R-MA, Multifamily Residential, as part of Area 1 in May 1970. These parcels were rezoned to R-M1, Multifamily Residential, in 2003 as CZ-2003-10, to allow for additional options for the properties, including a group office development, which at the time was a permitted use in R-M1, Multifamily Residential. At that time, approval would come from the Board of Zoning Appeals. In 2003, County Council eliminated offices as a use on review in R-M1, Multifamily Residential. There have been no additional requests for the subject properties.

There are several points to consider when reviewing this development, including the following:

Tree Ordinance and Site Grading:

This development, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Since this site is surrounded by residential properties, staff is of the opinion no mass grading should occur. In an effort to maintain the existing trees on the property as a natural buffer to

the adjacent residential uses, a tree protection plan and landscaping plan should be submitted prior to the issuance of any grading permits to show an adequate buffer exists. The site plan submitted shows a 25' buffer area between the existing residential uses and the buildings on site. This buffer should be heavily landscaped to minimize impacts on surrounding uses.

Traffic:

While this site may generate near 550 trips per day, staff is of the opinion this area and the surrounding road network are capable of handling this additional traffic and is not a significant variation from the existing zoning's traffic generation.

Signage and Design:

The signage plan submitted with the application to rezone the properties POD, Planned Office District, shows a large monument sign and electronic reader board. While staff is of the opinion a multi-tenant monument style sign matching the building materials is appropriate for this location, staff is also of the opinion the height permitted in the zoning ordinance (up to 16' for a group sign) is not appropriate at this location. Staff recommends limiting the sign to a height of 12'. In addition, electronic reader boards are not consistent with the majority of signage or the residential character of the area. Therefore, staff is of the opinion electronic reader boards should not be permitted.

The Statement of Intent also stipulates that individual tenant signage may be internally lit. Staff is of the opinion the signage should be externally illuminated only. In addition, building façade signage should be limited to a wood-routed style or channel mounted lettering.

The Statement of Intent shows residential style buildings with the roof line of each structure starting just above the first floor. While two-story structures will be permitted, all buildings should be designed with the roof line as depicted in the renderings provided. In addition, staff is of the opinion limiting the square footage to 30,000 is necessary to create a more neighborhood friendly environment.

With the aforementioned in mind, Staff recommends approval of this request with these specific conditions:

- The development must conform to the requirements of the Tree Ordinance.
- The site may not be mass graded.
- A tree protection plan and landscaping plan must be submitted with the Final Development Plan prior to the issuance of any grading permits or removal of any trees. These plans must show heavy landscaping within the 25' buffer area on both sides and at the rear of the site.
- Group development signage is not to exceed 12' in height.
- No electronic reader boards are permitted.
- No internally illuminated signage is permitted. All tenant signage must be a wood-routed style or channel mounted lettering.
- Buildings should be designed with the roof line starting at the top of the first floor of offices.
- Total building square footage is limited to 30,000 square feet.

MOTION: By Mr. Barbare, seconded by Ms. Eldridge to deny the applicant's request. The motion failed.

MOTION: By Ms. Eldridge, seconded by Ms. Stevens to approve the request with two additional conditions.

Connectivity to the sidewalks
Increase the rear buffer from 26 feet to 50 feet.

Ms. Eldridge withdrew her motion.

MOTION: By Mr. Usher seconded by Ms. Eldridge to hold the item to receive feed back from developer as to impact of a 50 foot buffer on the rear of the site and request inner connectivity with sidewalks between the internal sites and public side walks on Old Spartanburg Road. The motion carried unanimously.

CZ-2008-42

The subject property is zoned O-D, Office District, which allows professional office uses. The Statement of Intent and Concept Plan for the NC, Neighborhood Commercial, stipulate the conversion of the existing structure into a private dining and banquet/reception facility. This development would be known as Nino's Private Dining. The Future Land Use Map indicates Commercial/Office uses are preferred for this location.

The subject property is located on East North Street near the intersection of East North Street and Pelham Road. The properties to the north and east are zoned R-20, Single-Family Residential, and are occupied by Glenwood Acres Subdivision. The property to the west is zoned C-2, Commercial, and is occupied by the North Hills/Bi-Lo Shopping Center. The properties to the south across East North Street are zoned C-2, Commercial, and C-3, Commercial, and are occupied by a strip commercial center.

The subject property was originally zoned R-20, Single-Family Residential, as part of Area 1 in May 1970. This parcel was requested for rezoning from R-20, Single-Family Residential, to C-2, Commercial in March of 1981. This request was amended and approved by County Council as O-D, Office District (CZ-81-19). An additional request to rezone this property from O-D, Office District, to C-2, Commercial, was made in February 1989 (CZ-89-25). This request was denied by staff, PWPDP, and finally by County Council on March 7, 1989. There have been no additional requests for the subject properties.

There are several points to consider when reviewing this development, including the following:

Tree Ordinance:

This development, if approved, will have to conform to the requirements of the Greenville County Tree Ordinance.

Traffic and Parking:

Based upon the Zoning Ordinance Parking Requirements, this site does not have adequate parking to accommodate most of the permitted uses in NC, Neighborhood Commercial. The Zoning Administrator is working with the applicant on a shared parking arrangement with the adjacent properties (North Hills Shopping Center and the shopping center across the

street). However, staff is of the opinion this arrangement is not appropriate due to physical constraints in the area. Patrons of this development would have to cross 5-lanes of traffic on East North Street or walk to the adjacent North Hills Shopping Center to park. Because of these limitations, patrons may be inclined to park on existing residential streets rather than using the appropriate shared parking spaces.

An additional option currently being explored with the Zoning Administrator is to limit the occupant load of the building to match the parking available on site. However, staff is of the opinion this may not be appropriate and may be difficult to enforce due to the nature of banquet functions.

Staff is of the opinion the requested NC, Neighborhood Commercial, is not appropriate for the subject site. With the site being a use that is open for business in the evening, approval of this rezoning could potentially create incompatible land uses with the directly adjacent and established residential neighborhood. Rezoning this parcel could also begin a pattern of change and encroach into an existing residential area. Staff is of the opinion the existing O-D, Office District, is appropriate and serves as a suitable transitional district for this location.

With the aforementioned concerns in mind, staff recommends denial of this request.

MOTION: By Mr. Mansbach, seconded by Mr. Robinson to deny the request. The motion carried unanimously.

CZ-2008-45

The proposed text amendment to the Greenville County Zoning Ordinance will amend the Ordinance by maintaining the same standards and permitted uses in the R-M10 and R-M20 Multifamily Zoning Districts; however, it will also add a wider range of specific permitted densities. Due to numerous rezoning requests involving multifamily densities less than or between the existing 10 units and 20 units per acre maximum density, staff investigated the possibility of creating additional districts to allow for more flexibility in the rezoning process.

Conclusion

Planning Staff has encountered numerous rezoning requests involving applicants who wish to apply for a multifamily residential zoning district less than R-M10, Multifamily Residential, or R-M20, Multifamily Residential. In various instances, the density proposed by the applicant has been deemed appropriate by staff, Planning Commission, County Council and citizens in the area. However, because the County only has two multifamily density options, either R-M10, Multifamily Residential, (10 dwelling units per acre) or R-M20, Multifamily Residential, (20 dwelling units per acre) the applicants have limited options. Applicants are required to apply for the R-M10, Multifamily Residential, or R-M20, Multifamily Residential, district which in certain circumstances allows too high a density for an area. Therefore, the rezoning requests have been denied. Staff is of the opinion allowing additional densities will give applicants, citizens and County Council additional assurances of the actual density proposed in rezoning requests.

As previously stated, to make the transition to new districts as simple as possible, staff proposes to maintain the same requirements set forth in the existing R-M10, Multifamily Residential, and R-M20, Multifamily Residential, zoning districts. For example, a minimum of two (2) acres is required for multiple-family dwellings (apartments). The only change would be to create additional districts allowing varying densities in whole numbers only as follows:

R-M2 (2 dwelling units per acre), R-M3, R-M4, R-M5, R-M6, R-M7, R-M8, R-M9, R-M10, R-M11, R-M12, R-M13, R-M14, R-M15, R-M16, R-M17, R-M18, R-M19 and R-M20 (20 dwelling units per acre) Staff recommends approval.

MOTION: By Ms. Eldridge, seconded by Ms. Stevens to accept staff's recommendation of approval. The motion carried unanimously.

APPEARANCES (Non Agenda Items)

Mr. John Bennett, 5 Autumn View Ridge, Greenville, SC appeared regarding Park Wood and Park Vista Developments. He voiced his concern regarding traffic.

OLD/NEW BUSINESS

Directors Report

Ms. Long distributed t-shirts with the Comp Plan Logo for the commissioners.

Ms. Long stated during the July meeting the Urban planning would be discussed.

Chairman Robinson appointed a committee to review the SCDOT Traffic regulations. With Mr. Barbare being Chairman.

Chairman Robinson appointed Mr. Usher to assist with Community Outreach.

Chairman Robinson requested someone volunteer with reviewing the rezoning process. Mr. Mansbach would be on the committee with Mr. Usher assisting if possible.

ADJOURNMENT

ACTION: Without objection, the meeting adjourned at 6:37 p.m.

Submitted by Recording Secretary
