

**MINUTES**  
**GREENVILLE COUNTY PLANNING COMMISSION**  
September 24, 2008

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

**MEMBERS ABSENT:** none

**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 AUGUST 27, 2008 MINUTES**

Without objection the minutes of the August 27, 2008 meeting were approved as presented.

**PRELIMINARY SUBDIVISION APPLICATIONS**

08-170, Saluda Pointe

08-176, Gowensville Farm

Ms. Webb stated the applicants of both subdivisions have requested their items be held for thirty days in order to adequately address issues of concern.

**MOTION:** By Ms. Eldridge, seconded by Mr. Mansbach to hold both 08-170 and 08-176 for thirty days. The motion carried unanimously.

**VARIANCE REQUEST**

**VA-2008-01, Lennox Lake**

Ms. Webb explained the request to allow access to Rosa Lane from Lot #45, on Manorwood Court in the Lennox Lake Subdivision, Phase 3, Section 2.

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

**REZONING REQUESTS**

**NEW APPLICATIONS**

Mr. Limbaker explained the rezoning process for all attending the meeting.

**NEW APPLICATIONS**

**CZ-2008-58 (County Council District 24)**

The subject property is zoned R-12, Single-Family Residential, which allows single-family residential uses at a density of 3.6 units per acre. The subject site would allow one single-family residence. The site is currently undeveloped. The requested O-D, Office District, allows office uses.

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

The subject property is zoned R-12, Single-Family Residential, on Old Grove Road and is currently undeveloped. The property to the north is zoned O-D, Office District, and is occupied by the applicant's office (medical). The property to the east is zoned R-12, Single-Family Residential, and is occupied by a single-family residence. The property to the south is zoned O-D, Office District, and is occupied by Fast Lane Graphics. The property to the west across Old Grove Road is zoned R-12, Single-Family Residential, and is occupied by a single-family residence on a large lot.

### **Zoning History**

The subject property was zoned R-12, Residential Suburban as part of Area 2 in May 1971. The parcel to the north was zoned O-D, Office District, in 1976 as CZ-76-77 for which staff recommended denial. The parcel to the south was zoned O-D, Office District, in 2004 as Docket CZ-2004-25 for which staff and Planning Commission recommended denial; however, the PWRD Committee and County Council recommended approval for both of the aforementioned requests. Further to the south, the properties zoned O-D, Office District, were rezoned from R-12, Single-Family Residential, in 2007 as CZ-2007-50. Staff and Commission recommended denial of this case also, while PWRD and Council approved the request. There have been no additional rezoning requests for the subject property.

### **Conclusion**

As stated in the Zoning History section above, staff has previously recommended denial of O-D, Office District zoning for the properties to the south of High Valley Boulevard. At those times, staff was of the opinion zoning properties on Old Grove Road south of High Valley Boulevard would set a precedent for encroachment of non-residential uses into a residential area. However, as this parcel is situated between two pieces currently zoned O-D, Office District, and being occupied by offices, staff does not oppose rezoning this parcel to O-D, Office District. Staff recommends approval of this request.

### **CZ-2008-59 (County Council District 27)**

The subject property is zoned R-S, Residential Suburban, which allows single-family residential uses at a density of 1.7 units per acre. The subject site would allow one single-family residence. The site is currently occupied with one single-family residence. The requested C-3, Commercial, allows intensive commercial uses.

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

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

The subject property is zoned R-S, Residential Suburban, on Stokes Road and is occupied by a single-family residence. The properties to the north and west are zoned R-S, Residential Suburban, and are occupied by a single-family residence. The property to the east is zoned C-2, Commercial, and is occupied with a services business. The property to the south is zoned R-S, Residential Suburban, and is occupied by a single-family residence.

### **Zoning History**

The subject property was zoned R-S, Residential Suburban in June 1973 following the completion of the Golden Strip Corridor Study. There have been no rezoning requests for the subject property. The adjoining property to the east zoned C-2, Commercial, was rezoned in

October 1984 (CZ-84-79). Staff recommended denial of this request; however, Committee recommended approval. The request was approved by Council as amended to C-1, Commercial, in September 1984, but was thereafter reconsidered and approved in October as C-2, Commercial.

### **Conclusion**

As stated in the Zoning History section above, staff previously recommended denial of commercial zoning for the property in this area due to the adequate amount of commercial zoning on Highway 417. Staff was also of the opinion Stokes Road was not appropriate for commercial traffic as it was a residential area. Staff remains of the opinion commercial zoning is not appropriate in this area primarily characterized by single-family residences. Based on this reason, staff recommends denial of the request.

### **CZ-2008-60 (County Council District 26)**

The subject property is zoned R-S, Residential Suburban, which allows single-family residential uses at a density of 1.7 units per acre. As zoned, the subject site would allow 66 single-family residences. The site is currently undeveloped. The requested I-2, Industrial, allows light industrial uses, warehouse distribution, research and development operations, and similar industrial uses with compatible operations within a planned park atmosphere. The application is for a proposed Beverage Distribution Center with approximately 120,258 square feet of warehouse and office space with 20,900 square feet of vehicle service space. If approved, the site would be required to meet all conditions in Section 8:4 of the Greenville County Zoning Ordinance, which sets forth the standards for property developed in the I-2, Industrial, zoning district.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Industrial/Service uses are preferred for this location.

**Southern Connector Plan (2000).** The Southern Connector Plan indicates Industrial/Service uses are preferred for this location.

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

The subject property is zoned R-S, Residential Suburban, on Old Grove Road and is undeveloped. The property to the north is zoned I-2, Industrial, and though currently undeveloped is part of The Matrix Industrial Park. The property to the east is zoned R-S, Residential Suburban, and is occupied by a single-family residence. The property to the south across Old Grove Road is zoned I-2, Industrial, and is occupied by JTEKT Automotive as part of The Matrix. The property to the west is zoned R-S, Residential Suburban, and is undeveloped.

### **Zoning History**

The subject property was zoned R-S as part of Area 2 in 1971. The majority of the surrounding area known as The Matrix Industrial Park comprised of approximately 1,100 acres was rezoned to I-2, Industrial as Docket CZ-99-65. There have been no additional rezoning requests for the subject parcel.

### **Conclusion**

Staff is of the opinion I-2, Industrial, zoning is appropriate for this location. The Matrix was the first and is the only industrial park in Greenville to be zoned I-2, Industrial. It is a restrictive form of industrial zoning that allows only light industry, warehouse/distribution, research and development operations and headquarters campus facilities. This area was deemed appropriate

for this zoning designation due to the proximity to the Southern Connector (I-185) and the utilities available to the site. This parcel is no exception.

In addition, the land use maps for this area both reflect the fact that Industrial/Service uses are preferred. The Donaldson Center is also in the immediate vicinity of the site to the east creating a significant industrial hub for the County. Based on the aforementioned reasons, Staff recommends approval.

**CZ-2008-61 (County Council District 17)**

The front 400' of the subject property is zoned R-S, Residential Suburban, which allows single-family residential uses at a density of 1.7 units per acre. The remainder is unzoned. The subject site would allow 3 single-family residences. The site is currently occupied with one single-family residence. The requested C-1, Commercial, allows commercial uses.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Rural Residential uses are preferred for this location at a density of 0-1 units per acre.

The subject property is located on the north side of Geer Highway and is zoned R-S, Residential Suburban. It is occupied by a single-family residence. Although the remaining property to the north is part of this parcel, it is not part of the request to rezone. The remaining property is Unzoned and undeveloped. The property to the east is zoned R-S, Residential Suburban, and is occupied by a single-family residence. The property to the south across Geer Highway is zoned R-S, Residential Suburban, and is occupied by a single-family residence. The property to the west is zoned C-1, Commercial, and is currently undeveloped. However, the property further west is also zoned C-1, Commercial, and is currently being developed as a medical facility.

**Zoning History**

The zoned portion of the subject property was originally zoned R-S, Residential Suburban, as part of Area 4B in June 1973. There have been no other rezoning requests for the subject property.

Staff is of the opinion the request to zone the front portion of the site C-1, Commercial, is appropriate based on the existing non-residential uses in the area such as the developing health facility and school to the north, Ingles to the south, and the fact that the remainder of the tract is currently unzoned and would not prohibit commercial uses. Additionally, the parcel has ample frontage on a five-lane U.S. Highway (Geer Highway) and could develop without causing major congestion concerns. Based on the aforementioned reasons, staff recommends approval.

**CZ-2008-62 (County Council District 21)**

The property is zoned S-1, Services, which allows light manufacturing uses and service related uses. 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 Industrial/Service uses are preferred for this area.

The subject parcel was zoned R-S, Residential Suburban, as part of Area 2 in May 1971. In 1974, a request to rezone the subject site as well as seven additional parcels totaling 41 acres was submitted to rezone from R-S, Residential Suburban, to S-1, Services. The request was approved

as Docket CZ-1974-138 on November 4, 1974. No additional rezoning requests have been submitted for the subject site.

It should be noted that the subject site falls within the Greenville-Spartanburg Airport Environs Area and The Airport Environs Commission must approve all development projects within this area.

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

The subject property is located at the intersection of Pelham Road and Littlejohn Glen Court. The parcel is zoned S-1, Services, and is undeveloped. The parcels to the adjacent north are zoned S-1, Services, and are undeveloped. The parcel to the adjacent east is zoned S-1, Services, and is occupied by a textile industry supplier business known as Lang Ligon and Company. The parcel to the south across Pelham Road is zoned I-1, Industrial, and is occupied by the Standard Motor Products Company. The parcel to the west across Littlejohn Glen Court is zoned C-2, Commercial, and is undeveloped. It should be noted that staff is researching zoning files to verify the zoning of the C-2, Commercial, zoning of the parcel across Littlejohn Glen Court. Staff research indicates at this point the parcel is zoned S-1, Services, and the C-2, Commercial, designation is a map error.

### **Conclusion**

Staff is of the opinion the existing service and industrial zoning and land use pattern in this area of Pelham Road is appropriate for this location. This area has been developed in accordance with the existing S-1, Services, and I-1, Industrial, zoning. Staff is of the opinion zoning this parcel commercial could set a precedent for additional commercial zoning and uses in the services/industrial area. Historically and still today, commercial uses and zoning have been located and centered on Pelham Road west of I-85 and no significant changes have occurred to justify commercial zoning in the area of Pelham Road. It should be noted the S-1, Services, district does permit uses such as restaurants to provide services for the employees and residents in the area.

In 1986, staff supported a request to rezone tax map parcel 0533020104600 at Pelham Road and Boland Court from S-1, Services, to C-2, Commercial as Docket CZ-1986-58. The reason for a recommendation of approval was due to the vicinity of the I-85 interchange and the similar commercial uses in the immediate area. It was stated that “staff does not support the commercial reclassification of properties along Pelham Road east of Boland Court.”

In 1998, staff recommended denial of a request to rezone tax map parcel 0533020101701 from S-1, Services, to C-2, Commercial, which is located two lots west of the subject site on Pelham Road. Staff cited the fact the property is located in an area characterized by service and industrial uses and staff consistently recommended denial of commercial requests along Pelham Road for the aforementioned reasons. Based on these reasons, staff recommends denial of the request.

### **CZ-2008-63 (County Council District 22)**

The property is zoned R-20, Single-Family Residential, which allows for single-family residences at a maximum density of 2.2 dwelling units per acre. The current zoning will permit one dwelling unit. The requested R-S, Residential Suburban, district allows for single-family residences at a maximum density of 1.7 dwelling units per acre. The proposed zoning district will permit one dwelling unit.

**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 dwelling units per acre.

The subject parcel and surrounding area was zoned R-20, Single-Family Residential, as part of Area 1 in May 1970. No other rezoning requests have been submitted for the subject site or adjacent area.

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

The subject property is located on Howell Circle just east of Haywood Road. The parcel is zoned R-20, Single-Family Residential, and is occupied by a single-family residence. The parcels surrounding the site are zoned R-20, Single-Family Residential, and are occupied by single-family residences.

#### **Conclusion**

Staff is of the opinion the existing established R-20, Single-Family Residential, zoning district and land use pattern that has developed in compliance with the R-20, Single-Family Residential, zoning district are appropriate for this location. As previously stated, R-20, Single-Family Residential, zoning has existed in this area since 1971 with no rezoning requests. Additionally, staff is of the opinion rezoning the subject site to R-S, Residential Suburban, could introduce incompatible uses with the surrounding residences. Based on these reasons, staff recommends denial of the request.

#### **CZ-2008-64 (County Council District 20)**

The property is zoned R-10, Single-Family Residential, which allows for single-family residences at a maximum density of 4.4 dwelling units per acre. The current zoning will permit one dwelling unit (The three existing units are legal non-conforming). The requested R-7.5, Single-Family Residential, district allows for single-family residences at a maximum density of 5.8 dwelling units per acre. The proposed zoning district would permit two dwelling units. If rezoned and subdivided into two parcels, one parcel will have two dwelling units, one of which will be a legal non-conforming dwelling.

**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 dwelling units per acre.

The subject parcel and surrounding area was zoned R-10, Single-Family Residential, as part of Area 1 in May 1970. No other rezoning requests have been submitted for the subject site or adjacent area.

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

The subject property is located on Bahan Circle just east of Bahan Street. The parcel is zoned R-10, Single-Family Residential, and is occupied by three single-family residences that were on the parcel before the area was zoned. The parcels surrounding the site are zoned R-10, Single-Family Residential, and are also occupied by single-family residences.

#### **Conclusion**

Staff is of the opinion the proposed R-7.5, Single-Family Residential, zoning district is appropriate for this location due to the single-family residential uses and the average size of the parcels adjacent to the site. The subject site is currently occupied by three legal non-conforming structures. Only one dwelling unit per lot is permitted in the zoned area of the County. However,

the applicant intends to subdivide the lot to bring the site closer to conformity. R-7.5, Single-Family Residential, is the most dense zoning district in the County and will only allow the applicant to subdivide the lot into two lots due to the 17,685 sq. ft. lot size. The applicant would prefer to split the existing lot into three smaller lots; however, the County does not have a zoning district to permit this, nor does the applicant have enough property to allow the lot to be subdivided into three lots under the proposed R-7.5, Single-Family Residential, district.

Although the parcels surrounding the site are zoned R-10, Single-Family Residential, most of the lots average approximately 7,600 square feet in size. Therefore, the surrounding lots cannot be further subdivided. Similarly, the lots created as a result of this rezoning request could not be further subdivided due to the lot size limitation. Rezoning the subject site would not set a precedent for additional R-7.5, Single-Family Residential, rezonings adjacent to the subject site. Based on these reasons, staff recommends approval of the request.

### **CZ-2008-65 (County Council District 19)**

The property is zoned R-7.5, Single-Family Residential, which allows single-family residences at a maximum density of 2.9 units per acre. The requested C-3, Commercial, allows intensive commercial uses.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Commercial/Office uses are preferred for this area.

**Cherrydale Area Plan (August 2008).** The Future Land Use Map indicates this site to be in Special Policy Area 1 which proposes Urban Mixed Use, Urban Residential, High Density Residential, Office and Public uses oriented toward pedestrians.

The subject property was zoned R-7.5, Single-Family Residential, as part of Area 3 in April 1972. The surrounding area was also zoned accordingly as part of Area 3. There have not been any additional rezoning requests for the subject site.

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

The subject property is located at the intersection of Fair and Concord Streets just west of Poinsett Highway. The parcel is zoned R-7.5, Single-Family Residential, and is occupied by a plumbing business (City Plumbing) and a vacant single-family residence. The plumbing business is a legal non-conforming use that existed prior to Council zoning this area in 1972. Those parcels to the west across Concord Street, as well as those to the adjacent east and south are occupied by single-family residences and are zoned R-7.5, Single-Family Residential. The parcels directly to the north across Fair Street are zoned C-1, Commercial, and are occupied single-family residences. The parcel to the northeast across Fair Street is zoned S-1, Services, and is occupied by the Louis P. Batson Company (textile machinery/parts supplier).

### **Conclusion**

Staff is of the opinion there have been no significant changes to this area since this area was zoned in 1972 that would justify commercial zoning on this property. The existing use (City Plumbing) existed on site at the time this area was zoned in 1972 and a conscious decision was made not to zone the site commercial at that time. The requested C-3, Commercial, district permits numerous uses that are incompatible with the established residential area adjacent to the site. Staff is of the opinion rezoning this site commercial could lead to additional commercial zoning requests and may set a precedent for commercial zoning encroachment into established residential areas.

Although, there are nonresidential uses in the vicinity of the site, they are adjacent to similar uses or contiguous to nonresidential zoned areas. As previously stated, the approved Cherrydale Area Future Land Use Map designates this site for various uses and zoning; however, the requested C-3, Commercial, zoning and permitted uses do not comply with the criteria set forth in the Special Policy Area 1 of the Cherrydale Area Plan.

Based on the aforementioned reasons staff recommends denial of the requested rezoning.

**RECONSIDERATION**

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

**CZ-2008-57**, James McCutchen for Phillip Esposito, located at Batesville Road, requesting rezoning from POD to NC.

**CZ-2008-63**

Mr. Limbaker stated the applicant has requested the item be held.

Mr. Robinson passed the gavel to Mr. Mansbach.

**MOTION:** By Mr. Robinson, seconded by Mr. Usher to hold the item per applicant's request.

The applicant addressed the Commission members regarding the request to hold due to being out of state for a dependents surgery.

The motion, as presented failed with two in favor of holding (Robinson and Usher).  
Mr. Mansbach passed the gavel to Mr. Robinson.

Mr. Robinson passed the gavel back to Mr. Mansbach.

**MOTION:** By Mr. Robinson, seconded by Ms. Eldridge to accept staff's recommendations for CZ-2008-58, CZ-2008-59, CZ-2008-60, CZ-2008-61 and CZ-2008-64. The motion carried unanimously.

Mr. Limbaker stated for the audience, the above dockets would be forwarded to the Public Works, Planning and Development Committee with staff's recommendations at the October 6, 2008 meeting.

The Commissioners requested a more detailed review of CZ-2008-57, CZ-2008-62, CZ-2008-63 and CZ-2008-65.

**CZ-2008-35**, Ms. McCormick stated this docket would be withdrawn at a time in the future. She stated currently there was a second docket pending in the PWRPD Committee.

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

**CZ-2008-57 (County Council District 21)**

Ms. McCormick stated the subject properties are zoned POD, Planned Office District, which allows office uses. There is currently a State Farm office on site. The Statement of Intent and Concept Plan for the NC, Neighborhood Commercial, includes a maximum of 18,000 square feet of commercial space. Approximately 8,000 square feet is proposed for a retail building, 6,000 square feet is proposed for a restaurant, and the remaining 4,000 square feet is being held in reserve.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Suburban Residential uses are preferred for this location.

**East Woodruff Road Area Plan (2008-proposed).** The East Woodruff Road Area Plan indicates Residential/Office Transitional uses are preferred for this location.

The subject properties are located on Batesville Road. The property to the north is zoned POD, Planned Office District, and is occupied by an abandoned single-family residence. A daycare center is proposed for this site. The adjacent property to the east is zoned R-S, Residential Suburban, and is occupied by Five Forks Baptist Church. The properties to the west are zoned NC, Neighborhood Commercial, and PD, Planned Development, and are occupied by Five Forks Promenade and an undeveloped Planned Development. The parcel to the south is zoned C-2, Commercial, and is occupied by Zaxby's.

**Zoning History**

The subject properties were originally zoned R-S, Residential Suburban, as part of Area 2 in May 1971. These properties were part of a larger request to C-2, Commercial, in 1998, which was amended and approved as POD, Planned Office District, as Docket CZ-1998-07. There have been no other requests for the subject properties.

**Conclusion**

Staff is of the opinion commercial zoning in this location could lead to further encroachment of commercial zoning uses on Batesville Road. Staff is also of the opinion commercial uses are not appropriate at this location due to the recommended land use of Residential/Office Transitional designation in the proposed East Woodruff Road Area Plan. 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. Staff is also of the opinion the site serves as a portion of the transition from commercial property on Woodruff Road to the residential area on Batesville Road. Based on these reasons, staff recommends denial of the request.

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

**CZ-2008-63 (County Council District 22)**

Mr. Limbaker stated the property is zoned R-20, Single-Family Residential, which allows for single-family residences at a maximum density of 2.2 dwelling units per acre. The current zoning will permit one dwelling unit. The requested R-S, Residential Suburban, district allows for single-family residences at a maximum density of 1.7 dwelling units per acre. The proposed zoning district will permit one dwelling unit.

**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 dwelling units per acre.

The subject parcel and surrounding area was zoned R-20, Single-Family Residential, as part of Area 1 in May 1970. No other rezoning requests have been submitted for the subject site or adjacent area.

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

The subject property is located on Howell Circle just east of Haywood Road. The parcel is zoned R-20, Single-Family Residential, and is occupied by a single-family residence. The parcels surrounding the site are zoned R-20, Single-Family Residential, and are occupied by single-family residences.

### **Conclusion**

Staff is of the opinion the existing established R-20, Single-Family Residential, zoning district and land use pattern that has developed in compliance with the R-20, Single-Family Residential, zoning district are appropriate for this location. As previously stated, R-20, Single-Family Residential, zoning has existed in this area since 1971 with no rezoning requests. Additionally, staff is of the opinion rezoning the subject site to R-S, Residential Suburban, could introduce incompatible uses with the surrounding residences. Based on these reasons, staff recommends denial of the request.

**MOTION:** By Mr. Mansbach, seconded by Mr. McCoy to accept staff's recommendation of denial. The motion carried with two in opposition (Pruitt and Usher).

### **CZ-2008-62 (County Council District 21)**

Mr. Limbaker stated the property is zoned S-1, Services, which allows light manufacturing uses and service related uses. 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 Industrial/Service uses are preferred for this area.

The subject parcel was zoned R-S, Residential Suburban, as part of Area 2 in May 1971. In 1974, a request to rezone the subject site as well as seven additional parcels totaling 41 acres was submitted to rezone from R-S, Residential Suburban, to S-1, Services. The request was approved as Docket CZ-1974-138 on November 4, 1974. No additional rezoning requests have been submitted for the subject site.

It should be noted that the subject site falls within the Greenville-Spartanburg Airport Environs Area and The Airport Environs Commission must approve all development projects within this area.

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

The subject property is located at the intersection of Pelham Road and Littlejohn Glen Court. The parcel is zoned S-1, Services, and is undeveloped. The parcels to the adjacent north are zoned S-1, Services, and are undeveloped. The parcel to the adjacent east is zoned S-1, Services, and is occupied by a textile industry supplier business known as Lang Ligon and Company. The parcel to the south across Pelham Road is zoned I-1, Industrial, and is occupied by the Standard Motor Products Company. The parcel to the west across Littlejohn Glen Court is zoned C-2, Commercial, and is undeveloped. It should be noted that staff is researching zoning files to verify the zoning of the C-2, Commercial, zoning of the parcel across Littlejohn Glen Court.

Staff research indicates at this point the parcel is zoned S-1, Services, and the C-2, Commercial, designation is a map error.

### **Conclusion**

Staff is of the opinion the existing service and industrial zoning and land use pattern in this area of Pelham Road is appropriate for this location. This area has been developed in accordance with the existing S-1, Services, and I-1, Industrial, zoning. Staff is of the opinion zoning this parcel commercial could set a precedent for additional commercial zoning and uses in the services/industrial area. Historically and still today, commercial uses and zoning have been located and centered on Pelham Road west of I-85 and no significant changes have occurred to justify commercial zoning in the area of Pelham Road. It should be noted the S-1, Services, district does permit uses such as restaurants to provide services for the employees and residents in the area.

In 1986, staff supported a request to rezone tax map parcel 0533020104600 at Pelham Road and Boland Court from S-1, Services, to C-2, Commercial as Docket CZ-1986-58. The reason for a recommendation of approval was due to the vicinity of the I-85 interchange and the similar commercial uses in the immediate area. It was stated that “staff does not support the commercial reclassification of properties along Pelham Road east of Boland Court.”

In 1998, staff recommended denial of a request to rezone tax map parcel 0533020101701 from S-1, Services, to C-2, Commercial, which is located two lots west of the subject site on Pelham Road. Staff cited the fact the property is located in an area characterized by service and industrial uses and staff consistently recommended denial of commercial requests along Pelham Road for the aforementioned reasons. Based on these reasons, staff recommends denial of the request.

Mr. Bentley addressed the Planning Commission regarding the request.

**MOTION:** By Mr. Barbare, seconded by Mr. Usher to approve the applicant’s request as amended to C-1. The motion carried unanimously.

### **CZ-2008-65 (County Council District 19)**

Mr. Limbaker stated the property is zoned R-7.5, Single-Family Residential, which allows single-family residences at a maximum density of 2.9 units per acre. The requested C-3, Commercial, allows intensive commercial uses.

**Designing Our Destiny Plan (April 1999).** The Future Land Use Map indicates Commercial/Office uses are preferred for this area.

**Cherrydale Area Plan (August 2008).** The Future Land Use Map indicates this site to be in Special Policy Area 1 which proposes Urban Mixed Use, Urban Residential, High Density Residential, Office and Public uses oriented toward pedestrians.

The subject property was zoned R-7.5, Single-Family Residential, as part of Area 3 in April 1972. The surrounding area was also zoned accordingly as part of Area 3. There have not been any additional rezoning requests for the subject site.

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

The subject property is located at the intersection of Fair and Concord Streets just west of Poinsett Highway. The parcel is zoned R-7.5, Single-Family Residential, and is occupied by a plumbing business (City Plumbing) and a vacant single-family residence. The plumbing business is a legal non-conforming use that existed prior to Council zoning this area in 1972. Those parcels to the west across Concord Street, as well as those to the adjacent east and south are occupied by single-family residences and are zoned R-7.5, Single-Family Residential. The parcels directly to the north across Fair Street are zoned C-1, Commercial, and are occupied single-family residences. The parcel to the northeast across Fair Street is zoned S-1, Services, and is occupied by the Louis P. Batson Company (textile machinery/parts supplier).

### **Conclusion**

Staff is of the opinion there have been no significant changes to this area since this area was zoned in 1972 that would justify commercial zoning on this property. The existing use (City Plumbing) existed on site at the time this area was zoned in 1972 and a conscious decision was made not to zone the site commercial at that time. The requested C-3, Commercial, district permits numerous uses that are incompatible with the established residential area adjacent to the site. Staff is of the opinion rezoning this site commercial could lead to additional commercial zoning requests and may set a precedent for commercial zoning encroachment into established residential areas.

Although, there are nonresidential uses in the vicinity of the site, they are adjacent to similar uses or contiguous to nonresidential zoned areas. As previously stated, the approved Cherrydale Area Future Land Use Map designates this site for various uses and zoning; however, the requested C-3, Commercial, zoning and permitted uses do not comply with the criteria set forth in the Special Policy Area 1 of the Cherrydale Area Plan.

Based on the aforementioned reasons staff recommends denial of the requested rezoning.

**MOTION:** By Mr. Barbare, seconded by Ms. Eldridge to approve staff's recommendation of denial. The motion failed with four in favor (Usher, Barbare, Eldridge and Bell).

**MOTION:** By Mr. Mansbach, seconded by Ms. Stevens to deny staff's recommendation of denial and approve the applicant's request. The motion carried with three in opposition (Bell, Barbare and Usher).

### **PRELIMINARY SUBDIVISION THIRD QUARTER REPORT**

Mr. Robinson gave the Commission members a comparison of the Third Quarter Subdivision applications with last year as follows:

2007	2008
18 Subdivision	4 Subdivisions
790 Lots	95 Lots

### **DISCUSSION OF MAP AMENDMENT (REZONING) PROCESS**

Mr. Limbaker updated the Commission members on the discussion from the Planning Commission Workshop. He stated perhaps the Commission members would like to try allowing citizens to speak at the regular Planning Commission meetings. Mr. Limbaker stated staff could

present their recommendations; respond to any questions the Commissioners might have, and then invite citizens to speak, with guidelines pertaining to time.

**MOTION:** By Ms. Stevens, seconded by Mr. Mansbach to suspend the bylaws under Article 6 Section 1 to allow for the remainder of 2008 the Commission would operate as on Page four of Attachment 5 of the agenda packet as a guiding policy and at such time of the January 2009 meeting the Commission will vote to reinstate the by-laws or vote to adopt the policy. The motion carried unanimously.

### **UPDATE ON RESIDENTIAL REVIEW DISTRICTS AND TRADITIONAL NEIGHBORHOOD DISTRICTS**

Kelli McCormick addressed the Commission members regarding the update on the residential review districts and traditional neighborhood districts. She stated staff would provide the Commission with samples at the next Commission meeting of traditional neighborhood districts after speaking with other jurisdictions within South Carolina and the Southeast. Staff's view of the single use review district, may not be necessary due to the passage of the R-M2 to R-M20.

### **EDUCATIONAL CREDITS**

Tom Meeks addressed the Commission members regarding educational credits that are required of members of the Planning Commission per State Law. He stated he would be available to assist with any sessions that the Commission might be interested in. Mr. Meeks also provided the members with the schedule for the remainder of the year through the Council of Governments.

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

There were no appearances regarding non agenda items.

### **OLD/NEW BUSINESS**

#### **Traffic Impact Ordinance**

Mr. Barbare addressed the Commission members on the Traffic Impact Ordinance.

**MOTION:** By Mr. Barbare, seconded by Mr. Robinson to forward the TIS resolution for County Council. The motion carried unanimously.

### **Directors Report**

Ms. Long noted the November meeting would fall on the day before Thanksgiving and asked the Commissioners if they wanted to reschedule the meeting. The Commission members discussed the options but did not make a firm decision.

Mr. Robinson stated he would like to schedule an off-site workshop to go over the Comprehensive Plan process and have the Commission members ready to go out into the community to become involved with the process.

The Commission members sang and wished Ms. Long a Happy Birthday.

**ADJOURNMENT**

**ACTION:** Without objection, the meeting adjourned at 6:36 p.m.

Submitted by Recording Secretary

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