

**Greenville County Planning Commission Minutes**  
**March 22, 2023 at 4:30 p.m.**  
**Conference Room D at County Square**

**Commissioners Present:** S. Bichel, Chair; J. Bailey, Vice Chair; J. Rogers; F. Hammond; M. Looper; M. Shockley; J. Howard; J. Barbare

**Commissioners Absent:** None.

**County Councilors Present:** None.

**Staff Present:** T. Coker; R. Jeffers-Campbell; T. Stone; J. Henderson; M. Staton; L. Mann; K. Mulherin; T. Baxley; N. Miglionico; IS Staff

**1. Call to Order**

Chairman Bichel called the meeting to order at 4:30 p.m.

**2. Invocation**

Mr. Barbare provided the invocation.

Chairman Bichel congratulated Mr. James Wood for his appointment to the Planning Commission and announced that he and Mr. Hammond were reappointed.

**3. Approval of the Minutes of the February 22, 2023 Commission Meeting**

**Motion:** by Mr. Looper, seconded by Mr. Howard, to approve the minutes of the February 22, 2023 Commission meeting, as presented. The motion carried unanimously by voice vote.

**4. Rezoning Requests**

**CZ-2023-016**

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2023-016.

The subject parcel zoned R-R1, Rural Residential District is located along Watson Road, a two lane County-maintained residential road. Staff is of the opinion that the requested rezoning to AG, Agricultural Preservation District would be consistent with the zoning of the parcel to the north. Additionally, the requested rezoning to AG, Agricultural Preservation District aligns with the Plan Greenville County Comprehensive Plan, which designates this parcel as *Rural*.

Based on these reasons, staff recommends approval of the requested rezoning to AG, Agricultural Preservation District.

**Discussion:** None.

**Motion:** by Mr. Bailey, seconded by Mr. Looper, to approve CZ-2023-016. The motion carried unanimously by voice vote.

**CZ-2023-019**

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2023-019.

The subject parcel, zoned NC, Neighborhood Commercial District, is located along Hatcher Creek Street, a one-lane County-maintained residential road, and Ellis Mill Street, a one-lane County-maintained residential road. Staff is of the opinion that a successful rezoning to NC – MC, Neighborhood Commercial – Major Change would allow for a change of uses that would not have an adverse impact on the surrounding area.

The development would have to meet the following condition:

1. Submit a Final Development Plan for review and approval prior to the issuance of any land development or building permits.

Based on these reasons, staff recommends approval of the requested rezoning to NC – MC, Neighborhood Commercial – Major Change with the aforementioned condition.

**Discussion:** None.

**Motion:** by Mr. Howard, seconded by Mr. Bailey, to approve with condition CZ-2023-019. The motion carried unanimously by voice vote.

#### **CZ-2023-020**

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2023-020.

The subject parcel, zoned FRD, Flexible Review District, is located along Old Bramlett Road, a two lane State-maintained local road. The Statement of Intent approved in October 2022 allows for a maximum of 300 single-family lots. The current proposal includes fewer lots; however, the proposed minimum lot width is narrower than what is approved. Staff is of the opinion that a successful rezoning to FRD – MC, Flexible Review District – Major Change to allow for a maximum of 285 single-family residential lots is consistent with the previously approved documents for this district, as well as the Future Land Use Map in the Plan Greenville County Comprehensive Plan.

The development would have to meet the following conditions:

1. Submit a Final Development Plan for review and approval prior to the issuance of any land development or building permits.

Based on these reasons, staff recommends approval of the requested rezoning to FRD – MC, Flexible Review District – MC with the aforementioned condition.

**Discussion:** Mr. Howard asked why the application was being reviewed if the change lowered the density. Mr. Henderson stated the lot width triggered the change because it was originally approved at 50 feet.

Chairman Bichel stated the density is lower than what it could be but believed it was higher than what was originally approved. Mr. Henderson explained the FRD was approved for a maximum of 300 lots but the plan showed around 240 lots. Mr. Henderson stated this plan

has a maximum of 285 lots, which increases the density of what was approved for the plan but does not increase the density that was allotted per the FRD.

Chairman Bichel asked for the recommended density of Suburban Edge and if staff believed the current plan complied with the recommendation. Mr. Stone stated 0-1 units per acre. Mr. Henderson explained Suburban Edge allows for the proposed density and the area is a part of the Riverdale-Tanglewood community plan that calls for medium density, residential and recreation. Chairman Bichel asked for the recommended density of the Riverdale-Tanglewood plan. Mr. Stone explained the plan doesn't explicitly define medium-density residential, however it does mention that R-10 and lower are medium density, which would be 10,000 square foot lots or 4.4 units per acre. Mr. Henderson stated the average lot size is about 5250 square feet but there are some lots that are less than that.

Chairman Bichel asked if Old Bramlett Road was a State or County road. Mr. Henderson stated it is a County road and Greenville County would be reviewing any traffic impact studies. Chairman Bichel stated the applicant spoke of a million dollar road improvement and asked if those improvements were going to occur. Mr. Coker stated there is a difference between the improvements that are required as part of the traffic impact study and those that are required by the County and the State. Mr. Coker stated HWY 124 is a state road and it is his understanding there are some improvements that will need to occur there. Mr. Coker explained that traffic impact studies typically only encompass the development itself but certain improvements would be required when working with SCDOT and when pulling encroachment permits from Greenville County.

Chairman Bichel stated, at the Public Hearing, Councilor Blunt spoke of how generic the descriptions of the improvements were. Chairman Bichel explained a description stating you will have one of a dozen different sidings was not specific enough. Mr. Henderson stated the applicant submitted a revised statement of intent to address some of the vague language brought up at the Public Hearing changing words from "may consist" to "will" or "shall". Chairman Bichel pointed out the applicant still lists everything available which does not define what they will use per FRD requirements in the Zoning Ordinance.

Mr. Bailey asked the applicant approximately how many lots are of the larger size and what is that size? A representative for the applicant, Trisha Chasen, stated the average lot size is 5000 square feet. Mr. Bailey asked staff to clarify the medium density recommendation of 10-12,000 square feet. Mr. Stone explained because of the cluster design of the lots, they are allowed to have smaller lots as long as they maintain the overall density. Mr. Bailey asked what the average square footage was when you include all of the acreage. Mr. Stone stated 18,000 square feet per lot. Mr. Bailey explained when the site is considered as a whole piece the application is significantly above the 10-12,000 square feet recommendation.

Mr. Rogers asked why we are ignoring the undevelopable portions when determining density. Mr. Rogers stated he thought cluster developments only counted developable land. Mr. Coker explained the application is technically not a cluster development, it is an FRD that happens to be clustering but the cluster Ordinance does not apply. Ms. Jeffers-Campbell explained that Tyler was not referring to a cluster in terms of the Zoning Ordinance, he was referring to how they clustered the units and conserved open space, but they still have the density in terms of the units spread across the full span of the acreage. Ms. Jeffers-Campbell stated FRD and

review districts are essentially creating the Zoning regulations specific to the site within that site plan. Mr. Rogers asked what the previous Planning Commission recommendation was. Mr. Henderson stated approval with conditions.

Mr. Hammond asked if the major change on the application was going from 50 foot wide lots to 40 foot wide lots. Mr. Henderson stated that was correct, there were other changes but the lot width is what triggered the major change. Mr. Hammond stated they are voting on the change of lot width from 50 feet to 40 feet.

Mr. Rogers stated, based on the lot width being a key part of the approval in the past, he recommends denial of the major change.

**Motion:** by Mr. Rogers, seconded by Mr. Looper, to deny CZ-2023-020. The motion failed by hand vote with four in favor (J. Rogers; M. Looper; S. Bichel; J. Howard) and four in opposition (J. Barbare; F. Hammond; M. Shockley; J. Bailey).

**Motion:** by Mr. Bailey, seconded by Mr. Shockley, to approve CZ-2023-020. The motion failed by hand vote with four in favor (J. Barbare; F. Hammond; M. Shockley; J. Bailey) and four in opposition (J. Rogers; M. Looper; S. Bichel; J. Howard)

Chairman Bichel announced there is no recommendation to County Council.

#### **CZ-2023-021**

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2023-021.

The proposed changes will allow for Mixed Use development, or residential use in conjunction with commercial use on parcels in the C-1, C-2, and C-3, Commercial Districts. However, residential uses will no longer be permitted as the only use in the aforementioned commercial zoning districts. See page 4 for the ordinance with proposed changes and see page 7 for a clean draft. The changes are summarized below:

1. To remove the definitions from Condition 28 and place them in Article 4;
2. To remove single-family (attached and detached), multifamily, and two-family (duplex) as a permitted conditional use in Table 6.1 in these commercial districts;
3. To add Mixed Use Developments and Mixed Use Structures as a new use category in Table 6.1 as permitted by condition in the NC, Neighborhood Commercial District and C-1, C-2, and C-3, Commercial Districts;
4. To amend Condition 28 to remove provisions for single-family and multifamily and other necessary changes for the Mixed Use Development and Mixed Use Structure regulations.

Staff is of the opinion that the proposed changes, which will only allow residential uses in Commercial zoning districts as part of a Mixed Use Development or Mixed Use Structure, will prevent Commercial zoning districts from being used for residential development. Additionally, the proposed changes keep with the intent of the Commercial districts outlined in the Zoning Ordinance.

Based on these reasons, staff recommends approval of the proposed Text Amendment.

**Discussion:** None.

**Motion:** by Mr. Looper, seconded by Mr. Bailey, to approve CZ-2023-021. The motion carried unanimously by voice vote.

**CZ-2023-022**

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2023-022.

The proposed changes will allow property owners of existing automobile or personal motor vehicle sales and rental lots that do not meet the minimum parcel size, but otherwise conform to the Zoning Ordinance, to make changes to their facilities. Below is the proposed amendment to Article 6, Section 6.2 (31) Automobile and Personal Motorized Vehicle Sales and Rental to include the following language (in red):

A. Minimum Parcel Size

1. Minimum parcel size for this use shall be one (1) acre (43,560 square feet).
2. If the property includes multiple uses or tenants requiring permits, only those areas designated for vehicle sales/rental operations shall be used towards meeting the minimum parcel size requirement.
3. **Minimum parcel size only applies to new developments and does not apply to existing non-conforming automobile or personal motorized vehicle sales and rental lots that do not currently have one (1) acre and are existing at the time of this Amendment.**

The proposed change only applies to existing automobile and personal motorized vehicle sales and rental lots that do not meet the minimum lot size. Staff is of the opinion that the proposed changes will allow property owners to maintain and update the facilities on these sites, benefitting the subject parcels as well as adjacent property owners.

Based on these reasons, staff recommends approval of the proposed Text Amendment.

**Discussion:** None.

**Motion:** by Mr. Bailey, seconded by Mr. Howard, to approve CZ-2023-022. The motion carried unanimously by voice vote.

**5. Preliminary Subdivision Applications**

**PP-2023-016 Pelham Crossings**

Ms. Staton addressed the Commission members with a preliminary subdivision application for Pelham Crossings, a cluster option 1 subdivision located north of the intersection of Pelham Rd and Sandlewood Ln. The applicant is requesting 25 single-family detached lots in the R-15 zoning district and 12 single-family detached lots in the R-M10 zoning district.

The site is located within the Suburban Neighborhood character area of the Comprehensive Plan. Suburban Neighborhoods are generally shaped by residential subdivisions of medium-lot homes with relatively uniform housing types and densities. Homes include attached garages. Local streets are laid

out in a curvilinear pattern with occasional cul-de-sacs. Streets may or may not include sidewalks. New single-family subdivisions should be designed with sidewalks, street trees, neighborhood parks, and community open space connections. The Suburban Neighborhood Character Area recommends a density of 3 to 5 dwellings per acre. Pelham Crossings proposes a density of 3.33 units/acre.

Staff recommends conditional approval of the plan with the standard and specific requirements.

- ~~1. Provide a full access between the site and Atherton Way to provide for connectivity.~~
2. Submit a revised Preliminary Plan by March 31, 2023 that shows Common area Tract H and G labeled as undeveloped area, rather than developable as this is not "developable open space."

Additional Planning Commission Condition

1. Provide low bushes in the hidden emergency access.

**Discussion:** There were three speakers in opposition of the proposed subdivision. The first speaker, Leed Kazian, opposed providing road access between the site and Atherton Way. Ms. Kazain explained the road access would create dangerous traffic for the residents of Devenger Point due to the neighborhood not having sidewalks but having many residents who enjoy living and playing on the streets of the neighborhood. The second speaker, Jennifer Johnson, expressed concern about the preservation of greenspace and adequate separation of Devenger Point and Pelham Crossings. The final speaker, Gene Ownbey, explained the full access between the site and Atherton Way was addressed in the previous meeting and the Planning Commission approved the application with the condition of making access to Atherton Way emergency access only. Mr. Ownbey stated the community was happy with the emergency access and asked the Commission to uphold their previous condition.

There was one speaker in favor of the proposed subdivision, Mary Paige, the developer, stated they are in agreement to keep the access to Atherton Way as emergency access only. Ms. Paige explained the reason they are back before the Planning Commission is because the applicant had additional property they wanted to add where the townhomes are located.

Chairman Bichel asked staff why they requested to convert the emergency access to a road when the Planning Commission agreed emergency access was the best solution. Ms. Staten explained the request is to maintain the standards of the LDR, which is to provide interconnectivity. Mr. Coker stated at the last meeting the applicants' drawing showed a full connection to Devenger Point, then a condition was made to make it emergency access only, which is consistent with the drawing being shown.

Ms. Paige stated the hidden emergency access shown on the plan uses true grid and is grassed.

Mr. Bailey asked what would keep someone from using the emergency access. Chairman Bichel stated they were going to plant bushes. Mr. Bailey asked if there is some type of drivable landscape they can use that can be driven over by the fire department to keep people from driving through it. Ms. Paige was uncertain if it was allowed in the standard but stated they would design it as required for a typical emergency access.

Mr. Howard asked what would stop a person from using the emergency access. Mr. Howard explained he thought they agreed on using bushes at the previous meeting.

Mr. Bailey made a motion to approve with conditions and to remove the staff's condition to provide full access between the site and Atherton Way to provide for connectivity.

Mr. Howard asked why the applicant was back before the Planning Commission. Mr. Bailey stated because they have added more land and 12 additional units.

Mr. Rogers asked for clarification that they are voting on a plan that is back to the original with respect to the emergency access, the addition of condition 2 and the addition of 12 units. Chairman Bichel stated that was correct.

Mr. Rogers asked how the additional 12 units affect the density. Ms. Staton stated the density would be 3.33 units per acre. Mr. Rogers stated that would increase the density over 1/3rd of what they approved previously.

Mr. Coker stated he received information that low bushes are permitted in the emergency access.

Mr. Bailey added providing low bushes in the emergency access as a condition.

Mr. Hammond agreed and asked the Chairman to call the question.

**Motion:** by Mr. Hammond to call the question. The motion carried by voice vote with six in favor (F. Hammond; M. Looper; J. Bailey; J. Barbare; S. Bichel; M. Shockley) and two in opposition (J. Rogers; J. Howard)

**Motion:** by Mr. Bailey, seconded by Mr. Hammond, to approve with conditions PP-2023-016 and to remove staff's condition to provide a full access between the site and Atherton Way to provide for connectivity. The motion carried by voice vote with seven in favor (F. Hammond; M. Looper; J. Bailey; J. Barbare; S. Bichel; M. Shockley; J. Howard) and one in opposition (J. Rogers).

### **Variance Applications**

VA-2023-017 Building Setback Variance

Ms. Staton addressed the Commission members with a building setback variance.

The applicant is requesting a variance from LDR 8.7 Building Setbacks, Table 8.1, which requires a 50-foot setback along Geer Highway, which is an arterial road. The applicant states that a variance is needed due to the location of a building that was placed ten feet into the setback on a previously existing building pad. The applicant states that the building cannot be relocated due to constraints on site such as a steep terrain, a creek, the location of cell tower easements, and the location of a septic system.

In accordance with LDR 1.6.3C, staff recommends approval of the variance.

**Discussion:** None.

**Motion:** by Mr. Shockley, seconded by Mr. Howard, to approve VA-2023-017. The motion carried unanimously by voice vote.

## **6. Planning Report**

Ms. Jeffers-Campbell presented the March Planning Report.

**7. Old Business**

None.

**8. New Business**

None.

**9. Adjourn**

Without objection, Chairman Bichel adjourned the meeting at 5:36 p.m.

Respectfully submitted,

*Nicole Miglionico*

Nicole Miglionico

Recording Secretary