

Greenville County Planning Commission Minutes
February 28, 2024 at 4:30 p.m.
Council Committee Room at County Square

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

Commissioners Absent: None.

County Councilors Present: None.

Staff Present: R. Jeffers-Campbell; T. Stone; M. Staton; N. Miglionico; T. Baxley; K. Mulherin; IS Staff

1. Call to Order

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

2. Invocation

Mr. Rogers provided the invocation.

3. Approval of the Minutes of the January 24, 2024 Commission Meeting

Motion: by Mr. Bailey, seconded by Mr. Rogers, to approve the minutes of the January 24, 2024 Commission meeting, as presented. The motion carried unanimously by voice vote.

4. Rezoning Requests

CZ-2024-010

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2024-010.

The subject parcels zoned S-1, Services District are located along Park West Boulevard, a two-lane County-maintained local road. Staff is of the opinion that the requested rezoning to R-MA, Multifamily Residential District is not consistent with the South Greenville Area Plan which designates the parcel as Service/Industrial. Additionally, a Multifamily Development is not compatible with developments being accessed from Park West Boulevard.

Based on these reasons, staff recommends denial of the requested rezoning to R-MA, Multifamily Residential District.

Discussion: None.

Motion: by Mr. Barbare, seconded by Mr. Shockley, to deny CZ-2024-010. The motion carried unanimously by voice vote.

CZ-2024-012

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2024-012.

The subject parcel, zoned R-M20, Multifamily Residential District, is located along Earle Drive, a two-lane County-maintained local road and Larry Court, a one-lane, County-maintained local road. Staff is

of the opinion that a successful rezoning to C-2, Commercial District would permit uses that are not compatible with the area and could create adverse impacts on surrounding properties.

Based on these reasons, Staff recommends denial of the requested rezoning to C-2, Commercial District.

Discussion: Mr. Shockley asked if the current uses on the properties were nonconforming. Mr. Henderson explained there are different uses on the properties and some are nonconforming. Mr. Shockley explained the property would likely become a commercial development rather than a residential one and would support the rezoning.

Chairman Bichel was not in support of C-2 zoning, stating it would allow for a bar and nightclub.

Mr. Bailey stated he will not support the application until previously stated actions by the property owner were completed.

Motion: by Mr. Barbare, seconded by Mr. Bailey, to deny CZ-2024-012. The motion carried by hand vote with six in favor (S. Bichel; J. Bailey; J. Rogers; F. Hammond; J. Barbare; J. Wood) and one in opposition (M. Shockley).

CZ-2024-013

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2024-013.

The subject parcel zoned C-1, Commercial District is located along Grove Reserve Parkway, a three to five-lane County-maintained arterial road and Old Grove Road, a two-lane State-maintained local road. Staff is of the opinion that a successful rezoning to C-2, Commercial District would not have an adverse impact on the surrounding area. Additionally, the request is consistent with the South Greenville Area Plan, which designates the parcel as Commercial.

Based on these reasons, staff recommends approval of the requested rezoning to C-2, Commercial District.

Discussion: Mr. Barbare noted a possible error in the traffic count on the staff report. Mr. Henderson stated the numbers were pulled from Greenville County GIS.

Motion: by Mr. Bailey, seconded by Mr. Barbare, to approve CZ-2024-013. The motion carried unanimously by voice vote.

CZ-2024-014

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2024-014.

The subject parcel, zoned R-S, Residential Suburban District is located along Meadow Reserve Place, a two-lane Subdivision-maintained local road. Staff is of the opinion that the requested rezoning to R-20, Single-family Residential District is consistent with the Plan Greenville County Comprehensive Plan, which suggests single-family detached homes as a primary use and suggests a density higher (3 – 5 dwellings per acre) than what is permitted in the R-20, Single-Family Residential District. Although

the request is not consistent with the Five Forks Area Plan, which recommends R-S, Residential Suburban District, the requested proposed use and number of lots will not exceed the density that would be permitted under the current Zoning District.

Based on these reasons, staff recommends approval of the requested rezoning to R-20, Single-family Residential District.

Discussion: Chairman Bichel asked how staff knew the number of lots proposed. Mr. Henderson stated at the public hearing the applicant proposed ten lots. Chairman Bichel asked if the applicant could increase that number if the rezoning was approved. Mr. Henderson stated there was nothing holding the applicant to ten lots.

Chairman Bichel stated he is in opposition of the rezoning because it did not align with the Five Forks Area Plan.

Motion: by Mr. Shockley, seconded by Mr. Barbare, to approve CZ-2024-014. The motion failed by hand vote with three in favor (M. Shockley; J. Barbare; F. Hammond) and four in opposition (S. Bichel; J. Bailey; J. Rogers; J. Wood).

Chairman Bichel stated the application was denied.

Chairman Bichel and Mr. Rogers recused themselves.

CZ-2024-015

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2024-015.

The subject parcel, zoned C-2, Commercial District is located along Stratford Road, a two-lane County-maintained local road. Staff is of the opinion that a successful rezoning to FRD, Flexible Review District to allow a small-size home residential development would not create an adverse impact on surrounding properties. Additionally, the development could create a buffer between the residential neighborhoods and commercial uses accessed off of Augusta Road.

The development would have to meet the following condition:

1. Provide revisions to the Preliminary Development Plan and Statement of Intent as listed in the Memo on Comment Responses.
2. Submit Final 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, Flexible Review District with the aforementioned conditions.

Discussion: Mr. Barbare asked if the development would be fee simple ownership or leased? Mr. Henderson explained the Statement of Intent stated the units would be for sale.

Motion: by Mr. Barbare, seconded by Mr. Shockley, to approve CZ-2024-015 with conditions. The motion carried by voice vote with four in favor (J. Barbare; M. Shockley; F. Hammond; J. Bailey) and one in opposition (J. Wood).

Chairman Bichel and Mr. Rogers returned.
Mr. Barbare stepped out of the meeting.

5. **Preliminary Subdivision Applications**

PP-2023-203 Freya's Meadow - WITHDRAWN

Ms. Staton stated Freya's Meadow had been withdrawn.

PP-2023-208 Pine Briar

VA-2023-209 Pine Briar – 50ft Buffer Variance Application

Ms. Staton addressed the Commission members with a preliminary subdivision application for Pine Briar, a rural conservation subdivision located south of the intersection of Mays Bridge Road and Highway 101 near the City of Greer. The applicant is requesting 29 lots on 30.30 acres for a density of 1.04 units/acre. Access is provided off Highway 101, which is a State Highway.

The project includes one ingress/egress points, 2 internal roads, one cluster mailbox with 3 parking spaces, 50-foot screening buffers around the perimeter of the site, 1.27 acres of common area, one detention pond, 0.42 linear miles of new public road, and 11.53 acres of open space (7.6 acres required).

The subject site is a part of the Greenville County Comprehensive Plan, where it is designated *Suburban Edge*. Suburban Edges are low-density residential areas that offer opportunities for low-intensity development that is well-integrated with the natural landscape and agricultural uses. Residential development may occur as individual single-family structures on large lots, or clusters of homes designed to preserve large amounts of open space, which should be interconnected as part of the county's larger open space system. The Suburban Edge character area type recommends a density of 0 to 1 dwelling units per acre. Pine Briar is proposing a density of approximately 1.04 dwelling unit per acre.

VA-2023-209 was submitted to request a variance from LDR 22.3.5(A) which requires that a 50-foot undisturbed buffer be provided for the perimeter of the development. According to the applicant the variance is needed due to geometric constraints of the site including: insufficient spacing for a 50-foot buffer due to the width between the north and south property lines and the 44-foot right-of-way requirement for the road. A 22-foot buffer is still provided to the north in the area where the full 50-foot buffer cannot be provided.

Staff recommends approval with conditions of the plan and variance request with the standard and specific requirements.

The approval conditions are as follows:

1. Please provide a revised Preliminary Plan by March 8, 2024 showing the stub out extended to the property line.

Planning Commission added conditions:

1. Bring the drawing in compliance with the amended LDR Article 22.

Discussion: There were no speakers in opposition of the proposed subdivision. Josh Baker, the project engineer, stated he was available for questions.

Chairman Bichel asked Mr. Baker if he was familiar with the amendments in LDR Article 22. Mr. Baker stated he was aware and this application was submitted prior to the amendments. Ms. Staton explained the date on the application was the deadline date and this application was submitted approximately a week prior to County Council passing the amendments.

Mr. Bailey asked the applicant if they were concerned about traffic safety with the buffer variance. Mr. Baker stated they would follow all SCDOT requirements.

Motion: by Mr. Hammond, seconded by Mr. Shockley, to approve PP-2023-208 with conditions. The motion carried unanimously by voice vote with one absent (J. Barbare).

Motion: by Mr. Hammond, seconded by Mr. Shockley, to approve VA-2023-209. The motion carried unanimously by voice vote.

PP-2023-210 Aetna Springs

VAR2023-115 – Aetna Springs Phase II – 20ft Landscape Buffer Variance

VAR2023-116 – Aetna Springs Phase II – Secondary Access Variance

Ms. Staton addressed the Commission members with a preliminary subdivision application for Aetna Springs Phase II, a Cluster Option 2 Open Space Development located north of the intersection of Stallings Road and Rutherford Rd. The applicant is requesting 38 lots on 15.16 acres at a density of 2.51 units/acre. Access is provided off Stallings Road which is a state road.

The project includes one main entrance, three internal access roads with sidewalks, a cluster mailbox area with four parking spaces, 20' screening buffers around most of the site, trails connecting existing cart paths that are proposed to remain, three detention ponds, and 5.14 acres of open space (4.55 acres required).

The project site is located within the Suburban Neighborhood and Floodplain 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. New single-family subdivisions should be designed with sidewalks, street trees, neighborhood parks, and community open space connections. The recommended density is 3-5 dwellings/acre. Aetna Springs Phase II proposes 2.51 dwellings/acre.

VAR2023-115 was submitted to request a variance from LDR 8.21, which requires a 20-foot landscape buffer around the exterior of the development. The Applicant states that they are requesting a variance to waive this requirement at two sections of the property: (1) the first area would be reduced to 10 feet due to a curve in the road and to avoid the adjacent floodplain and creek buffer; and (2) areas adjacent to the existing creek crossing are not able to achieve and maintain the required undisturbed buffer.

VAR2023-116 was submitted to request a variance from LDR 8.8.1, which requires a secondary access for any subdivision of more than 30 lots or 50 single family attached dwellings. The applicant states that a secondary access is not feasible, and that the main entrance has been widened to 26 feet with a 48-foot-wide ROW to the main intersection as suggested by LDR 8.8.1A.

Staff recommends approval with conditions of the plan and variance requests with the standard and specific requirements.

The approval conditions are as follows:

1. Prior to submitting for a Land Disturbance Permit, submit a revised Preliminary Capacity Request to Subdivision Administration that has been signed and approved by ReWa and Metro.
2. Traffic improvements warranted as a result of the required Traffic Impact Study must be installed once 40 lots have been recorded.

Discussion: There were three speaking in opposition to the proposed subdivision. The first speaker, Brenda Buchik, stated the application was in violation of LDR 3.3.4, 11.1(a), 11.3.2, 11.3.2(a), 11.3.2(b), and 1.2(e). Ms. Buchik expressed concern for flood control, stormwater damage, lack of parking, and impingement on homeowner rights in regard to the variance application. Ms. Buchik stated the homeowners want a viable, harmonious development that meets the required zoning, LDR, and best planning practices. The second speaker in opposition, John Blue, explained that the variance applications directly impact his property. Mr. Blue stated due to roadway positioning, traffic lights will shine directly into the back of his home, impacting his privacy, quality of life, and property value, which is in violation of LDR 1.6.3. The final speaker in opposition, Steve Bright, expressed concern with the minimum lot size and setbacks.

There were two speakers in favor of the proposed subdivision. The first speaker, Stephanie Gates, the project engineer, explained they will be constructing a bridge over the floodplain and in order to provide that with the required horizontal curb, they had to reduce the buffer size. Ms. Gates stated due to the buffer reduction they will be providing a berm with evergreens planted on top.

Mr. Bailey asked if the berm would prevent traffic lights from reaching Mr. Blues home. Ms. Gates explained the trees will be large evergreens, providing the necessary density. Mr. Serdyuk, the developer, explained he spoke to Mr. Blue, who was still unhappy with the application but stated he would prefer evergreens planted on the berm.

Ms. Gates pointed out a sketch of the typical lot layout and stated they will be single-family detached homes, but the interior lot lines do not have setback requirements. Chairman Bichel questioned if setbacks were required. Ms. Staton stated only a 25-foot exterior around the development and a 50-foot along the road for a right-of-way setback are required.

Mr. Wood stated he doesn't see how the developer will make the local residents happy. Mr. Wood expressed interest in coming up with a plan that everyone can agree on. Ms. Gates stated the staff has recommended approval and they are required to comply with all requirements of the LDR, zoning, stormwater, floodplain, etc.

Mr. Rogers asked Ms. Gates what the impact would be if the application was approved, but both variances were denied. Ms. Gates explained the buffer variance was required in order to get the required horizontal curb on the road; without the horizontal curb, traffic conditions would be dangerous.

Mr. Bailey asked Ms. Gates to point out the different buffer lengths on the plan.

Mr. Hammond asked why secondary access is not feasible. Ms. Gates stated SCDOT would not allow it.

Chairman Bichel asked if there was a minimum lot size in cluster subdivisions. Ms. Staton stated there was not.

Mr. Hammond stated the application complies with the LDR.

Ms. Gates addressed Ms. Buchik's LDR violation claims by pointing out the labels on the plan and referencing previous discussions.

The second speaker in favor, Nikolya Serdyuk, the developer, explained the current plan is a result of the Planning Commission comments from the previous meeting, where the application was denied. Mr. Serdyuk stated he is trying to work with the community, is open to selling the lots or entire development, has positioned new lots at least 68 feet away from existing homes, and will work with the community throughout the development phase.

Mr. Bailey asked Mr. Serdyuk if he could add a fence to help block light into Mr. Blues property. Mr. Serdyuk asked Mr. Blue what he would prefer. Mr. Blue stated a tree couldn't grow high enough to block the light. Mr. Serdyuk stated he would work with Mr. Blue later on if the application was approved.

Mr. Rogers made a motion to deny due to the nonconformance with the LDR and variance requests that would be injurious to the current residents. The motion failed due to no Planning Commissioners seconding the motion.

Mr. Hammond made a motion to approve and explained the purview of the Planning Commission is not to keep everybody happy but to review staff recommendations, ensure the LDR is complied with, and apply subjective reviews to the development. Mr. Hammond stated there doesn't seem to be any LDR violations and both variances are needed.

Chairman Bichel stated he has a great deal of trust in staff, particularly Land Development staff, to ensure all stormwater issues are resolved; otherwise, the development will not be constructed.

Mr. Bailey agreed with Chairman Bichel and stated it would not be an easy process for the developer.

Chairman Bichel stated there should be minimum lot sizes written into the upcoming Unified Development Ordinance.

Motion: by Mr. Hammond, seconded by Mr. Bailey, to approve with conditions PP-2023-210. The motion carried by voice vote with five in favor (F. Hammond; J. Bailey; S. Bichel; M. Shockley; J. Wood) and one in opposition (J. Rogers) with one absent (J. Barbare).

Motion: by Mr. Hammond, seconded by Mr. Bailey, to approve VAR2023-115. The motion carried by voice vote with five in favor (F. Hammond; J. Bailey; S. Bichel; M. Shockley; J. Wood) and one in opposition (J. Rogers) with one absent (J. Barbare).

Motion: by Mr. Hammond, seconded by Mr. Bailey, to approve VAR2023-116. The motion carried by voice vote with five in favor (F. Hammond; J. Bailey; S. Bichel; M. Shockley; J. Wood) and one in opposition (J. Rogers) with one absent (J. Barbare).

PP-2023-186 – Lily Grove Subdivision

VA-2023-187 – Secondary Access Variance

Ms. Staton addressed the Commission members with a preliminary subdivision application for Lily Grove Subdivision is an Open Space Option 2 (Cluster) subdivision located south of the intersection of Old Grove Rd (State) and Highway 25 (State) near Gantt. The applicant is requesting 53 lots on 16.2 acres for a density of 3.27 units/acre. Access is provided off Old Grove Rd, which is a State road. The application was originally heard at the January Planning Commission Meeting, where the applicant was proposing an Open Space Option 1 Subdivision with less overall open space proposed. This new application is proposing more open space, a walking trail throughout the open space, and a playground area.

The project includes one main, one internal, a completed connection to the neighboring development to the north, one cluster mailbox located within cul-de-sac area, 20-foot screening buffers around most of the perimeter of the site, 0.94 acres of common area, one detention pond, 0.15 linear miles of new public road, 5-foot sidewalks, and 5.85 acres of open space (4.86 acres required).

The site is a part of the Plan Greenville County future land use map, where it is designated as *Suburban Neighborhood*. 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. This future land use type recommends 3 to 5 dwellings per acre. Lily Grove Subdivision is proposing 3.27 dwellings per acre.

VA-2023-186, Second Entrance Variance Application was submitted by the applicant to request a variance from the requirements of LDR 8.8.1. LDR 8.8.1 requires that any subdivision of more than 30 lots provide at least two access points, the second of which may consist of an emergency access. If the configuration of the property does not allow for a secondary access, the paved surface of the main road shall be at least 26 feet wide to the first intersection. The Preliminary Plan does reflect the required 26 feet of pavement to the first intersection.

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

The approval conditions are as follows:

1. Please provide a revised preliminary plan showing appropriate parking for the proposed playground area prior to submitting for any additional permits.
2. Please provide a revised Preliminary Plan by March 8, 2024 showing the stub out extended to the property line.

Discussion: There were no speakers in opposition of the proposed subdivision.

Jonathan Nett, the project engineer, spoke in favor of the proposed subdivision. Mr. Nett explained he took the comments from the last Planning Commission meeting and provided a more centrally located amenity area and common space. Mr. Nett stated they will have a

walking trail connecting to the larger open space with a playground. Mr. Nett provided statistics from recently approved plans in comparison to this application.

Chairman Bichel asked Mr. Nett to point out the playground. Mr. Nett showed the playground and where they will provide grading.

Chairman Bichel asked if the trail would be paved or gravel. Mr. Nett stated they would use wood chips.

Mr. Barbare returned to the meeting.

Chairman Bichel asked if the open space between lots nine and ten could be made larger. Mr. Nett stated the pond is larger than needed, and it was possible that once they reduced the pond size, they could provide additional space. Chairman Bichel stated he would prefer for lots nine and ten to be removed. Mr. Nett stated they are too pressed at this point. Chairman Bichel asked Mr. Nett to make it as large as possible with appropriate delineation.

Motion: by Mr. Bailey, seconded by Mr. Hammond, to approve with conditions PP-2023-186. The motion carried by voice vote with five in favor (J. Bailey; F. Hammond; M. Shockley; J. Wood; J. Barbare) and one in opposition (S. Bichel).

Motion: by Mr. Bailey, seconded by Mr. Hammond, to approve VA-2023-187. The motion carried by voice vote with five in favor (J. Bailey; F. Hammond; M. Shockley; J. Wood; J. Barbare) and one in opposition (S. Bichel).

Mr. Shockley left the meeting.

VA-2024-002 – E. North Street Apartment – 15 ft Landscape Buffer Variance

Ms. Staton stated VA-2024-002 had been withdrawn.

VA-2024-003 – Greenville County Parks, Recreation & Tourism – Lighting Variance

Ms. Staton addressed the Commission members with a variance application. The applicant is requesting a variance from LDR Section 10.3.6 Lighting, Table 10.2 Commercial Lighting Pole and Fixture Requirements, which requires that lighting with wattage of 400-1000 are required to have a maximum pole height of 40 feet; and lighting with a wattage of 1000+ are required to have a maximum pole height of 40 feet. The applicant states that the request is to replace existing athletic field lighting and tennis court lighting at the Pavilion Recreation Complex. The applicant states that the new lighting will be more modern and efficient LED lighting, which will put more light on the playing surface with less spill around and will reduce energy consumption and operating costs.

Staff recommends approval of the variance as requested.

Mr. Barbare left the meeting.

Discussion: There were no speakers in opposition of the variance.

There was one speaker in favor of the variance, Don Shuman, who stated they are replacing the existing lighting at the Pavilion Recreation Center.

Mr. Rogers asked if we should consider amending the ordinance to accommodate modern lights.

Chairman Bichel expressed concern with potential for light to bleed into the outside area.

Mr. Bailey stated light bleed is a big issue at the MESA soccer fields.

Chairman Bichel asked how close the residential area is to these fields. Mr. Shuman explained that the closest home is approximately 500 feet away.

Motion: by Mr. Bailey, seconded by Mr. Wood, to approve VA-2024-003. The motion carried unanimously by voice vote with two absent (M. Shockley; J. Barbare).

8. Planning Report

Ms. Jeffers-Campbell presented the February Planning Report.

9. Old Business

None.

10. New Business

None.

11. Adjourn

Without objection, Chairman Bichel adjourned the meeting at 6:04 p.m.

Respectfully submitted,

Nicole Miglionico

Nicole Miglionico

Recording Secretary