

Greenville County Planning Commission Minutes
May 25, 2022 at 4:30 p.m.
Council Chambers at County Square

Commissioners Present: S. Bichel, Chair; J. Bailey, Vice-Chair; E. Forest; C. Clark; M. Looper; J. Rogers; F. Hammond; J. Howard

Commissioners Absent: M. Shockley

County Councilors Present: None

Staff Present: T. Coker; R. Jeffers-Campbell; J. Henderson; M. Staton; A. Lovelace; T. Stone; L. Mann; N. Miglionico; IS Staff

1. Call to Order

Chairman Bichel called the meeting to order at 4:33 p.m.

2. Invocation

Mr. Looper provided the invocation.

3. Approval of the Minutes of the April 27, 2022 Commission Meeting

Motion: by Mr. Howard, seconded by Mr. Looper, to approve the minutes of the April 27, 2022 Commission meeting, as presented. The motion carried by voice vote.

4. Preliminary Subdivision Applications

PP-2022-063 River Crest

Rashida Jeffers-Campbell addressed the Commission members with a preliminary subdivision application for River Crest, a conventional single-family development located north of the intersection of S Bennetts Bridge Rd & Knob Creek Ct near the Greenville-Spartanburg County line. The applicant is requesting 21 lots at a density of 1.05 units/acre in the (R-S) residential suburban zoning district. Access is provided off of Bennetts Bridge Rd – a state road. Water and sewer will be provided by Greenville Water and septic, respectively.

The proposed subdivision is compatible with the Suburban Edge Character area of the Comprehensive Plan. 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 recommended density is 0 to 1 dwellings per acre. This application proposes 1.05 units per acre.

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

Discussion: Two nearby residents spoke in opposition of the proposed subdivision. The first speaker, Barbara Brown, expressed concerns about the floodplain and lack of setback from the Enoree River. Ms. Brown stated the site may contain Bennett's Mill, which is on the map from over 100 years ago. The second speaker, Jonelle Phillips, echoed the concerns of the

previous speaker and stated the area is designated as suburban edge, which was designed to preserve large amounts of open space and this application does not provide that. Ms. Phillips stated the application, which was previously denied, had come back with no changes. Ms. Phillips stated there could be historical remnants on the site.

There were two speakers in favor of the proposed subdivision. The first speaker, Mike Pitts, a representative of the developer, stated the application meets all requirements of the ordinance. The second speaker, Waverly Wilkes, the project engineer, stated the application was previously denied due to lack of infrastructure. Ms. Wilkes stated road improvements are underway. Ms. Wilkes pointed out differences in the application from the previous submittal and noted the addition of a left turn lane. Ms. Wilkes explained the application is consistent with the future land use map.

Ms. Clark asked if there were issues with site distances and stated the site distances are not marked. Ms. Wilkes stated they would not receive driveway access if they did not meet the site distance requirements. Ms. Clark stated lot lines cannot be in landscape or riparian buffers. Ms. Clark stated lot five and ten need a stormwater feature or permission from the adjoining landowner for additional runoff. Ms. Clark asked if they had permission from the adjoining landowner since there was no stormwater feature shown. Ms. Wilkes stated all stormwater will be handled by one centralized detention pond. Ms. Clark stated the SAC comment was specific to lot five and ten. Ms. Wilkes explained all of the stormwater features are added in the Land Development phase.

Chairman Bichel asked if a lot line goes through an undisturbed buffer how would the homeowner know not to disturb the area. Ms. Wilkes stated the buffer line will act as an easement on the property which will be represented on the plat and restrictions will be provided to the homeowners.

Chairman Bichel stated he believes the application is against LDR Article 8.21.

Mr. Rogers asked for clarification on the suburban edge character area in regards to interconnectivity with land inside and/or outside of the proposed subdivision. Ms. Jeffers-Campbell stated the description of interconnectivity only applies to cluster developments, River Crest is a conventional development.

Ms. Clark asked staff to read the LDR article referencing riparian buffers. Ms. Jeffers-Campbell read LDR Section 8.17.2: "Any riparian buffers are to be located in common areas within residential subdivisions approved by the Planning Commission through the preliminary plan process." Ms. Clark stated they cannot be on a subdivision lot. Ms. Jeffers-Campbell asked Ms. Wortkoetter if a riparian buffer is required for this development or will that be addressed later in the process. Ms. Wortkoetter explained it is required as a part of the Tree Ordinance. Ms. Jeffers-Campbell stated the Tree Ordinance is not addressed until the land disturbance permit process. Ms. Wortkoetter explained, if the riparian buffer is used as a water quality feature, it is expected to be in the common area, but doesn't believe it will be a water quality feature in this case. Ms. Jeffers-Campbell stated riparian buffers are typically used as a water quality feature and at this point in the process that need had not been identified. Ms. Clark stated the Enoree River should have a riparian buffer, which is addressed in the LDR.

Ms. Clark made a motion to deny based on LDR Article 8.17.2.

Mr. Rogers seconded the motion stating the riparian buffer is required to be in the common area per LDR Article 8.17.2.

Mr. Hammond asked staff to readdress LDR Article 8.17.2. Ms. Jeffers-Campbell stated the riparian buffer is in regards to the Tree Ordinance, which is not addressed until the land disturbance permit process. Mr. Hammond stated the riparian buffer will be addressed later as a part of the permitting process making the motion to deny an invalid reason for denial. Ms. Jeffers-Campbell stated she agreed.

Mr. Rogers read LDR Article 8.17.2: "Any riparian buffers are to be located in common areas within residential subdivisions approved by the Planning Commission through the preliminary plan process." Mr. Rogers stated the Planning Commission is doing exactly as the article outlines.

Ms. Jeffers-Campbell stated there seems to be a contradiction in the ordinance, but in practice the riparian buffer is addressed later as a part of the Tree Ordinance.

Ms. Wilkes asked the Planning Commission to hold the application until further clarification from staff.

Ms. Clark and Mr. Rogers agreed to withdraw the motion.

The Planning Commission and applicant agreed to hold the application.

PP-2022-066 Cox Grove Cottages

VAR2022-101 Cox Grove Cottages Variance Request

Rashida Jeffers-Campbell addressed the Commission members with a preliminary subdivision application for Cox Grove Cottages, a cluster development under Option 1 of the Zoning Ordinance located east of the intersection of SC-296 (South Bennetts Bridge Rd) and SC-146 (Woodruff Rd). The applicant is requesting 69 lots at a density of 3.1 units/acre in the (R-12) single-family zoning district. Access is provided off of Woodruff Road – a state road. Water and sewer will be provided by Greenville Water and Metropolitan Sewer, respectively.

Cox Grove Cottages is located within the Suburban Mixed Use Character area of the Comprehensive Plan. Suburban Mixed-Use place types include a variety of single-family (detached and attached) and multi-family building types. Housing types should be designed as a cohesive, connected neighborhood, rather than isolated subareas. Buildings should be of a high-quality design, and developments should include common neighborhood amenities and open space connections. The recommended density is 6 to 10 dwellings per acre. This application proposes 3.1 units per acre.

VAR2022-101

The applicant is requesting a variance from LDR 8.8.1A requiring an emergency access point due to limited road frontage on Woodruff Road. There were no SAC comments in opposition to the request.

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

Discussion: Four nearby residents spoke in opposition of the proposed subdivision. The first speaker, Barbara Brown, expressed concerns about traffic, roadway safety, and possible erosion problems. Ms. Brown explained the SCDOT road widening project stops before the proposed subdivision. Ms. Brown stated residents of this area already use the Five Forks Subdivision as a cut through and future residents will do the same. The second speaker, Cheryl Hurt, echoed the concerns of Barbara Brown and stated her husband was recently in a traffic accident due to the existing traffic, road and infrastructure problems in the area. Ms. Hurt stated the residents of this proposed subdivision would have to cross three lanes of traffic to exit their neighborhood to go to the grocery store. Ms. Hurt believed the subdivision was poorly planned and needed to be denied. The third speaker, Jeff Jacobs, stated there was significant opposition to the rezoning of this parcel and County Council approved the rezoning on the condition that the developer abided by the results of the Traffic Impact Study. Mr. Jacobs stated he is against the variance due to the existing traffic problems in the area. The final speaker, Jonelle Phillips, expressed concerns about secondary emergency access, access to open space, and the narrow access on Woodruff Road. Ms. Phillips stated the proposed subdivision does not align with LDR Article 11.1.

Ms. Jeffers-Campbell stated SCDOT did not require a Traffic Impact Study.

Paul Harrison, the project engineer, stated they rely heavily on Area Plans, the Comprehensive Plan, and communications with County Council members when they request a parcel to be rezoned. Mr. Harrison stated the rezoning of this parcel allows for 79 units and they are proposing 69 units. Mr. Harrison explained they did not provide a Traffic Impact Study because they were already aware a left turn lane would be required and are providing one. Mr. Harrison stated erosion and run off is handled during the design process and stormwater runoff is designed to the 100-year storm event. Mr. Harrison explained the open space qualifies as developable open space as it is below a 30% grade. Mr. Harrison stated they provided fewer lots than they could have to provide more open space.

Ms. Clark stated you cannot access open space through a utility easement per LDR Article 11.4. Ms. Jeffers-Campbell stated you can cross a sewer easement if additional access points are provided. Ms. Clark stated only 17% of the lots have direct access to open space, which is not the intent of a cluster subdivision. Ms. Clark asked if any attempt was made to acquire secondary emergency access. Mr. Harrison stated the only opportunity for secondary access is on the parcel the property owner is keeping and there are no other practical options. Ms. Clark asked how stormwater would be handled. Mr. Harrison stated storm drains will route stormwater to the detention pond.

Chairman Bichel stated the density table does not list developable and undevelopable area per the density table example in LDR Article 11.1. Ms. Harrison stated everything listed as open space is developable.

Mr. Hammond asked if there were any additional traffic improvement recommendations from SCDOT and Greenville County other than the left turn lane. Mr. Harrison stated no. Mr. Harrison explained when they create the left turn lane it will have to taper back to the road widening by SCDOT.

Chairman Bichel stated per LDR Article 11.4: "The required open space must be directly

accessible to the largest practical number of lots within the development” and LDR 11.3.2: “The Planning Commission shall determine the appropriateness of the dimensions of the required open space.” Chairman Bichel stated this application only provides 12%. Chuck Reichert, the developer, stated lots 1-37 back up to the buffer, which is considered open space. Chairman Bichel asked if a child could play in an undisturbed buffer. Mr. Reichert stated yes. Chairman Bichel stated based on LDR Article 11.4 and 11.3.2, he cannot support this application.

Mr. Harrison asked Chairman Bichel what he specifically disagreed with. Chairman Bichel stated it is not directly accessible to the largest practical number of lots within the development. Mr. Harrison asked what percentage would be considered practical. Chairman Bichel stated he cannot support the application based on LDR Article 11.4 and 11.3.2. Mr. Hammond explained “practical number of lots” is a subjective term and encouraged the Planning Commission to be more specific.

Mr. Harrison stated the design community follows staff interpretation of what is required for cluster developments, but there seemed to be a disconnect between staff interpretation and Planning Commissions interpretation of the Ordinance. Mr. Harrison stated they need guidance on what would satisfy the guidelines.

Mr. Rogers asked if access via the buffer should count as accessibility for purposes of the open space requirement. Mr. Harrison stated the buffer counts toward the open space calculation.

Chairman Bichel stated the buffer is undisturbed and is not usable open space, but counts toward the calculations.

Mr. Bailey asked if the undisturbed buffer is being counted as direct access to the open space. Ms. Jeffers-Campbell stated the undisturbed buffer counts toward the open space calculation; therefore lots do have access to open space because the undisturbed buffer is open space. Ms. Jeffers-Campbell stated staff is of the opinion the applicant has met the requirements of the Ordinance.

Chairman Bichel explained 20 feet of open space does not align with LDR Article 11.1. Ms. Jeffers-Campbell explained staff is responsible for determining if the requirement has been met and it is subjective at this point in the process to say it does not meet the intent. Ms. Jeffers-Campbell stated staff needed guidance on what the Planning Commission determines is practical.

Mr. Rogers stated expecting residents to walk around the perimeter of the property to access open space is unrealistic. The purpose of open space is to have space that people feel comfortable enjoying. Mr. Harrison explained the buffer is counted in the open space calculations but access to the open space area is provided and residents can use provided sidewalks to access it.

Ms. Clark stated the application does not meet LDR Article 1.2 and LDR Article 11.1

Mr. Hammond asked Ms. Clark and Chairman Bichel to be specific on the changes they would recommend.

Motion for PP-2022-066: by Mr. Rogers, seconded by Mr. Bailey, to approve PP-2022-066. The motion failed by hand vote with four in favor (J. Rogers; J. Bailey; F. Hammond; E. Forest) and four in opposition (S. Bichel; C. Clark; M. Looper; J. Howard) with one absent (M. Shockley).

Motion for VAR2022-101: by Mr. Rogers, seconded by Mr. Bailey, to approve VAR2022-101. The motion failed by hand vote with four in favor (J. Rogers; J. Bailey; F. Hammond; E. Forest) and four in opposition (S. Bichel; C. Clark; M. Looper; J. Howard) with one absent (M. Shockley).

PP-2022-068 Aetna Springs Subdivision

Rashida Jeffers-Campbell addressed the Commission members with a preliminary subdivision application for Aetna Springs, a phased cluster development under Open Space Option 1 of the Zoning Ordinance. The project site is located just south of the intersection of Linkside Dr and Stallings Rd. The applicant is requesting 84 single family detached and attached lots at a density of 3.3 units/acre in the R-12 single family zoning district. Access is provided off of Stallings Rd – a state road. Water and sewer will be provided by Greenville Water and Metropolitan Sewer, respectively.

The proposed subdivision is located within 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 recommended density is 3-5 dwellings/acre. Aetna is proposing 3.3 dwellings/acre.

Staff recommends of conditional approval of the plan with the standard and specific requirements. Approval conditions are as follows:

- Traffic improvements warranted as a result of the required SCDOT Traffic Study shall be installed once 40 lots have been recorded.

Discussion: Four nearby residents spoke in opposition of the proposed subdivision. The first speaker, Richard Matthews, stated the proposed subdivision violated LDR Article 1.2, the entrance does not meet SCDOT spacing requirements and the Traffic Impact Study is inaccurate because it does not account for approved future projects or nearby roads. Mr. Matthews expressed concern about traffic safety and noted the area currently experiences a one-mile traffic congestion backup. Mr. Matthews read a statement from State Representative Alan Morgan stating Mr. Morgan does not support the proposed subdivision due to traffic and the proposed neighborhood not matching the character of the existing communities. The second speaker, John Cook, explained there would be a 45% increase in runoff due to the high-density development. The third speaker, Charles Saylor, a Greenville County School Board trustee, stated the surrounding schools are at capacity and the School Board was not consulted. Mr. Saylor expressed concern about school buses' ability to turn around in the neighborhood. The final speaker in opposition, Shane Sevier, stated the proposed subdivision does not comply with the Zoning Ordinance or the Land Development Regulations. Mr. Sevier stated the application does not meet the intent of a cluster subdivision.

Mr. Hammond asked the project engineer to address the concern about school buses and emergency vehicles being unable to turn around within the neighborhood. Mr. Binsz explained the hammerhead style turn around at the end of the neighborhood meets size requirements to allow school buses and any other emergency vehicle to turn around. Mr. Binsz stated Greenville County School Board comments are a part of the Subdivision Advisory Committee and none of the addressed comments were brought up. Chairman Bichel asked staff to confirm Greenville County School Board was present at SAC. Ms. Jeffers-Campbell stated yes, the School District always comments but the comments are standard and reference sidewalks.

Mr. Rogers asked if the Traffic Impact study took into account the traffic impact of already approved future developments in the area. Allen Green, the traffic engineer, stated they include future developments if they are aware of them and have included Inverrary Point but was unaware of any additional future developments in the area. Mr. Rogers asked if the TIS accounted for seasonal traffic variations. Mr. Green stated they do not typically assess by season but take data during the school year on Tuesdays, Wednesdays, and Thursdays, which are considered normal traffic days. Mr. Rogers explained LDR Article 9 states a traffic study should have data points for seasonal variations. Mr. Green explained that would apply if they were studying data points outside of the school year. Ms. Jeffers-Campbell stated the study is required by SCDOT and has to follow their guidelines.

Mr. Bailey asked staff if there is a process to notify applicants of other future developments in the area for purposes of Traffic Impact Studies. Ms. Jeffers-Campbell stated SCDOT provides the scope of the study for state roads and if it is on a County road, the LDR requirements for the study apply.

Mr. Hammond asked if the bridge closure and covid-19 traffic conditions were taken into account. Mr. Green stated he was unaware of a bridge closure and by the time this study took place, per SCDOT, this study did not need any adjustments for Covid-19.

Ms. Clark stated the intersection at Rutherford Road and Stallings Road would have no capacity improvements. However, the TIS did not account for commercial traffic or the railroad. Ms. Clark stated southbound traffic on Stallings Road already operates at a level F rating during certain times of the day. The mitigation offered does not address the capacity issues and the developments will add at least 20% additional traffic to these roads. Mr. Green stated SCDOT did not require them to study Rutherford Road and Stallings Road, but SCDOT has acknowledged issues with those roads and plans to look into remedying the issues.

Ms. Clark stated the LDR and Zoning Ordinance provide no guidance on infill developments. Ms. Clark explained it's a complex issue to fill in a golf course and it sounds like there was little community involvement in the process.

Ms. Clark stated there is objective evidence for failing existing stormwater infrastructure in the area. Ms. Clark asked who addresses and repairs the existing failing infrastructure before adding additional subdivisions. Mr. Binsz stated they would be responsible for a portion that would be addressed through Land Development during the design process. Ms. Clark stated in phase two, 81% of the open space is in the floodplain, which doesn't seem to be a practical use of the open space for the enjoyment of the community. Mr. Binsz stated the floodplain is

not a typical floodplain and much of the floodplain is open for use and recreation. John White, the landscape architect, stated the floodplain was not included in their open space calculations for developable land. Mr. Binsz stated 81% may be correct. However, they are only required to have 3.8 acres of open space and have 10.2 acres.

Chairman Bichel stated the density table does not meet LDR requirements and for the same reasons quoted on the previous application, cannot support this application. Mr. Binsz stated there is clearly a disconnect between the Planning Commission and Planning Staff. Chairman Bichel stated he did not disagree but explained that the Planning Commission is charged with determining compliance of the LDR per LDR Article 11.1.

Ms. Clark stated staff is providing a technical review and the Planning Commission has a broader mandate which does not solely consider the LDR. Ms. Clark stated the Planning Commission has a broader mandate per the state to consider other issues.

Mr. Forest stated if the Planning Commission is going to go down that path, there needed to be a preliminary meeting with developers and the Planning Commission, where thoughts on the development can be expressed to provide the developer time to make adjustments before the Planning Commission meeting.

Chairman Bichel stated the Planning Commission shall determine the appropriateness of the dimensions of the required open space and there are only about five units that back up to the open space.

Chairman Bichel stated staff should not change information provided to the Planning Commission after their packets have been mailed.

Mr. Looper stated the staff recommendations should not change after the Planning Commission packets are mailed out. Mr. Looper stated the Planning Commission and staff need to be in sync and currently they are not.

Nikolya Serdyuk, the developer, stated their goals were to create a community, an oasis, and follow all the ordinances which they thought they had achieved. Mr. Serdyuk asked for guidance from the Planning Commission on how to achieve those three goals.

Mr. Rogers stated the proposed development is inconsistent with the surrounding homes. Mr. Rogers asked the developer if he was willing to rethink the design. Mr. Serdyuk stated he believes he is fitting the surrounding community because there are surrounding developments with more density and he is providing phases with a variety of design and density.

Ms. Clark made a motion to deny the application based on LDR Article 1.2, 9.2, 11.3.2, and 11.4.

Motion for PP-2022-068: by Ms. Clark, seconded by Mr. Looper, to deny PP-2022-068. The motion carried by hand vote with five in favor (C. Clark; S. Bichel; M. Looper; J. Rogers; J. Howard) and three in opposition (J. Bailey; E. Forest; F. Hammond) with one absent (M. Shockley).

PP-2022-069 Inverrary Point Subdivision

VAR2022-102 Inverrary Point Subdivision

Rashida Jeffers-Campbell addressed the Commission members with a preliminary subdivision application for Inverrary Point, a cluster development under Open Space Option 1 of the Zoning Ordinance. The project site is located just south of the intersection of Oak Tree Dr and Stallings Rd. The applicant is requesting 86 single family detached lots at a density of 3.55 units/acre in the R-12 single family zoning district. Access is provided off of Stallings Rd – a state road. Water and sewer will be provided by Greenville Water and Metropolitan Sewer, respectively.

The proposed subdivision is located within 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 recommended density is 3-5 dwellings/acre. Inverrary Point is proposing 3.55 dwellings/acre.

VAR2022-102

The applicant is requesting a variance from LDR 8.21 (20' Undisturbed Landscape Buffer) in the area of the emergency access point location due to limited road frontage. If the 20' wide buffer is required, there isn't enough space to provide the required emergency access. A vegetative buffer will be provided in the remaining areas on either side of the emergency access drive to the extent practical. There were no SAC comments in opposition to the variance as requested. The area for the buffer and emergency access point will remain undeveloped.

Staff recommends of conditional approval of the plan and variance with the standard and specific requirements. Approval conditions are as follows:

- Traffic improvements warranted as a result of the required SCDOT Traffic Study shall be installed once 40 lots have been recorded.

Discussion: Five nearby residents spoke in opposition of the proposed subdivision. The first speaker, Jim Cadieu, stated he is against the variance because the emergency access would be five to seven feet from his property line. Mr. Cadieu explained the closing of the golf course has devalued his property and the type of homes proposed will further devalue his home. The second speaker, July Olson, stated she is in opposition of the buffer variance. Ms. Olson explained the developer has no verifiable subdivision experience and has provided Greenville County with a 909 signature petition against this proposed subdivision. The third speaker, Shane Sevier, stated there is no preservation of open space, no appropriate buffers, infrastructure issues, traffic concerns, and the developer is uninterested in collaborating with existing homeowners. The fourth speaker, Rick Matthews, stated the proposed subdivision does not comply with the Roadway Design Manual. The final speaker, John Cook, stated the runoff would increase by approximately 50%.

Ms. Clark asked how the sewer capacity upgrade request would be addressed. Mr. Binsz stated it would be addressed during the design process. Ms. Clark asked if the existing communities would have access to the open space proposed in this application. Mr. Serdyuk stated yes and they will have higher HOA costs to ensure amenities are maintained. Ms. Clark asked how existing neighbors would be able to access the open space. Mr. Binsz explained

residents could use the existing golf cart paths that interconnect communities. Ms. Serdyuk stated they would preserve and improve the existing golf cart paths.

Ms. Clark made a motion to deny based on substandard existing stormwater, roadway and infrastructure, and noncompliance with LDR Article 1.2, 9.2, 11.1, 11.3.2, and 11.4.

Motion for PP-2022-069: by Ms. Clark, seconded by Mr. Looper, to deny PP-2022-069. The motion carried by hand vote with five in favor (C. Clark; S. Bichel; M. Looper; J. Rogers; J. Howard) and three in opposition (J. Bailey; E. Forest; F. Hammond) with one absent (M. Shockley).

Motion for VAR2022-102: by Ms. Clark, seconded by Mr. Looper, to deny VAR2022-102. The motion carried by hand vote with five in favor (C. Clark; S. Bichel; M. Looper; J. Rogers; J. Howard) and three in opposition (J. Bailey; E. Forest; F. Hammond) with one absent (M. Shockley).

PP-2022-071 Hunters Grove

Rashida Jeffers-Campbell addressed the Commission members with a preliminary subdivision application for Hunters Grove, a conventional single-family development located about two miles east of the intersection of State Park Road and U.S. Hwy 25 in the unincorporated area of Travelers Rest. The applicant is requesting 42 lots at a density of 1.11 units per acre in the Residential Suburban (R-S) zoning district. Access is provided off of State Park Road. Water and sewer will be provided by Greenville Water and Septic, respectively.

The site is located within the Open Space character area of the Comprehensive Plan. This application calls for a density of 1.1 units per acre consistent with R-S zoning district.

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

Discussion: Five nearby residents spoke in opposition of the proposed subdivision. The first speaker, James Pachter, stated the proposed subdivision does not match the character of the surrounding homes and expressed concern about the existing traffic problems on State Park Road. The second speaker, Jonathan Futrell, was concerned about traffic and road safety. The third speaker, John Cook, explained the Bunched Arrowhead was the only endangered plant the plant surveyor looked for, but it is a requirement by law to determine the existence of all threatened or endangered plant species and habitat. The fourth speaker, Bevin Berube, stated the proposed subdivision is in violation of LDR Article 3.3.3 and is a negligent design that will cause road safety issues. The final speaker, Mark Mullinax, expressed concerns about traffic safety.

Waverly Wilkes, the project engineer, spoke in favor of the proposed subdivision. Ms. Wilkes explained they met with staff to ensure they were meeting all of the requirements to protect the Bunched Arrowhead endangered plant species and detailed the process the plant expert used to determine if the species was on the property. Ms. Wilkes stated the stub out access was modified from the previous submittal. Ms. Wilkes explained the Comprehensive Plan does not protect the parcel and does not overrule the existing zoning.

Ms. Clark stated the parcel is within the protected open space and there is no recommended

density because it is not meant to be developed. Ms. Clark explained if the Planning Commission approved this application it would set a bad precedent, particularly for these protected open space designations of the future land use map.

Ms. Clark asked if there needed to be a stub out to an adjoining property that is open space. Ms. Jeffers-Campbell stated the stub out is not required but it was recommended by staff.

Ms. Clark stated the staff report is inconsistent with previous reports where consistency with the Comprehensive Plan is typically detailed. Ms. Jeffers-Campbell explained even if the staff stated the proposed subdivision is not compatible with the Comprehensive Plan, it is compatible with the zoning district, which is the law.

Mr. Bailey asked if there were solutions, other than a variance through SCDOT, regarding the close proximity of the proposed subdivision driveway and the neighboring driveway. Ms. Wilkes stated the driveway access determination would come through SCDOT.

The second speaker in favor, Will Beckwith, the developer, stated they are willing to work with existing neighbors and will be building a quality product.

Ms. Clark stated the proximity of the neighboring driveway was discussed previously and nothing has been done to try and address the problem. Ms. Wilkes explained they thoroughly read through the minutes from the last meeting to ensure they addressed all of the points of concern. Ms. Wilkes stated the proximity of the neighboring driveway was not documented in the minutes.

Mr. Rogers stated the application is inconsistent with the Comprehensive Plan and believes it is within the Planning Commission's purview to ensure a development complies with the zoning and the Comprehensive Plan. Mr. Rogers explained the Comprehensive Plan is a guidance document the Planning Commission may use as they deem appropriate.

Mr. Hammond stated the Comprehensive Plan is an aspirational document.

Mr. Forest stated the Comprehensive Plan should be used for rezoning applications.

Michael Cone, the developer, stated the parcel was purchased before the Comprehensive Plan existed and to require the development to fall within the Comprehensive Plan would be devaluing the property.

Motion for PP-2022-071: by Mr. Forest, seconded by Mr. Bailey, to approve PP-2022-071. The motion carried by hand vote with five in favor (J. Bailey, F. Hammond, E. Forest, M. Looper, S. Bichel) and three in opposition (C. Clark, J. Rogers, J. Howard) with one absent (M. Shockley).

Mr. Rogers recused himself.

PP-2022-072 River Preserve

VA-2022-073 River Preserve Variance Application

Rashida Jeffers-Campbell addressed the Commission members with a preliminary subdivision application for River Preserve, a Rural Conservation subdivision under Article 22 of the LDR located

approximately a mile south of the intersection of SC-418 and Woodside Rd. The applicant is requesting 210 single family lots at a density 0.95 units/acre in the unzoned area. Access is provided off of Woodside Rd and Wasson Way – county roads. Water and sewer will be provided by Greenville Water and individual septic tanks.

The proposed subdivision is located within the Rural Character area of the Comprehensive Plan. Rural place types include working farms actively used for agricultural activities, including cultivated cropland, pastures, and raising livestock. The physical environment may consist of fences, tree rows, wooded areas, ponds, or large swales to drain cropland. Rural place types also support the primary residence of the property owner and any out-buildings associated with the activities of a working farm – otherwise, these are places characterized by natural or cultivated landscapes with minimal development. The recommended density is 1 dwelling per 2 acres

VA-2022-073

The applicant is requesting a variance from LDR Section 22.3.5 which requires a 50' Undisturbed Buffer along external property lines. The request is regarding the required buffer along parcel 0568030100510, the area of which serves as a second access point for the development. The second access is located on a lot with a width of 136' at the rear and 147' along Wasson Way. The required right of way width is 46' and there is an external buffer along each property line of 50'. The overlap of the right of way into the 50' buffer varies from 1 to 10'. There will be necessary grading outside of the right of way to get the road in. It is the intention of the developer and engineer to only disturb what is necessary to construct the road. All existing vegetation that does not fall within the necessary limits of disturbance will remain.

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

Discussion: Three nearby residents spoke in opposition of the proposed subdivision. The first speaker, Carol Gilley, stated the proposed subdivision violated the standards of a rural conservation subdivision, violated the intent of the LDR, and was inconsistent with the surrounding rural character. The second speaker, James Moore, stated the application violated the LDR, State and Federal regulations. Mr. Moore explained the revised TIS violated the LDR and did not include future developments, a nearby bridge replacement or a nearby intersection. Mr. Moore stated the proposed subdivision does not meet sight distance regulations. The final speaker, John Cook, expressed concern about stormwater runoff.

There were two speakers in favor of the proposed subdivision. The first speaker, Blake Loudermilk, the developer, stated he was available for any questions. The second speaker, Austin Allen, the engineer, provided a brief overview of the project. Mr. Allen stated the TIS was completed per the standards provided by Greenville County Roads and Bridges. Mr. Allen stated sight distance requirements have been met. Mr. Allen explained, to limit speeding within the development, they have provided traffic-calming chokers to mitigate potential problems. Mr. Allen stated he did not believe the variance request would be a detriment to the area.

Ms. Clark asked why low impact development was not required considering the septic density and the proximity to the Reedy River. Ms. Wortkoetter stated they may have to provide low impact development features in addition to the detention pond which will be determined in the Land Development phase.

Ms. Clark stated the 418 intersection was not included in the TIS but falls within the study area and should have been included under LDR guidelines. Mr. Allen stated the scope is provided by Greenville County and SCDOT.

Ms. Clark asked Mr. Allen to describe the rural characteristics and conservation value the application provides. Mr. Allen explained the application is providing approximately 35 acres of preserved open space adjacent to one of Greenville County's most attractive land features.

Chairman Bichel asked why sight distances are not denoted in the drawing. Mr. Allen stated the requirement is not on the preliminary checklist. Chairman Bichel asked if Mr. Allen disagreed that the TIS is inadequate. Mr. Allen stated yes, he hired a professional who worked with the Greenville County staff to determine the scope and does not believe anything has been left out. Chairman Bichel stated LDR Article 8.9: "Blocks longer than 800 feet in length shall have a mid-block pedestrian pathway connecting adjacent blocks." Mr. Allen explained they received a comment that they could not have crosswalks.

Ms. Clark stated LDR Article 22 postdates the Comprehensive Plan and State Law says Zoning and Land Development Regulations should be written to support enacting the Comprehensive Plan. LDR Article 22 does not do that.

Chairman Bichel stated he does not agree with the variance but would be in support of the subdivision if it added the conditions to comply with the LDR, such as line of sight and mid-block pedestrian pathway.

Ms. Clark stated a stub out is a requirement.

Mr. Hammond amended the motion to include the requirement to comply with LDR Article 8.9.

Motion for PP-2022-072: by Mr. Hammond, seconded by Mr. Forest, to approve PP-2022-072 with condition to comply with LDR Article 8.9 by adding mid-block pedestrian pathway crossings. The motion carried by hand vote with four in favor (F. Hammond; E. Forest; J. Bailey; J. Howard) and three (C. Clark; S. Bichel; M. Looper) in opposition with one recused (J. Rogers) and one absent (M. Shockley).

Motion for VA-2022-073: by Mr. Hammond, seconded by Mr. Forest, to approve VA-2022-073. The motion carried by hand vote with four in favor (F. Hammond; E. Forest; J. Bailey; J. Howard) and three (C. Clark; S. Bichel; M. Looper) in opposition with one recused (J. Rogers) and one absent (M. Shockley).

Mr. Rogers returned.

VA-2022-064 158 Pine Creek Ct Ext (Private Drive)

Rashida Jeffers-Campbell addressed the Commission members with a variance application. The applicant is requesting to extend and use Abercrombie Lane, an existing private drive, in the R-S zoning district (Scuffletown Rural Conservation Overlay District) to expand an existing family subdivision from four (4) to six (6) lots. The intent of LDR 5.4 Unpaved Private Drives is to provide

affordable access to developments with a limited number of lots (six lots maximum) created in a rural environment without having to construct a road to County public or private road standards. This intended for use by families in probate, trusts or estate settlement. However, the use of private drives is only permitted in the unzoned areas or areas zoned RR-1 or RR-3. The applicant is requesting a variance to use a private drive in the R-S zoning district.

In accordance with LDR 1.6.3C, staff recommends approval of the variance with the condition that a note be placed on the summary plat stating that Abercrombie Ln shall be improved to Greenville County's public or private road standards for any additional lots created from parcel #0554010102300 requiring its use to meet the Land Development Regulations minimum frontage and access requirements for subdivision lots. The maximum number of lots permitted on a private drive is six (6) lots. The approval of this application would exhaust the maximum number of lots permitted on a private drive per LDR 5.4. Consequently, no other lots would be permitted. Further, this request aligns with the general intent of the LDR by allowing the use of private drives for family subdivisions in rural areas, as such this property is located within Rural Conservation Overlay District of the County.

Discussion: None.

Motion for VA-2022-064: by Mr. Bailey, seconded by Mr. Howard, to approve VA-2022-064. The motion carried unanimously by voice vote with one absent (M. Shockley).

5. **Rezoning Requests**

CZ-2022-042

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-042.

Woodside Avenue is a two-lane State-maintained Collector Rd. Staff is of the opinion that the requested rezoning is appropriate due to the significant site constraint that the floodplain places on the property, which would make it difficult to develop single-family residential on the site.

Based on these reasons, staff recommends approval of the requested rezoning to R-M20, Multifamily Residential.

Discussion: None

Motion: by Mr. Bailey, seconded by Mr. Looper, to approve CZ-2022-042. The motion carried unanimously by voice vote with one absent (M. Shockley).

CZ-2022-043

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-043.

The subject parcel is located along Hawkins Street, a two-lane State-maintained Residential road, Ninth Street, a two-lane State-maintained Residential road, and Tenth Street is a two-lane State-maintained Residential road. Staff is of the opinion that the requested rezoning to R-6, Single-Family Residential is appropriate as it allows for the property to achieve lot sizes that are consistent with

many of those in the neighborhood, as well as the existing R-6 zoned parcels across the street. Additionally, this rezoning supports the goals of the Judson Community Plan, which designates this area as *Infill Housing*.

Based on these reasons, staff recommends approval of the requested rezoning to R-6, Single-Family Residential.

Discussion: None

Motion: by Mr. Bailey, seconded by Mr. Looper, to approve/deny CZ-2022-043. The motion carried unanimously by voice vote with one absent (M. Shockley).

CZ-2022-044

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-044.

White Horse Rd. is a six-lane State-maintained arterial road. This corridor is characterized by service and commercial uses that front White Horse Rd. Staff is of the opinion that C-2, Commercial would not be of detriment to this area, given the specific location and size of the site.

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

Discussion: Mr. Howard asked the reason for the requested rezoning. Mr. Henderson explained the reason was not stated but C-2 allows for additional types of retail, such as alcohol sales.

Ms. Clark stated the request does not align with the Comprehensive Plan or the Area Plan. Ms. Clark explained at the Public Hearing the applicant's reason was vague, stating they wanted better tenants and more flexibility.

Mr. Hammond stated the applicant is not bound by the stated reason for a rezoning. Mr. Hammond explained there is S-1 zoning in the surrounding area, C-2 allows for more intense retail, and nobody was in opposition to the requested rezoning. Mr. Hammond stated it is hard to find a reason where this request would negatively impact the neighborhood.

Motion: by Mr. Hammond, seconded by Mr. Forest, to approve CZ-2022-044. The motion failed by hand vote with three in favor (F. Hammond; E. Forest; J. Bailey) and four in opposition (C. Clark; M. Looper; J. Rogers; J. Howard) with one abstained (S. Bichel) and one absent (M. Shockley).

CZ-2022-046

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-046.

The property is located at the intersection of Old Buncombe Rd, a three-lane State-maintained arterial rd. and Sulphur Springs Rd, a five-lane State-maintained collector rd. Staff is of the opinion that the requested zoning of C-1, Commercial aligns with the Plan Greenville County Comprehensive Plan. Additionally, the requested zoning fits with the other land uses and zoning districts found on the other

three corners of the intersection.

Based on these reasons, staff recommends approval of the requested rezoning to C-1, Commercial.

Discussion: Mr. Looper asked what the applicant would use the site for. Mr. Henderson explained the applicant is planning to use the site for retail but does not know the specific retail use. Mr. Looper stated the surrounding neighbors are concerned the location will be used as a vape shop. Mr. Henderson stated a vape shop is a permitted use in C-1 zoning.

Motion: by Ms. Clark, seconded by Mr. Bailey, to approve CZ-2022-046. The motion carried by voice vote with six in favor (C. Clark; J. Bailey; S. Bichel; J. Rogers; F. Hammond; E. Forest) and two in opposition (M. Looper; J. Howard) and one absent (M. Shockley).

CZ-2022-047

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-047.

The subject portion of a parcel, zoned R-S, Residential Suburban, is located along Ben Hamby Drive, a two-lane, County-maintained local road. Staff is of the opinion that a successful rezoning to I-1, Industrial is consistent with surrounding land uses and would resolve the split-zoning of the entire parcel.

Based on these reasons, Staff recommends approval of the requested rezoning to I-1, Industrial.

Discussion: None

Motion: by Mr. Looper, seconded by Mr. Bailey, to approve CZ-2022-047. The motion carried unanimously by voice vote with one absent (M. Shockley).

CZ-2022-048

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-048.

The subject parcel, zoned R-S, Residential Suburban, is located along Garlington Road, a two-lane, State-maintained collector road. Staff is of the opinion that a successful rezoning to R-12, Single-Family Residential is consistent with surrounding land uses and the density recommended by the Greenville County Comprehensive Plan.

Based on these reasons, Staff recommends approval of the requested rezoning to R-12, Single-Family Residential.

Discussion: Chairman Bichel stated the majority of the surrounding area is zoned R-S. Mr. Henderson explained the rezoning is consistent with the Comprehensive Plan and Dublin Road Area Plan.

Ms. Clark explained the Dublin Road Area Plan does not define low density residential. However, it does state “the only practical uses for this area are low density, large lot, single-family residential and recreational uses.”

Chairman Bichel asked if R-12 is considered low-density. Mr. Henderson stated it would align with the Comprehensive Plan.

Mr. Rogers asked if R-12 is being considered low-density. Mr. Henderson stated the Comprehensive Plan designates this area as suburban mixed use. Mr. Henderson stated the requested density is less than what is recommended for a suburban mixed use area. Mr. Stone explained the Dublin Road Area Plan does not provide density guidelines and R-12 would not be considered "large lot, single family residential".

Motion: by Mr. Hammond, seconded by Mr. Bailey, to approve CZ-2022-048. The motion failed by hand vote with four in favor (F. Hammond; E. Forest; J. Bailey; M. Looper) and four (C. Clark; S. Bichel; J. Rogers; J. Howard) in opposition with one absent (M. Shockley).

CZ-2022-050

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-050.

The subject parcels, zoned R-7.5, Single-Family Residential, are located along Rutherford Road, a four-to-five lane State-maintained Arterial road; Marie Street, a two lane County-maintained Local road; Scott Street, a two-lane County-maintained Local road; and Emory Street, a two-lane County-maintained Local road. Staff is of the opinion that a successful rezoning to FRD, Flexible Review District, which would allow for single-family residential uses, would be consistent with the residential uses in the area and would not have an adverse impact on this area.

The development would have to meet the following conditions:

1. Include a buffer meeting Section 8.21 of the Land Development Regulations, Forested Natural Vegetative and/or Landscaped Buffer.
2. Submit 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 with conditions of the requested rezoning to FRD, Flexible Review District with the aforementioned conditions.

Discussion: None

Motion: by Mr. Looper, seconded by Mr. Bailey, to approve with conditions CZ-2022-050. The motion carried unanimously by voice vote with one absent (M. Shockley).

CZ-2022-051

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-051.

The subject parcel zoned R-7.5, Single-Family Residential is located along Rutherford Rd., a four-to-five lane State-maintained Arterial road; Clay St., a two lane County-maintained residential road; and Emory St., a two-lane County maintained residential road. The requested rezoning aligns with the Plan Greenville County Comprehensive Plan, which designates this area for Traditional Neighborhood. Additionally, the requested rezoning will only allow for two additional dwelling units than allowed

under the current zoning. With that, Staff is of the opinion that a successful rezoning to R-6, Single-Family Residential would not have an adverse impact on the area.

Based on these reasons, staff recommends approval of the requested rezoning to R-6, Single-Family Residential.

Discussion: None

Motion: by Mr. Rogers, seconded by Mr. Bailey, to approve CZ-2022-051. The motion carried unanimously by voice vote with one absent (M. Shockley).

CZ-2022-052

Mr. Henderson introduced the staff report and presentation into the record as background information for Rezoning Docket CZ-2022-052.

The subject parcels, zoned PD, Planned Development District; POD, Planned Office District; and R-15, Single-Family Residential District are located along Old Spartanburg Road, a three-lane State-maintained arterial road; Hudson Road, a three-lane State-maintained collector road; and Brushy Creek Road, a three-lane State-maintained arterial road. Staff is of the opinion that the requested zoning of PD-MC, Planned Development, Major Change, would allow for an expansion of the existing Hudson Center Planned Development and would be consistent with the surrounding land uses. 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 PD-MC, Planned Development, Major Change with the aforementioned condition.

Discussion: None

Motion: by Mr. Forest, seconded by Mr. Hammond, to approve with condition CZ-2022-052. The motion carried by hand vote with five in favor (E. Forest; F. Hammond; C. Clark; J. Bailey; J. Rogers) and three in opposition (S. Bichel; M. Looper; J. Howard) one absent (M. Shockley).

6. Planning Report

Mr. Coker presented the May Planning Report.

7. Old Business

None

8. New Business

Mr. Rogers stated only the incumbents were nominated for Chairman and Vice-Chairman

Motion: by Mr. Rogers to accept Mr. Bichel as Chairman and Mr. Bailey as Vice-Chairman by acclimation. The motion carried unanimously by voice vote with one absent (M. Shockley).

Chairman Bichel thanked Mr. Forest for his service on the Planning Commission.

Mr. Hammond stated the disconnect between staff recommendations and the Planning Commission needed to be fixed before the next meeting.

Chairman Bichel stated he had already suggested the issue as a topic for the next Planning Commission workshop. Mr. Hammond stated there needed to be more than a workshop. Mr. Hammond explained the Planning Commission needed to meet with the applicants. Chairman Bichel stated he has attempted to meet with applicants in the past and they were not interested.

Mr. Rogers stated the public attends the Planning Commission meeting as their only opportunity to speak in regard to subdivision cases and doesn't believe the solution is to meet with applicants. Mr. Rogers agreed with a previous statement from Ms. Clark stating the Planning Commission has a different mandate than the planning staff. Mr. Rogers stated providing the applicant another shot at influencing the outcome of an application outside the context of a meeting is the wrong idea.

Mr. Hammond explained, without intervention, applicants are going through the process with no idea of what outcome to expect when they reach the Planning Commission meeting.

The Planning Commissioners continued to discuss the different ways Commission members approach reviewing an application and their interpretations of the purview of the Planning Commission.

Mr. Looper explained he has an issue with staff recommendations changing after the Planning Commission receives the Planning Commission Packets.

Mr. Hammond explained if the applicants are provided guidance from the Planning Commission they could use the information ahead of time instead of needing to reapply.

Ms. Clark stated most of the applications the Planning Commission reviews, following a denial, have not been changed in any way.

Mr. Bailey stated if the Planning Commission came to an agreement with staff on buffers and clusters it would help the applicants have a better understanding of what to expect. Mr. Bailey agreed that the Planning Commission has a different role but certain items can be addressed with staff.

Mr. Coker stated the goal of Subdivision Administration is to bring the applications into compliance with the Land Development Regulations to enable them to attend the Planning Commission meeting with an application that meets the requirements of the LDR. Mr. Coker explained if the staff is aware of differences of interpretation or opinion, the staff can communicate those to the applicants. Mr. Coker stated staff is required to ensure the application meets the requirements of the law. Mr. Coker explained he welcomes any guidance and continued conversations from the Planning Commission members.

Ms. Clark stated she had submitted comments in the past well in advance of the next meeting. Ms. Clark explained they don't have a lot of time to provide feedback and questioned how the Planning Commission could insert themselves into the process earlier.

Mr. Coker explained there seems to be reoccurring issues staff and the Planning Commission can work together on to narrow down what the Planning Commission is looking for. Mr. Coker stated staff will

research different administrative processes to see if there is a process which will work better for Greenville County and communicate those findings to the Planning Commission for future discussions.

9. Adjourn

Without objection, Chairman Bichel adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Nicole Miglionico

Nicole Miglionico

Recording Secretary