

Zoning Docket from May 16, 2016 Public Hearing

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2016-36	ARS Ventures c/o Todd A. Ward, for Eugenia H. Greer, Kenneth T. Barrett and Pelham Road Alliance Church 2400, 2500 and 2702 Pelham Road 0533040101900, 0533040101901 and 0533040101904 R-20, Single-Family Residential to FRD, Flexible Review District	21	Denial	Denial 5/25/16 Denial 6/22/16	Returned to Planning Commission 6/6/16 Approval 7/11/16	
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on May 16, 2016 were:</p> <p><u>Speakers For:</u></p> <ol style="list-style-type: none"> 1) Todd Ward, applicant <ul style="list-style-type: none"> • Study found need for a grocery store in the area • Existing grocery stores exist but offering a different product type and accessibility • Further west is more residential, which is the reason for an FRD to communicate more information to citizens • One ingress and egress at controlled traffic signal • May take trips that go towards I-85 • We'd maintain as much existing canopy to blend with single family residential to rear • Least impactful site plan • SCDOT likes the access plan but want to study the plan further • Landscaping would comply with the ordinance • Representatives from owners are present 2) Tim Yale, Pastor at Church <ul style="list-style-type: none"> • ARS approached a year ago for a sale of property, among many • The proposal is the best fit for the church property • Intend to relocate to another facility 3) Kenneth Barrett, a resident of the site <ul style="list-style-type: none"> • Already has C-1 commercial • FRD was already owned by Spinx • We're just filling in all the wholes • No further development can go further due to nursing homes and single-family subdivisions • Surrounding properties would be sitting higher than the proposed commercial <p><u>Speakers Against:</u> none</p>					<p>Petition/Letter For: none</p> <p>Against: 3</p>

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	<p>List of meetings with staff: February 23, 2016 and June 9, 2016</p>	
<p>Staff Report</p>	<p>The subject parcel is 9.2 acres of property located on Pelham Road approximately 1.2 miles west of the intersection of Pelham Road and Interstate 85. The parcels have approximately 760 feet of frontage along Pelham Road.</p> <p>The applicant states the proposed land use is for a 50,000 sq. ft. grocery store anchored shopping center with a total of 68,000 sq. ft. Adopted plans have consistently recommended limiting intense commercial development to those areas of Pelham Road east of Boiling Springs Road. These plans support a gradual transition from east to west away from the heavy commercialized section of Pelham and previous recommendations have gone to great lengths to maintain transitional uses and neighborhood scale commercial within this transition zone near the intersection of Pelham and Boiling Springs Road as recommended in the future land use map.</p> <p>To the north, the undeveloped FRD, Flexible Review District has 50,000 sq. ft. of Neighborhood Commercial uses planned for development. Likewise to the northeast, the location was recently rezoned to NC, Neighborhood Commercial that includes the QuikTrip gas station and 10,640 sq. ft. of professional office space. In total, 60,000 sq. ft. of neighborhood scale commercial, retail, and office space is already committed to this intersection and would be doubled with this proposal of more than 68,000 sq. ft. of retail commercial and a third gas station.</p> <p>In contrast, the intensity of the proposed FRD, Flexible Review District, is out of character for this location and resembles a product that would also fit into a C-3, Commercial category. This type of proposed intensity is characteristic of the heavier commercialized areas east on Pelham Road. Furthermore, an approval to this intense project would set a precedent for areas transitioning from office and neighborhood commercial to residential. The design lacks connections that would better facilitate traffic around the intersection with Boiling Springs. The proposal also has not assigned any square footage to the outparcel (“outlot”) which would require an update to any approved zoning. The proposal also lacks details on the color schemes and materials for the signage as well as dumpster locations.</p> <p>The gas sales “outlot” has no specific information on where travel lanes, possible parking, and gasoline canopy would be located. This lack of definitive information on the proposed “outlot” offers little information to make an informed decision. Staff is concerned about gas sales and the associated traffic circulation.</p> <p>Staff understands there may be a need for particular uses; however, the proposed intensity for this site is out of character with the surrounding land uses and traffic would lack adequate access.</p> <p>It is staff’s opinion that this requested rezoning would have significant, immediate impact to the character of the surrounding area that is primed for significant change in the near future.</p>	
<p>P & D Committee</p>	<p>The Committee referred the docket back to Planning Commission to reconsider gas sales, limiting hours of operation, storefront orientation, directional lighting to minimize impact on adjacent properties, and grant future cross access towards Blacks Drive to the adjacent C-1 parcel to the west.</p>	
<p>Staff Report (for 6/22/16 PC meeting)</p>	<p>Compared to the original application, the updated plan increased the proposed commercial area by 5,000 sq.ft. to a total of 73,000 square feet; two secondary locations of ingress/egress are included connecting to parcels to the west and east; specified the operational times of 6 am to midnight;</p>	

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noted the group sign would be located at the signalized intersection while the secondary sign located at the second Pelham Road entrance; and, removed gas sales as a use for the outlot.

The intensity of the proposed commercial development is out of character for this location and resembles a product that would also fit into a C-3, Commercial category. This type of proposed intensity is characteristic of the heavier commercialized areas east on Pelham Road toward I-85.

Staff's opinion remains that the scale, size, extent and overall level of commercialization proposed is out of character with this section of Pelham Road, an established low intensity office/neighborhood commercial transitional area.