

**Zoning Docket from April 17<sup>th</sup>, 2023 Public Hearing**

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2023-025	Michael S. Pitts of Parker Poe Adams & Berstein, LLP for Greenville (White Horse) WMS, LLC 6134 White Horse Road 0237030100205 C-1, Commercial District to C-2, Commercial District	23	Denial	Approval 4/26/23	Denial 5/1/23	
Public Comments	<p><b>Some of the general comments made by Speakers at the Public Hearing on April 17<sup>th</sup>, 2023 were:</b></p> <p><u>Speakers For:</u></p> <ol style="list-style-type: none"> <li>1) Agent for Applicant                             <ul style="list-style-type: none"> <li>• Represents the applicant that owns the strip shopping center</li> <li>• Has a perspective tenant that would like to open an ABC Package Store in this shopping center which cannot be achieved with the current zoning designation</li> <li>• Already has all necessary state (not county)permits to be a liquor</li> <li>• There is C-2, Commercial District across the street</li> <li>• There are Restrictive Covenants that runs with the land that states a night club will not be able to open at this location unless Walmart agrees</li> </ul> </li> <li>2) Applicant                             <ul style="list-style-type: none"> <li>• Would like to open a liquor store in a tenant space</li> </ul> </li> </ol> <p><u>Speakers Against:</u> None</p> <p><b>List of meetings with staff:</b> N/A</p>					<p><b>Petition/Letter For:</b> None</p> <p><b>Against:</b> None</p>
Staff Report	<p><b>Below are the facts pertaining to this docket:</b></p> <ul style="list-style-type: none"> <li>• The subject property consists of approximately 4.1 acres.</li> <li>• The subject property is part of the <u>Plan Greenville County Comprehensive Plan</u>, where it is designated as <i>Transitional Corridor and Open Space</i>. The subject property is a part of the <u>Berea Community Plan</u>, where it is designated as <i>Commercial/Office</i>.</li> <li>• White Horse Road is a Six-lane State-Maintained Arterial road. The parcel has approximately 25 feet of frontage along White Horse Rd. The parcel is approximately 0.24 miles northwest of the intersection of White Horse Road and W Blue Ridge Road (HWY 253). The property is located along Bus Route 502. There are sidewalks in the area.</li> <li>• Floodplain is not present on the site. There are no known historic or cultural resources on the site. Alexander Elementary and Westcliffe Elementary are located within one mile of the site.</li> <li>• The applicant is requesting to rezone the property to C-2, Commercial District. The applicant is proposing ABC (Liquor Sales).</li> </ul> <p><b>CONCLUSION and RECOMMENDATION:</b></p> <p>The subject parcel zoned C-1, Commercial District is located along White Horse Road, a six-lane State-maintained arterial road. While Staff recognizes this parcel fronts White Horse Road, which features</p>					

**Zoning Docket from April 17<sup>th</sup>, 2023 Public Hearing**

	<p>a mix of commercial and residential uses, Staff is of the opinion that the requested rezoning to C-2, Commercial District would allow permitted uses that are too intense and may have an adverse impact on the surrounding areas.</p> <p>Based on these reasons, staff recommends denial of the requested rezoning to C-2, Commercial District.</p>
<b>GCPC</b>	<p>At the April 26 Planning Commission meeting, the Commission voted to approve the requested rezoning to C-2, Commercial District based on the reason that it was appropriate due to its location along White Horse Rd. and the fact that there were Restrictive Covenants prohibiting nightclubs at this location.</p>
<b>P&amp;D</b>	<p>At the May 1, 2023 Planning and Development Committee meeting, the Committee voted to deny the rezoning request by a vote of 3-1.</p>