

Zoning Docket from July 17th, 2023 Public Hearing

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2023-046	Joseph W. Bryant of Seamon Whiteside for William A. Sylva of Was Investment Properties, LLC 1443 S. Batesville Rd. 0530050102002 I-1, Industrial District to C-3, Commercial District	21	Approval			
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on July 17, 2023 were:</p> <p><u>Speakers For:</u> None</p> <p><u>Speakers Against:</u> None</p> <p>List of meetings with staff: N/A</p>				<p>Petition/Letter For: Signatures –</p> <p>Against: None</p>	
Staff Report	<p>Below are the facts pertaining to this docket:</p> <ul style="list-style-type: none"> • The subject property consists of approximately 5.1 acres. • The subject property is part of the <u>Plan Greenville County</u> Comprehensive Plan, where it is designated as <i>Mixed Employment Center</i>. The subject property is not included in any area or community plans. • South Batesville Road is a two-lane State-maintained arterial road. The parcel has approximately 300 feet of frontage along S. Batesville Road. The parcel is approximately 0.65 miles northwest of the intersection of S. Batesville Road and Pelham Road. The property is not along a bus route. There are no sidewalks in the area. • Floodplain is present on the site. There are no known historic or cultural resources on the site. There are no schools located within a mile of the site. • The applicant is requesting to rezone the property to C-3, Commercial District. The applicant is proposing mini-warehouses, plumbing business, landscape business, personal motorized vehicle sales, retail, and other C-3 compatible uses. <p>CONCLUSION and RECOMMENDATION:</p> <p>The subject parcel zoned I-1, Industrial District is located along South Batesville Road, a two-lane state-maintained arterial road. Staff is of opinion that a successful rezoning to the C-3, Commercial District would be consistent with the <u>Plan Greenville County</u> Comprehensive Plan, which designates the parcel as <i>Mixed Employment Center</i>. With that said, staff does not wish to see the rezoning process used as a tool to skirt enforcement action. The parcel contains multiple structures which were built recently without permits, which do not meet ordinance requirements, and which are being occupied by businesses that did not obtain certificates of occupation. While staff has based its decision on what to recommend based on the comprehensive plan, we do not wish for this to set a precedent for others hoping to ask forgiveness rather than permission. Were the property vacant, staff's recommendation would be the same.</p> <p>Based on these reasons, staff recommends approval of the requested rezoning to C-3. Commercial District.</p>					
GCPC	At the July 26, 2023 Planning Commission meeting, the Commission voted to deny the rezoning request to I-1, Industrial District.					

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TO: County Council
Planning and Development Committee
Planning Commission

FROM: Todd Baxley, Planner II

RE: CZ-2023-046

APPLICANT: Joseph W. Bryant of Seamon Whiteside for William A. Sylva of Was Investment Properties, LLC

PROPERTY LOCATION: 1443 S. Batesville Rd., Greer, SC 29650

PIN/TMS#(s): 0530050102002

EXISTING ZONING: I-1, Industrial District/GSP Airport Environs Special Land Use Area

REQUESTED ZONING: C-3, Commercial District

PROPOSED LAND USE: Mini-Warehouse, Plumbing Business, Landscape Business, Personal Motorized Vehicle Sales, Retail, and other C-3 compatible uses.

ACREAGE: 5.1

COUNCIL DISTRICT: 21 – Harrison

ZONING HISTORY: This parcel was originally zoned I-1, Industrial District in May 1971 as part of Area 2. There have been no previous rezoning requests.

EXISTING LAND USE: Unpermitted Warehouse Structures and Businesses.

AREA CHARACTERISTICS:

Direction	Zoning	Land Use
North	I-1	Recycling Center
East	I-1	Data Center
South	I-1	Business Office
West	S-1/R-S	Vacant Land/Single-Family Residential

WATER AVAILABILITY: Greenville Water

SEWER AVAILABILITY: Metro District – Sewer is accessible

PLAN GREENVILLE COUNTY

CONFORMANCE: The subject property is part of the Plan Greenville County Comprehensive Plan, where it is designated as *Mixed Employment Center*. **Please refer to the Future Land Use Map at the end of the document.**

AREA AND COMMUNITY PLANS:

The subject property is not a part of any area or community plans.

ROADS AND TRAFFIC:

South Batesville Road is a two-lane State-maintained arterial road. The parcel has approximately 300 feet of frontage along South Batesville Road. The parcel is approximately 0.65 miles northwest of the intersection of South Batesville Road and Pelham Road. The property is not along a bus route. There are also no sidewalks in the area.

Location of Traffic Count	Distance to Site	2018	2019	2021
South Batesville Road	260' SW	9,000	9,200 +2.2%	7,300 -20.7%

CULTURAL AND ENVIRONMENTAL:

Floodplain is present on the site. There are no known historic or cultural resources on the site. There are no schools located within a mile of the site.

CONCLUSION:

The subject parcel zoned I-1, Industrial District is located along South Batesville Road, a two-lane state-maintained arterial road. Staff is of opinion that a successful rezoning to the C-3, Commercial District would

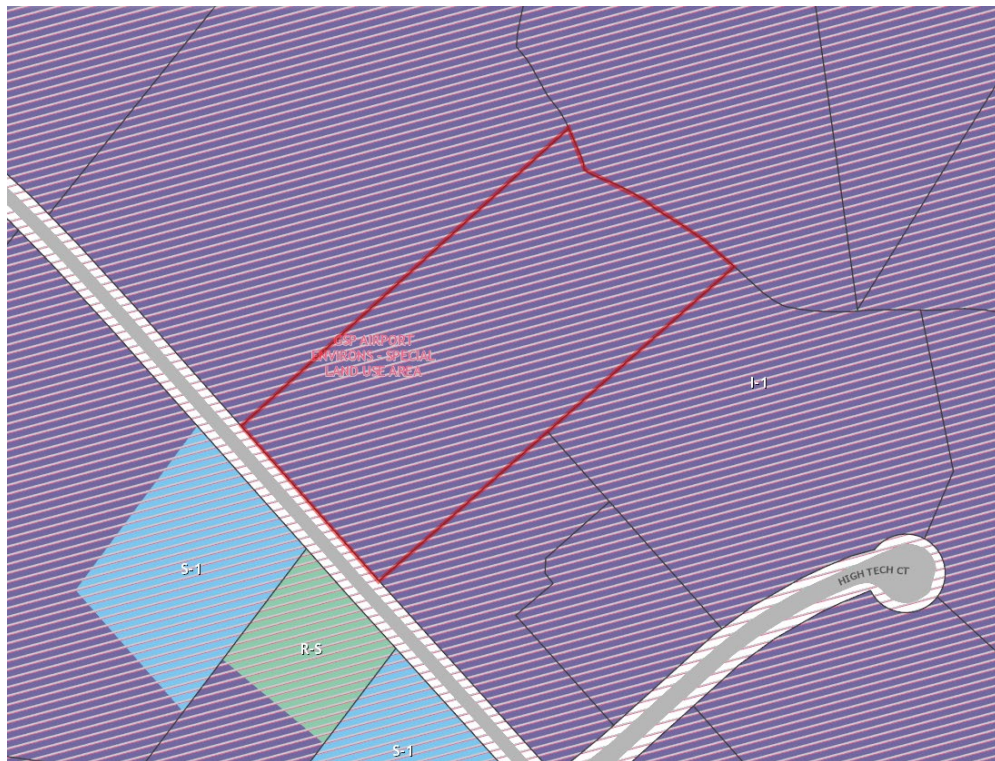
be consistent with the Plan Greenville County Comprehensive Plan, which designates the parcel as *Mixed Employment Center*. With that said, staff does not wish to see the rezoning process used as a tool to skirt enforcement action. The parcel contains multiple structures which were built recently without permits, which do not meet ordinance requirements, and which are being occupied by businesses that did not obtain certificates of occupation. While staff has based its decision on what to recommend based on the comprehensive plan, we do not wish for this to set a precedent for others hoping to ask forgiveness rather than permission. Were the property vacant, staff's recommendation would be the same.

STAFF**RECOMMENDATION:**

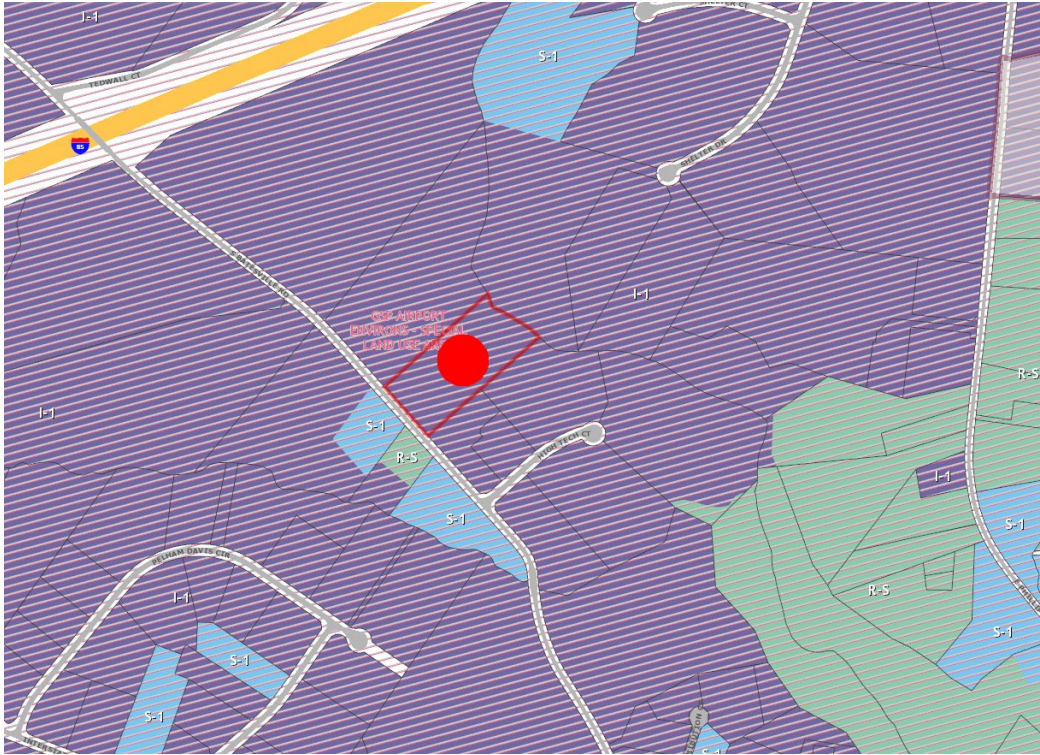
Based on these reasons, staff recommends approval of the requested rezoning to C-3. Commercial District.



Aerial Photography, 2021



Zoning Map, Zoomed In



Zoning Map, Zoomed Out



Plan Greenville County, Future Land Use Map