



# PENDLETON

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Town of Pendleton Planning Commission  
Regular Meeting and Public Hearing  
January 20, 2011  
6:30 pm Town Hall

## MINUTES

**Members Present:** Coke Jeffords, Coleman Glaze, Janet Hunteman, Lou Robinson, Jim Smith, Dave Williford

**Members Absent:** Susann Griffin (excused)

**Staff Present:** Kristopher Kurjiaka

### 1. Opening Comments, Establishment of a Quorum

Chairperson Jim Smith called the meeting to order at 6:29 pm. He stated that Susann Griffin would not be able to attend the meeting. With 6 of 7 Commissioners present, **a quorum was established.**

Mr. Smith welcomed the two new members, Coleman Glaze and Janet Hunteman. He stated that the Planning Commission could use their help and experience. He asked if each of the two new members would like to give a brief introduction and some information about their background.

Ms. Hunteman stated that she is currently a mom with four children. She has a son that is a city planner and two children currently in high school in 9<sup>th</sup> and 10<sup>th</sup> grades. She stated that she is a former Marine. She moved to Pendleton in 2006 and is currently a student at Tri-County Technical College.

Mr. Glaze stated that he was from Charleston. He had went to Clemson University and obtained a degree in Industrial Management. He spent most of his career in financial services as a banker and insurance and investment. He moved to Pendleton four years ago. He has three sons, two of which are graduates of the Citadel. He moved to Pendleton because he loves the area and the University. His public service has included eight years on the Charleston County Planning Board and ten years on the Charleston County School Board.

### 2. Approval of Minutes from:



**a) December 16, 2010 Regular Meeting and Public Hearing**

Mr. Smith stated that there was one change that he knew needed to be made to the December 16<sup>th</sup> minutes. He stated that on Page 6, in the second to last line the first occurrence of “felt” needed to be removed. He asked if any of the Planning Commission members had any other comments or corrections to the minutes for the December 16<sup>th</sup> Regular Meeting and Public Hearing.

With no other corrections being suggested, Mr. Smith called for a motion to approve the December 16, 2010 Regular Meeting and Public Hearing minutes as corrected. Mr. Jeffords made a **motion to approve the December 16, 2010 Regular Meeting and Public Hearing minutes as corrected**, and Mr. Williford **seconded the motion**. The motion passed unanimously with a vote of 6-0.

**3. Public Comment**

**Mr. Smith opened the “Public Comment” section** to any member of the public who would like to address an issue related to the Planning Commission. He stated that if the public would have an opportunity to speak during the “Public Hearing” section for each item on the agenda if they had any comments to make on those items.

Randy Hayes, Resident of 609 S. Mechanic Street and 310 Greenville Street, Mayor of Pendleton, stated that he was delighted with the volunteerism present with the Planning Commission members continuing their terms as well as for the new members. He stated that the Planning Commission is an exceptionally dynamic group and has been instrumental in a lot of good things happening in Pendleton. He stated his great appreciation for each member's willingness to serve.

Mr. Smith asked if there was anyone else that would like to comment.

With no further requests to speak, **Mr. Smith closed the “Public Comment” section** of the meeting.

**4. New Business**

**a) Rezoning Request for a parcel of land off Pioneer Rd, Hwy 76, and Laurel Drive (TMS# 040-13-04-006) from R-1, Low-Density Residential to AB, Areawide Business District**



Mr. Smith stated that rezoning request for TMS# 040-13-04-006 was table until the January PC Meeting so that the PC could hear from the applicant. He asked Mr. Kurjiaka if he would like to provide the Staff Report for this request.

Mr. Kurjiaka read the items on the Staff Report as follows:

- Applicant/Owner:** W. Richard McClellion
- Request:** **Rezoning** of .55 acres of property located on Pioneer Road and Hwy 76 that backs up to Laurel Drive (TMS# 040-13-04-006) **from R-1 (Low Density Residential) to AB (Areawide Business).**
- Property Location:** Off of Highway 76 and Pioneer Road behind the abandoned gas station formerly named “El Cheapo”
- Existing Zoning:** R-1 (Low-Density Residential)
- Requested Zoning:** AB (Areawide Business)
- Future Land Use Map:** Low-Density Residential
- Surrounding Zoning & Land Use:**
  - Northeast:* Zone: R-1 (Low-Density Residential)  
Land Use: Town of Pendleton Sewage Pump Station
  - Northwest:* Zone: R-1 (Low-Density Residential)  
Land Use: Single-Family Detached Residence
  - West:* Zone: AB (Areawide Business)  
Land Use: Vacant Commercial Property, Old Palmetto Bank Building
  - South:* Zone: R-1 (Low-Density Residential)  
Land Use: Old El Cheapo Gas Station
  - East:* Zone: AB (Areawide Business)  
Land Use: Auto Repair Garage and Single Family Detached Residence

**Existing Conditions:** The .55 acre site for which a rezoning is being requested is currently vacant. The property has frontage on Highway 76, Pioneer Road, and Laurel Drive. The southern half of the property is at grade with Pioneer Road, about 10 feet below grade at Hwy 76, and approximately 10-15 above grade at Laurel Drive while the northern half slopes down to the same grade as Laurel Drive. The majority of the property is on the same grade as the El Cheapo vacant gas station.

**Staff Recommendation:**



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Staff recommends APPROVAL of the rezoning request from R-1 Low Density Residential to AB – Areawide Business District for the following reasons:

1. The property is situated much more similarly to the surrounding commercial properties than the residential properties. The majority of the property is at grade with the former El Cheapo gas station and Pioneer Road and is slightly below grade from Highway 76. Only a very small portion of property is at or near grade with Laurel Drive and the residential portion surrounding it. The greater similarities to the commercial properties than residential properties make the property more fitting as a commercial property. Further, the positioning of the old gas station and sewer pump station make it very unlikely that the property will ever be developed as a residential property.
2. Recent discussions regarding permitted land uses in the Areawide Business District included talk not just about specific land uses to be allowed, but about the very limited amount of viable commercial property that is available in Town. The limited amount of viable commercial property in Town has a direct correlation to the amount of tax revenue that the Town brings in each year. The strained budget in Pendleton and the need for more viable commercial properties make this property an appropriate fit for Areawide Business District designation.
3. A letter that was enclosed with the Planning Commission meeting materials states that the covenants and restrictions have expired for the subdivision that this property had originally been part of. Regardless of their expiration, the covenants and restrictions clearly stated that this lot could be used for “non-residential” purposes, showing that in the initial planning of the subdivision that there were considerations to the property’s possible commercial use.
4. The Future Land Use Map designates the future land use of the property to be “Low Density Residential”. Although rezoning of property is typically only allowed to the designated land use, a rezoning request may also be granted if there were circumstances that had changed since the map was created or if there were circumstances that were not fully considered for a property upon creation of the map. As stated, due to the position of the old gas station and sewer pump station, and also with the grade of the majority of the property being level with the surrounding commercial, this property is unlikely to be developed as residential and is not well suited to be developed in that manner. As stated in the Comprehensive Plan, the Town wants to promote compatible distributions of land uses. Approval of this property for commercial use would promote compatible land uses so far as allowing commercial uses next to established commercial uses. The standards in the Zoning Ordinance for screening, the different grade/elevation levels, and the sewer pump station as a buffer will help to minimize the impacts of the commercial land use adjacent to the existing low density residential neighborhood. Further, the Towns requirements for lighting will help to ensure that lighting of future commercial uses on the property will be contained result in minimal impact to surrounding residences.

Mr. Smith stated that a representative for the applicant was in attendance and asked if he would like to speak.



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Richard Bennett, 307 Compass Point, Anderson, agent for W. Richard McClellion, stated that he had gone to high school in Pendleton and is very familiar with the Town. Mr. Bennett stated that a number of years ago, the town had threatened to condemn the home on the property was part of the property requested for rezoning and the sewer pump station property. He stated that at the time, he purchased the property, broke it into two pieces, and sold the one piece to the Town of Pendleton for the pump station. He stated that he thought this saved the Town quite a bit of hassle. Mr. Bennett stated that at the time his intent was to have the property be commercial and have access to Hwy 76. He stated that this property was one of the more commercially viable pieces of property in Town limits due in large part to the availability of sewer. He stated that a large chunk of the property was filled by the sewer project. He stated that the gas station on the neighboring piece of property is out of date, and that his intent is to market both pieces of property at the same time. The combined properties would be right about the size that could be used for a fast food restaurant or a gas station. He stated that this could bring more business to Town. He stated that he did not have any building or plans for the property at this moment. He stated that he had talked about the property with Community South Bank.

Ms. Robinson asked who the owner of the property requested for rezoning is.

Mr. Bennett stated that it is Dickey McClellion, and that Mr. Bennett used to own the property.

Mr. Smith asked Mr. Bennett if he still owns the car wash.

Mr. Bennett stated that his wife owns the car wash. He stated that when the market went south, he liquidated many of his properties. The property requested for rezoning was purchased by Mr. McClellion.

Ms. Robinson asked if the future use is up to him.

Mr. Bennett stated that the future use currently is up to Mr. McClellion, but Mr. Bennett does have some influence as his agent.

Mr. Glaze stated that Community South Bank out of Knoxville, TN owns the "El Cheapo".

Mr. Bennett stated that the business that would possibly want to be located in this spot would need around an acre to meet setbacks and parking standards. He stated that he does have an interest in what goes on with this property as his wife owns the car wash next to it. He stated that he would not want to see anything that would be detrimental to the area.



Mr. Smith expressed his concern regarding possible access to Laurel Drive.

Mr. Bennett stated that it would be difficult to grade an entrance from Laurel Drive that would allow larger trucks to use it. He stated that it would not be in his plans to access Laurel Drive.

Ms. Huntzman stated that there is over 100 feet of property on Laurel Drive. She stated that she would feel more comfortable there was something that prohibited access to Laurel Drive from this property.

Mr. Jeffords asked whether there was an issue with the Future Land Use of the property.

Mr. Kurjiaka stated that the Future Land Use Map should be used as a guideline for rezoning and not necessarily a standard that lacks any flexibility. Mr. Kurjiaka stated that in looking at rezoning requests, the future land use designation is important, but it is also important to look at the other land uses that surround that property and make a determination as to whether there are compatibility issues and if those compatibility issues are mitigated in any way by existing ordinances. Further, there should be consideration to any changes that may have taken place since the future land use map was made. The PC should also be considering the best use of that piece of property, which they hopefully were doing in creating the Future Land Use Map.

Mr. Bennett stated that Pendleton has some clear obstacles for commercial development in Town. He stated that many commercial businesses want to be at a red light, but there aren't many opportunities at red lights in Pendleton considering the sewer stops at Hwy 76 and South Mechanic Street. He stated that he knows banks want to come towards Pendleton, but there are limited commercial properties. He hopes that Mr. McClellion and the "El Cheapo" can both be sold at one time. This would solve the problem of having commercial property and getting rid of the dilapidated "El Cheapo" at one time. He reiterated his plan to market the two pieces of property together.

Mr. Smith asked if the PC had any further questions for Mr. Bennett. With no question, Mr. Smith **opened the Public Hearing section** to allow any public to speak regarding the rezoning.

With no public requesting to speak, Mr. Smith **closed the Public Hearing section**.

Mr. Smith asked if there were any other questions or comments from the Planning Commission.



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With no further comments, Mr. Smith called for a motion to vote for the rezoning request for a parcel of land off Pioneer Rd, Hwy 76, and Laurel Drive (TMS# 040-13-04-006) from R-1, Low-Density Residential to AB, Areawide Business District. Mr. Glaze made a **motion to approve** the rezoning request for a parcel of land off Pioneer Rd, Hwy 76, and Laurel Drive (TMS# 040-13-04-006) from R-1, Low-Density Residential to AB, Areawide Business District with the condition that the property shall not have vehicular access to Laurel Drive, and Mr. Jeffords **seconded the motion**. The motion passed unanimously with a vote of 6-0.

## b) Comprehensive Plan Preliminary Timetable

Mr. Smith asked Mr. Kurjiaka if he would like to speak regarding the Comprehensive Plan.

Mr. Kurjiaka stated that he had passed out several sheets before the meeting relating to the Comprehensive Plan process. He stated that one of the documents came from the Comprehensive Planning Guide for Local Officials which highlights the Comprehensive Plan Enabling Act of 1994. This document states that by law the comprehensive plan needs to achieve three things: 1) Inventory of existing conditions, 2) Needs and goals of the community, and 3) Implementation strategies to achieve the identified goals. Mr. Kurjiaka stated that the inventory section needs to contain nine elements, seven of which are included in the Comprehensive Planning Process document and two more listed in the State Law document. The two new elements that were not part of the last Comprehensive Plan drafted by the Planning Commission are a transportation element and a priority investment element. The priority investment element should include a prioritization of capital improvements and should show coordination with other local government and public entities in that prioritization. Mr. Kurjiaka stated that the graph that was placed at each member's spot showed the process and approximate timetable. The first five items in the chart are required by law with the exception of the visioning element. The vision is not required, but is important in the prioritization of needs portion of the Comprehensive Plan.

Mr. Kurjiaka stated that there are two Clemson University projects that are taking place in town that will feed into the Comprehensive Plan. The first project is a Community Profile for the Town being conducted by Professor Ken Robinson. The goal of this project is to identify some aspects of the community which the people feel are assets. This will feed into the inventory section of the comprehensive plan. The class will be beginning in February. In the Community Profile, information on the population, economy, community assets, and local government will be researched and provided for the Town. The project is



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expected to be done by the end of the spring semester. The class may be available to present their findings.

Mr. Glaze stated that his concern is making sure that the elected officials are involved with the project and approve the process.

Mr. Smith stated that past student projects have produced mixed results and wanted to make sure that the product was not too complicated.

Ms. Robinson stated that she wanted to make sure that the Town had some input into the process and what information was being gathered.

Mr. Kurjiaka stated that he did get an opportunity to meet with the professor and that the Mayor and Administrator would also be meeting with the professor. Some input has already been provided as to the information that is more important. Mr. Kurjiaka stated that he has seen a template of what they professor is attempting to have his students achieve and that it is only 10-15 pages in length. He stated that he is looking forward most to getting some of the raw data that Town Staff and the Planning Commission could use to fit their needs.

Ms. Robinson stated that it is good to have Clemson University working in Town and that it is important that the town government is supporting the University's efforts.

Ms. Robinson asked if the class was all undergraduate students.

Mr. Kurjiaka stated that the class would be a mix of graduate and undergraduate students.

Mr. Glaze stated that he thought the project could prove beneficial, but wanted to make sure that people were aware that this is going on in their town.

Mr. Jeffords asked who would have to do the work if the students don't do it.

Mr. Kurjiaka stated that it would be himself and the Planning Commission and that this could influence the timetable for getting the Comprehensive Plan completed.

Mr. Jeffords stated that he has no problem with the students doing the work and that the town is capable of taking what they want out of the project.



Ms. Robinson stated that if there is something that the class isn't doing that needs to be done, Mr. Kurjiaka should make sure that the professor is aware that that needs to be done.

Mr. Kurjiaka stated that this project should be good because it will highlight some of the needs and goals of the town.

Mr. Kurjiaka stated that there is one other project being headed by Clemson University that will also feed into the Comprehensive Plan. Mr. Kurjiaka stated that "Your Town" program is something that the Town Council is aware of and had been addressed at the December Council Meeting. The Council showed support for a reapplication this year. Clemson University, with the support of the Town, had sent in a proposal for "Your Town" workshop grant in 2010. This proposal was denied primarily based on the fact that a workshop had been done in Spartanburg recently.

Ms. Robinson stated that the University was strongly encouraged to reapply this year.

Mr. Kurjiaka stated that the 2011 request for proposal was just released that day. The "Your Town" workshop would typically be a 2.5 day workshop that would focus on needs of the community relating to design. For the workshop, speakers and experts would be brought into the town to provide insight on options for correcting identified issues. Participants would be chosen from the community as a think-tank of ways to solve the identified problems and issues and putting together some implementation strategies.

Ms. Huntman asked where the matching funds would be coming from.

Mr. Kurjiaka stated that the matching funds could be in-kind funds obtained in multiple ways. Use of facilities, time spent organizing the workshop and other support could all be counted towards the in-kind match.

**5. Old Business**

Mr. Smith asked if the Planning Commission had any "Old Business" that had to be addressed. No one responded.

**6. Other Business**

**a) Planning Official Training Requirements**



Mr. Smith asked Mr. Kurjiaka if he would like to explain the Planning Official Training Requirements.

Mr. Kurjiaka stated that the PC packet for January included an email from Jennifer Vissage, the coordinator for planning education at the ACOG. The training is supposedly going to be different this year than last, but the only difference that Mr. Kurjiaka could see was that less DVD's will be used. He stated that each county will only hold two sessions and that he will ask about Pendleton hosting one of those sessions. He stated that first year members will have to go through a six hour orientation session and all other members will have to complete three hours of continuing education.

**b) Elections for Planning Commission Chairperson, Vice Chairperson, and Secretary (Elections to be held at the February PC Meeting)**

Mr. Smith stated that the Planning Commission would have elections for the position of Chairperson, Vice Chairperson, and Secretary at the February Meeting.

**7. Adjourn**

With no more business left, Mr. Smith called for a motion to adjourn. Mr. Jeffords made the **motion to adjourn** and Ms. Robinson **seconded the motion**. The motion passed with a unanimous vote of 6-0. The meeting adjourned at 7:31 pm.