PENDLETON
SOUTH CAROLINA
History, Hospitality & Happenings!

Town of Pendleton
Planning Commission
Called Meeting
November 12, 2026
Pendleton Town Hall, 6:00 pm

AGENDA:

1. **Call to Order:**

2. **Approval of prior meeting minutes:** Approval of the meeting minutes from October 8, 2026. October 26 UDO work session meeting minutes postponed to November 16 UDO Work Session.

3. **General Public Comments**.

4. **Public Hearing**
   a. Hold a Public hearing to gather information before making a recommendation to Pendleton Town Council to amend the zoning map and to rezone 924 South Mechanic Street, having TMS#40-13-02-012(0.42 Acres), and Hillcrest 7700 Highway 76(0.86 Acres), having TMS#40-13-03-001, from Conservation Open Space District (CO) to Area-Wide Business (AB).

5. **Action Item**
   a. The consideration of approving a resolution making a recommendation to Pendleton Town Council to amend the zoning map to rezone property located at 924 South Mechanic Street, having TMS#40-13-02-012(0.42 Acres), and Hillcrest 7700 Highway 76(0.86 Acres), having TMS#40-13-03-001, from Conservation Open Space District (CO) to Area-Wide Business (AB).

6. **Adjournment:**

PENDLETON
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History, Hospitality & Happenings!

Town of Pendleton
Planning Commission
Regular Meeting
October 8, 2026
Pendleton Town Hall, 6 pm

Planning Commissioners Present: Ms. Melissa Jones, Mr. Richard Baldwin, Chair Skeet Holland, Vice-Chair Sara Dawson.

Staff Present: Mr. Owen Rines

MINUTES:

1. **Call to Order:**
   Chairman Holland called the meeting to order at 6:00 pm

2. **Approval of prior meeting minutes:**
   Mr. Baldwin moved to approve the minutes; Ms. Jones seconded. Mr. Moloney abstained from voting. Motion passed unanimously.

3. **Public Comments**.
   Chairman Holland opened the meeting at 6:02 pm.

   No Public Comment.

4. **Public Hearings:**
   a. Hold a Public Hearing to gather information before making a recommendation to Pendleton Town Council to amend the zoning map and to rezone property located at 610 Cherry Street, having TMS#40-16 -01-002 from R2(Low-Density Residential) to R1(Low-Density Residential).

      - No comments from the public were made on this item.

   b. Hold a Public Hearing TO RECEIVE PUBLIC INPUT REGARDING SETTLEMENT OF A PENDING LAWSUIT - CIVIL ACTION NO. 2026-CP-04-00160, WHICH SETTLEMENT INCLUDES AN ORDINANCE AUTHORIZING AND APPROVING A DEVELOPMENT AGREEMENT BY AND AMONG THE TOWN OF PENDLETON, SOUTH CAROLINA, CPG DEVELOPMENT, LLC, AND MCCABE PROPERTIES, LLC, PURSUANT TO THE SOUTH CAROLINA LOCAL GOVERNMENT DEVELOPMENT

AGREEMENT ACT, TITLE 6, CHAPTER 31 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, WITH RESPECT TO APPROXIMATELY 79.76 ACRES LOCATED BETWEEN CHERRY STREET EXTENSION AND LEBANON ROAD AND IDENTIFIED AS ANDERSON COUNTY TAX MAP NOS. 62-00-08-009 AND 63-00-01-007, KNOWN AS THE RETREAT AT TOWN CREEK; FINDING THAT THE PROPERTY CONTAINS TWENTY-FIVE ACRES OR MORE OF HIGHLAND AND THAT THE TERM OF THE DEVELOPMENT AGREEMENT COMPLIES WITH SECTION 6-31-40; FINDING THAT THE DEVELOPMENT AGREEMENT AND THE DEVELOPMENT AUTHORIZED THEREBY ARE CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS; ESTABLISHING REQUIREMENTS AND PROCEDURES FOR THE DEVELOPMENT AGREEMENT, INCLUDING REQUIRED INFORMATION AND PERIODIC REVIEW; AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER THE DEVELOPMENT AGREEMENT; PROVIDING FOR RECORDATION; AUTHORIZING THE SETTLEMENT AND DISMISSAL OF CIVIL ACTION NO. 2026-CP-04-00160; AND OTHER MATTERS RELATED THERETO. (No action will be taken on this item by the Planning Commission.)

- Staff read their brief report on the development agreement.
- Chairman Holland provided some background on the development history and new zoning ordinances that were being passed by the Town Council, which the development will have to comply with going forward.
- Mr. Baldwin of the Planning Commission read Jill Gemmill's comments of the Planning Commission aloud. See Attached
- Kris Yon, 203 Jim Smith Road.
    - Has property at the other end of Cherry Street Extension. See attached.
- Debrah Butler, 1107 Cherry Street
    - Residents will be impacted by the Pump Station. She is concerned about the water and flooding. The impact on the value of her and her family's property concerns her. Asked if there was a need for a pump station to be in that area; that was her concern.
- David Symborksi 1200 Cherry Street
    - See attached
- Linda Symborksi, Cherry Street Extension, spoke on behalf of several people.
    - Read Mr. Alex Symborkski's statement; see attached
- Linda Symbroski, David Alverson, 122 Woodhaven Drive
    - See attached
- Linda Symborksi, Skip Still, 1016 Challedon Way
    - See attached
- Linda Symborski, her statement, 1200 Cherry Street Extension, and Betty and Jimmy Jackson comments
    - Mr. Jackson feels strongly about the development agreement. He has lived in the area longer than the development has been in existence.

- see additional attached.

- Joy Beck 1006 Challedon Way
  - People admire Pendleton. The point they are trying to make is that as a planning commission, there are standards that have to be met. The developers haven't looked at the floodwater and runoff. Professors have spoken in the past on the development and impact on land and crops. The buffers went from 40 feet to being minimal. Asked the planning commission to plan. The town is not hurting for homes; there are houses on 187 that are empty. Please look at the property and the standards.
- Bill Markot, 1011 Challedon Way
  - Stated he was with the group wholeheartedly. Dig into the details to look into the development before making an approval. His biggest concern was Cherry Street itself. It is not up to par with the traffic they have now. Dangerous to go any direction when leaving the road. Concerned for his own and his family's safety. The town of Pendleton would have significant liability if something happened because there has not been a traffic study done. Very concerned about his neighbors' safety and even the people who will be coming out of this road. A traffic study needs to be done. Someone will get killed if the traffic problem is not addressed. The town of Pendleton will have significant liability if this issue is not addressed.
- Alex Symborski 1200 Street extension
  - Development agreement stated it fits the comp plan. Existing zoning preempts a comprehensive plan. You cannot take an area with predefined zoning and impose a new use. This was the only point he needed to make. Thanked the commission and sat down.
- Linda Symborksi, spoke for Stuart Pennan, owner of Villages at Town Creek Apartments.
  - Stated Mr. Pennan has maintained the complex well. Stated that the owner of the property told him there would only be 78 single-family cottage-style homes. The ingress and egress for this would not be a problem; now, he will have to share it with over 200 units. He is concerned about the road being backed up by people trying to leave and the impact of people leaving the development.
- Chairman Holland reiterated that the hearing was just to hear comments. Addressed several concerns that were brought up during the Public Hearing. DHEC is responsible for reviewing pump stations and other infrastructure. The town does not control the postal service. Stormwater is also controlled by SCDES. All state roads require traffic studies by the state. Control entrances and exits, and new roads going onto state roads are also controlled by the state. They will still have to comply with all state regulations, as this was a court order to comply with the agreement. This is why they do not have a vote. He has written notes on things people have brought up and would like to revisit them when working for the UDO. That is how we will protect the future and ensure future developments have to meet the new regulations

- Mr. Alex Symborski Rebuttal, 1200 Cherry Street Extension
    - It is a legal truism that 05-01 was a non-contiguous annexation, 05-13 was a reaffirmation, and was not an adequate cure for the mistake of 05-01. Some courts uphold that the parcel is still within county limits. As such, 620008009 is also in county limits. He has seen no demonstration of going back to the previous 050-13 and having affirmed that the declaration of PDMU was installed with a correct public hearing, first reading, and second reading. Contesting the jurisdiction. Wants a legal opinion read into the record. Don't want you to have that behind you instead of in front of you.
- Chairman Holland stated that any actions taken under the agreement would need to be filed with the court. Outside of the planning commission's purview

5. Action Item:

a. The consideration of approving a resolution making a recommendation to Pendleton Town Council to amend the zoning map to rezone property located at 610 Cherry Street, TMS#40-16 -01-002, from R2(Low-Density Residential) to R1(Low-Density Residential).

- Mr. Baldwin made a motion to accept the request as submitted, and Ms. Jones seconded. Motion passed unanimously.

6. Adjournment:

a. Chairman Holland moved to adjourn. Ms. Jones seconded. Unanimous approval.

Chairman: _____ Date:_____

← Back

Inbox
Sent
Drafts
Trash
Spam
Folders
...

Fw: Planning Com. Tonight Draft

Inbox

Kris Yon
To: me · Thu, Oct 8 at 4:33 PM

This proposed plan is a poor match for the site choice.
The site will need to be clear cut and graded to build infrastructure, needed for 215 houses, roofs ,roads, driveways, and parking.
The impervious services created needs 6 storm management ponds.
The topography also is not suited for this plan. It is hilly and has a creek and two tributaries that will be impacted.
A planned development purpose is to protect property owners and protect community character which this plan does not.
I would prefer to see more cluster development with more natural greenspace.
Larger buffer for neighbors impacted. Picture 40 only 25 now
My other concern is the mixed-use. Looking at the Land use map and Future land use map of Pendleton The parcel on Cherry St extension is planned Residential NOT commercial.
These 2 plans direct our towns infrastructure needs. There is talk about a Pump station on Cherry street. Is this needed for this project?
Ed McMahon, Director of American Greenways reports "Citizens were in favor of progress until we saw what it looked like. "
This does not look good and Pendleton can do better and be an example of smart growth.

Linda Symborski 1200 Cherry St. Ext Pendleton + Jimmy + Betty Jackson

SO LET'S REVIEW SOME OF THE DEVELOPMENT AGREEMENT:

FIRST AND FOREMOST, IF YOU ACCEPT THIS DEVELOPMENT AGREEMENT AS WRITTEN, IT SUBSTANTIALLY LIMITS THE TOWN'S PRESENT AND FUTURE LAND USE AUTHORITY.

IT CLEARLY STATES THAT LAND USE OF THIS PROPERTY IS GOVERNED BY THE SITE PLAN, STATEMENT OF INTENT, AND DEVELOPMENT AGREEMENT **"TO THE EXCLUSION OF ALL OF THE TOWN'S OVERLAY DISTRICTS, ORDINANCES, AND TOWN REGULATIONS".**

ITS EXHIBITS BECOME THE GOVERNING LAND-USE LAW, AND LATER MUNICIPAL REGULATION GENERALLY CANNOT INTERFERE WITH THE RIGHTS IT CREATED.

IT CONFIRMS THAT THE TOWN **REPRESENT, WARRANT AND COVENANT** THAT THE DEVELOPMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN, EVEN BEFORE YOU HAVE BEEN ABLE TO REVIEW IT.

THIS AGREEMENT PERMITS SUBSTANTIAL "ADMINISTRATIVE" RESPONSIBILITIES FOR MODIFICATIONS TO AN UNDEFINED PERSON WITHOUT RETURNING TO COUNCIL OR PLANNING COMMISSION. CONSEQUENTLY, THERE IS TOO MUCH LATITUDE IN THIS STATEMENT AND MAY BE ADMINISTERED BY INCONSISTANT PERSONEL AT VARIOUS TIMES. THE PLAN YOU SEE TODAY IS NOT NECESSARILY THE PRECISE CONFIGURATION RESIDENTS WILL ULTIMATELY SEE BUILT.

THE COMMERCIAL ASPECT OF THIS AGREEMENT IS RELEATIVLY NON-SPECIFIC. IT ONLY STATES THE USE TO BE "COMMERCIALLY REASONABLE". THIS LACK OF DEFINITION OF PERMISSIONS IS TROUBLING AS TO THE CHARACTER AND USEAGE OF THIS SPACE.

THERE IS AN OBVIOUS DRAFTING ERROR IN ARTICLE V. THERE ARE TWO SECTION 5.18S: THAT NEEDS CORRECTIONS BEFORE RADIFICATION AND EXECUTION. ONE IS TITLED — FORCE MAJEURE AND THE OTHER IS CALLED — SEVERABILITY. THERE ARE OTHER DRAFTING ERRORS THROUGHOUT THE DOCUMENT AND THESE REINFORCE MY VIEW THAT COUNCIL SHOULD INSIST UPON A CLEAN, EXECUTABLE VERSION RATHER THAN APPROVING AND ACCEPTING IT FOR LATER CLEANUP.

Developer is responsible for:
Paying own attorney fees
Internal roads construction
Developing sanitary sewer lines and its distribution within the development until HOA is deployed

Developer is not required to:
Paying Town attorney fees

Outlook

Planning Commission Meeting - Thursday, October 8, 2026

[redacted]

Due to sickness, Jimmy and Betty Jackson are unable to attend the meeting on Thursday, October 8, 2026, but authorize Linda Symborski to speak on our behalf. We have outlined to Linda what we would present if we were able to attend in person and she has agreed to do this.

Jimmy and Betty Jackson
125 Woodhaven Drive

Skip Still 1016 Challedon Way, Pendleton

Skip has a very interesting signature on his email. He quotes Teddy Roosevelt saying "It is high time to realize that our responsibility to the coming millions is like that of the parents to their children, and that in wasting our resources we are wronging our children"

His interest tonight is the:

Comprehensive Plan

IT IS THE RESPONSIBILITY OF THE PLANNING COMMISSION TO REVIEW AND DETERMINE IF THIS DEVELOPMENT AGREEMENT SATISIFIES THE COMPREHENSIVE PLAN.

THAT AUTHORITY DOES NOT REST WITH THE DEVELOPMENT STATEMENT IN MAKING A DETERMININATION.

IT MAY ALSO BE CONSIDERED ILLEGAL FOR THE TOWN COUNCIL TO INFLUENCE PLANNING COMMISSIOMNERS BEFORE ANY REVIEW OR RECOMMENDATION BY PRODUCING A DEVELOPMENT AGREEMENT THAT ALREADY STIPULATES THAT IT IS FOUND TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN.

SOUTH CAROLINA CODE SECTION 6-29-760 ALLOWS THE PLANNING COMMISSION UP TO 30 DAYS TO MAKE THAT REVIEW BEFORE MAKING A RECOMMENDATION TO THE TOWN COUNCIL.

THIS DEVELOPMENT AGREEMENT SHOULD BE DENIED OR AT LEAST TABLED UNTIL THE PLANNING COMMISSIONERS HAVE HAD SUFFICIENT TIME FOR REVIEW AND THEN MAKE RECOMMENDATIONS TO TOWN COUNCIL.

THIS MEETING TONIGHT SHOULD BE CONSIDERED NOT BINDING. PLEASE USE YOUR TIME WISELY IN REVIEWING THE COMPREHENSIVE PLAN AND HOW THIS DEVELOPMENT AGREEMENT FITS INTO IT.

Outlook

Re: Authorized

[redacted]

I authorize Linda Symborski to speak on my behalf at the Planning Commission meeting and to use my allotted time

Hugh "Skip" Still

"It is high time to realize that our responsibility to the coming millions is like that of parents to their children, and that in wasting our resources we are wronging our children."
Teddy Roosevelt

On Oct 7, 2026, at 11:17 AM, Hugh Still [redacted]

I authorize Linda Symborski to utilize my 3 minutes of time during the Planning Commission Meeting.

"It is high time to realize that our responsibility to the coming millions is like that of parents to their children, and that in wasting our resources we are wronging our children."
Teddy Roosevelt

Dave Alverson 122 Woodhaven Dr. Pendleton

Illegal time allotted for statutory notice to the public

TOWN OFFICIALS STATED THIS IS A REGULARLY SCHEDULED MEETING SO THEY ARE NOT BOUND TO ABIDE BY THEIR OWN ZONING REGULATIONS REGUARDING PLANNED DEVELOPMENT PUBLIC NOTICES.

SOUTH CAROLINA CODE SECTION **6-31-50** VIEWS PLANNED DEVELOPMENT STATEMENTS IN THE SAME REGUARD AS A ZONING CHANGE. THIS REQUIRES A POSTING IN A LOCAL NEWSPAPER. THE TOWN OF PENDLETON ZONING ORDINANCE, SECTION 7-3, TAKES IT ONE STEP FURTHER AND ESTABLISHES PROCEDURES FOR SITE-PLAN REVIEW APPLICABLE TO PLANNED DEVELOPMENTS. SECTION 7-3(C) REQUIRES THAT THE PROPERTY BE PROPERLY POSTED AND MAINTAINED WITH NOTICE OF THE PUBLIC HEARING AT LEAST FIFTEEN (15) DAYS PRIOR TO THE DATE OF THE PLANNING COMMISSION HEARING.

YET A PUBLIC NOTICE WAS PLACED IN ANDERSON INDEPENDENT MAIL ON SEPTEMBER 27TH, PROVIDING AN ONLY 11 DAYS NOTICE, PUBLIC SIGNS WERE POSTED ON THE PROPERTIES ON WEDNESDAY, SEPTEMBER 30TH, PROVIDING AN 8 DAY NOTICE, AND ON TUESDAY EVENING, OCTOBER 6TH WHILE ATTENDING THE TOWN COUNCIL MEETING, I RECEIVED A PUBLIC NOTICE MAILING IN MY MAILBOX AT 6PM, GIVING ME ONLY A 48 HOUR NOTICE OF THIS MEETING.

IF THIS WERE REALLY BUSINESS AS USUAL, THERE WOULD NEVER HAVE BEEN SIGNS POSTED ON THE PROPERTIES, OR MAILINGS SENT OUT TO INDIVIDUAL MAILBOXES. TOWN OFFICIALS CAN'T HAVE IT BOTH WAYS.

MY QUESTION THEN IS WHY DID THE TOWN OFFICIALS EVEN MAKE AN APPEARANCE TO ADHERE TO THE REQUIRED STIPULATIONS OF NOTICE, BUT FELT UNDER NO OBLIGATION TO ABIDE BY THE TIMING REQUIREMENT OF ADVERTISING AT LEAST 15 DAYS IN ADVANCE.

FOR THIS REASON, THIS DEVELOPMENT AGREEMENT MUST BE DENIED OR TABLED UNTIL ALL LEGALLY REQUIRED NOTIFICATIONS ARE ADHEARED TO. THIS MEETING TONIGHT SHOULD BE CONSIDERED ILLEGAL AND NOT BINDING.

Outlook

Authorization for speaking time

[redacted]

October 8 2026

To: Linda Symborski

From: David Alverson
122 Woodhaven Drive, Pendleton

Subject: Authorization to utilize my speaking time allotment

Linda Symborski has my permission and authorization to speck on my behalf and utilizing the time that may be allotted to me regarding the proposed development of property east of Town Creek which has impending deleterious impact on our immediate area
I own property on Cherry Street directly across from her farm and close to the proposed entryway for the development.

– Submitted to Staff during public hearing

David Symborski, Woodruff, SC — Property owner within the Town of Pendleton limits.

There are significant zoning and legal issues that remain unresolved.

Ordinances **05-01, 05-07, 05-013, and 08-09** all remain fully in effect. These documents pertain to **Tax Map # 63-00-01-007**, which is the 41-acre PDMU known as *The Villages at Town Creek*. The ordinances authorize townhomes, commercial development, and single-family cottage-style homes fronting Lebanon Road. These public records were never lost; they were formally reviewed in 2022 under a FOIA request.

In addition, ordinances **09-14 and 10-02, along with an approved site plan and development statement** remain in effect. These documents govern **Tax Map # 62-00-08-009**, which is a separate 38-acre PDMU recorded as *The Gardens at Town Creek*. These ordinances authorize townhomes, single-family cottages, and senior living facilities fronting Cherry Street Extension. Contrary to prior indications, these controlling records remain intact and active.

It is the statutory responsibility of the Planning Commission to review these active ordinances and make appropriate recommendations to Town Council regarding their disposition.

Presently, the Town lacks the regulatory authority to enter into contract until the underlying zoning history and land-use conflicts are formally reconciled. Consequently, approving this ordinance and its attached agreement without resolving these governing records renders the action **procedurally non-compliant and legally invalid**.

For these reasons, this development agreement must be denied or tabled until all legally required public notifications and procedures are strictly adhered to. Proceeding under current conditions compromises the legal standing of tonight's proceedings.

The developer should be required to follow proper statutory procedures and submit a clean, updated development statement.

AN ORDINANCE **AUTHORIZING AND APPROVING A DEVELOPMENT AGREEMENT** BY AND AMONG THE TOWN OF PENDLETON, SOUTH CAROLINA, CPG DEVELOPMENT, LLC, AND MCCABE PROPERTIES, LLC, PURSUANT TO THE SOUTH CAROLINA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, TITLE 6, CHAPTER 31 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, WITH RESPECT TO **APPROXIMATELY 79.76 ACRES** LOCATED BETWEEN CHERRY STREET EXTENSION AND LEBANON ROAD AND IDENTIFIED AS ANDERSON COUNTY **TAX MAP NOS. 62-00-08-009 AND 63-00- 01-007**, KNOWN AS THE RETREAT AT TOWN CREEK; FINDING THAT THE PROPERTY CONTAINS TWENTY-FIVE ACRES OR MORE OF HIGHLAND AND THAT **THE TERM OF THE DEVELOPMENT AGREEMENT** COMPLIES WITH SECTION 6-31-40; FINDING THAT **THE DEVELOPMENT AGREEMENT** AND THE DEVELOPMENT AUTHORIZED THEREBY ARE CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS; **ESTABLISHING REQUIREMENTS AND PROCEDURES FOR THE DEVELOPMENT AGREEMENT,** INCLUDING REQUIRED INFORMATION AND PERIODIC REVIEW; AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER **THE DEVELOPMENT AGREEMENT**; PROVIDING FOR RECORDATION; AUTHORIZING THE SETTLEMENT AND DISMISSAL OF CIVIL ACTION NO. 2026-CP-04-00160; AND OTHER MATTERS RELATED THERETO

Alex Symborski, 1200 Cherry St. Ext. Pendleton

THERE IS A VERY IMPORTANT TERM IN THIS ORDINANCE AND IT WILL BE THE MOST IMPORTANT VERBAGE FOR THE PLANNING COMMISSION, AND THE PEOPLE OF PENDLETON.

IT IS "DEVELOPMENT AGREEMENT" AND IT IS REFERENCED THROUGHOUT THIS ORDINANCE FIVE (5) SEPARATE TIMES.

THIS DEVELOPMENT AGREEMENT AUTHORIZES THE DIMISSAL OF THE LAWSUIT. THAT IS THE EASY PART TO UNDERSTAND AND ACCEPT.

THIS DEVELOPMENT AGREEMENT REQUIRES AND AUTHORIZES THE RECORDING OF ITS PARTS. AGAIN, NOT A DIFFICULT TASK FOR THE TOWN.

HERE IS THE TRULY SCARY PART; THIS 40 PAGE DEVELOPMENT AGREEMENT IS ALL POWERFUL! RATHER THAN THE PLANNING COMMISSION SETTING TERMS AND STANDARDS, THIS DEVELOPMENT AGREEMENT CREATES ITSELF AS THE AUTHORITY. IT BINDS PENDLETON TO ADHERE TO ANY AND ALL OF ITS STATUTES.

THIS DEVELOPMENT AGREEMENT CLEARLY ESTABLISHES THE PARAMETERS THAT WILL REQUIRE THE PLANNING COMMISSION TO FOLLOW.

ADDITIONALLY, NEITHER THIS DEVELOPMENT AGREEMENT, NOR THE ORDINANCE THAT SUPPORTS IT, MAKES ANY MENTION OF AMMENDING OR REPEALING THE PREVIOUS LEGAL ORDINANCES, OF WHICH THERE ARE MANY.

THIS DEVELOPMENT AGREEMENT MUST BE DENIED UNTIL THE TOWN CAN COMPLY WITH STATE AND TOWN STATUTES.

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Staff Report to the Town of Pendleton Planning Commission for a recommendation to Town Council to rezone 924 South Mechanic Street, having TMS#40-13-02-012(0.42 Acres), and Hillcrest 7700 Highway 76(0.86 Acres), having TMS#40-13-03-001, from Conservation Open Space District (CO) to Area-Wide Business (AB).

Date of Report: November 4, 2026

Report By: Owen Rines, Interim Town Planner

Applicant: Site Design Inc., Zed Heydenburg

Request: Consideration of making a recommendation to the Pendleton Town Council on rezoning these adjacent parcels from CO(Conservation Open Space) to AB(Area-Wide Business)

Property Location: Off South Mechanic Street and US Hwy 76. 924 South Mechanic Street and Hillcrest, 7700 Highway 76.

Existing Zoning: Under annexation process, will be annexed as CO(Conservation-Open Space District). Estimated date of annexation: January 2027

Requested Zoning: AB(Area-Wide Business District)

Surrounding Zoning & Land Use of Adjacent Properties :

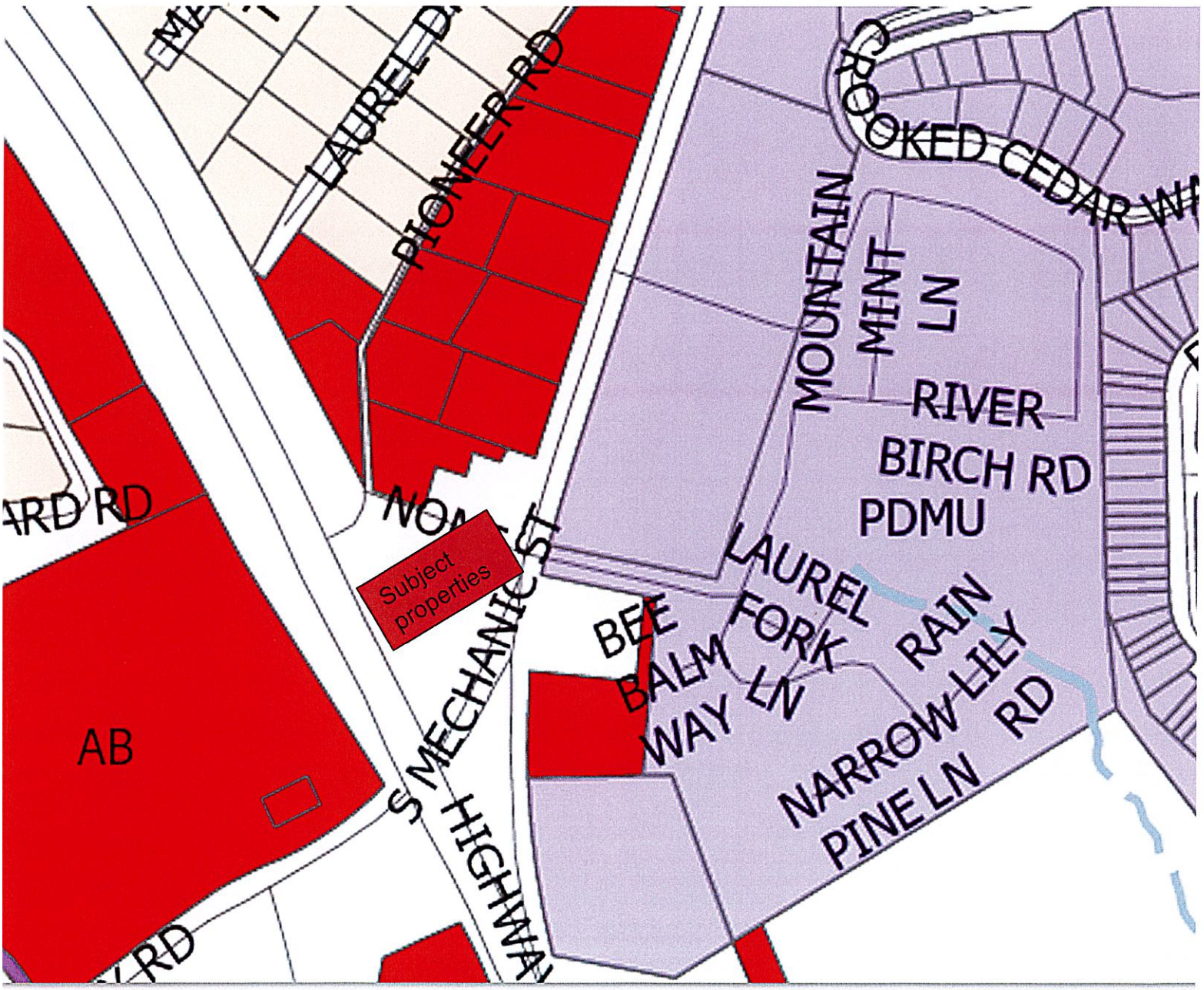
West: AB (Area-Wide Business District)
Land Use: Commercial
East: PDMU, AB, and unincorporated (Dollar General)
Land Use: Parking, Commercial
South: AB and unincorporated (Burger King)
Land Use: Commercial
North: AB (Area-Wide Business District)
Land Use: Commercial

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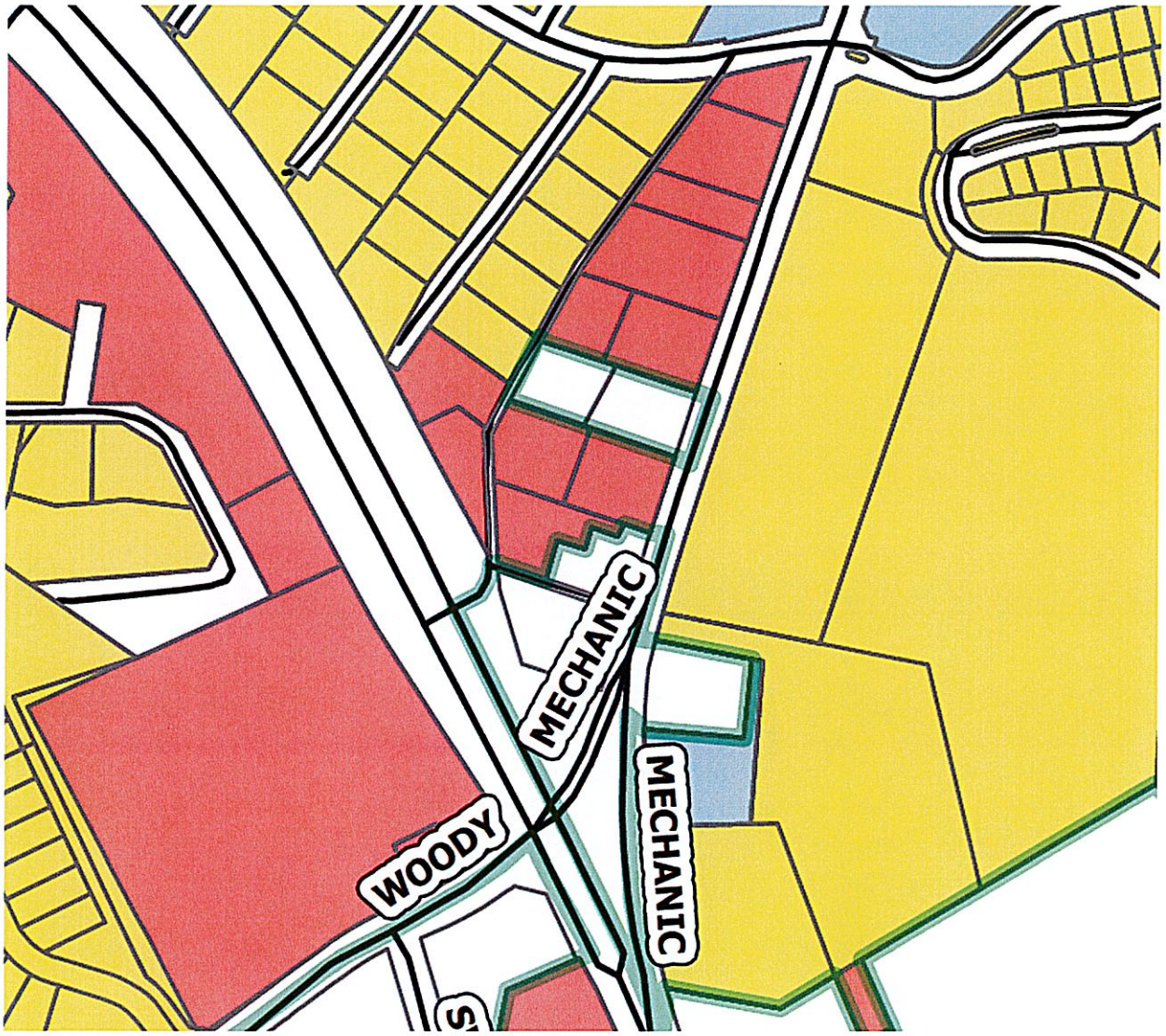
Reason for Request:

- The applicant has submitted a request to rezone the subject properties from Conservation Open Space (CO) to Area-Wide Business (AB) following annexation into the Town of Pendleton. The applicant states that the requested zoning designation is intended to facilitate future use of the property consistent with other uses within the AB district. The Planning Commission's review is limited to the requested zoning change.

Town of Pendleton Zoning Map, September 2026.



Future Land Use Map: Unincorporated



Town of Pendleton Future Land Use Map, taken from the 2023 Comprehensive Plan 2023-2033

Comprehensive Plan Considerations

- The subject properties were not included within the Town limits during preparation of the 2023 Comprehensive Plan and therefore were not evaluated as part of the Future Land Use Map.

- In reviewing the rezoning request, the Planning Commission may consider the relationship of the proposed zoning designation to adjacent zoning districts and existing land use patterns. The properties are located adjacent to existing commercial zoning districts and are situated within an area characterized by commercial development along Highway 76 and South Mechanic Street.



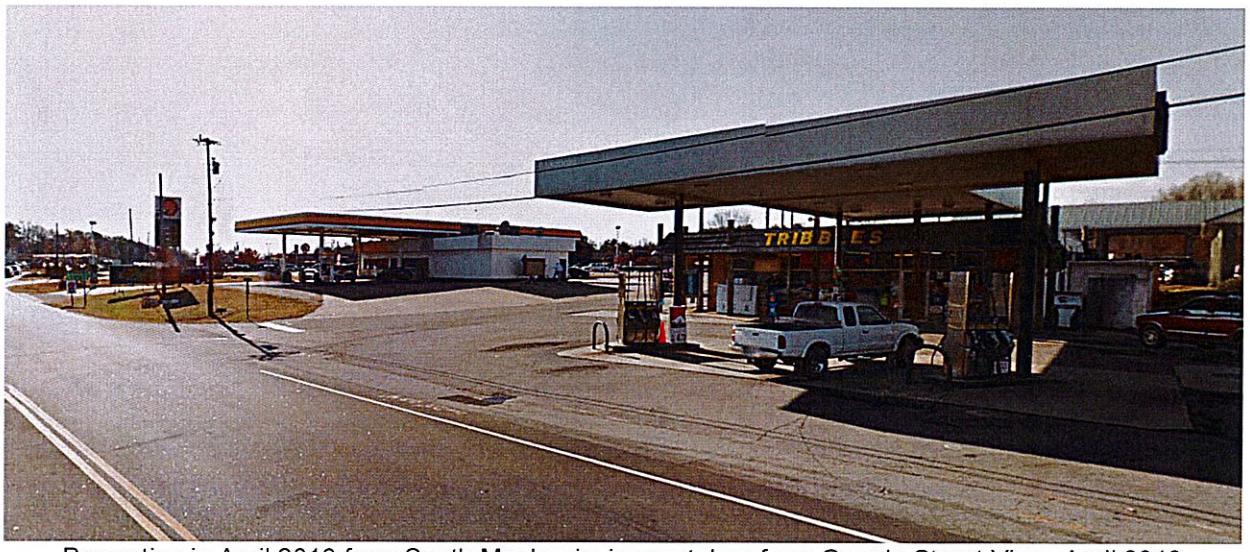
Subject properties from South Mechanic Street; image taken from Google Street View, February 2026



Subject Properties from Highway 76; image taken from Google Street View, February 2026

Existing Conditions:

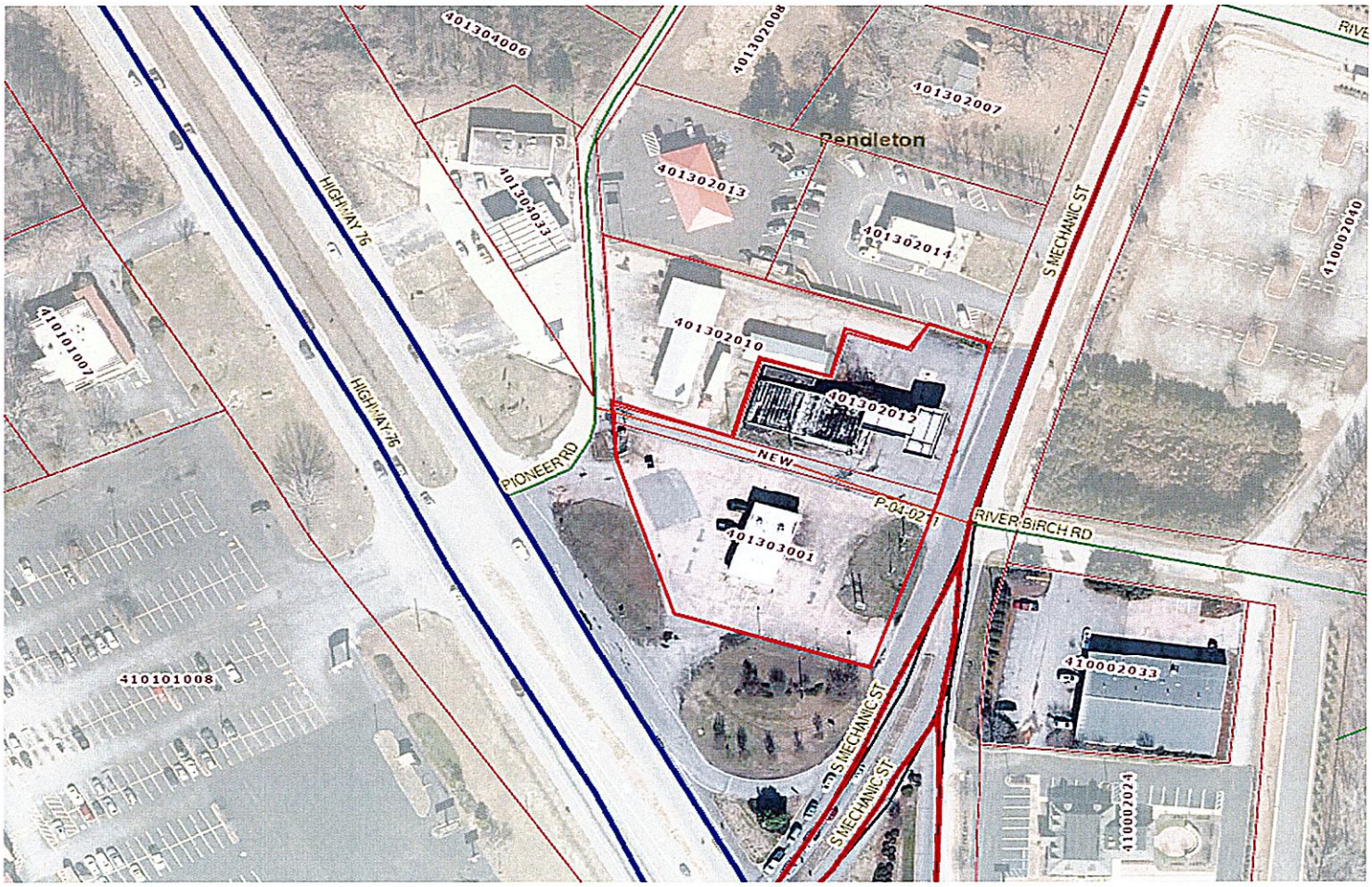
- The subject area consists of two adjacent parcels totaling approximately 1.28 acres located at the intersection of South Mechanic Street and U.S. Highway 76. The properties are identified as TMS #40-13-02-012 (924 South Mechanic Street, 0.42 acres) and TMS #40-13-03-001 (7700 Highway 76, 0.86 acres). The parcels are currently outside the Town of Pendleton municipal limits but are undergoing annexation. Town Council adopted a resolution accepting the annexation petition on November 2, 2026, with the annexation ordinance pending additional readings.
- The property at 924 South Mechanic Street contains a former convenience store and fuel sales site that is currently vacant. The property at 7700 Highway 76 is occupied by Tiger Liquor, which remains in operation. Both properties have historically been used for commercial purposes and contain existing site conditions associated with those uses.
- The subject properties are located within a predominantly commercial area along the Highway 76 corridor. Surrounding land uses include retail, restaurant, service, and convenience-oriented businesses. Several adjacent properties are zoned Area-Wide Business (AB), and the applicant has indicated an intent to combine the subject parcels with an adjoining parcel already zoned AB for future redevelopment. Any future development would be subject to separate review and approval processes and is not part of the current rezoning request.



Properties in April 2013 from South Mechanic; image taken from Google Street View, April 2013



Properties in April 2013 from Highway 76; image taken from Google Street View, April 2013



Aerial photography of the area, taken from Anderson GIS (2023)

Current Zoning Considerations: The subject properties are located outside the municipal limits of the Town of Pendleton and are currently undergoing annexation. Upon annexation, the properties will be assigned the Conservation Open Space (CO) zoning district pursuant to the Town's zoning procedures. The applicant has requested that the properties be rezoned to the Area-Wide Business (AB) district following annexation.

The properties are located at the intersection of South Mechanic Street and U.S. Highway 76 and are adjacent to an area containing a variety of established commercial uses. Surrounding properties include restaurants, retail establishments, convenience-oriented businesses, commercial parking areas, and other highway-oriented commercial activities. Properties immediately north and west of the subject parcels are zoned Area-Wide Business (AB), while additional commercial uses exist on nearby parcels both within and outside the municipal limits.

The requested Area-Wide Business (AB) zoning district is intended to accommodate a range of commercial uses that serve residents, visitors, and the traveling public. The subject properties are situated along a principal transportation corridor and in proximity to an existing concentration of commercial activity. The Planning Commission may consider whether the requested zoning designation is compatible with the development pattern and character of the surrounding area.

The applicant has indicated an intent to combine the subject properties with an adjacent parcel already zoned Area-Wide Business (AB) for future commercial redevelopment. The Planning Commission's consideration of this request is limited to the proposed zoning classification. Approval of a rezoning request does not constitute approval of a site plan, development permit, or specific use beyond those permitted within the AB district under the Town's zoning regulations. Any future development would be subject to applicable federal, state, and local regulations, as well as all required permits and approvals.

Historical records and aerial imagery indicate that the subject properties have been used for commercial purposes for an extended period, including convenience retail and fuel sales. Existing site conditions and prior land uses may be considered by the Planning Commission in evaluating the request.

SECTION 3-2 DISTRICT PURPOSES

A. R-1, Low-Density Residential District. A district for low-density one-family dwellings situated on lots having a minimum area of twenty thousand (20,000) square feet, and including customary secondary uses.

B. R-2, Low-Density Residential District. A district for low-density one-family dwellings situated on lots having a minimum area of ten thousand (10,000) square feet, and including customary secondary uses.

C. R-3, Medium-Density Residential District. A district for low-density one-family and two-family dwellings situated on lots having a minimum area of eight thousand (8,000) square feet, and including customary secondary uses.

D. R-4, Medium-Density Mixed Residential District. A district for medium-density one-family dwellings situated on individual lots having a minimum area of eight thousand (8,000) square feet, and including customary secondary uses.

E. MF, Multi-Family Residential District. Primarily a district for median- and high-density one-family and two-family residential development, including customary secondary uses.

F. AB, Area-Wide Business District. Primarily a district for retail and service uses along major streets and highways to serve both the traveling public and local residents.

G. NC, Neighborhood Commercial District. Primarily a district for the development of low-intensity commercial and service centers that are accessible by pedestrians and vehicular traffic, serve the daily convenience and personal service needs of the surrounding neighborhood, and are of such a nature as to minimize conflicts with surrounding residential uses and to allow for residential uses.

H. CB, Central Business District. Primarily a district for the intensive business and commercial development of certain areas of the town. Off-street parking is permitted separately and is not required as a use because of small lot sizes and intensity of development. This District is designed to provide comparative shopping opportunities within a concentrated area, and promote a business climate essential to the vitality and economic stability of the community.

Staff Recommendation:
Based on the information contained in this report, staff finds that the requested Area-Wide Business (AB) zoning designation warrants consideration by the Planning Commission and recommends that the request be forwarded to Town Council with the Planning Commission's positive recommendation.

ATTACHMENTS:
Attachment A: Request for rezoning.
Attachment B: Map of the area.
Attachment C: Legal ad & sign posting.

Docusign Envelope ID: C528F22E-BBC4-8A14-8099-E8D74AFF4DD1

Attachment: A

Rezoning Application Form

Town of Pendleton, SC

PENDLETON
SOUTH CAROLINA
History, Hospitality & Happenings!

Rezoning Application

Date: 9/16/2026 Request Number (to be filled by Staff): B26 - 185

Instructions:

1. Submit the application form with owner's signature, legal description, any other supporting documents,and a map with the rezoning area highlighted.
2. Application Fee = $300.
3. Deadline is thirty-five (35) days prior to the next Planning Commission meeting (see deadline schedule).

Name of Property Owner: AARUSH ENTERPRISES LLC.

Address: 105 BALTIC AVE, ANDERSON, SC 29621

[redacted]

Name of Applicant (if other than property owner): Royal Farms

Address: 3611 Roland Ave, Baltimore, MD 21211

Phone number: 410-889-0200 Email: cbollino@royalfarms.com

Signature of Applicant: _____

Property Location: 924 South Mechanic Street & 7700 US-76

Existing Zoning Classification: N/A Proposed Zoning Classification: AB

# of Acres: 0.42 & 0.68 Tax Map Number: 040-13-02-012 & 040-13-03-001

Describe the nature of the request or attach description: The parcels are to be annexed into the Town of Pendleton and rezoned AB for the use of a gas station with a convenience store.

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********OFFICE USE ONLY********

Date received: 10-9-26 Fee Paid: ✓ Receipt number: [redacted]

Date Advertised: 10-21-26 Hearing Date: 11-12-26 Date Sign Posted: 10-19-26

TOWN STAFF RECOMMENDATION: APPROVED ✓ DENIED: _____

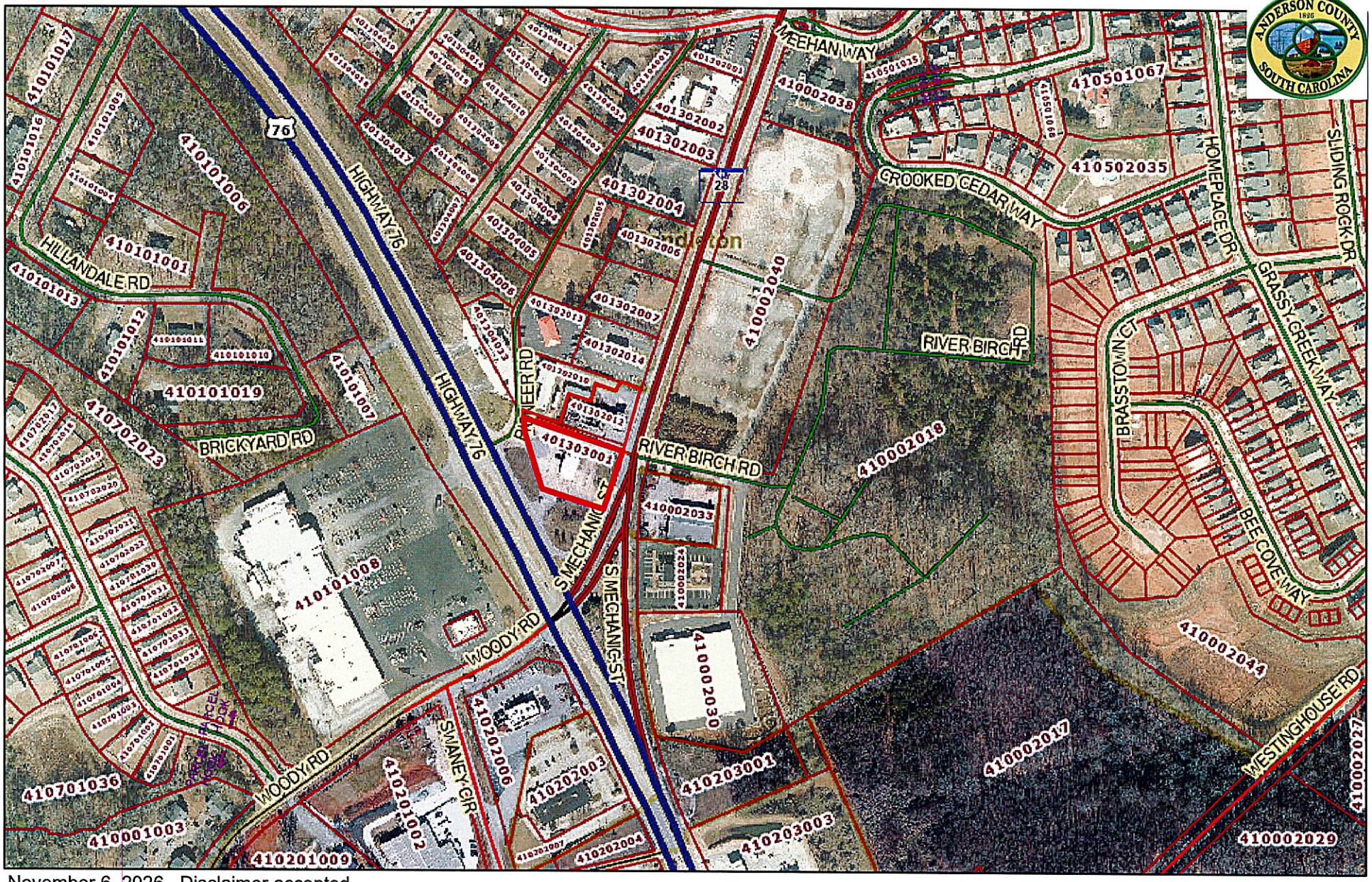
PLANNING COMMISSION RECOMMENDATION: APPROVED _____ DENIED: _____

COUNCIL DECISION (Date of 2nd Reading): APPROVED _____ DENIED: _____

Comments: _____

Attachment B

LandscapeReport



November 6, 2026 Disclaimer accepted.

TMS:	401303001		
Deed Book:	12954	Deed Page: 94	Current Plat: CP S 888/1B
Tax District:	401	Description: LTS 15 16+STRIP HWY 76	
Sale Year:	2017	Sale Price:	Market Value:

0.0
0.0

1:3,975

ESRI, Highland Mapping, and Anderson County GIS

Attachment C

USA TODAY CO.

LocaliQ

PO Box 631697 Cincinnati, OH 45263-1697

AFFIDAVIT OF PUBLICATION

Owen Rines
Town Of Pendleton
310 Greenville Street
Pendleton SC 29670

STATE OF WISCONSIN, COUNTY OF BROWN

Being duly sworn, doth depose and say that she/he is an authorized representative of the Independent-Mail, a newspaper published in South Carolina; and that an advertisement of which the annexed is a true copy, taken from said paper, has been published in said newspaper in the issues dated:

10/21/2026

That said newspaper was regularly issued and circulated on those dates and that the fees charged are legal.

Sworn to and subscribed before on 10/21/2026

[redacted]

8-21-30

My commission expires

[redacted]

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

PUBLIC NOTICE

The Town of Pendleton Planning Commission will hold a public hearing in the council chambers of Town Hall on Thursday, November 12, 2026, at 6 pm, to receive comments on a request to amend the zoning map and to rezone properties from Conservation and Open Space District (CO) to Area-Wide Business (AB). These properties are located at 924 South Mechanic (TMS#40-13-02-012) and at Hillcrest 7700 Highway 76 (TMS#40-13-03-001).

Attachment C

Town of Pendleton
Planning Commission

Public Hearing
November 12 at 6 pm

The Town of Pendleton Planning Commission will hold a public hearing in the council chambers of Town Hall on Thursday, November 12, 2026, at 6 pm, to receive comments on a request to amend the zoning map and to rezone properties from Conservation and Open Space District (CO) to Area-Wide Business (AB). These properties are located at 924 South Mechanic (TMS#40-13-02-012) and at Hillcrest 7700 Highway 76 (TMS#40-13-03-001).

Pendleton Town Hall
310 Greenville Street
864-646-9409

Please contact the Planning and Zoning staff for any questions.

- owenr@townofpendelton.org
- 864-646-9409

Attachment: C



Attachment C



Pendleton Town Council

Municipal Complex
310 Greenville Street
Pendleton, SC 29670
864-646-9409
www.townofpendleton.org

Mayor
Sarah Stowkoski

Council Members
Lyn Merchant
Barbara Hamburg
Nancy Von Meyer
Jeff Van Drie

Administrator
Amanda Brock
Municipal Clerk
Amber Barnes

A RESOLUTION BY THE PENDLETON PLANNING COMMISSION TO AMEND THE ZONING MAP AND TO REZONE PROPERTY LOCATED AT LOCATED AT 924 SOUTH MECHANIC STREET, HAVING TMS#40-13-02-012(0.42 ACRES), AND HILLCREST 7700 HIGHWAY 76(0.86 ACRES), HAVING TMS#40-13-03-001 INTO THE TOWN OF PENDLETON, SOUTH CAROLINA, FROM CONSERVATION OPEN-SPACE(CO) TO AREA-WIDE BUSINESS(AB).

WHEREAS, on October 9, 2026, Mr. Zed Heydenburg of Site Design Inc., acting on behalf of AARUSH ENTERPRISES LLC, the owner of these properties, submitted a signed request from the property owner to rezone these properties from Conservation Open-Space(CO) to Area-Wide Business(AB); and

WHEREAS, the TMS # s 4-13-02-012(0.42 acres) and 40-13-03-00(0.86 acres) are currently in an unincorporated area of Anderson County; and,

WHEREAS, these properties are to be annexed into the Town of Pendleton with temporary zoning as Conservation Open-Space (CO); and

WHEREAS, a resolution to accept the request went before Town Council on November 2, 2026, to be annexed into the Town Limits of Pendleton; and

NOW, THEREFORE, BE IT RESOLVED: That the Town of Pendleton Planning Commission sends a resolution to the Town Council with its recommendation on the request to rezone these properties at 924 South Mechanic Street, having TMS #40-13-02-012 (0.42 acres), and Hillcrest 7700 Highway 76(0.86 acres), having TMS #40-13-03-001, into the Town of Pendleton, South Carolina, from Conservation Open Space (CO), to Area-Wide Business(AB).

Attachment A: 11-12-2026 Agenda Packet

Resolved in a meeting duly assembled this_____day of_____, 2026.

Planning Commission Chair:_____Date:_____.

Resolution_____.