
Staff Report

Regarding ZONING AMENDMENT.

Honorable Chair and Board Members: Seneca Planning Commission (SPC)

Summary

This report is prepared for the below named application:

Property Owner: Garry C. and Leslie D. Phillips
Applicant: Garry C. Phillips
Property Location(s): Vacant parcel (on Northwest Drive accessed via Hwy 123)
Parcel ID#: 520-10-04-005
Lot Area: 1.81 AC or more as needed to achieve minimum dimensional requirements of RM-16 Residential District
Current Zoning: Highway Commercial
Proposed Zoning: RM-16 Residential District

Location and Background Information

The subject is a vacant parcel on Northwest Drive with a sewer lift station in the southwest corner thereof. The applicant is requesting RM-16 Residential District classification for an approximate 1.6-acre portion of the 2.681-acre tract of land to accommodate the new construction of multi-family townhouses (see concept drawing provided by applicant). The remainder of which would remain Highway Commercial.

The subject is bordered by both R-20 Residential and RM-16 Residential zoning classification on the Northeast; Highway Commercial zoning classification on the East and South; and Lake Keowee on the West and North (see zoning map below).

The Planning Commission has previously reviewed applications involving this property. Below is a list of previous zoning actions:

<u>Date</u>	<u>Zoning</u>	<u>Requested Zoning</u>	<u>Action</u>
1989	Highway Commercial	R-10 Residential	Approved
February 28, 1995	R-10 Residential	Highway Commercial	Approved
February 20, 2006	Highway Commercial	R-6 Residential	Denied

Statutes Governing the Issue(s)

State and local statutes are as follows:

- *South Carolina Code of Law* Section
- *Code of Ordinances: City of Seneca, South Carolina* Chapter 1, Sections 1-6
- *City of Seneca, South Carolina Official Zoning Ordinance* ARTICLE V.
REQUIREMENTS BY DISTRICT. SECTION 506 – RM-16 Residential District

506.1 Intent of District: It is the intent of this Section that the RM-16 Zoning District be developed and reserved for high-density residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment of such dwellings and to discourage un-warranted encroachment of commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

506.2 Permitted Uses: The following uses shall be permitted in the RM-16 Zoning District:

- a) Multi-family dwelling units.
- b) Publicly owned buildings, facilities or land, except those included in Section 506.3.
- c) Unlighted golf course, excluding miniature golf and driving range, unless as a component of a golf course.
- d) Non-commercial horticultural activities.
- e) Public parks and recreation areas.
- f) Customary Home Occupation, as provided in Section 710.
- g) Accessory use, as provided in Sections 711 and 712.
- h) Automobile parking lot, as provided in Section 718.
- i) Temporary use, as provided in Section 805.

506.3 Conditional Uses: The following uses may be permitted in any RM-16 Zoning District on a conditional basis, subject to the conditions set forth in Section 805. All Conditional Uses within RM-16 Zoning Districts shall be subject to the Buffer provisions, as set forth in Section 730.

- a) Churches, synagogues, temples and other places of worship, along with related schools, provided that:
 - 1) such use is housed in a permanent structure which is in compliance with all building, electrical, and plumbing codes for places of public assembly;
 - 2) such use is located on a lot of not less than 20,000 square feet in area; and
 - 3) exterior lights do not reflect into adjoining residential properties.
- b) Facilities for the use of civic associations, provided that:
 - 1) such use is housed in a permanent structure which is in compliance with all building, electrical, and plumbing codes for places of public assembly;
 - 2) such use is located on a lot of not less than 40,000 square feet in area; and
 - 3) exterior lights do not reflect into adjoining residential properties.
- c) Public utility substation or sub-installation including water towers, provided that:
 - 1) such use is enclosed by a wall or chain-link fence of at least six (6) feet in height above finished grade;
 - 2) there is no office or commercial operation on site; and
 - 3) there is no equipment or vehicle storage on site.
- d) Cemetery, provided that:
 - 1) such use consists of a site of at least five (5) acres;
 - 2) such use includes no crematorium;
 - 3) a minimum front setback of fifty (50) feet be maintained; and

4) not more than one sign be utilized. Such sign to be of a maximum thirty (30) square feet in area, and to be non-illuminated.

e) Educational facilities of the State of South Carolina or the Oconee County School System, private schools - grades K-12, and nursery schools, provided that such uses are located on a lot of at least 40,000 square feet in area.

f) Bed and Breakfast Inn, provided that:

- 1) is located on a lot of at least 40,000 square feet in area;
- 2) no more than eight (8) guest rooms are provided;
- 3) that required paved parking be provided to the rear of the principal structure;
and
- 4) such use is a part of a dwelling unit with a resident owner or manager.

g) Single family dwelling unit, except mobile homes, provided that:

- 1) such use is located on a lot of at least 12,500 square feet;
- 2) a minimum width of 75 feet is provided; and
- 3) minimum setbacks of front-30 feet, side-15 feet, rear-20 feet are maintained.

h) Day care centers, children or adult, provided that such uses are located on a lot of at least 40,000 square feet in area.

i) Community residential care facilities, provided that:

- 1) such use is located on a lot of at least one (1) acre;
- 2) that paved parking is provided to the rear of the front line of the principal building to accommodate at least two (2) staff persons, plus one (1) space per two (2) residents at full capacity;
- 3) no more than ten (10) residents be accommodated;
- 4) no building or structure be greater than two (2) stories above grade; and
- 5) such use is approved by the Zoning Board of Appeals as being compatible with the surrounding area and appropriate for the requested site.

j) Cellular towers, as per Section 735.

506.4 Other Requirements. Uses permitted within the RM-16 Districts shall be required to conform to the standards set forth in Section 522.

ARTICLE VII. GENERAL PROVISIONS

730. BUFFER PROVISIONS

ARTICLE X. AMENDMENTS

1000. AUTHORITY

1002. LIMITATIONS TO PARCELS TO BE REZONED

1003. PROCEDURE FOR AMENDMENTS

Analysis/Discussion

Although it is necessary to evaluate the design concept plan of a potential development site, the authority of the Commission is limited to zoning classification. Therefore, the Commission should consider the maximum potential impact of any rezoning decision.

Buffer Provision

RM-16 development would require a buffer between land uses of less intensity.

Buffers are intended to separate different land uses from each other to eliminate or minimize potential impacts such as dirt, litter, noise, glare of lights, signs, and unsightly building or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions (§730.)

Buffer type “C” would be required along the lakeside of the subject parcel. Two options are available. The first option is a six (6) foot privacy fence with a continuous vegetative screen measuring ten feet (10’) wide and four feet (4’) high. The other option is a continuous vegetative buffer fifteen feet (15’) wide and six feet (6’) high.

Impact on Lakefront Properties

The applicant proposes to construct seventeen (17) individual townhouses. The proposed lot configuration provides private lake access to five (5) units. Property owners outside the subject area and along the lakefront within the cove (White Oak Cliffs Subdivision and Northlake Estates) may experience a limited increase in boat traffic if developed as proposed.

Below is a comparison of those properties and improvements with possible lakeside visual impact (from property edge at shoreline):

Address	Parcel ID #	Lot Size (approx. sq. ft./acres)	Shoreline (approx. linear ft.)	Notes
Northlake Estates POA Recreation Area	520-10-04-001	44,867 sq. ft./1.03 AC	261.4 ft.	Recreational (R-20 zoning)
816 Hwy 123	520-10-03-024	49,223 sq. ft./1.13 AC	200 ft.	Commercial office (HC zoning)
Not addressed	520-10-03-025	16,650 sq. ft. /0.38 AC	45 ft.	Vacant land (HC zoning)
Oak Branch Ct	520-10-03-017	81,574 sq. ft./1.873 AC	328 ft.	Vacant land (R-20 zoning)
208 Hillandale Rd	520-10-03-013	56,628 sq. ft./1.3 AC	92.32 ft.	One-family residential w/boat dock (R-20 zoning)

300 Hillandale Rd	520-10-03-012	23,958 sq. ft./0.55 AC	120.93 ft.	One-family residential w/boat dock (R-20 zoning)
302 Hillandale Rd	520-10-03-011	27,443 sq. ft./0.63 AC	137.41 ft.	One-family residential (R-20 zoning)
304 Hillandale Rd	520-10-03-010	26,572 sq. ft./0.61 AC	155.35 ft.	One-family residential w/boat dock (R-20 zoning)
306 Hillandale Rd	520-10-03-009	25,265 sq. ft./0.58 AC	190.28 ft.	One-family residential w/boat dock (R-20 zoning)
308 Hillandale Rd	520-10-03-008	33,106 sq. ft./0.76 AC	179 ft.	One-family residential w/boat dock (R-20 zoning)
310 Hillandale Rd	520-10-03-007	27,443 sq. ft./0.63 AC	113.91 ft.	Vacant land (R-20 zoning)
312 Hillandale Rd	520-10-03-006	24,394 sq. ft./0.56 AC	102.77 ft.	One-family residential w/boat dock (R-20 zoning)
314 Hillandale Rd	520-10-03-005	26,136 sq. ft./0.6 AC	108.8 ft.	One-family residential w/boat dock (R-20 zoning)
316 Hillandale Rd	520-10-03-004	23,522 sq. ft./0.54 AC	162.86 ft.	One –family residential w/boat dock (R-20 zoning)

The properties listed above reflect shoreline frontages ranging from 45 and 328 linear feet. Of which, the average shoreline frontage (excluding those properties under 50 feet and over 200 feet shoreline frontage) is approximately 106 feet.

Lake Keowee shoreline is managed by Duke Power Company Lake Management. As such, all shoreline development activity is reviewed and determined by Duke.

Vehicular Traffic

Vehicular access is achieved via Northwest Drive, a private road, onto Highway 123. The Annual Average Daily Traffic (AADT) count for 2011 on Highway 123 near this location is twenty-four thousand (24,000). If built as proposed the number of trips generated may be estimated to be one-hundred eighty-two (182) creating a minimal traffic impact.

Maximum Density

Should the parcel be developed at its maximum intensity, greater density would result. RM-16 zoning maximum density is sixteen (16) units per net acre with a minimum land area of 2700 sq. ft. The subject parcel could yield up to twenty-nine (29) units and one-hundred ninety-two (192) average daily trips.

