

## PLANNING & ZONING MEETING

JUNE 20, 2024

**ATTENDEES:** David Chillas, Chair  
Morris Deputy, Town Manager  
Frank Bailey, Fire chief  
Chuck McCausland  
Jenn Parrish  
Joe Pontak  
Gretchen Rachko  
Charles Roberts  
Keith Thompson

### AGENDA:

**1. 410 Diamond State Blvd., Suite C – Conditional Use Permit request for a research and development facility (Key Input Solutions) for health-benefitting microbial products (probiotics) in an M-I zoned area. CU-21-24. Tax Parcel No. 23-008.00-115.**

Mark DeWitt with Key Input Solutions requested approval to relocate their office from Newark to 410 Diamond State Blvd., Suite C.

Keith Thompson commented the information indicates the products would be made in South Carolina and asked what would be involved with the research and development portion of the business at this location.

Mr. DeWitt said mainly review of data analysis acquired from different universities.

***Moved by Keith Thompson and seconded by Jenn Parrish to recommend Mayor and Council approve 410 Diamond State Blvd., Suite C, Conditional Use Permit request for a research and development facility (Key Input Solutions) for health-benefitting microbial products (probiotics) in an M-I zoned area. CU-21-24. Motion Carried Unanimously.***

**2. 112 Patriot Drive, Suite F – Conditional Use Permit request for a dance studio (Illumination Dance) in an M-I zoned area. The dance studio teaches dance to those ages 3 to 18. CU-22-24. Tax Parcel No. 23-041.00-007.**

Frank and Amy Plummer requested approval to use 112 Patriot Drive, Suite F to expand their dance studio space (currently occupies 110 Patriot Dr.).

Joe Pontak questioned parking availability and what other businesses use the parking lot. Mr. Plummer said parking is ample. Camp Adventure Land is in the same area and their busy time is the summer; the dance studio's busy time is the fall and winter.

***Moved by Jenn Parrish and seconded by Joe Pontak to recommend Mayor and Council approve 112 Patriot Drive, Suite F, Conditional Use Permit request for a dance studio (Illumination Dance) in an M-I zoned area. The dance studio teaches dance to those ages 3 to 18. CU-22-24. Motion Carried Unanimously.***

**3. Review Ordinance 24-06-02 for the rezoning of 307 E. Lake Street from R-2 to R-3 zoning. Tax Parcel No. 23-006.00-085.**

Tony Andrews with Modular On-Site Development (MOD Squad), represented the owner of the property, Parin Patel, for the rezoning from R-2 to R-3.

- The proposed plan is a three-unit modular apartment dwelling, 2-bedroom/1 bath units.
- Six (6) parking spaces are proposed on a gravel area at the back portion of the lot.
- The same type of unit was built at 120 E. Lake, and 106 E. Lake Street also received approval for the same three-unit dwelling.
- 307 E. Lake St. is approximately 2-1/2 feet wider and 40 feet longer (42.5' x 140') than 120 and 106 E Lake Street.
- The only exception is ingress and egress for parking will be from Jefferson Street.
- The setbacks will be the same as 120 and 106 E. Lake St.

Gretchen Rachko asked if both 120 and 106 E. Lake have three units each.

Mr. Andrews said each lot has three units.

Ms. Rachko commented she tends to agree with the email from Ms. Saunders that the lot seems small even for a minimum of two residents in each unit.

Shawvana Saunders, resident of 305/303 E. Lake Street expressed the following concerns:

- The letter notifying the residents was dated Friday, June 14<sup>th</sup> and just received Tuesday, June 18<sup>th</sup>; that's a very short notice for people to attend the meeting; a lot of neighbors were not aware of the proposed rezoning.
- Concern with property lines since the Town widened Jefferson and Elizabeth streets and added the sidewalks.
- The residents want the zoning to stay R-2, a single-family home area and not rezoned for apartments.
- Non-residents are buying the properties and changing the zoning to make a profit, and squeezing in residents. They're not thinking about the people who have lived there for a long time.

Keith Thompson commented, it was brought up at a recent council meeting that more police presence was needed in the Lake Street area. He questioned if the problems stem more from the vacant buildings or new construction from rezonings. He added that the extension of E. Lake Street will increase traffic in the area.

Ms. Saunders said the new construction (Habitat houses and other rezonings) brings more traffic and people to the area and not the kind of people you want. She said she and the neighbors don't mind something being built, but prefer the zoning remain R-2 for a single family house instead of allowing three rental properties.

Keith Thompson asked Mr. Patel if it is harder to build something in the R-2 zone. Mr. Patel said if it's R-2 only one unit can be built and he would like to build three units. 120 and 106 E. Lake were approved and this lot is larger. The street will look nicer with a new building.

A comment was made it's not harder, but more profitable to build a three-unit building.

Mr. Thompson asked if the property would stay vacant if the zoning doesn't change. Mr. Patel said it would stay the way it is now.

Discussion on the history of 120 E. Lake Street and the recent rezoning of 106 E. Lake Street. Ms. Saunders provided pictures of the areas discussed, including her property 305 E. Lake.

Morris Deputy added that most of the properties in the immediate area are zoned R-2.

Resident Ray Lynch, 301 E. Lake Street, said he is concerned about property values and feels the area is better suited for single family ownership, not apartments. He pointed out there are at least three properties that need to be demolished and suggested the Town should require the owners to do so and clean up the properties.

Mr. Andrews noted several parcels were rezoned for townhouses for Habitat for Humanity and Jefferson Street has a couple of houses with apartments.

Keith Thompson asked, besides increasing traffic, what affect will the Lake Street Extension have on the properties.

Morris Deputy said the expansion goes from New Street east. There is no need to rezone any properties because of the expansion.

Chuck McCausland commented, in his opinion, taking away a backyard in the neighborhood and adding a gravel parking lot helps destroy a neighborhood.

Frank Bailey questioned the size of the parking lot asked if vehicles would pull straight in off Jefferson Street.

Mr. Andrews said the parking lot measures approximately 36' x 50'; vehicles will park the same way they park for 106 E. lake Street – the layout is the same. It's the exact same plan as 120 E. Lake, including the gravel driveway and parking; permits are ready to be pulled for 106 E. Lake for the same plan.

Jenn Parrish asked if the parking area is large enough for 6 vehicles.

Short discussion followed on parking space requirements.

Another resident from E. Lake Street said he also agrees the lot is too small to put three units on it, kids won't have any space to play in and parking will not be sufficient - the kids will get older and will have cars also.

***Moved by Joe Pontak and seconded by Jenn Parrish to recommend Mayor and Council NOT APPROVE Ordinance 24-06-02 to rezone 307 E. Lake Street from R-2 to R-3 zoning. Tax Parcel No. 23-006.00-085. Motion Carried Unanimously 6 – 0.***

***Commissioners were polled:***

- ***Keith Thompson: I voted to not approve the rezoning based on the information in the letter received (from Shawvana Saunders) as it provided clarity from the residents.***

- ***Gretchen Rachko: I voted to not approve the rezoning based on the letter and I feel the lot size is not conducive to three apartment units.***
- ***Chuck McCausland: I voted to not approve the rezoning because no other properties nearby are zoned R-3.***
- ***Jenn Parrish: I voted to not approve the rezoning and agree with my colleagues' comments. I also believe the lot is not large enough for parking, and the residents from the community spoke against the rezoning.***
- ***Charles Roberts: I voted to not approve the rezoning because it would create "spot zoning" in the R-2 zoning district. I think the decision is best for the community.***
- ***Joe Pontak: I voted against the rezoning because no other properties in the nearby area are zoned R-3.***

***Motion Carried Unanimously to NOT APPROVE the rezoning request 6 – 0.***

The Commissioners agreed and expressed their appreciation to the residents who attended the meeting and voiced their opinions on the rezoning of the property.

Ray Lynch commented the notice for the rezoning was just received a couple of days ago; he feels more residents would have attended the meeting if they had received the notice sooner.

***Moved by Joe Pontak and seconded by Charles Roberts to adjourn. Motion Carried Unanimously.***

We believe these minutes accurately reflect what transpired; however, we will appreciate comments involving a different understanding of what occurred. Unless we are notified in writing to the contrary within 10 days after receipt, we will assume all in attendance concur with the accuracy of this transcription.

Respectfully Submitted,

Morris Deputy, Town Manager

Ry 6/25/24  
 CC: Mayor & Council  
 P & Z Members  
 All Attendees  
 Verdantas