

Aiken City Council MinutesSpecial Meeting

August 27, 1996

Present: Mayor Cavanaugh, Councilmembers Anaclerio, Papouchado, and Perry.

Absent: Councilmembers Clyburn, Price and Radford

Others Present: Steve Thompson, Gary Smith, Frances Thomas, Sara Ridout, Chasiti Kirkland, and 5 citizens.

Mayor Cavanaugh called the special meeting to order at 5:32 P.M. He stated there was one item for Council to consider.

REZONING - ORDINANCE 082796Gold's GymCorporate ParkwayWhiskey RoadHall, James C.Estates, Inc.South Aiken High SchoolTax Parcel No. 00-157-01-003

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to rezone property along Corporate Parkway.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED ON THE SOUTH SIDE OF CORPORATE PARKWAY, TAX MAP PARCEL NUMBER 00-157-01-003, FROM PROFESSIONAL TO NEIGHBORHOOD BUSINESS.

Mr. Thompson stated a request had been received to rezone property along Corporate Parkway to Neighborhood Business to allow the construction of a Gold's gym facility. The property is presently zoned Professional, and a gym is not allowed in a Professional zone. The Planning Commission has reviewed the request and has recommended rezoning the property to Neighborhood Business with a condition that the property be developed with a gym or other uses that are compatible with a gym facility. He said the issue discussed by the Planning Commission was whether or not the Neighborhood Business zone would open the use of the site for all kinds of uses that may not be as acceptable as a health facility. The Planning Commission recommended rezoning of the property to Neighborhood Business with the condition that the rezoning be a "conditional use." City Council approved the rezoning on first reading at the special meeting of Council on August 21, 1996.

Mr. Thompson stated the applicant had requested rezoning of 5.42 acres along Corporate Parkway from Professional to Neighborhood Business. The applicant would like to develop and construct a Gold's Gym, a nationally franchised physical fitness and therapist center. The Gym will have licensed physical therapists. The Professional zone permits medical facilities and clinics, however the primary use of the Gold's Gym would be for a commercial gymnasium, a use which is not allowed in the Professional Zone. The proposal is to occupy about two acres at the eastern end of the property. The other 3.4 acres was included in the application to prevent the two-acre portion from being bounded by noncommercial city zoning districts on three sides.

Mr. Thompson stated the property to be rezoned is bordered to the north across Corporate Parkway by the South Aiken High School campus in a R-1A zoning district, to the west by a church located outside the city in a Urban Development district; to the east by vacant property zoned Professional (Centennial Office Park is located farther east), and to the south by a mobile home park on unincorporated land zoned Urban Development.

The Planning Commission recommended that a 1.9982 acre portion of the 5.42 acre tract included in the request be rezoned to Neighborhood Business on the condition that the applicant enter into a contract with the City that the property will be used only for a gymnasium and uses customarily incidental to a gymnasium and that the remainder of the 5.42 acre tract remain zoned Professional.

The public hearing was held.


Mr. Cliff Hall, applicant, asked if in the future the property could be used for Professional uses if for some reason the gym use was discontinued. He asked if the gym use was discontinued would the property have to be rezoned to allow uses allowed in the Professional zone.

Mr. Gary Smith, City Attorney, stated technically the property stays under the professional use. He said the present property owners will sign a contract agreeing that the property will be used only as a gymnasium. This agreement will be recorded, and if the property is sold this agreement goes along with the use of the property. However, if someone wants to use the property for uses allowed in the Professional zone, the use would be allowed.

Councilman Anaclerio moved, seconded by Councilman Perry and unanimously approved, that the ordinance rezoning 1.9982 acres along Corporate Parkway from Professional to Neighborhood Business be passed on second and final reading with the condition that the owner sign a contract agreeing that the property will be used only as a gymnasium or related uses as a "conditional use" as recommended by the Planning Commission and that the ordinance become effective immediately.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:40 P.M.


Sara B. Ridout
City Clerk