



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, May 12, 2014
5:30 p.m.**

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of the Minutes of the April 28, 2014 City Council Meeting**
- IV. Approval of Agenda of the May 12, 2014 City Council Meeting**
- V. Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Special Presentation to Police Chief Alonzo Thompson– Proclamation Declaring May 11-17, 2014 as National Police Week in Spartanburg**
Presenter: Mayor Junie White
- VII. Public Hearings**
 - A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, specifically Parcel #7-12-13-145.00, located at 579 West Main Street, which is Currently Zoned B-3, with a Land Use Designation of General Business District to Zone LOD, with a Land Use Designation of Limited Office District, from Frances Williams, Owner. The purpose for the request is to permit the owner to continue to use the property as a two-family rental unit, or possible future office use. (First Reading)**
Presenter: Joshua Henderson, Planning Coordinator
 - B. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically Parcel #7-17-15-026.00, Located at 201 Cedar Springs Road, which is Currently Zoned R-15, with a Land Use Designation of Single Family Residential District to Zone LOD, with a Land Use Designation of Limited Office District, from Kim Kauffman, Freeland and Kauffman, Inc. on behalf of Bright-Myers 2001, LLC, on behalf of William S. Myers, Owner. The purpose for the request is to permit the owner to be able to market the property for future commercial redevelopment. (First Reading)**
Presenter: Joshua Henderson, Planning Coordinator

As required by the Americans with Disabilities Act, the City of Spartanburg will provide interpretive services for the City Council Meetings. Requests must be made to the Communications & Marketing Office (596-2020) 24 hours in advance of the meeting. This is a Public Meeting and notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act.

VIII. City Council Updates

IX. Adjournment

**City Council Workshop
City Hall Training Room
145 West Broad Street
Spartanburg, SC
Monday, May 12, 2014
Immediately Following the City Council Meeting**

I. Call to Order

II. Hub City Co-op Discussion

III. FY14-15 Budget Discussion

IV. Adjournment

** City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.*



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, April 28, 2014
5:30 p.m.**

**(These minutes are subject to approval at the
May 12, 2014 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Jan Scalisi, Councilmembers Cate Ryba, Erica Brown, Robert Reeder, Jerome Rice, and W. Sterling Anderson were in attendance. City Manager Ed Memmott and City Attorney Cathy McCabe were also in attendance. Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All City Council meetings are recorded for a complete transcript.

- I. Moment of Silence - observed**
- II. Pledge of Allegiance – Nigel Byrd, from Boy Scout Troop 5, led everyone in the Pledge of Allegiance.**
- III. Approval of the Minutes of the April 14, 2014 City Council Meeting –
*Councilmember Ryba made a motion to approve the minutes as received.
Councilmember Rice seconded the motion, which carried unanimously 7 to 0.***
- IV. Approval of Agenda of the April 28, 2014 City Council Meeting –
*Mayor pro tem Scalisi made a motion to approve the agenda as received.
Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.***
- V. Public Comment - none**
**Citizen Appearance forms are available at the door and should be submitted to the City Clerk*
- VI. Special Presentation – Proclamation Declaring May Bike Month**
Presenter: Mayor Junie White
Mayor White presented Randy Cooksey, Chairman of the Bicycle and Pedestrian Committee, with the proclamation.

VII. Other Business

A. Award of Bid for Brookside Road Culvert Improvement Project

Presenter: Jay Squires, Storm Water Manager

Mr. Squires presented the item to City Council as follows:

“Staff received bids for the replacement of a culvert under Brookside Road. This project consists of removal and replacement of approximately 80 feet of storm drainage pipe from under Brookside Road, near the intersection with West Crescent Road.

The following bids were submitted:

Larry Green Grading, Inc. (Lyman, S.C.)	\$49,110
Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$59,900
P.A.R. Grading & Hauling, Inc. (Spartanburg, S.C.)	\$77,700

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that, Larry Green Grading, Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 30 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice using door hangers and mailers. A portion of Brookside Road will be closed during construction for safety reasons. A detour route will be in place for convenience while the segment of road is closed.

Staff is requesting City Council allow staff to accept the bid from Larry Green Grading, Inc. and authorize the City Manager to enter into a contract with, Larry Green Grading, Inc. for the completion of the project.

BUDGET AND FINANCE DATA: \$49,110 from the Storm Water Utility fund will be used to complete the project.”

Councilmember Anderson made a motion to award the bid to Larry Green Grading Inc. in the amount of \$49,110. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

B. Hub-Bub Update

Presenter: Cate Ryba, Executive Director

Ms. Ryba updated City Council on the activities of Hub Bub. She highlighted the following:

2014: Today HUB-BUB Is...

- A performance venue/gallery with over annual 60 events
- 6 month Artist in Residence Program
- Budget: \$270k
- Staff: 2 people, Interns & Volunteer Army

Hub-Bub Numbers -

- 8,237 visits since January 2014
- Over 6,000 intern hours since Jan 2013
- 2,400 photos of Spartanburg
- Over 2,000 Artist-in-Residence service hours
- Over 1,000 youth served in 2013-14
- 40+ local/regional partnerships
- 15 art exhibits
- 14 live music shows
- 18 theatrical productions
- 5 public art projects, including the largest mural in downtown
- 1 Buy Local Campaign

- 1 statewide Film Festival

Board Vice Chair Andrew Green, Professor of Finance at Wofford College, reviewed the financials of Hub-Bub with Council as follows:

Hub-Bub Budget: July 2013 – June 2014

Income	\$ 280,000
Expenses	<u>\$ 270,000</u>
Net Surplus	\$ 10,000

INCOME

Ticket Sales and Rental Income	\$ 53,000
Donations/Fundraising	88,000
Grants	19,000
City of Spartanburg	<u>120,000</u>
Total Income	280,000

EXPENSES

Salaries and Payroll Taxes	\$ 108,000
Rent and Utilities (Showroom)	58,000
AiR Program	60,000
All Other Programs	25,000
Administrative	<u>19,000</u>
Total Expenses	270,000

Ms. Ryba introduced the current Artists in Residence, explaining each of their areas of creative expression, and reviewed events held in connection with their talents.

Council received the report as information.

C. Declaration of Vacancies on City Boards and Commissions

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre declared the following vacancies on the City Boards and Commissions:

Accommodations Tax Advisory Committee – 2 vacancies

Airport Advisory Committee – 3 vacancies

Alcohol & Drug Abuse Commission – 4 vacancies

HARB – 4 vacancies – 1 eligible for reappointment

Bike/Ped Committee – 3 vacancies – 3 eligible for reappointment

Civil Service Committee – 1 vacancy – 1 eligible for reappointment

Construction Board of Adjustments & Appeals – 3 vacancies – 1 eligible for reappointment

Design Review Board – 4 vacancies – 4 eligible for reappointment

Housing Authority – 5 vacancies – 4 eligible for reappointment

Housing Board of Adjustment & Appeals – 3 vacancies – 1 eligible for reappointment

Planning Commission – 1 vacancy – 1 eligible for reappointment

Public Safety – 7 vacancies – 2 eligible for reappointment

Spartanburg Memorial Auditorium – 2 vacancies – 1 eligible for reappointment

Storm Water Appeals Board – 3 vacancies

Zoning Board of Adjustments & Appeals – 2 vacancies – 1 eligible for reappointment

Ms. McIntyre stated that several applications had been received for reappointment.

She reminded Council that applications would be accepted through the second week in

June with a goal of final vote on appointments and reappointments by Council at the June 23, 2014 City Council meeting.
Council received the report as information.

VIII. Executive Session to Discussion Possible Downtown Economic Development Project – Mayor pro tem Scalisi made a motion to adjourn to Executive Session. Councilmember Reeder seconded the motion, which carried unanimously. Council adjourned to Executive Session at 6:12 p.m.

Council reconvened at 6:54. Mayor White stated discussion was held with no decisions made.

IX. Resolution

A. Authorizing a Development Agreement with SMR Hospitality II, LLC to Include Sale of Parcel 7-12-06-059.00 Under Certain Conditions

Presenter: Chris Story, Assistant City Manager

Mr. Story presented the item to City Council as follows:

“As you know, the City owns several adjacent development sites behind the Marriott, the George, and the Chapman Cultural Center. We consider this property to be of considerable strategic importance to the long term strength and viability of the downtown both economically and otherwise. Therefore, we continue to move carefully toward identifying development opportunities that address the following goals:

1. High-value taxable development that strengthens our revenue base and contributes to downtown business activity.
2. Exhibit attractive, high quality urban design consistent with our downtown code.
3. Consist of uses that are complementary in nature to the adjacent properties (Barnet Park, the Chapman Center, the George, the Marriott, the Montgomery Building, etc.) and are supportive of a full build-out of the city’s remaining property in the area.

One of these development sites (parcel 7-12-06-059.00 – approximately 3 acres) shares a property line with, and is located immediately behind, the Marriott Hotel and Conference Center.

The owners of the Marriott Hotel and Conference Center, Andy Cajka and Jimmy Gibbs, are interested in exploring a significant new mixed-use development on this parcel. Having recently completed several million dollars of upgrades to the Marriott and having now paid in full the City’s note on the hotel’s



underground parking garage, they now believe the time is right to undertake a complementary project next door. While the specifics of the new development are not known at this stage, we believe that such an effort is very likely to meet the goals described above.

We further believe that maximizing the long-term positive impact of development of this property is far more important than the sales price of the land. After much discussion with the potential developers, we believe we have identified a workable and mutually beneficial approach.

We recommend that City Council commit to selling them this parcel for \$1 if they construct a project with a taxable value of over \$7 million (equating to approximately \$2 million per acre). We think that in light of our resource limitations and other concerns discussed above, this is a reasonable way to incentivize an important potential project.

The attached resolution implements this approach. We recommend your approval and welcome any questions you may have.”

After discussion, Councilmember Rice made a motion to approve the resolution as presented. Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.

X. City Council Updates -

Councilmember Rice shared that it was good to see the Marriott full and active the previous weekend with the Omega Psi Phi Fraternity convention, the Benedict College Alumni Association gathering and the Broome High School Prom.

Councilmember Ryba reminded everyone of Spring Fling the following weekend beginning with the Criterium Bike Race on Friday afternoon and evening.

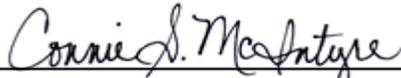
Mayor pro tem Scalisi reminded everyone of Music on Main on Thursday evenings and Jazz on the Square on Friday evenings. She expressed excitement over all the events happening at Hub Bub and the Marriott. She mentioned that she met with Mr. Byrd at the Housing Authority to discuss to better understand the comprehensive efforts to bring affordable housing to the City.

Councilmember Brown shared she attended the inauguration of Wofford College’s new president, Dr. Nayef Samhat, which was very well attended. She also mentioned that the Spartanburg Philharmonic’s last performance of the season would be Saturday at 7:00 p.m. at Twitchell Auditorium.

Councilmember Anderson shared that he attended a reunion of the Spartan Mill/Cleveland Junior High School and that a good time was had by all.

XI. Adjournment – Councilmember Ryba made a motion to adjourn the meeting.

Councilmember Reeder seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:03 p.m.



Connie S. McIntyre, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Joshua T. Henderson, Planning Coordinator

SUBJECT: Rezoning of a property located at 579 West Main Street, Ms. Frances Williams, Owner.

DATE: May 12, 2014

SUMMARY: On April 17, 2014, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Ms. Frances Williams, Owner, to rezone parcel 7-12-13-145.00 from Zone B-3/General Business District to LOD/Limited Office District, in order to allow the owner the opportunity to either rent the property as either a two family residential use or market the property as an office space which are both permitted by right under the LOD zoning classification.

The Planning Commission held a public hearing on the proposal on April 17, 2014. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcel from B-3 to LOD.

PLANNING COMMISSION RECOMMENDATION: The request was unanimously endorsed by the Planning Commission on April 17, 2014. Staff's recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the April 17, 2014 Planning Commission Meeting and Staff Report with attachments are included. In addition, enclosed is a proposed Ordinance in the event that Council approves the rezoning request.

BUDGET AND FINANCE DATA: N/A

AN ORDINANCE

ORDINANCE TO AMEND THE CITY OF SPARTANBURG, SOUTH CAROLINA ZONING ORDINANCE AND COMPREHENSIVE PLAN LAND USE ELEMENT, BY AMENDING SECTION 206, CHANGES TO DISTRICT BOUNDARIES, SPECIFICALLY PARCEL #7-12-13-145.00 – LOCATED ON 579 WEST MAIN STREET, WHICH IS CURRENTLY ZONED B-3 WITH A LAND USE DESIGNATION OF GENERAL BUSINESS DISTRICT TO ZONE LOD WITH A LAND USE DESIGNATION OF LIMITED OFFICE DISTRICT, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Spartanburg now finds that, upon further review, it is in the public interest that the land use designation for the parcel identified on the Official Zoning Map of the City of Spartanburg, South Carolina, dated August 6, 1973, as amended, by changing the zone of 145.00 as shown on Spartanburg County Block Map Sheet 7-12-13, from B-3, General Business District to Zone LOD, Limited Office District; and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and, further, would be in conformance with the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on April 17, 2014, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 605 of the Zoning Ordinance, subsequently voted at that meeting to recommend to City Council that the rezoning request be approved as recommended by City Staff.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Members of Council of the City of Spartanburg, South Carolina, in Council assembled:

Section 1. Amendment. That the official zoning map of the City of Spartanburg, as referenced by Section 206 of the Zoning Ordinance, be, and the same hereby amended as follows:

- The Lot currently identified as 145.00 on Spartanburg County Block Map Sheet 7-12-13, shall be now designated as LOD, Limited Office District.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the City Council of the City of Spartanburg, South Carolina.

DONE AND RATIFIED THIS _____ DAY OF _____, 2014.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ (First Reading)

___/___/___ (Second Reading)



Legend

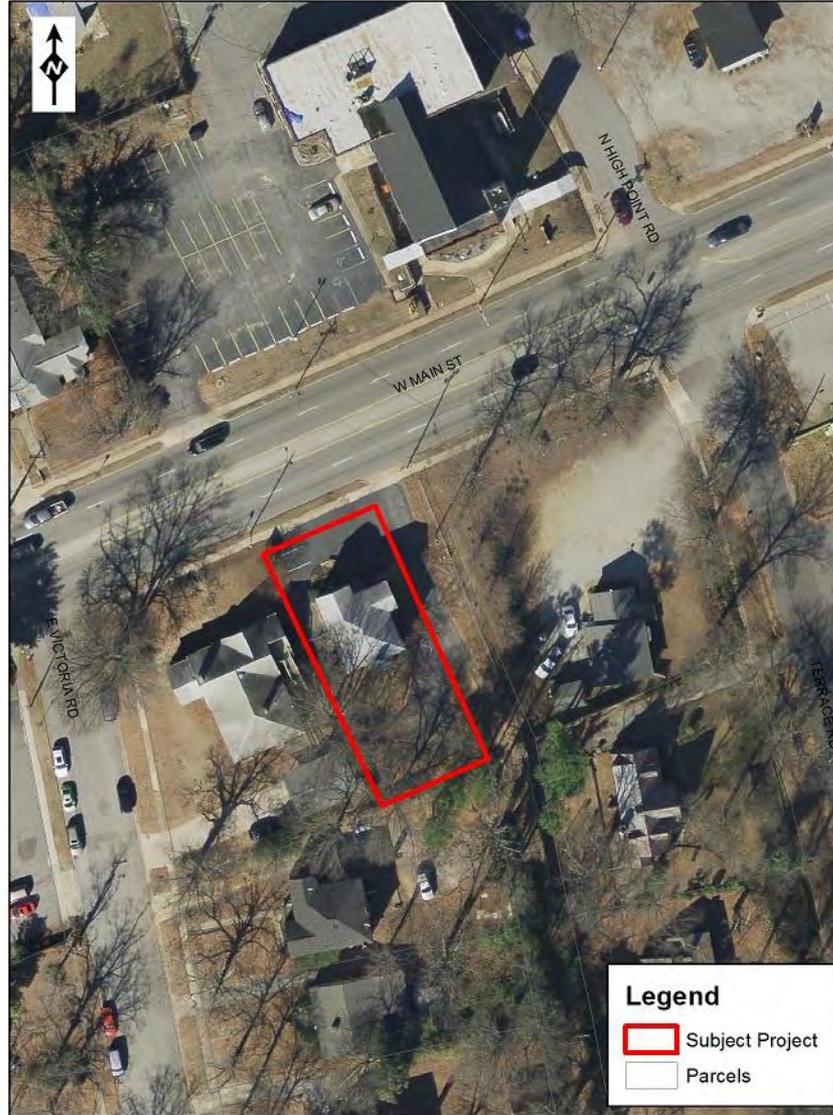
-  Subject Project
-  Parcels

0 12.525 50 Feet

1 inch = 64 feet

Planning Commission Meeting - April 17, 2014
Council Chambers of City Hall - 5:30 P.M.

City of Spartanburg, Planning Department
J. Henderson 3-31-14



0 12.525 50 Feet
|-----|
1 inch = 64 feet

Planning Commission Meeting - April 17, 2014
Council Chambers of City Hall - 5:30 P.M.

City of Spartanburg, Planning Department
J. Henderson 3-31-14



W MAIN ST

Legend

-  Subject Project
-  Parcels



579 W. Main
St.



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Joshua T. Henderson, Planning Coordinator

SUBJECT: Rezoning of a property located at 201 Cedar Springs Road, Kim Kauffman, Freeland & Kauffman, Inc., on behalf of Owner & Applicant, William Myers and Matt Sasser.

DATE: May 12, 2014

SUMMARY: On April 17, 2014, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Mr. Kim Kauffman, Freeland & Kauffman, Inc., Agent on behalf of Owner and Applicant, William Myers and Matt Sasser, to rezone parcel 7-17-15-026.00 from Zone R-15/Single Family Residential District to B-1/General Business District, in order to permit the owner to be able to market the property for future commercial redevelopment, with the primary purpose being to develop the property as a gas station for the Walmart Neighborhood Grocery Store franchise which is being developed outside the City Limits just to the rear of the property in question (this will not be the typical Walmart prototype; instead it will be the downscaled grocery store). After completion of the entire project, it is likely to be annexed at some point into the City Limits. The use of the property as a gas station is permitted by right under the zoning classification of B-1.

The Planning Commission held a public hearing on the proposal on April 17, 2014. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcel from R-15 to B-1.

PLANNING COMMISSION RECOMMENDATION: The request was unanimously endorsed by the Planning Commission on April 17, 2014. Staff's recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the April 17, 2014 Planning Commission Meeting and Staff Report with attachments are included. In addition, enclosed is a proposed Ordinance in the event that Council approves the rezoning request.

BUDGET AND FINANCE DATA: N/A

AN ORDINANCE

ORDINANCE TO AMEND THE CITY OF SPARTANBURG, SOUTH CAROLINA ZONING ORDINANCE AND COMPREHENSIVE PLAN LAND USE ELEMENT, BY AMENDING SECTION 206, CHANGES TO DISTRICT BOUNDARIES, SPECIFICALLY PARCEL #7-17-15-026.00 – LOCATED ON 201 CEDAR SPRINGS ROAD, WHICH IS CURRENTLY ZONED R-15 WITH A LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL DISTRICT TO ZONE B-1 WITH A LAND USE DESIGNATION OF GENERAL BUSINESS DISTRICT, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Spartanburg now finds that, upon further review, it is in the public interest that the land use designation for the parcel identified on the Official Zoning Map of the City of Spartanburg, South Carolina, dated August 6, 1973, as amended, by changing the zone of 026.00 as shown on Spartanburg County Block Map Sheet 7-17-15, from R-15, Single Family Residential District to Zone B-1, Neighborhood Shopping District; and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and, further, would be in conformance with the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on April 17, 2014, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 605 of the Zoning Ordinance, subsequently voted at that meeting to recommend to City Council that the rezoning request be approved as recommended by City Staff.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Members of Council of the City of Spartanburg, South Carolina, in Council assembled:

Section 1. Amendment. That the official zoning map of the City of Spartanburg, as referenced by Section 206 of the Zoning Ordinance, be, and the same hereby amended as follows:

- The Lot currently identified as 026.00 on Spartanburg County Block Map Sheet 7-17-15, shall be now designated as B-1, Neighborhood Shopping District.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the City Council of the City of Spartanburg, South Carolina.

DONE AND RATIFIED THIS _____ DAY OF _____, 2014.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ (First Reading)

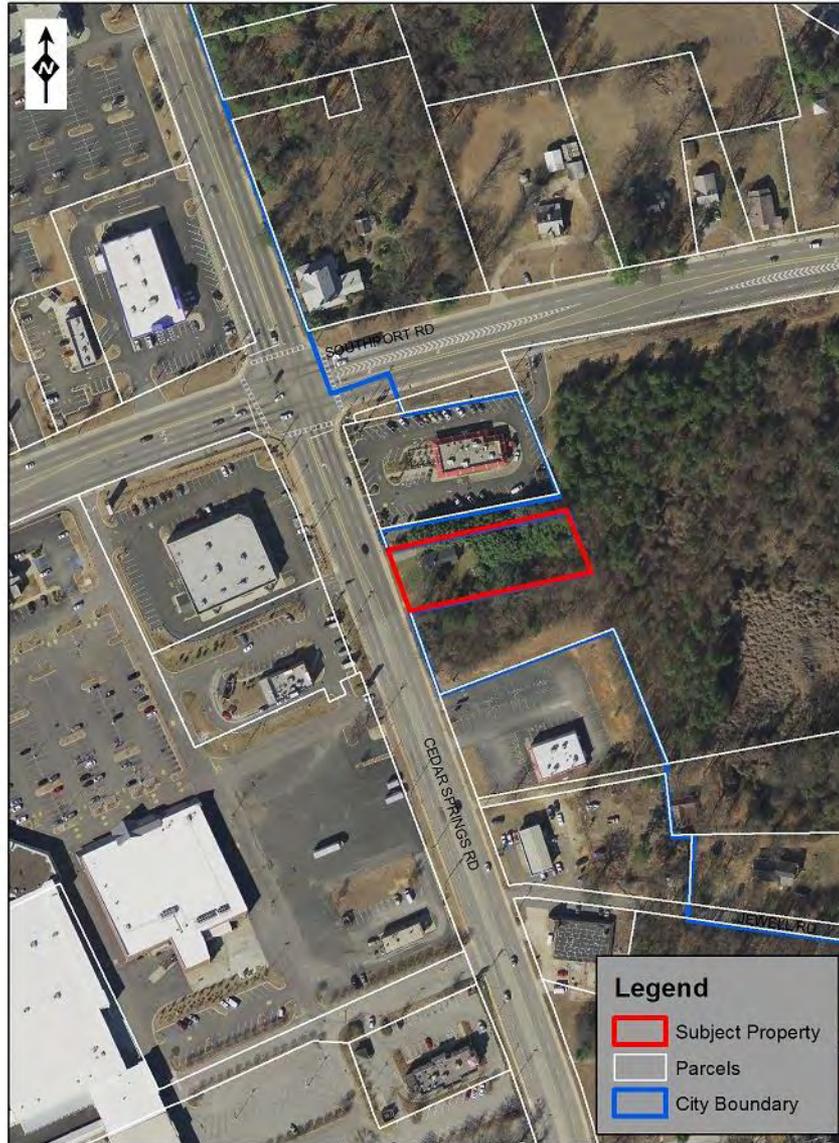
___/___/___ (Second Reading)



0 37.575 150 Feet
1 inch = 191 feet

Planning Commission Meeting - April 17, 2014
Council Chambers of City Hall - 5:30 P.M.

City of Spartanburg, Planning Department
J. Henderson 3-12-14



0 37.575 150 Feet
1 inch = 191 feet

Planning Commission Meeting - April 17, 2014
Council Chambers of City Hall - 5:30 P.M.

City of Spartanburg, Planning Department
J. Henderson 3-12-14





**201 Cedar
Springs Rd.**

Workshop II.



MEMORANDUM

TO: Spartanburg City Council

FROM: Chris Story, Assistant City Manager

SUBJECT: Workshop Discussion on Proposed Hub-city Co-op

DATE: May 8, 2014

The upcoming council meeting will include an informal work session discussion about the proposed Hub-city Co-op grocery in downtown. With assistance and participation from some of the Co-op board members, I will lead a discussion of the finances of project. This will include an illustration of one possible scenario of city financial participation in the project with the intent of illustrating how that participation might work to make the project viable while protecting city interests.

We envision an open dialogue and will welcome any questions you may have.

No action will be requested.