



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, May 9, 2016
5:30 p.m.

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of the Minutes of the April 25, 2016, City Council Meeting**
- IV. **Approval of Agenda of the May 9, 2016 City Council Meeting**
- V. **Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Public Hearing**
 - 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 #7-12-08-241.00 Located at 773 East Main Street, Which is Currently Split Zoned LOD/R-8, with a Land Use Designation of Limited Office District and General Residential District, to Extend the LOD Zoned Portion of the Property that Runs Parallel to the Encroaching Wall Along the Southern Portion of the Lot, While Ensuring a Residentially Zoned Buffer Area Along Maple Street Within the Same Parcel of R-8/General Residential District; and Providing for Severability and an Effective Date (First Reading)**
Presenter: Natalia Rosario, Planning Staff
- VII. **Ordinance**
 - A. **Calling for a Referendum to Determine Whether The South Carolina Department of Revenue May Issue Temporary Permits in the City of Spartanburg to Allow for the Sale of Beer or Wine for Off-Premises Consumption Without Regard to the Days or Hours of Sale (First Reading)**
Presenter: Cathy McCabe, City Attorney

VIII. Reconsideration of Ordinance

- 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 #6-21-11-117.00 Located at 823 John B. White Senior Boulevard, which is Currently Zoned R-12 with a Land Use Designation of General Residential District to Zone LOD with a Land Use Designation of Limited Office District; and Providing for Severability and an Effective Date (First Reading)
Presenter: Natalia Rosario, Planning Staff**

IX. City Council Updates

X. Adjournment

**City Council Workshop
Council Chambers
Monday, May 9, 2016**

I. Reconvene

- II. Initial FY 17 Budget Workshop
Presenter: Chris Story, Assistant City Manager**

III. Adjournment

** Non-Agenda Items*

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.

**Agenda Items*

City Code Sec. 2-56. Addressing Council, Comments or Remarks to Council on Agenda Items Not Requiring Public Hearing. On agenda items not requiring a Public Hearing, please provide to the City Clerk prior to the opening of the meeting, your desire to speak on an agenda item. Remarks shall be limited to five (5) minutes and total remarks on any agenda item shall not exceed twenty (20) minutes.



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, April 25, 2016
5:30 p.m.**

- I. Moment of Silence - observed**
- II. Pledge of Allegiance - recited**
- III. Approval of the Minutes of the April 11, 2016, City Council Meeting –**
Councilmember Rice made a motion to approve the minutes as received. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.
- IV. Approval of Agenda of the April 25, 2016 City Council Meeting –**
Councilmember Henderson Myers made a motion to approve the agenda as received. Councilmember Scalisi 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. Presentation of Proclamation to John Green, Executive Director of the Spartanburg Science Center**
Presenter: Mayor Junie White
Mayor White presented the proclamation to Mr. Green and thanked him for his many years of service and contributions to the Spartanburg community.
- VII. Resolution**
 - A. Allocating FY 17 Community Development Block Grant and HOME Funds**
Presenter: Mitch Kennedy, Community Development Director
Mr. Kennedy presented the item to City Council as follows:
“Staff has prepared its recommended allocation of FY 17 Community Development Block (CDBG) and HOME Grant for Council’s consideration. The FY 17 CDBG grant is \$616,221; the FY 17 HOME grant is \$152,899. The total available FY 17 CDBG & HOME funding is \$769,162.

CDBG Administrative, Service Delivery, and Code Enforcement Expenses – Funding for these activities is recommended at \$236,447. This funding provides for administrative oversight and management of both CDBG/HOME funds and code enforcement activities.

CDBG Project Expenses - \$286,341 is recommended to fund various project expenses as provided in the proposed Resolution.

CDBG Public Service Funding – Under CDBG regulations, a maximum of \$92,433 (15%) of the CDBG grant can be budgeted for public service programs. Staff is recommending budgeting \$70,000 for public service activities. Staff will bring forward specific recommendation for use of the \$70,000 early in FY 17 for Council’s consideration.

HOME Grant – Staff is recommending administrative funding of \$7,644 (5% of HOME funding). Additionally, staff is recommending \$129,966 in direct project expenses and \$15,289 for administrative expenses.

Citizen input was solicited regarding the proposed use of CDBG and HOME funds in accordance with HUD regulations. Public notice of Council’s consideration of staff’s recommendation was provided in accordance with program regulations.

Staff is requesting that City Council consider and approve staff’s recommended budget allocation.

BUDGET & FINANCIAL DATA:

CDBG and HOME grants are expected to be available on or about July 1, 2016.”

Councilmember Scalisi made a motion to approve the resolution as requested.

Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

VIII. Ordinance – Second Reading

- A. A Third Supplemental Ordinance Providing for the Issuance and Sale of City of Spartanburg, South Carolina, Special Obligation Bonds in the Aggregate Principal Amount of Not Exceeding \$12,500,000; Delegating the Authority to the Mayor and City Manager to Determine Certain Matters with Respect to the Bonds; Prescribing the Form and Details of Such Bonds,; and Other Matters Relating Thereto (Second Reading)**

Presenter: Chris Story, Assistant City Manager

Councilmember Stille made a motion to approve the ordinance on second reading. Councilmember Henderson Myers seconded the motion, which carried unanimously 7 to 0.

IX. Consent Agenda

- 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 Portions of Parcel #7-08-13-230.00 Located at 101 East Wood Street Within the Sections Bordered by North Church Street, Catawba Street, East Wood Street, Serpentine Drive, Aimee Street, and Dewey Avenue that are Currently Zoned B-1, B-3, LOC, and R-8, with Land Use Designations of Neighborhood Shopping District, General Business District, Limited Office District, and**

**General Residential District to Zone GID with a Land Use Designation of General Institutional District, as well as Parcel #7-12-01-190.00 Located at 727 North Church Street Which is Currently Zoned B-3 with a Land Use Designation of General Business District to Zone GID, with a Land Use Designation of General Institutional District; and Providing for Severability and an Effective Date (Second Reading)
Presenter: Natalia Rosario, Planning Staff**

- B. Ordinance Accepting the Property Owned by John D. and Belton W. Montgomery, and being Located at 1150 Woodburn Road, and that Portion of Woodburn Road Abutting Said Property, and is Further Identified on Spartanburg County Tax Map as #7-17-03-032.00 as a Part and Parcel of the City of Spartanburg and Declaring Said Property Annexed to and a Part and Parcel of the City of Spartanburg (Second Reading)
Presenter: Natalia Rosario, Planning Staff**

Councilmember Rice made a motion to approve the consent agenda on second reading. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

X. Other Business

- A. Award of Bid for North Pine Street Intersection Improvement
Presenter: Tim Carter, Engineering Administrator**

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

“Staff solicited bids for improvements at the intersection of North Pine and East Cleveland Streets. The proposed work will accommodate additional traffic that will be generated by the renovation of Beaumont Mill. Improvements will include extending the existing left turn lane (southbound) to a full 150 LF of stacking. The private drive entrance to the Beaumont Mill property will be widened to allow for one lane of ingress and two lanes of egress. One bid was received.

Capitol Construction of the Carolinas, LLC (Spartanburg, SC) \$ 53,844.10

Staff has reviewed the bids received and the qualifications for each of these contractors and determined that Capitol Construction of the Carolinas, LLC is the responsive low bidder. Additionally, staff has reviewed the proposed contract price from Capitol and has determined it to be reasonable. No bids were submitted from MWBE certified contractors.

Allow staff to accept the bid from Capitol Construction of the Carolinas, LLC and authorize the City Manager to enter into a contract with Capitol Construction of the Carolinas, LLC for the completion of the project.

BUDGET AND FINANCE DATA: \$ 53,844.10 County Transportation Committee Funds (CTC).”

Councilmember Stille made a motion to approve the award of bid as requested. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.

Mayor White made a motion that the ordinance regarding the rezoning request for 823 John B. White Boulevard be put on the May 9, 2016 Council Meeting Agenda for reconsideration. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

XI. City Council Updates –

Councilmember Stille commended the city for having a policy for assisting handicapped citizens with their trash pickup.

Councilmember Brown shared that she participated in the Northside neighborhood cleanup day that was a great day and a great opportunity to meet more people in the neighborhood. She stated that she attended the Kite Soaring event at the Chapman Cultural Center, which was a great success on a beautiful day. She mentioned the JW Woodward jazz concert at Harvest Park and thanked them for their longstanding presence in the Spartanburg community. She expressed condolences to the family of Daryl Dalton, Director of Housing at the Spartanburg Housing Authority, who passed on April 20.

Councilmember Anderson shared that the Little Caesar's on the west side was coming along. He mentioned that he thought the city was doing everything that could be done regarding the property located at 610 Camelot Drive that was mentioned during Public Comment by Ella Williams at the previous meeting.

Councilmember Henderson Myers shared she attended the Hub City Hog Fest, which was well attended and had plenty of good food and good music. She stated that she hoped that the event would continue each year.

Councilmember Scalisi stated that there was so much going on during a beautiful weekend with charitable events, concerts, and festivals. She shared that she attended a six hour concert in the new amphitheater at Converse College.

Councilmember Rice shared that he remembered when Mr. Green was in the Science Center on Spring St. He shared that when he was younger he went with a group to Edisto Beach with Mr. Green and found a mammoth tooth, which put him in the newspaper for the first time. He mentioned that he welcomed the Buffalo Soldiers Bike Club, which was conducting a fundraiser at Macedonia Church. He shared that the city's motorcycle patrol officer Chris Banks spoke to the group about motorcycle safety.

He shared that he and the Mayor attended the dedication of the Water Refilling Station at Dunbar St. and Church St.

XII. Executive Sessions – Councilmember Anderson made a motion to adjourn to the Executive Sessions for the reasons stated. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 6:11 p.m.

A. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Relating to the Oakview Apartments

B. Executive Session Pursuant to Section 30-40-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to Encouraging the Location of Two Businesses in the City

City Council reconvened to regular session at 7:25 p.m. Mayor White stated discussion was held with no decisions made or votes taken.

Councilmember Brown made a motion to direct the city’s attorneys to file with the court in the matter of Oakview Apartments an offer of judgement of \$1.8 million. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.

XIII. Adjournment –

Councilmember Brown made a motion to adjourn the regular meeting. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0. The regular meeting adjourned at 7:30 p.m.

**City Council Workshop
Council Chambers
Monday, April 25, 2016**

I. Reconvene – Council reconvened at 7:40 p.m.

**II. Spartanburg City Police Department Crime Report
Presenters: Alonzo Thompson, Chief of Police**

III. Adjournment

Chief Thompson overviewed the status of the Police Department including crime data, proactive measures being taken, equipment and other needs.

Council received the report as information. The workshop adjourned at 8:40 p.m.



Connie S. McIntyre, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Natalia Rosario, Planning Staff

SUBJECT: Rezoning of property located at 773 East Main Street. Leonard Brock, Len Brock Co.

DATE: May 9, 2016

SUMMARY: On April 21st, 2016, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Leonard Brock, on behalf of Len Brock Co., Owner of 773 East Main Street, to rezone a portion of parcel 7-12-08-241.00 from Zone R-8: General Residential to LOD: Limited Office District, in order to sell the property, which will subsequently be developed as the site of a pediatric dental office. The purchase of the property is contingent upon the request being approved.

The 2004 Comprehensive Plan envisions this area have a future land use category of Limited Activity Center, with land use zoned of Limited Office District and Limited Commercial District. Therefore, the change of zoning from R-8: General Residential to LOD: Limited Office District is supported by the Comprehensive Plan.

The Planning Commission held a public hearing on the proposal on April 21st, 2016. The original rezoning request included the entire parcel, but was amended during the public hearing by the applicant. The amended rezoning limit allows for a portion of the property fronting Maple Street to maintain R-8: General Residential zoning, allowing for a residentially zoned buffer area between the Converse Heights neighborhood and the limited office uses that face East Main Street. 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 to rezone the amended request (i.e. only the portion of the property that runs parallel to the encroaching wall along the southern portion of the lot) from R-8 to LOD.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on April 21st, 2016 by a vote of 5 to 0. 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 21st, 2016 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 #7-12-08-241.00 LOCATED AT 773 EAST MAIN STREET, WHICH IS CURRENTLY SPLIT ZONED LOD/R-8, WITH A LAND USE DESIGNATION OF LIMITED OFFICE DISTRICT AND GENERAL RESIDENTIAL DISTRICT, TO EXTEND THE LOD ZONED PORTION OF THE PROPERTY THAT RUNS PARALLEL TO THE ENCROACHING WALL ALONG THE SOUTHERN PORTION OF THE LOT, WHILE ENSURING A RESIDENTIALLY ZONED BUFFER AREA ALONG MAPLE STREET WITHIN THE SAME PARCEL OF R-8/GENERAL RESIDENTIAL 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 extending the LOD zoned portion of the lot that runs parallel to the encroaching wall along the southern portion of the lot, while ensuring a residentially zoned buffer area along Maple Street within the same parcel of R-8/General Residential District, as shown on Spartanburg County Block Map Sheet 7-12-08; 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 21, 2016, 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 was amended by the petitioner.

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 241.00 on Spartanburg County Block Map Sheet 7-12-08 shall be now designated as LOD/R-8, Limited Office District/General Residential District as amended as referenced above.

(continued)

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 _____, 2016.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ 1st Reading

___/___/___ 2nd Reading

Rezoning for 773 East Main Street Spartanburg City Council | 5.9.2016

R-12: General Residential to
LOD: Limited Office District



Legend

 Proposed Rezoning

 City Parcels



1 inch = 16 feet

Spartanburg City Planning Commission Meeting Minutes
Thursday, April 21, 2016

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, April 21, 2016, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Bob Pitts, Nancy Hogan, and James Jenkins. Board Members Wendell Cantrell and Mike Epps were absent. Representing the Planning Department were Assistant City Manager Chris Story; Natalia Rosario, Planning Staff; and Julie Roland, Planning Department Administrative Assistant.

Roll Call

Mr. Wilson, the Chair, stated that notice of this meeting was posted and provided to the media 24 hours in advance as required by the Freedom of Information Act.

Mr. Wilson noted that four Planning Commissioners were currently present, constituting a quorum. Mr. Wilson went over the rules and procedures for conducting a public hearing.

Mr. Pitts moved approval of the Agenda for the April 21, 2016 meeting, with second by Mr. Kinard. The motion was approved by a vote of 4 to 0.

Disposition of the Minutes from the March 17, 2016 meeting of the Spartanburg City Planning Commission.

Mr. Kinard moved approval of the March 17, 2016 meeting minutes as submitted, with second by Ms. Hogan. The motion was approved by a vote of 4 to 0.

Old Business – None.

New Business

Rezoning Request: TMS#7-12-08-241.00 located on 773 East Main Street, split-zoned LOD/R-8 (Limited Office District/General Residential District) to zone LOD (Limited Office District) in order to sell the property along with the adjacent parcel the petitioner also owns to a proposed purchaser to build a children's dental office and utilize both parcels; Leonard Brock, Len Brock Company, Property Owner. The purchase of the property is contingent upon the approval of the rezoning request.

Ms. Rosario with Planning Staff came forward and was sworn; and she submitted the report the Planning Commissioners had previously received in their meeting packets, as well as the slides and presentation and two surveys the petitioner had brought into the office today, into evidence as Exhibit A. Ms. Rosario introduced the request to the Board Members, and said the petitioner was here to address the Planning Commissioners.

Mrs. Susan Brock Canon of Greenville came forward and was sworn, and said she was Mr. Brock's sister, and informed the Planning Commissioners her brother and herself owned the proposed parcel as well as the adjacent parcel at 763 East Main Street; and they wished to get the proposed parcel rezoned the same as the one at 763 East Main Street which was LOD in order to be able to sell the parcels to a proposed buyer to build a children's dental office.

Planning Commission Questions:

Ms. Hogan asked Mrs. Canon if there was a driveway entrance off of Maple Street. Mrs. Canon said there was not.

Ms. Rosario came forward again and showed slides of the location map, the proposed property, and surrounding area in order to better illustrate the request. Ms. Rosario said they knew there was residential on Maple Street, and some of the other parcels were split-zoned as well as the proposed property. She explained that LOD was designed to fit in with residential districts. Ms. Rosario said to address Ms. Hogan's earlier question regarding whether or not there would be a drive way entrance on to the proposed property from Maple Street; that it would not be appropriate to have a drive way entrance from the Maple Street portion. Any business would front on East Main Street.

[Editor's Note: Board Member James Jenkins arrived to the meeting at 5:40 P.M.]

Ms. Rosario went over the analysis of required findings and report the Planning Commissioners had already received in their meeting packets that included the following list of criteria for the Commission to consider when reviewing a rezoning request and Staff's analysis of those criteria as follows:

1. *Consistency (or lack thereof) with the Comprehensive Plan* –The proposed rezoning is in line with the goals of the 2004 Comprehensive Plan. The general intent of the LOD district, as described in the City of Spartanburg Zoning Ordinance, are “The Comprehensive Plan calls for the area in question to have a land use of institutional, with zoning of LOD.
2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The property is already almost entirely zoned LOD, and surrounded by other properties to the North, East, and West that are either zoned entirely or mostly LOD as well. The purpose of establishing the Limited Activity Center for the parcels that front East Main Street is in order to buffer the residential properties to the South from the impact of the traffic that moves along East Main Street on a daily basis. The use of these parcels as offices or limited commercials provides a buffer for the Converse Heights neighborhood while fostering the development of low intensity office uses.
3. *Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment* – The property is suitable for the uses allowed in the LOD zone. The development of a children's dental office on these properties will require a site plan submittal and will need to meet all City of Spartanburg development regulations.
4. *Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment* – Approval of the rezoning will increase the marketability of the property by enabling Mr. Brock to sell to the potential buyer, who has plans to proceed with the new construction of a children's dental clinic.
5. *Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site.

STAFF'S ANALYSIS & RECOMMENDATION

Staff is of the opinion that the proposed zone change from LOD and R-8 to LOD will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from LOD and R-8 to LOD.

Planning Commission Questions:

- Ms. Hogan asked what was on the other side of the proposed property. Mr. Leonard Brock said the adjoining property belonged to Gary McHam, and that it used to be an insurance company.

Mr. Wilson opened the public hearing and asked anyone who wished to speak in favor of the petition, or to speak against the petition to come forward.

- Mrs. Moore came forward and said she owned all the property behind 758 Maple and she was opposed to having a driveway put onto the property off of Maple Street. They had spent \$22,000.00 on putting up a brick wall, and she also does not want the proposed property to be rezoned because she felt that it would have an impact on her properties.

Planning Commission Questions:

- Mr. Kinard asked Mrs. Moore to point out on the survey where the wall was located. Mrs. Moore said the previous City Manager had approved for the wall to be put exactly where it was. She also felt a very heavy bufferyard needed to be installed if the property was rezoned.

- Mr. Wilson felt her main objection to the proposed request was a driveway access being put in from Maple Street; and he explained it would not be feasible for a business to install the driveway off of Maple Street.
- Assistant City Manager Story said a commercial business would need at least twenty or more feet in order to put in a driveway; and there was just not enough room for one.
- Mr. Wilson said the rezoning would not allow a business to put in a driveway off of Maple Street on to the proposed property.
- Mr. Pitts asked where the retaining wall was.
- Mrs. Moore said it was on her property, and it had caused them a lot of damage with water runoff onto her property.
- Mr. Brock said the retaining wall actually encroached onto his property and was on the parts of the property that neither one of them could use. Mr. Brock informed the Planning Commissioners the gentleman that had constructed the retaining wall had done an excellent job.
- Mr. Kinard said from what he was hearing, the small triangular piece of property they were referring to was undevelopable and always would be.
- Mr. Brock said that was correct.
- Ms. Cathy McCay of 758 Rutledge Street came forward and said her property was the next street over from Maple Street and she did not want commercial property that close to her neighborhood.
- Mr. Kinard said that was his neighborhood also.
- Ms. Hogan said it was her neighborhood as well.
- Mr. Everett Powers of 6 Woodburn Road came forward and said he was concerned about anything that might put commercial frontage in the neighborhood. He felt that even though the small commercial piece may not be developable right now, that it may become developable at some time in the future.
- Mr. Judd Traywick of Crystal Drive came forward and said he agreed with Mr. Powers.
- Mr. Kinard asked was there a way to rezone the proposed property in a way to keep the lower portion of the property as it was now.
- Ms. Rosario said the plan would be to have the office closer to the main road. She felt it would make sense to keep the back portion of the property as it was now.
- Ms. Hogan asked Mr. Rosario how would they handle bufferyards if it was two parcels.
- Ms. Rosario said bufferyards did not go by the lots, but rather by the use.
- Ms. Hogan asked if the back portion was still zoned R-8, would that prevent someone from putting in a driveway there.
- Ms. Rosario said the way it was currently zoned did not keep the property owner from putting in a driveway. She explained the zoning had nothing to do with being able to put in a driveway.
- Mr. Brock explained what he felt the best use of the property would be and that an environmental study would need to be done.
- Ms. Rosario said the buyer would have to submit a full Site Plan submittal to the City to make sure everything would be in full compliance with the Zoning Ordinance. She said residents were welcome at Site Plan Review meetings.
- Lieutenant Bill Michaels, with the City Police Department of 384 South Fairview Avenue came forward and said he owned 804 Rutledge Street and that they did not want a hole in the dyke. They just wanted to maintain their neighborhood.

- Mr. Wilson asked Mr. Brock would he consider amending his request to only extend the LOD portion of the property that runs parallel to the wall which encroached along the southern portion of the lot from Zone R-8, to LOD and leave the bottom portion as R-8. Mr. Brock said yes; and the small triangular portion of property could never be used anyway.
- Mr. Wilson asked anyone else who wished to speak to please come forward. No one else came forward. Mr. Wilson closed the public hearing.

Planning Commission Deliberation

Mr. Wilson felt if they extended the LOD portion to where the small triangular part started, that it would still protect and maintain Maple Street as R-8.

Mr. Kinard felt it was a reasonable solution.

Mr. Kinard made a motion to approve the petitioner’s verbally amended request to extend the LOD portion of the proposed property down to the portion that runs parallel to the wall which encroached along the southern portion of the lot from Zone R-8, General Residential District to Zone LOD, Limited Office District, and leave the bottom portion of the property as R-8, General Residential District; and he was seconded by Mr. Jenkins. The motion was unanimously approved by a vote of 5 to 0.

Ms. Rosario said the next step in the process would be for the request to go before the Mayor and Council for another public hearing and a First Reading on May 9, 2016, and then a Second and final Reading on May 23, 2016.

Site and Landscape Plans Approved since the March 17, 2016 Planning Commission Meeting

None were approved.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on March 17, 2016

Mrs. Roland went over the City Council updates that pertained to the Planning Commission since the last meeting on March 17, 2016 that was listed on the agenda.

Staff Announcements

- Mrs. Roland explained she gave all the Board Members a list of upcoming trainings.

The meeting adjourned at 6:10 P.M.

Respectfully Submitted,

Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant



REQUEST FOR COUNCIL ACTION

TO: Mayor and Members of City Council

FROM: Cathy McCabe, City Attorney

SUBJECT: Ordinance Calling for a Referendum on Sunday Beer and Wine Sales for Off Premises Consumption

DATE: May 4, 2016

BACKGROUND:

At its March 28, 2016 meeting, Council directed staff to prepare an Ordinance that, if passed by Council, would authorize a referendum on Sunday beer and wine sales for off premises consumption. The attached Ordinance, if passed by Council, will schedule a referendum on November 8, 2016.

AN ORDINANCE

CALLING FOR A REFERENDUM TO DETERMINE WHETHER THE SOUTH CAROLINA DEPARTMENT OF REVENUE MAY ISSUE TEMPORARY PERMITS IN THE CITY OF SPARTANBURG TO ALLOW FOR THE SALE OF BEER OR WINE FOR OFF-PREMISES CONSUMPTION WITHOUT REGARD TO THE DAYS OR HOURS OF SALE.

WHEREAS, certain businesses located in the City of Spartanburg desire to sell beer and wine for off-premises consumption regardless of the days or hours of sale so as to maintain competitiveness with other businesses in other nearby municipalities that allow such sales; and,

WHEREAS, pursuant to S.C. Code Ann. § 61-4-510(A) and § 61-6-2010(C)(1), permits authorizing the sale of beer or wine for off-premises consumption regardless of the days or hours of sale may only be issued to these businesses in the City of Spartanburg when a majority of the qualified electors voting in a referendum held during the next general election vote in favor of authorizing the issuance of such permits; and,

WHEREAS, pursuant to S.C. Code Ann. § 61-6-2010(C)(4), Council may call for a referendum on the question of authorizing the issuance of permits allowing the sale of beer and wine for off-premises consumption regardless of the days and hours of sale; and

WHEREAS, on November 4, 2003, a Referendum passed which permitted Sunday alcohol sales in bars and restaurants in the City of Spartanburg; and

WHEREAS, City Council desires to place the following referendum on the ballot of the next general election to be held on November 8, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND MEMBERS OF COUNCIL OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. The Spartanburg County Election Commission is hereby directed to place the following question on the ballot at the next general election to be held on November 8, 2016, and to cause a notice to be published in the newspaper of general circulation at least seven (7) days before the referendum.

The form of the question on the ballot shall be as follows:

“Shall the South Carolina Department of Revenue be authorized to issue temporary permits in the City of Spartanburg for a period not to exceed twenty-four hours to allow the sale of beer and wine at permitted off-premises locations without regard to the days and hours of sales?

Yes _____

No _____”

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE MAYOR AND MEMBERS OF COUNCIL OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 2. This Ordinance and Referendum is not intended to and does not have any effect upon the Referendum passed allowing Sunday alcohol sales in bars and restaurants. The Referendum of November 4, 2003 passed pursuant to Ordinance shall remain in full force and effect whether or not a Referendum passes pursuant to this Ordinance.

Section 3. Effective Date. This Ordinance shall be effective upon its enactment.

DONE AND RATIFIED this ____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

Date of First Reading: _____

Date of Second Reading: _____

APPROVED AS TO FORM:

CITY ATTORNEY

VIII. A



REQUEST FOR COUNCIL ACTION

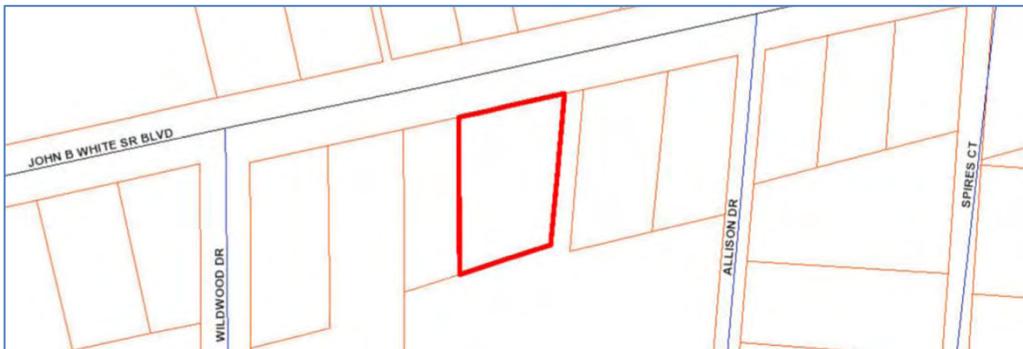
TO: Spartanburg City Council

FROM: Chris Story, Assistant City Manager

SUBJECT: Reconsideration of proposed rezoning of Parcel # 6-21-11-117.00 located at 823 John B. White Sr. Blvd.

DATE: May 5, 2016

City Council recently acted to schedule a reconsideration of its recent denial of the rezoning request for the above referenced parcel which is outlined in bold below. I will attempt to concisely summarize the matter before the Council.



The rezoning itself is rather straightforward. It would allow the highlighted parcel to convert from residential to office use. That is consistent with our comprehensive plan and was unanimously endorsed by the Planning Commission. Staff recommends approval. No one opposes the rezoning itself.

The questions relate to matters outside the scope of the rezoning. You will notice that immediately to the east of the parcel in question is a slender portion of the larger parcel located to the rear. This property is owned by Drucilla Gosnell, the woman who expressed concern at the recent public hearing. The proposed rezoning does not include any part of Mrs. Gosnell's property.

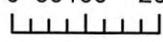
The owners of 823 John B. White Sr. Blvd. have an easement across a portion of Mrs. Gosnell's property that currently allows them to use it as a driveway. The parties disagree over whether the easement can be used by the office tenants should the property convert from residential to office use. However it is important to understand that the rezoning action applies only to the highlighted parcel and not to the area covered by the easement. Further, the rezoning action does not alter the language or nature of the easement itself. We believe the parties will subsequently resolve that matter.

We recommend approval of the rezoning and welcome any questions you may have.

Location Map

823 John B White Sr Blvd
 Rezone R-12 to LOD



0 50 100 200 Feet

 1 inch = 250 feet

Planning Commission Meeting - March 17th, 2016
 Council Chambers of City Hall - 5:30 P.M.

2-24-16
 Demian Carpenter
 Community Relations

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 #6-21-11-117.00 LOCATED AT 823 JOHN B. WHITE SENIOR BOULEVARD, WHICH IS CURRENTLY ZONED R-12 WITH A LAND USE DESIGNATION OF GENERAL RESIDENTIAL 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 Lot 117.00, as shown on Spartanburg County Block Map Sheet 6-21-11 from R-12, General Residential 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 March 17, 2016, 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 117.00 on Spartanburg County Block Map Sheet 6-21-11, 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.

(continued)

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 _____, 2016.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ 1st Reading

___/___/___ 2nd Reading

Spartanburg City Planning Commission Meeting Minutes
Thursday, March 17, 2016

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, March 17, 2016, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Bob Pitts, Wendell Cantrell, and James Jenkins. Board Members Nancy Hogan and Mike Epps were absent. Representing the Planning Department were Assistant City Manager Chris Story; Natalia Rosario, Planning Staff; and Julie Roland, Planning Department Administrative Assistant.

Roll Call

Mr. Wilson, the Chair, stated that notice of this meeting was posted and provided to the media 24 hours in advance as required by the Freedom of Information Act.

Mr. Wilson noted that four Planning Commissioners were currently present, constituting a quorum. Mr. Wilson went over the rules and procedures for conducting a public hearing.

Mr. Cantrell moved approval of the Agenda for the March 17, 2016 meeting, with second by Mr. Kinard. The motion was approved by a vote of 4 to 0.

Disposition of the Minutes from the January 21, 2016 meeting of the Spartanburg City Planning Commission

Mr. Cantrell moved approval of the January 21, 2016 meeting minutes as submitted, with second by Mr. Kinard. The motion was approved by a vote of 4 to 0.

Old Business – None.

New Business

Rezoning Request: TMS#6-21-11-117.00 located on 823 John B. White Senior Boulevard, zoned R-12 (General Residential District) to zone LOD (Limited Office District) in order to sell the property to Wellspring Living SC, a ministry devoted to the counseling of women as well as the office headquarters in Spartanburg; Scott Talley, Talley Law Firm, Agent on behalf of Geraldine B. Stockdale Trust, Property Owner. The purchase of the property is contingent upon the approval of the rezoning request.

Ms. Rosario with Planning Staff came forward and was sworn; and she submitted the report the Planning Commissioners had previously received in their meeting packets, as well as the slides and presentation into evidence as Exhibit A. Ms. Rosario introduced the request to the Board Members; and she showed slides of the location map, the proposed property, and surrounding properties. She informed the Board Members the entrance of the property is located on an easement with the property located at 410 Allison Drive, behind 823 John B. White Senior Boulevard. She indicated that 410 Allison Drive was not part of the rezoning request. More slides were shown in order to better illustrate the request.

[Editor's Note: Board Member James Jenkins arrived to the meeting at 5:35 P.M.]

Ms. Rosario went over the analysis of required findings and report the Planning Commissioners had already received in their meeting packets that included the following list of criteria for the Commission to consider when reviewing a rezoning request and Staff's analysis of those criteria as follows:

1. ***Consistency (or lack thereof) with the Comprehensive Plan*** –The proposed rezoning is in line with the goals of the 2004 Comprehensive Plan. The general intent of the LOD district, as described in the City of Spartanburg Zoning Ordinance, are "...established to provide for office uses, including offices which have contact with the general public, but which do not conduct sales of merchandise on the premises. It is intended that this district will develop that will insure compatibility with residential districts." The Comprehensive Plan describes the Limited Activity Center as follows:

“Intended for professional offices and small scale retail business serving a neighborhood area. Activities within a Limited Activity Center should be fully enclosed, should generate little traffic, noise, light or evening activity, and should be compatible with adjacent residential areas.”

2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The properties are surrounded by a mix of uses, including single family residential, general institutional (Hatcher Gardens) and offices. Uses along this portion of John B. White Senior Boulevard include predominately LOD parcels, with R-15 and R-12 zoned parcels located behind these. Change of zone from R-12 to LOD would not significantly alter the character of the neighborhood or corridor.
3. *Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment* – Since the proposed use of the parcel falls under the category of “Office/Institutional/Multi Family/Special Residential” and the properties with which the proposed uses lie are adjacent to single family residential uses, Section 505.64 Landscaping Requirements for Buffers requires that the properties provide a Bufferyard 3 along any side or rear property line that abuts a single family use. The entrance of the property is located on an easement with the property located at 410 Allison Drive, behind 823 John B. White Senior Boulevard. Staff is of the opinion that placing a buffer yard along this side of the property would not be feasible and would interfere with the use of the site as it is currently designed. The rear buffer is 65’ away from the property line at its shortest point, and the foliage in this area meets the requirements for a Bufferyard 3.
4. *Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment* – The marketability of the property would increase with the zoning change. The rezoning will allow for Wellspring Living SC to purchase and occupy the property.
5. *Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site.

STAFF’S ANALYSIS & RECOMMENDATION

Staff is of the opinion that the proposed zone change from R-12 to LOD will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from R-12 to LOD, as presented.

Planning Commission Questions:

- Mr. Kinard asked was the plan to tear the house down. Ms. Rosario said no; and she explained they would just be bringing the house up to code for an office use.
- Mr. Kinard asked to see the slide that showed the easement again. Ms. Rosario said there was a possibility for them to have an access regarding another property owner but she did not know if that option was being pursued.
- Mr. Cantrell said the plat showed part of the access being paved, and the width of that as 22.53 feet; and asked was that correct or had that been changed since 2009. Ms. Rosario said she did not know the exact width; but it was all paved.
- Mr. Cantrell asked did anyone else in the back use that area. Ms. Rosario said the owner of 410 Allison Drive.
- Mr. Kinard asked was the plan not to affect that access regarding the easement; and he asked could they have the proposed purchaser speak regarding that.
- Mr. Wilson said they would address that in a few minutes.

Scott Talley, Talley Law Firm, Agent on behalf of the current owner came forward; and he said to address Mr. Kinard's point, he referenced a slide and explained the property at 410 Allison Drive was primarily accessed off of Allison Drive; and he informed the Planning Commissioners it was undisputed and was an non-exclusive easement for the property at 823 John B. White Senior Boulevard. He said the strip by which the easement was granted was the 22.5 strip. He said it should be noted that the owner of 410 Allison Drive had installed a gate that was now locked, back behind the buffer, and the owner of 410 Allison Drive had not used it in a number of years. The easement was actually granted by deed to Mr. George Albert Stockdale in 1949, and his was is the current record owner. Mr. Talley said there was no intention of the buyer of 823 John B. White Sr. Boulevard to change the structural foundation; but it did need to be brought up to code. The intended buyer, Wellspring Living SC would not house any people; it was a center where women would receive counseling services and be the main office headquarters.

Planning Commission Questions:

- Mr. Kinard asked would there be any overnight people.
- Mr. Talley said no.
- Mr. Cantrell asked how many parking spaces were on that location for the main parcel. Mr. Talley said right now it was a driveway and he referenced the plat.
- Mr. Cantrell said it looked like the parking was very limited.
- Mr. Talley referenced the plat the Board Members should have in their packets; and said it was his understanding that the paved area only on the 823 site would be expanded by four spaces plus the required handicapped parking space, all of which would be contained in the 823 parcel and would not infringe onto Mrs. Gosnell's property at 410 Allison Drive.
- Mr. Kinard asked was the gate that was put up on the 410 Allison Drive property. Mr. Talley said yes.
- Mr. Kinard asked would the owner of 410 Allison Drive still be able to access the easement area if need be. Mr. Talley said yes.

Mr. Wilson opened the public hearing and asked anyone who wished to come forward and speak in favor of the request, or in opposition of the request to come forward.

- Mr. Tim Cleveland of 400 E. Henry Street, Attorney for Mrs. Gosnell came forward and informed the Planning Commissioners that Mrs. Gosnell did not object to the rezoning of the proposed parcel; but she wanted noted for the record that her property was not included in the rezoning request; and that she does and would object to any use of the driveway for any use of the driveway as a limited office purpose, due to increased traffic for the office use. Mr. Cleveland said the Gosnell's still use that easement from time to time to get into their property from John B. White Senior Boulevard.
- Mr. Pitts asked was the only access to 823 John B. White Senior Boulevard at the easement area.
- Mr. Cleveland said no, they had a lot of road frontage on John B. White Senior Boulevard; and he said it would be possible to put another entrance.
- Mr. Talley said there was no other existing curb cut for 823 John B. White Senior Boulevard; and there was a lot more regarding SCDOT approval, etc. that would need to be done in order to gain another access. He also pointed out that Mrs. Stockdale was not present tonight; but two of her daughters were present, and one who was currently living in the house until it was sold. He noted after the rezoning was posted, the gate has been unlocked for the first time in four years; and signs had been put up to not block the driveway; and the buyer understands the easement language and is certainly willing to comply.

- A gentlemen came forward who said he was Mrs. Gosnell's son-in-law [that I could not understand the name or address]; and said in the two and a half years that he had been back in Spartanburg he had gone in and out of that gate at least twenty times. He said the gate was quite often opened. It was closed occasionally. Additionally, he did not know exactly when the gate was put up; but he had been a part of the family for the last 25 years ago and that gate was in place and was old way back then. They all use that access on a normal basis.
- Mrs. Drucilla Gosnell, owner of 410 Allison Drive came forward and said Mr. Talley had mentioned the gate being closed. She explained there was a reason for the gate being closed at times. There had been a problem with people coming down her driveway and turn around in her back yard. She primarily lived by herself most of the time; and she did not like for people to come down her driveway. At the moment her grandson lived with her who used that access to go in and out.
- Mrs. Gosnell's daughter, Sally Dover said when all of this transpired with the easement was back when the area was all residential and farm land.

Mr. Wilson asked if there was anyone else who wished to speak in favor or against the petition. Hearing none, Mr. Wilson closed the public hearing.

Planning Commission Deliberation:

- Mr. Kinard felt the right to use the easement was not the issue before the Planning Commission. He did not think there was any question that Mrs. Gosnell had the right to use the easement or not. He does understand the easement would benefit 823 John B. White Senior Boulevard. He is of the opinion based on the surrounding area that the zoning change would be consistent with the uses in the area.
- Mr. Wilson said the easement or the validity was not in question.

Mr. Cantrell made a motion to approve the request as presented by Staff; and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 5 to 0.

Ms. Rosario said the next step in the process would be for the request to go before the Mayor and Council for another public hearing and a First Reading on April 11, 2016, and then a Second and final Reading on April 25, 2016.

Rezoning Request: TMS#7-08-13-230.00, Portions of property located on 101 E. Wood Street within the sections bordered by North Church Street, Catawba Street, East Wood Street, Serpentine Drive, Aimee Street, and Dewey Avenue that are currently zoned B-1, B-3, LOD, and R-8, (Neighborhood Shopping District), (General Business District), (Limited Office District), and (General Residential District) to Zone GID, (General Institutional District), as well as Tax Map Number 7-12-01-190.00 located at 727 North Church Street zoned B-3 (General Business District) to zone TGID, (General Institutional District), in order to consolidate all of the property as referenced above to the same Zone of GID; David McCutchen, PE, McCutchen Engineering Associates PC, Agent on behalf of Spartanburg Regional Healthcare System, Property Owner.

Ms. Rosario with Planning Staff came forward and was sworn; and she submitted the report the Planning Commissioners had previously received in their meeting packets, as well as the slides and presentation into evidence as Exhibit A. She explained to the Planning Commissioners the reason for the request was to create coherent zoning across the two parcels in order for the owner to move forward with construction plans of a new medical office building. The rezoning would allow for a uniform site design that cannot be achieved if setbacks and buffer yards are applied to the site as it currently zoned. Slides were shown in order to better illustrate the request.

Ms. Rosario went over the analysis of required findings and report the Planning Commissioners had already received in their meeting packets that included the following list of criteria for the Commission to consider when reviewing a rezoning request and Staff's analysis of those criteria as follows:

not be feasible and would interfere with the use of the site as it is currently designed. The rear buffer is 65' away from the property line at its shortest point, and the foliage in this area meets the requirements for a bufferyard 3.

4. *Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment* – The marketability of the property would increase with the zoning change. The rezoning will allow for Wellspring Living SC to purchase and occupy the property.
5. *Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site.

STAFF'S ANALYSIS & RECOMMENDATION

Staff is of the opinion that the proposed zone change from R-12 to LOD will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from R-12 to LOD, as presented.

WRITTEN PUBLIC COMMENTS

Notices were sent to property owners within a 400 ft. radius of subject properties. There have not been any written arguments in favor or opposition to the request.

FUTURE PROCESS

Under State law, if the Planning Commission recommends approval of this application, staff will schedule the matter for a final public hearing before the City Council. The public hearing will be publicly noticed.

If the Planning Commission recommends against the application, the negative recommendation will be forwarded to the City Council. In this case, a public hearing before the City Council will be conducted only if the applicant submits a written request within a two week period following the Planning Commission's action.

On March 17th, 2016, the Planning Commission may act to support or oppose the application, with or without changes to the proposal. The Commission could also continue the matter if additional information, testimony or dialogue is felt necessary.

ATTACHMENTS:

- | | |
|-----------------|----------------------------------|
| A. Case Photos | B. Application |
| C. Hearing Maps | D. Feasibility Inspection Report |

PREPARED BY:

Natalia C. Rosario

Natalia C. Rosario
Planning Staff

3.9.2016

DATE

Worksession

Initial FY17 Budget Workshop



MEMORANDUM

TO: Spartanburg City Council

FROM: Chris Story, Assistant City Manager

SUBJECT: Initial Budget Workshop at Upcoming Council Meeting

DATE: May 5, 2016

At your upcoming meeting, we will conduct our initial workshop on the development of the budget for next fiscal year. We will focus this time on our expectations regarding our core revenues, unavoidable inflationary expenditures, and input from City Council on areas of greater concern. This dialogue is the beginning of the budget development process which will continue at subsequent meetings.

Please let me know if you have any questions.