



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, September 14, 2015
5:30 p.m.

- I. **Moment of Silence**
- II. **Pledge of Allegiance – Led by Robert “Mr. Scout Executive” Justice**
- III. **Approval of the Minutes of the August 24, 15 City Council Meeting**
- IV. **Approval of Agenda of the September 14, 2015 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, by Amending Section 206, Changes to District Boundaries, Specifically Parcel #7-12-09-257.00 Located on 174 West Saint John Street at the Corner of N. Thompson Street and Stevens Street; Parcel #7-12-09-257.01 Located on 459 Stevens Street; and Parcel #7-12-13-065.00 Located on “0” Saint John Street, which are Currently Zoned R-6, with a Land Use Designation of General Residential District to Zone LOD, with a Land Use Designation of Limited Office District in Order to Utilize the Best Use of the Properties. John M. Holmes, Pit Bull Investments, LLC, Agent and Property Owner on Behalf of Pit Bull Investments, LLC, City of Spartanburg, and Cornerstone Baptist Church, Property Owners (First Reading)
Presenter: Chris Story, Assistant City Manager**
- VII. **Other Business**
 - A. **Farley Avenue Culvert Replacement
Presenter: Jay Squires, Streets & Storm Water Manager**

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.

- B. Maryland Avenue Culvert Replacement**
Presenter: Jay Squires, Streets & Storm Water Manager
- C. East Main Street Pedestrian Lighting Improvements**
Presenter: Tim Carter, Engineering Administrator
- D. Boards and Commissions –Minority Women Business Enterprise Committee**
Presenter: Connie McIntyre, City Clerk

VIII. City Council Updates

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

X. 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, August 24, 2015
5:30 p.m.**

**(These minutes are subject to approval at the
September 14, 2015 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Erica Brown, Councilmembers Jan Scalisi, Robert Reeder, Jerome Rice, Sterling Anderson, and Laura Stille. 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 - recited

III. Approval of the Minutes of the August 10, 15 City Council Meeting –
Councilmember Reeder made a motion to approve the minutes as received.
Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

IV. Approval of Agenda of the August 24, 2015 City Council Meeting –
Councilmember Rice made a motion to approve the agenda as received.
Councilmember Stille 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. Resolution

A. To Approve the Purchase of 85 Body Worn Cameras and 85 Electronic Control Devices from Taser International

Presenters: Chief Alonzo Thompson, Spartanburg Police Department
Chris Story, Assistant City Manager

Chief Thompson and Mr. Story presented the item to Council as follows:

“Last September, the Spartanburg Police Department started a body camera pilot program. The department deployed twenty (20) Taser brand body cameras on a variety of uniform officers. These small video cameras have captured over 10,200

incidents from the officer's field of view. These interactions with the community range from simple traffic stops to arresting unruly suspects. Once the incident is recorded, it is securely stored on Taser's cloud-based storage system called Evidence.com

With only six months into the pilot program, the camera system has been a huge success. The ever growing database is full of compelling video footage. This system has improved citizen behavior, revealed false complaints, created a more efficient officer, and greatly increased public trust.

During March of this year, the City of Charlotte went through the procurement process for body cameras for Charlotte Mecklenburg Police Department (CMPD). This process mirrors the City of Spartanburg's procurement process. Five vendors returned with proposals for the implementation of a head mounted camera and cloud-based storage systems. The Taser Axon Flex camera and Evidence.com cloud storage system were selected by the procurement team. This is the same Vendor and camera system the Spartanburg Police Department utilized during the twenty (20) camera pilot system. The vendors that responded to CMPD's request were:

1. Taser International
2. MediaSolv
3. Digital Ally
4. Reveal Media
5. Motorola

The second phase of the project was to research and review Electronic Control Devices, commonly known as Tasers. This less than lethal device deploys two electrical probes that causes temporary paralysis to an unruly suspect. The implementation of these devices across the United States has greatly reduced the use of deadly force by law enforcement. It has also reduced the number of suspect as well as officer injuries. This in turn reduces the number of hospital bills and workman compensation claims. Over 16,900 law enforcement and government agencies currently have the Taser system as a less that lethal option.

The City of Spartanburg created a bid process for 85 Taser style Electronic Control Devices. Two vendors responded to Proposal Number 1516-08-11-01

Taser International	\$142,162.77
Lawmen's Safety Supply Inc.	\$149,937.73

BUDGET AND FINANCE DATA: Uniform patrol officers are usually the first responders to all emergency incidences. These officers would be the logical choice to have a body camera system. They are also more likely to encounter an

incident where a less than lethal option would be applicable. Our agency currently has 85 officers assigned to the uniform patrol division as first responders.

<u>Taser Only Purchase (five year plan)</u>	
One Time Payment Plan	\$142,162
Estimated First Payment (tax and Shipping added)	\$35,733
Estimated Remaining Four Payments	\$26,607

<u>Body Camera Only Purchase (five year plan)</u>	
One Time Payment Plan	\$542,544
Estimated First Payment (tax and Shipping added)	\$207,983
Estimated Remaining Four Payments	\$83,640

<u>Taser and Body Camera Purchase (five year plan)</u>	
One Time Payment Plan	\$633,665
Estimated First Payment (tax and shipping added)	\$229,744
Estimated Remaining Four Payments	\$100,980

The above prices do not reflect the 3.5 – 4 % increase for the five year payment option. However, since Taser International is the preferred vendor for both Taser ECD and Body Cameras, a combined purchase will save approximately \$51,041. The 2015-2016 Police budget has \$30,000 earmarked for the first year payment for 85 Taser ECD. For the combined purchase, the City of Spartanburg will need to contribute approximately \$199,744 (shipping and tax added) to facilitate the first year payment for the combined equipment purchase plan.

We intend to seek reimbursement from the state for the costs attributed to body cameras.”

After discussion, Councilmember Anderson made a motion to approve the resolution as requested with the understanding that staff will research, verify and comply with necessary procurement procedures, and seek reimbursement from the state. Mayor pro tem Brown seconded the motion, which carried unanimously 7 to 0.

VII. Consent Agenda

- A. Authorizing the City Manager to Execute a Deed to Upstate Housing Partnership Conveying Property Located at 191 Sunny Street, Block Map Sheet 7-16-10, Parcels 182.00 and 183.00 (Second Reading)**

Presenter: Mitch Kennedy, Director of Community Services

Councilmember Reeder made a motion to approve the Consent Agenda on second reading. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

VIII. Other Business

A. Boards and Commissions – Housing Authority Board (Interview Committee Recommendation) and Minority Women Business Enterprise Committee

Presenter: Connie McIntyre, City Clerk

Councilmember Stille, chairperson of the Housing Authority Board interview committee, reported to Council that interviews of four applicants were held on August 17. She thanked all of the applicants who were willing to be considered. She recommended to Council that Dr. Charles (Chuck) White be appointed to the Housing Authority Board.

Councilmember Stille made the motion to appoint Dr. Charles White to the Housing Authority Board. Mayor pro tem Brown seconded the motion, which carried unanimously 7 to 0.

B. Grant to City of Spartanburg Development Corporation to Facilitate Demolition of Economy Inn Located at 150 South Pine Street

Presenter: Ed Memmott, City Manager

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

“The City is seeking to improve the appearance and increase the development potential of the downtown. The removal of the Sunshine Inn by the Northside Development Corporation, the demolition of the former Hammond Brown Jennings Building at 135 North Church Street, and the pending redevelopment of the former Consolidated Tire Building on Liberty Street are examples of the positive momentum underway in downtown.

Over the past several months, staff has been in contact with the owner of the former Economy Inn motel on Pine Street. The motel closed in 2014. Staff believes the vacant building is a detriment to nearby properties. It is not, however, an unsafe building and there is no legal basis for the City to require demolition. In an effort to positively resolve this situation, staff has tentatively negotiated the terms of an agreement, which if approved by Council and the Board of Directors of the Spartanburg Development Corporation (SDC), would result in the demolition of the motel.

The SDC is a nonprofit entity created by the City to facilitate economic development. In the past, the SDC has made direct loans, procured purchase options, aggregated grant funds, taken equity positions, and facilitated tax credit transactions on a variety of economic and community development projects.

With respect to the Economy Inn, staff is requesting that Council approve a grant of up to \$80,000 to the SDC. The SDC, subject to approval of its Board, would

enter into a loan agreement with the owner of the Economy Inn. The loan would fund up to 50% of the documented demolition costs. The exact terms of the loan would be approved by the SDC Board but staff would anticipate interest only repayment with a balloon payment due on the seventh anniversary of the loan. The loan would be payable in full if the site is sold during the term of the loan. Once repaid, the SDC would use the loan proceeds for other economic development projects in the City.

ACTION REQUESTED: Approval of grant agreement providing up to \$80,000 to the Spartanburg Development Corporation and authorization for the City Manager to execute necessary documents.

BUDGET AND FINANCIAL DATA: \$80,000 from MCIP/Economic Development Funding”

After discussion, Councilmember Rice made a motion to approve the grant request as presented and requested. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

C. Authorization to Enter Into Management Agreement for Oakview Apartments

Presenter: Ed Memmott, City Manager

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

“Council is aware that legal proceedings to acquire Oakview are underway. Under state law, the City is entitled to possession of Oakview so that it can proceed with its public use (construction of TK Gregg Center) of the property. The matter of compensation due to Oakview’s owner will be determined by the court.

Because Oakview is an operating, subsidized housing complex that primarily serves very low income residents, the City has sought to reach agreement with Oakview ownership on an orderly transfer of operational control to the City. The City has been unsuccessful in these efforts. To bring this particular dispute to a close, the City has filed a motion to compel Related to turn the property over to the City. Once in control, the City will operate Oakview for 9-12 months while tenants are relocated. Once fully vacant, the apartment complex would be demolished.

The City’s motion will be heard by the Circuit Court in early September. In anticipation of gaining control of Oakview, staff has been in discussions with management of the Spartanburg Housing Authority regarding options for Oakview management during this wind down phase. Under this option, if finalized, Spartanburg Housing Management (SHM), an affiliate corporation of the SHA, would manage Oakview Apartments for the City.

It is expected that the rental income from Oakview will be sufficient to pay all expenses associated with project management.

ACTION REQUESTED: Authorization for the City Manager to negotiate final terms and enter into a management contract of Oakview Apartments during its wind down phase.

BUDGET AND FINANCIAL DATA: Contract expenses expected to be offset by rental income from Oakview.

Councilmember Stille made a motion to give authorization to the City Manager as requested. Mayor pro tem Brown seconded the motion, which carried unanimously 7 to 0.

D. Traffic Calming Program

Presenter: Ed Memmott, City Manager

Mr. Memmott and Gaye Sprague, of Sprague and Sprague Traffic Engineering Consultants, reviewed the City's current Traffic Calming policy with Council, seeking direction from them as to how staff should proceed. A lengthy discussion was held regarding different traffic calming devices, procedures, and issues.

Mr. Memmott stated that after hearing Council's comments, he would come back to them with several recommendations including consideration of the use of stop signs as a traffic calming measure, and increasing the number of city residents participating in the voting process.

Council received the report as information.

IX. City Council Updates –

Councilmember Anderson mentioned that the Texas Roadhouse on W.O. Ezell Boulevard would open on August 31.

Councilmember Scalisi share that she attended the opening of Brown Roof Thrift Shop and was impressed with the set up and operation. She congratulated everyone involved in the Rev. Thornton Building at Stewart Park, especially Kim Moultrie, Parks and Recreation Superintendent, for her choice of colors for the interior décor. She congratulated the Hub City Book Shop, Cake Head Bakery, and the Coffee Shop on their anniversary celebration.

Councilmember Stille also commended those involved in the Rev. Thornton Building dedication ceremony at Stewart Park. She mentioned the large turnout for the reopening of Main Street and that is was a great day.

Councilmember Rice thanked everyone involved in the Rev. Thornton building dedication event, particularly the residents of the area who came up with the name. He mentioned that the Panthers Training Camp exceeded all expectations with an attendance over the course of the camp of 77,600 Carolina Panther fans. He reminded everyone that Jazz on the Square would start back up on September 4. He shared that the Spartanburg High School Vikings Football Team would travel to Wakulla, Florida to play their season opener. He stated that the game would be televised on ESPNU at 1:00 on Saturday.

Councilmember Reeder shared that the Carolina Panthers Training Camp was a huge success. He added that he spoke to people from all over the country when he attended

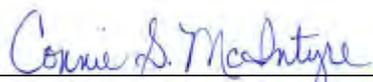
the camp. He thanked the Panthers for continuing to come to the Wofford College campus for their training camp.

Mayor pro tem Brown reminded everyone of One Spark at the Chapman Cultural Center on September 5 from 11:00 – 5:00. He commended the City for receiving the Cultural Arts Designation, as one of 3 in the state.

- X. Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to Encouraging the Location of a Business in the City –**
Councilmember Reeder made a motion to adjourn to Executive Session.
Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.
Council adjourned to Executive session at 7:05 p.m.

Council reconvened at 7:24 p.m. Mayor White stated that discussion was held with no decisions made.

- XI. Adjournment – Councilmember Reeder made a motion to adjourn the meeting.**
Councilmember Anderson seconded the motion, which carried unanimously. The meeting adjourned at 7:26 p.m.



Connie S. McIntyre, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Chris Story, Assistant City Manager

SUBJECT: Rezoning of three vacant properties located at 174 West Saint John Street, 459 Stevens Street, and “0” Saint John Street, from John M. Holmes, Pit Bull Investments, LLC.

DATE: September 14, 2015

SUMMARY: On August 20, 2015, the Planning Commission held a public hearing and reviewed a combined rezoning request submitted by John M. Holmes, Pit Bull Investments, LLC, on behalf of Pit Bull Investments, LLC, Owner of 174 West Saint John Street, the City of Spartanburg, Owner of 459 Stevens Street, and Cornerstone Baptist Church, Owner of “0” Saint John Street, to rezone parcels 7-12-09-257.00 and 257.01, as well as 7-12-13-065.00 from Zone R-6/General Residential District to LOD/Limited Office District, with the intent of either subsequently combining the parcels or encouraging compatible redevelopment.

The Planning Commission held a public hearing on the proposal on August 20, 2015. 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 parcels from R-6 to LOD.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on August 20, 2015 by a vote of 4 to 1. Staff’s recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the August 20, 2015 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 PARCELS #7-12-09, 257.00 & 257.01, AND PARCEL#7-12-13, 065.00 LOCATED AT 174 WEST SAINT JOHN STREET; 459 STEVENS STREET; AND “0” SAINT JOHN STREET, WHICH ARE CURRENTLY ZONED R-6 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 parcels identified on the Official Zoning Map of the City of Spartanburg, South Carolina, dated August 6, 1973, as amended, by changing the zone of Lots 257.00 and 257.01, as shown on Spartanburg County Block Map Sheet 7-12-09, and lot 065.00 as shown on Spartanburg County Block Map Sheet 7-12-13 from R-6, 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 August 20, 2015, 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 Lots currently identified as 257.00 and 257.01 on Spartanburg County Block Map Sheet 7-12-09, and the Lot currently identified as 065.00 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.

(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 _____, 2015.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ 1st Reading

___/___/___ 2nd Reading

Location Map

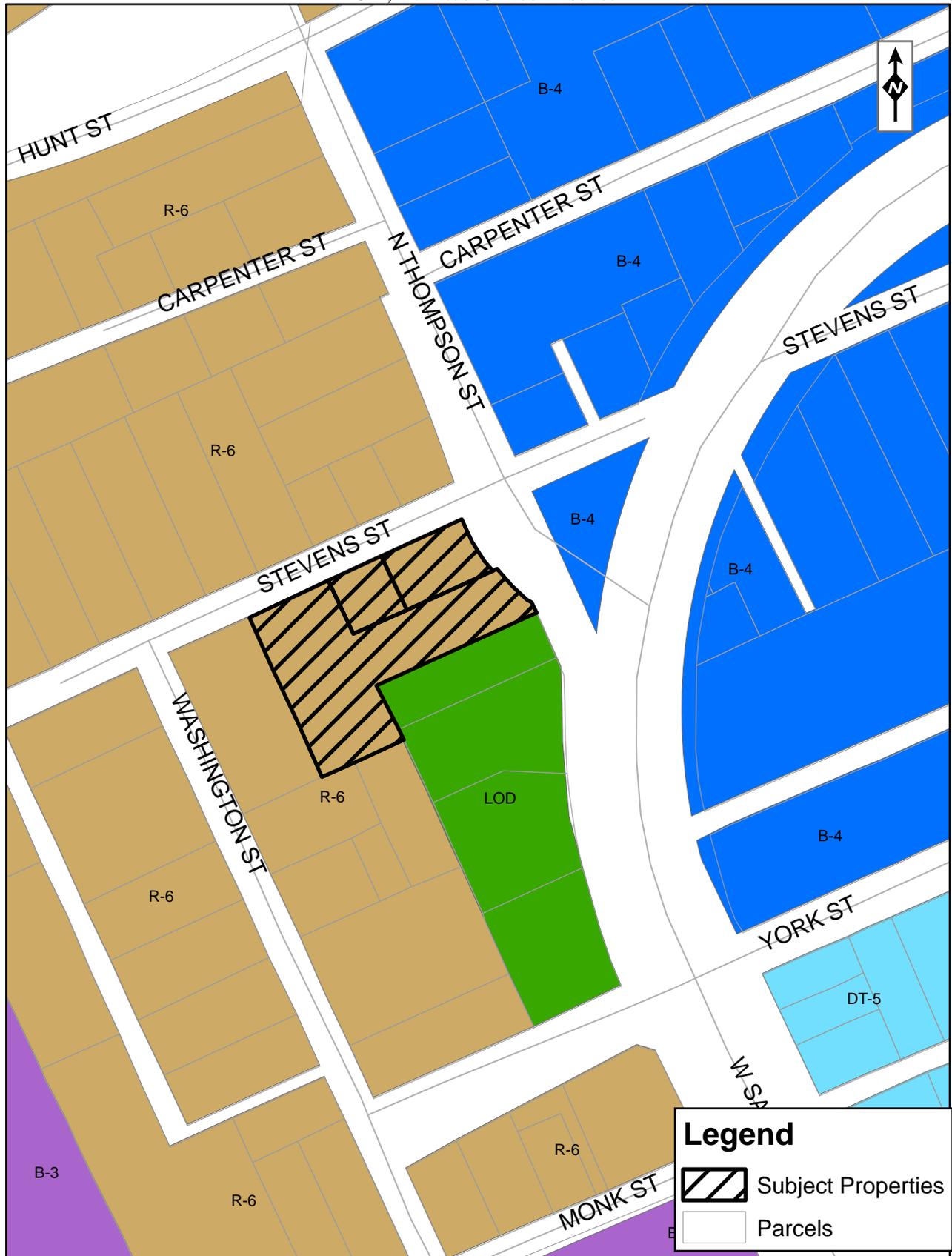
RZC 15 11-04

174 W Saint John St, 459 Stevens St, 0 Saint John St

Proposed Zone Change to
LOD, Limited Office District

Planning Department

596-2068



0 25 50 100 Feet



1 inch = 121 feet

Planning Commission Meeting - August 20th, 2015
Council Chambers of City Hall - 5:30 P.M.

Planning Department
D. Carpenter 7-16-15

***Spartanburg City Planning Commission Meeting Minutes
Thursday, August 20, 2015***

*City Hall Council Chambers
Spartanburg, South Carolina*

The City Planning Commission met in City Hall Council Chambers on Thursday, August 20, 2015, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Nancy Hogan, Bob Pitts, Wendell Cantrell, Jared Wilson, and Mike Epps. Howard Kinard and James Jenkins were absent. Representing the Planning Department were Assistant City Manager Chris Story and Julie Roland, Planning Department Administrative Assistant.

Roll Call

Ms. Hogan, 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.

Ms. Hogan noted that five Planning Commissioners were currently present, constituting a quorum. Ms. Hogan went over the rules and procedures for conducting a public hearing.

Mr. Pitts moved approval of the Agenda for the August 20, 2015 meeting, with second by Mr. Cantrell. The motion was unanimously approved by a vote of 5 to 0.

Disposition of the Minutes from the April 16, 2015 meeting of the Spartanburg City Planning Commission

Mr. Cantrell moved approval of the April 16, 2015 meeting minutes as submitted, with second by Mr. Wilson. The motion was unanimously approved by a vote of 5 to 0.

Old Business – None.

New Business

Rezoning Request: Combined Rezoning consisting of TMS#7-12-09, Parcels 257.00 and 257.01, and TMS#7-12-13, Parcel 065.00 – Located at 174 West Saint John Street, 459 Stevens Street, and “0” Saint John Street. Zoned R-6, General Residential District to LOD, Limited Office District in order to utilize the best use of the three vacant properties. John M. Holmes, Pit Bull Investments, LLC, on behalf of Pit Bull Investments, LLC, the City of Spartanburg, and Cornerstone Baptist Church, Owners.

Assistant City Manager Chris Story came forward and was sworn; and he 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. He explained to the Planning Commissioners they were dealing with three vacant parcels that were contiguous, near the intersection of Stevens Street and N. Thompson Street. He referenced the location map slide, pointed out where the properties were located, and explained that all of the properties proposed for the rezoning, as well as the other properties in the brown were an R-6 classification, which was a residential only classification primarily for single-family residential homes. He pointed out the parcels on the map in green were classified as LOD/Limited Office District which allowed for a number of uses which were primarily offices, and a few other uses that did not create a lot of noise, night-time hours, etc. The parcels in purple were zoned B-4, which was a more intense business classification. The Assistant City Manager explained the area had changed some years ago when the Saint John Street Corridor was extended through the area. He further explained there was no current development proposed at this time; and it was one of those rezoning requests that was aimed at creating an environment where a compatible, desirable land use was planned in advance, but there was no timeline for its development. More slides were shown in order to better illustrate the request.

Mr. Story asked if the Applicant wished to come forward. Mr. Holmes said he did not have anything further to add.

Assistant City Manager Story 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 2004 Comprehensive Plan has specified Limited Activity Center for the property in question. Limited Activity Center (LAC) is intended for professional offices and small scale retail businesses serving a neighborhood area. Activities within a LAC should be fully enclosed, generate little traffic, noise, light or evening activity, and should be compatible with adjacent residential areas. Public, civic and recreational uses are compatible with a LAC. Also, the recommended zoning classifications for this land use category are LOD and LC-Limited Commercial Districts. The requested rezoning is consistent with the Comprehensive Plan.
2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The properties are located along a major traffic corridor which limits the desirability and compatibility of R-6 single family home use.
3. *Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment* – Given the properties location between a major thoroughfare and a residential area, LOD enables an appropriate transition.
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 be improved by the proposed amendment.
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-6 to LOD is consistent with the Future Land Use element of the Comprehensive Plan and is appropriate for the character for the area. Therefore, Staff recommends **approval** of the proposed zone change from R-6 to LOD, as presented.

Planning Commission Questions:

- Ms. Hogan wondered about the three different owners applying at the same time, and asked if there was a plan to combine the properties.

Mr. Holmes, Pit Bull Investments, LLC came forward and was sworn and said he would answer that question. He informed the Planning Commissioners that Saint John Street was basically the new Main Street of Spartanburg. Mr. Holmes explained LOD was the highest and best use of those properties. He further explained at the present time the properties had no value; and if they were zoned to LOD the now vacant parcels could be turned into a revenue producing attractive site.

Ms. Hogan opened the public hearing and asked if anyone wished to speak in favor of the request to come forward and state their name and address for the record.

- Mr. Saul Smith of 474 Stevens Street came forward and asked would all the proposed properties need to face Saint John Street. Assistant City Manager Story said they could be developed a couple of different ways, and could either face forward on Saint John or Stevens Street; and he said they did not know that answer yet.
- Mr. Smith said that would be a real problem if they faced Stevens Street because that would be right across the Street from his mother's residence. Mr. Smith said he would be opposed to the request if they were supposed to face and be addressed on Stevens Street.

Ms. Hogan asked anyone that was opposed to the request to come forward.

- Mrs. Virginia Miller of 418 Carpenter Street asked how the rezoning affected her property. Mr. Cantrell and Ms. Hogan tried to orient her as to where her property was according to the zoning map.

- Assistant City Manager Story explained that Mrs. Miller’s property would not be affected by the request.
- Mrs. Miller asked why did she receive a letter. Ms. Hogan explained as a courtesy that all property owners that lived within a 400’ radius of a proposed parcel was sent a letter so they would know about any requests and would have an opportunity to come to the meeting and voice any concerns they might have.
- Board Member Cantrell asked whether Tom Dawkins sitting in the audience had anything he wanted to say.
- Mr. Dawkins, Deacon of Cornerstone Baptist Church came forward and said he was here for information tonight. Mr. Dawkins pointed out on the aerial slide that was referenced and said they all had family ties to the area, and Cornerstone owned the vacant T-shaped lot. He said a concern would be if a future business put an entrance on Stevens Street it would cause a lot of traffic; and it would be better if an entrance could be put on the new Saint John Street.
- Mr. Cantrell said he did not think the Planning Commission could decide where an entrance would be.
- Assistant City Manager Story said that was correct, and that was not this Board’s purview. He said the only matter before the Planning Commission tonight was the combined zoning request. The Assistant City Manager explained when any building plan(s) did come in, it would go for Site Plan Review and the Code would be applied before City Staff and would have to comply with all the rules and regulations, and he would assume it would be important when a new business did come in they would like to have direct access off of Saint John or Thompson Street.
- Mr. Dawkins who spoke earlier said his concern was since Stevens Street itself was not being rezoned, why they would want to put any new businesses facing Stevens Street. And would they have an entrance on Stevens Street.
- Assistant City Manager Story said there was no way the Planning Commission could prohibit a business from having a rear drive onto Stevens Street, because this Board did not have the power to do that.
- Calvin Smith of 474 Stevens Street came forward and said once this goes to City Council the property owners would not have an option to say anything regarding access on Stevens Street.
- Board Member Wilson said at this point it would still be three separate lots; and they were not combining any parcels here tonight.
- Mr. Bryan Murphy came forward of 515 Belmont Street; and said he owned property on Hunt Street; and he asked were there any future plans for Hunt Street or Carpenter Street.
- Ms. Hogan said there were no plans before their Board at this time.

Ms. Hogan asked anyone else that wished to speak to come forward. No one else came forward. Ms. Hogan closed the public hearing.

Planning Commission Discussion and Deliberation:

- New Board Member Mike Epps asked whether the City would require any new businesses to be of similar size and structure as those that were already in place, or was that still to be determined.
- Assistant City Manager Story said there was nothing in the City’s Development Standards that would speak to architectural standards, but he felt based on the size of the properties and the parking demands that would come with something much larger, that it would probably be similar to the others, such as single-story and professional office.

Mr. Cantrell moved to approve the request as submitted; and he was seconded by Mr. Wilson. The motion was approved by a vote of 4 to 1, with Ms. Hogan in opposition.

Ms. Hogan then had Mrs. Roland to explain the next steps in the process.

Ms. Hogan informed the people in the audience that they would have another chance to speak when the case went before the Mayor and City Council for another public hearing and first reading.

Ms. Hogan said the next item of business was the election of Chair and Vice-Chair for the fiscal year 2015-2016; and she asked if anyone wished to Chair for the next fiscal year.

Board Member Wilson volunteered to be Chair of the Planning Commission for the fiscal year 2015-2016. There were no other nominations or volunteers to be Chair. Mr. Cantrell moved to accept Mr. Wilson as Chair of the Planning Commission; and he was seconded by Mr. Pitts. The motion was approved by a vote of 5 to 0.

Ms. Hogan said Mr. Kinard was the current Vice-Chair and since he was not present tonight; she thought they should ask him whether or not he still wished to serve as Vice-Chair.

Ms. Hogan asked Mrs. Roland to email Mr. Kinard and see if he would like to continue to serve as Vice-Chair and she could inform the Board Members via email.

Mr. Wilson moved to accept Mr. Kinard to continue to serve as Vice-Chair if he did accept the request, and he was seconded by Mr. Cantrell. The motion was approved by a vote of 5 to 0.

Site and Landscape Plans Approved since the April 16, 2015 Planning Commission Meeting

- McDonald's – 1598 John B. White Sr. Blvd.
- Founders Federal Credit Union – 1650 John B. White Sr. Blvd.
- Wofford College Greek Village – 429 N. Church St.
- Hub City Co-op – 176 N. Liberty St.
- Spartanburg Prep School New Gym & Parking – 385 S. Spring St.
- Captain D's – 1451 W. O. Ezell Blvd.
- DCI – Spartanburg – 461 Langdon St.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on April 16, 2015

Mrs. Roland said all the City Council updates that pertained to the Planning Commission since the last meeting on April 16, 2015 were listed on their agendas.

Staff Announcements

- Mrs. Roland welcomed new Board Member Mike Epps to the Planning Commission; and she explained he would have one year from his appointment date to take the required New Board Member Orientation Training.
- Mrs. Roland said Board Member Wilson who was appointed in January of this year also needed to take his New Board Member Training; and she explained the only date left to take the required New Board Member Training this year would be on Monday, November 2, 2015 and would be held at the ACOG office in Greenville, S.C., beginning at 5:00 P.M. and a dinner would be served as well.
- Mrs. Roland said regarding Continued Education Trainings, each Planning Commissioner had a list with all available dates left for this year; as well as one that would be hosted by Ten at the Top that would be held in Spartanburg at the USC Upstate Campus on September 22, 2015 which she felt would be a great one for anyone who wished to attend.
- Assistant City Manager Story informed the Board Members if none of those on the list worked out for them, he was sure the City could do something else
- Board Member Epps asked if he could attend the Ten at the Top training. Mrs. Roland explained he was more than welcome to attend, but he would still need to take the New Board Member Training.

The meeting adjourned at 6:05 P.M.

Respectfully Submitted,



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Jay Squires, Streets & Storm Water Manager
SUBJECT: Farley Avenue Culvert Replacement
DATE: September 9, 2015

BACKGROUND

Staff received bids for the replacement of a culvert on Farley Avenue. This project consists of removal and replacement of a culvert from under Farley Avenue between South Center Street and Hugh Street.

The following bids were submitted:

North American Pipeline Management, Inc. (Columbia, S.C.)	\$ 95,748
Saluda Construction, Inc. (Greenville, S.C.)	\$128,615
Construction Resources Group (Union, S.C.)	\$137,593

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that, North American Pipeline Management, 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 Farley Avenue will be closed during construction for safety reasons. A detour route will be in place for convenience while the segment of road is closed.

ACTION REQUESTED:

Allow staff to accept the bid from North American Pipeline Management, Inc. and authorize the City Manager to enter into a contract with North American Pipeline Management, Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 95,748 from the Storm Water Utility fund will be used to complete the project.





REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Jay Squires, Streets & Storm Water Manager
SUBJECT: Maryland Avenue Culvert Replacement
DATE: September 9, 2015

BACKGROUND

Staff received bids for the replacement of a culvert on Maryland Avenue. This project consists of removal and replacement of a 42" culvert from under Maryland Avenue near the intersection with Mimosa Street.

The following bids were submitted:

North American Pipeline Management, Inc. (Columbia, S.C.)	\$ 99,466
Saluda Construction, Inc. (Greenville, S.C.)	\$136,315

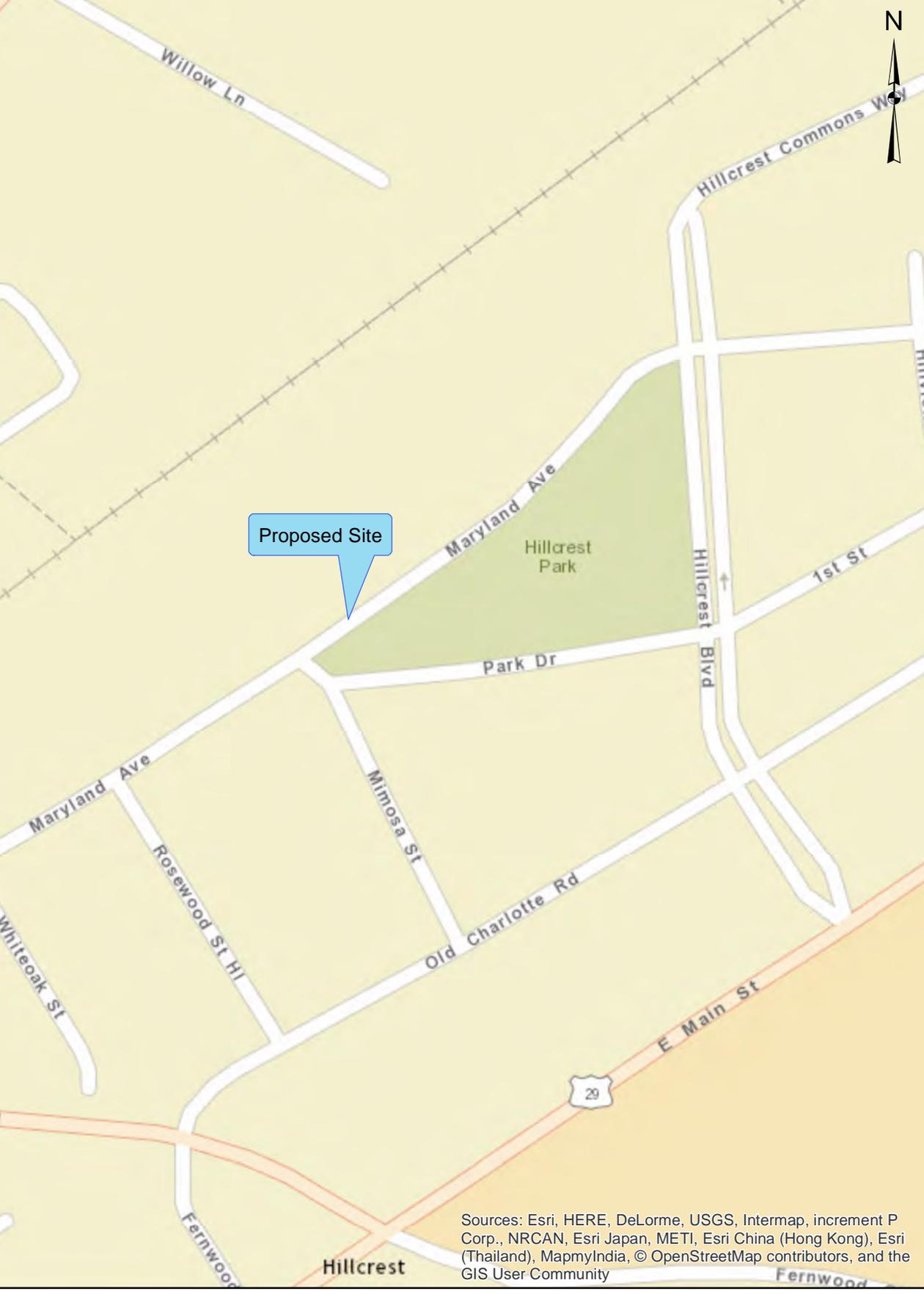
Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that, North American Pipeline Management, Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 30 days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

ACTION REQUESTED:

Allow staff to accept the bid from North American Pipeline Management, Inc. and authorize the City Manager to enter into a contract with, North American Pipeline Management, Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 99,466 from the Storm Water Utility fund will be used to complete the project.



Proposed Site

Hillcrest Park

Maryland Ave

Hillcrest Blvd

Park Dr

1st St

Maryland Ave

Mimosa St

Old Charlotte Rd

E Main St

Rosewood St HI

Fernwood

Hillcrest

Fernwood

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community





REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Tim Carter, Engineering Administrator
SUBJECT: East Main Street Pedestrian Lighting Improvements
DATE: September 11, 2015

BACKGROUND: This project will replace the existing high pressure sodium lights with LED fixtures. The LED fixtures will emit a “white” light as compared to the yellow light cast by current fixtures, reduce electrical consumption, and reduce maintenance expenses. This project will include installation of LED fixtures on East Main Street between Church and Converse Streets. Staff anticipates the completion of this project in early November.

Link Electric Inc. (Spartanburg, SC)	\$ 74,906.00
J. Frank Blakely Co. (Spartanburg, SC)	\$ 86,400.00
Sossamon Construction (Gaffney, SC)	\$ 123,100.00

Staff has reviewed the bids received and the qualifications for each of these contractors and determined that Link Electric Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors.

ACTION REQUESTED:

Allow staff to accept the bid from Link Electric Inc. and authorize the City Manager to enter into a contract with Link Electric Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 97,700 from Broad Street Tax Increment Funds