

Spartanburg City Planning Commission Meeting Minutes
Thursday, February 21, 2013

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, February 21, 2013, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Cullen Pitts, Mike Nation, Nancy Hogan, and Richard Letchworth. Mr. Jenkins and Mr. Cantrell were absent. Representing the Planning Department were Assistant City Manager Chris Story and Julie Roland. Mr. Bob Pitts, a prospective Planning Commissioner also attended the meeting.

[Editor's Note: A Pre-Agenda meeting was held at 5:00 P.M. in the City Manger's Conference Room, where they were briefed on one rezoning request, and one text amendment request.]

Roll Call

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

Mr. Letchworth moved approval of the Agenda for the February 21, 2013 meeting, with second by Mr. Nation. The motion was unanimously approved by a vote of 4 to 0.

Disposition of the Minutes from the January 17, 2013 Planning Commission Meeting

Mr. Pitts moved approval of the January 17, 2013 Planning Commission minutes as submitted, with second by Mr. Letchworth. The motion was unanimously approved by a vote of 4 to 0.

Mr. Pitts said the Planning Commission had received a revised request regarding the tabled request for 235 East Blackstock Road. He asked for a motion to remove it from the table. Ms. Hogan made a motion to remove the business from the table, and was seconded by Mr. Nation. The motion was approved by a vote of 4 to 0.

Old Business

There was no old business for discussion.

New Business

REVISED REZONING REQUEST – TMS#6-21-13-001.01. Located at 235 East Blackstock Road. Zone GID, General Institutional District to Zone LC, Limited Commercial District, in order to allow the owner to lease office space and chapel which is located in the older church also on the property, for professional offices for sales and consultation purposes related to funeral services. Robert Scott, Agent on behalf of Breakthrough Outreach Center, Owner.

Assistant City Manager Chris Story came forward and was sworn, and submitted the information the Planning Commissioners had previously received via email in their meeting packets, as well as the slides, and the feasibility report presented at tonight's meeting as Exhibit A. He informed the Planning Commissioners the Agent, Robert Scott had submitted a revised request for the proposed property to be rezoned from GID, General Institutional District to LC, Limited Commercial District on behalf of the Owner, Breakthrough Outreach Center, Owner, in order to lease office space from the church and chapel which is located in the older church that is also on the property, for professional offices for sales and consultation purposes related to funeral services. He showed an aerial slide of the proposed property, and a location map; and he explained the property backed up to the Camelot Neighborhood, and the intent of the applicant was to occupy a small office suite in the building closest to E. Blackstock Road, to consult with families regarding funeral services. Additional slides were shown in order to better illustrate the request. Assistant City Manager Story concluded his presentation by saying there would not be any embalming or storage of any bodies on-site, and Staff believes the proposed use perfectly fits within the Limited Commercial classification.

Mr. Pitts noted that neither the applicant or agent were present at this time.

[Editor's Note: the report included the following list of criteria for the Commission to consider when reviewing a rezoning request and Staff's analysis of those criteria:

1. *Consistency (or lack thereof) with the Comprehensive Plan* – The purpose of the LC/Limited Commercial District, as described in the City of Spartanburg Zoning Ordinance, is “to provide for the Limited Commercial District transitional areas from residential to office and limited commercial retail services which do not generate large volumes of traffic, noise, or other harmful effects and which are compatible with nearby residential uses. Moreover, these districts provide for development along major thoroughfares, especially between more intensely developed and higher traffic generating areas and residential areas, in order to permit a reasonable use of land along such thoroughfares without the inherent ill effects of commercial strip development.” The use of this property as a currently existing church, and proposed professional offices is consistent with the proposed zone of LC.

The 2004 Comprehensive Plan has specified Limited Activity Center for the property in question, and neighboring properties to the north and south fronting E. Blackstock Road. Limited Activity Center is intended for professional offices and small scale retail businesses 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. Public, civic, and recreational uses are compatible with a Limited Activity Center. Also, the recommended zoning classifications for this land use category are LOD and LC.

2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The property is surrounded by a mix of commercial, office, and residential uses with the commercial area to the west, office area to the north and south, and residential to the east. The proposed LC zone will allow for mostly office use with a limited commercial availability (which is under an approved Conditional Use allowance). Any use other than what is proposed will be limited to the parking and accessibility requirements. The property currently consists of a rear and side bufferyard abutting the single family residential properties with some vegetation and existing privacy fence. Any future use will be subject to adhering to any more intensive bufferyard requirements at that time.
3. *Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment* – Though the parcel is suitable for the proposed use, it might not support other uses permitted under the zoning classification of LC. At any point that a future use is pursued, all site development requirements will be reviewed to make sure that the use is compatible with the City of Spartanburg Zoning Ordinance, as well as, all neighboring properties.
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 most likely increase with the zoning change. The zoning change will allow for a wider range of slightly more intense land uses for the property.
5. *Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site. At this point, since no new development is being proposed, there are no additional stormwater requirements.

STAFF RECOMMENDATION

The proposed zoning map amendment is consistent with neighboring properties along E. Blackstock Rd., as well as, with the Comprehensive Plan. Staff is of the opinion that the proposed zone change will not cause an adverse impact on surrounding properties with regards to possible uses allowed under the LC zoning classification. Therefore based on the information provided, Staff recommends approval of the proposed zoning map amendment as presented.

Mr. Pitts opened the public hearing and asked anyone who wished to speak in favor of the request, or if anyone had any questions to come forward. No one came forward. Mr. Pitts asked anyone who wished to speak in opposition to come forward. No one came forward. Mr. Pitts closed the public hearing.

Board Questions:

- Mr. Pitts asked the Assistant City Manager if there were any changes other than the change to LC zoning. Assistant City Manager Story did not think there were any other changes.
- Mr. Letchworth agreed, and felt the only issue at the previous meeting was regarding the zoning.
- Mr. Nation felt LOD zoning would be best, but since churches were not allowed in LOD, LC would be the next best alternative.

Ms. Hogan made a motion to approve the revised request as submitted, and was seconded by Mr. Letchworth. The motion was unanimously approved by a vote of 4 to 0.

Mr. Pitts said the revised request would go to City Council on March 18, 2013 with a favorable recommendation for another Public Hearing and First Reading.

Text Amendment to the Zoning Ordinance to amend Section 503, Sign Ordinance by adding Section 503.30, Electronic Variable Image Signage for Civic Institutions. City of Spartanburg.

Assistant City Manager Story came forward and submitted the information the Planning Commissioners had previously received in their meeting packets, as well as the presentation, into evidence, as Exhibit A. He explained the proposed section for Electronic Variable Image Signage for Civic Institutions would read as follows: non-profit, non-religious institutions with either 100,000 sq. ft. or more of facilities located in the city or 100 or more employees based in the city may incorporate computer controlled variable image electronic display boards within the otherwise allowable sign faces of monument or building face signage. The electronic variable image boards may not comprise more than 50% of the sign face. Flashing or moving images are prohibited. Messages displayed must be for institutional purposes only. No third party commercial advertising is allowed. He explained the proposed amendment was intended to allow large civic or other non-profit institutions to have a portion of their sign face, which they can change the content on relatively easy and attractively. As it stands now, the Zoning Ordinance prohibits that type of sign technology. He explained the public may benefit from the use of this type of signage by large community institutions in very limited situations. Slides were shown that were submitted from Spartanburg Regional Health Care System in order to better illustrate the request. Assistant City Manager Story concluded the presentation by saying Staff had tried to carefully examine the other institutions that would qualify for this type signage, as well as schools; and they felt there would only be a small number of institutions would qualify.

Board Questions:

- Mr. Pitts asked the Assistant City Manager if Mr. Henderson had any concerns regarding the proposed text amendment. Assistant City Manager Story said not anything other than what they had already looked at; but he added anyone within the footprint of the Urban Code Section of the Ordinance might pursue some of that signage for discretionary review, which might cause some confusion.
- Mr. Letchworth felt the language was pretty limiting as to what would qualify.
- Mr. Nation said Spartanburg Community College Downtown Campus, Converse, and Wofford College would also qualify.
- Ms. Hogan asked about the proposed amendment regarding where it said no third party commercial advertising allowed, and asked if the entity that had the sign could advertise themselves. Mr. Pitts felt the intent was to not have for example Coca-Cola or something similar displayed.
- Mr. Pitts said his biggest concern was the moving letters, and felt they were distracting.
- Mr. Nation referenced the sign at the Spartanburg Auditorium.
- Ms. Hogan asked when something like this had been brought to them before, wasn't there some language or talk about the messages not being able to change more than six times per minute.
- Mr. Nation said that was the petitioner's wording because they were selling to seven different clients, where as the proposed text amendment would be institutions such as hospitals, etc.
- Assistant City Manager Story said he believed the one Ms. Hogan pointed out were applied state-wide to SCDOT standards.

- Mr. Pitts said the great thing about text amendments was they could always be changed or improved upon.

[Editor's Note: Robert Scott, Agent, for the 235 E. Blackstock Road rezoning request, arrived to the meeting at 5:55 P. M. He apologized, for being late, and said he had gotten detained in traffic.]

Mr. Pitts opened the public hearing regarding the proposed text amendment, and asked anyone who wished to speak in favor, or against, or who had any questions to come forward. No one came forward. Mr. Pitts closed the public hearing.

Board Deliberation:

Mr. Pitts felt that City Staff, and the City Attorney had gone over the request pretty carefully, and had looked at other examples.

Mr. Pitts made a motion to approve the request as submitted by Staff, and he was seconded by Mr. Nation. The motion was unanimously approved by a vote of 4 to 0.

Site and Landscape Plans Approved

- H&M, LLC – 115 Garner Road.

[Editor's Note: This item was not discussed, and was carried over to the next Planning Commission Meeting.]

City Council Updates

- Mrs. Roland said City Council had approved Charles Atchison, Sr. rezoning request on First Reading on February 11, 2013, to the recommended zone of LC, and would go before Council on February 25, 2013 for Second Reading.

The Citizens Agenda

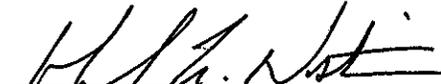
There was nothing discussed.

Staff Announcements

- Mrs. Roland reminded the Planning Commissioners there was still one Board Member Vacancy position open on the Planning Commission, and they had received so far one application to be considered by City Council.
- Mrs. Roland also updated the Planning Commissioners regarding upcoming Continued Education Training.

The meeting adjourned at 5:50 P.M.

Respectfully Submitted,


~~Cullen Pitts, Chair~~

Mike Nation, Vice Chair 

Minutes by Julie Roland, Administrative Assistant