

# **Spartanburg City Planning Commission Meeting Minutes Thursday, March 15, 2018**

*City Hall Council Chambers  
Spartanburg, South Carolina*

The City Planning Commission met in City Hall Council Chambers on Thursday, March 15, 2018 at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Dr. Phillip Stone, II, Bob Pitts, Mike Epps, and Wendell Cantrell. William "Luke" Quillen was absent. Representing the Planning Department were Natalia Rosario, Planner III.; and Julie Roland, 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 six Planning Commissioners were present, constituting a quorum; and he went over the rules and procedures for conducting a public hearing.

Mr. Cantrell moved approval of the Agenda for tonight's meeting; and he was seconded by Dr. Stone. The motion was unanimously approved by a vote of 6 to 0.

## **Disposition of the Minutes from the February 15, 2018 meeting of the Spartanburg City Planning Commission.**

Mr. Cantrell moved the Minutes from the February 15, 2018 Meeting be approved as presented; and he was seconded by Dr. Stone. The minutes were unanimously approved by a vote of 6 to 0.

***Old Business – None.***

## **New Business**

***Rezoning Request – TMS#6-21-11-027.00 located on 1200 John B. White Senior Boulevard, which was currently zoned R-15, Single Family Residential District to zone LOD, Limited Office District in order to allow for proposed buyer to use the property as a financial services office, contingent upon the rezoning being approved; from Paul Bailey, President, Palmetto Private Wealth Advisors on behalf of Charles Garrett, Property Owner.***

Ms. Natalia Rosario, Senior Planner 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. Some slides were shown of the property and surrounding area.

Ms. Rosario said the petitioner was here to give his presentation to the Planning Commissioners.

Mr. Paul M. Bailey, President, Palmetto Private Wealth Advisors came forward and was sworn, and explained he would like to purchase the property to improve the property and intended to develop some of the bedrooms into professional offices as well as a conference room. It looked pretty rough right now; but it seemed all the neighbors were very happy about what he was proposing. They would put some off street parking to the side; and they did not intend to turn the back yard into an asphalt parking lot as some others had done to the property in the past. He expected the property to take about \$40,000 in improvements and felt it would improve the entire general area.

## **Board Questions:**

- Mr. Cantrell asked Mr. Bailey where the proposed parking would be located.
- Mr. Bailey referenced a slide and explained it would be located on the side; and they planned to landscape the front yard as well.
- Mr. Kinard asked was there a tenant there now.
- Mr. Bailey said there was not.

Ms. Rosario came forward again and showed more slides in order to better illustrate the request. She went over the analysis of required findings and report the Planning Commissioners had previously received in

their meeting packets that included the following list of criteria for the Planning 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 calls for this area to continue transitioning to limited commercial and limited activity center uses, including the zoning category of LOD. Therefore, the proposed zone change is consistent with the comprehensive plan and the character of the corridor.
2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The parcel immediately adjacent to the west is zoned as LOD and in use as a salon. The property to the east that faces North Pine Lake Drive is zoned R15, Single Family and is currently used as such. Across John B. White Sr. Blvd. the properties are zoned LOD and occupied as permitted uses in this zone.
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 permitted within the LOD: Limited Office District Zone. The required bufferyard 3 (for office use to single family residential use) in the rear is already in existence, with over 50' (70' total) from the rear property line to the rear of the structure, a fence with tall shrubs along the rear property line, and several canopy trees and bushes between the structure on 1200 John B. White Sr. Blvd. and the rear property line. The applicant intends to pave 4-5 parking spaces with one handicap space available in order for his clients to access the site. Access to the site will remain where it currently is, off of N. Pine Lake Drive, and is not expected to impact traffic within the Pine Lake Subdivision.
4. *Marketability of the property affected by the amendment for uses permitted by the district applicable to the properties at the time of the proposed amendment* – Staff is of the opinion that the building's orientation towards John B. White Sr. Blvd. makes it unsuitable for use as a single family home, as the corridor is now a 5-lane road, dominated by office and commercial uses. The property has remained as a rental or vacant since 2013, and is now for sale by the owner, who resides outside of Spartanburg County. The rezoning of the property to LOD will increase the marketability of the property, as the applicant intends to purchase and improve upon the existing structure and site.
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-15: Single Family Residential to LOD, Limited Office District will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from R-15 to LOD. Ms. Rosario explained if the Planning Commission recommended the request favorably at tonight's meeting; it would then go for another Public Hearing and First Reading before the Mayor and City Council on April 9, 2018; and then a Second, Final Reading on April 23, 2018.

#### **Planning Commission Questions/Comments:**

- Dr. Stone asked if there were any storm drains on North Pine Lake Drive.
- Ms. Rosario said it was a relatively older subdivision and it may not; but Mr. Jay Squires, Stormwater Manager would determine that when a site plan came in if the request moved forward.
- Dr. Stone asked was there a rule on how many parking spots the City would require.
- Ms. Rosario said she believed it went by square feet of the property, and she and Mr. Bailey had discussed that; she said what he was proposing was an acceptable amount. Ms. Rosario said the City required one space for 750 square feet of office space.
- Mr. Kinard asked about the Bufferyard 3.

- Ms. Rosario said it was based on the use; and she explained the Bufferyard 3 requirements to the Planning Commission and said the petitioner exceeded the requirements.
- Mr. Kinard asked whether the trees she had just mentioned were on the subject property or the neighbors property.
- Ms. Rosario said they were on the subject property.
- Mr. Pitts asked would the parking spaces be in the back of the property.
- Ms. Rosario referenced a slide and said they would be on the side.
- Mr. Pitts asked about a handicapped parking space.
- Ms. Rosario explained from the zoning ordinance regarding the handicapped space.

Mr. Wilson opened the public hearing and asked anyone who had a question, or would like to speak in favor of the request or in opposition of the request to come forward.

- Ms. Hattie Haulbrook of 209 N. Pine Lake Drive came forward and said it was a very nice neighborhood and they would like to keep it that way. Ms. Haulbrook was not against the request, she was just concerned about the water runoff already at the back of her property and she mentioned Miss Marion's School; and she explained what happened when it rained. She said they had tried to get the City to do something about the water runoff for many years, and they had even had the City Attorney out there before. That was her main concern, and also the privacy wall, and she said the lady next door was an elderly lady and was concerned with the privacy wall.
- Ms. Rosario explained Mr. Bailey would only be responsible for any water runoff from his site. She said she would bring it up to the Stormwater Manager again and also to the Assistant City Manager regarding the problem occurring at Miss Marion's School of Dance.
- Mr. Wilson said as it related to this site, that she had mentioned earlier the Stormwater and Utility group would take a look at potential stormwater calculations regarding if a site plan was submitted for the project.
- Ms. Rosario said that was correct.
- Mr. Bobby Jackson of 212 N. Pine Lake Drive came forward and said he was on the other side of the street, and he could attest to the water problem Ms. Haulbrook had attested to; but it currently did not bother his yard as much as it did hers and some of the others.
- Mr. Tommy Parker of 204 N. Pine Lake Drive came forward and said he did not have any water problems, but his concern was that the property was an eyesore. He said the place had not been kept up since the lady that use to live there had passed away. He had called the City many times about the grass needed cutting, windows had been shot out, etc. Mr. Parker said a couple of previous renters had way too many cars with eight to ten cars in the back yard; and the police had come out several times. Also he said the trash that got thrown out along John B White, never got picked up, and every few months, one of the neighbors would go out and pick up the trash. He would like to see the place be kept up better.
- Dr. Stone explained he had been in a meeting a couple of nights ago where litter was a big concern, and they had all agreed there was a city-wide litter problem and he said the City Manager was going to work on that problem in the next budget cycle. He said the Code Enforcement issue he had referred to, he would make sure that the President of the Woodland Heights Neighborhood Association knew about that so they could keep that issue in front of them. Dr. Stone said hopefully if the request is approved that a lot of the problems would go away.

Mr. Wilson asked Mr. Bailey if he would like to address any of the issues to feel free to come forward again.

Mr. Bailey explained that financing was contingent upon rezoning, and if it got too costly he would need to pull away.

Mr. Wilson asked if anyone else wished to speak regarding the request. No one else came forward. Mr. Wilson closed the public hearing.

Planning Commission Deliberation:

- Mr. Kinard felt they had a ready, willing, and able petitioner and felt the proposed use would be a very good plan for the property.
- Dr. Stone agreed with Mr. Kinard, and felt LOD would be the best use; and he would hope as they went through Site Plan Review on the project would alleviate any of the water problems that were mentioned, and he was in support of the request.
- Mr. Wilson said between City Staff reviewing it, and Site Plan Review Process he did not see any problems.
- Mr. Pitts agreed.

Dr. Stone moved approval of the request as presented, and he was seconded by Mr. Pitts. The motion was unanimously approved by a vote of 6 to 0.

Mr. Wilson said the next step in the process would be for another Public Hearing and First Reading of Ordinance before the Mayor and City Council on April 9, 2018; and then if approved it would go for a Second, final Reading on April 23, 2018.

Site and Landscape Plans Approved (information purposes only) since the February 15, 2018 Council Meeting.

- Eastside Baptist Church Building Addition – 1850 Fernwood Glendale Road.
- Parkside at Drayton – 110 Fernwood Drive.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on February 15, 2018 Meeting.

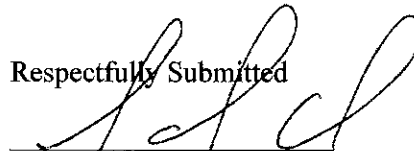
Ms. Rosario went over the updates that were listed on the Agenda.

Staff Announcements

- Ms. Rosario informed the Planning Commissioners they had a new Planner that would begin work on April 2, 2018; and her name was Apoorva Kumar, who was an excellent young woman and she would probably be at the next meeting.
- Ms. Roland said she had sent an email earlier regarding anyone that needed or wanted to attend the 2017 SCAPA Conference.
- Ms. Rosario said there would be more existing conference happening in the fall that would be several days with Regional Planners coming in.

The meeting adjourned at 6:10 P.M.

Respectfully Submitted



Jared Wilson, Chair

+Minutes by Julie Roland, Administrative Assistant