

***Spartanburg City Planning Commission Meeting Minutes
Thursday, April 18, 2019***

***City Hall Council Chambers
Spartanburg, South Carolina***

The City Planning Commission met in City Hall Council Chambers on Thursday, April 18, 2019 at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Bob Pitts, Dr. Phillip Stone, Reed Cunningham and William "Luke" Quillen. Howard Kinard and Mike Epps were absent. Representing the Planning Department were Natalia Rosario, Planner III, Rachel Grothe, Associate Planner, 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 five Planning Commissioners were present, constituting a quorum; and he went over the rules and procedures for conducting a public hearing.

Dr. Stone moved approval of the Agenda for tonight's meeting; and he was seconded by Mr. Cunningham. The motion was approved by a vote of 5 to 0.

Disposition of the Minutes from the February 21, 2019 Meeting.

Dr. Stone moved approval of the minutes from the February 21, 2019 Meeting; and he was seconded by Mr. Cunningham. The motion was unanimously approved by a vote of 5 to 0.

Old Business – None.

New Business

1. Preliminary Plat: The Planning Department has received a request to consider amending a planned development district plan by amending one property, Specifically Parcel #6-21-02-115.00 located on '0' W. O. Ezell Boulevard that is zoned R-6, General (Multifamily Residential District Planned Development District). The proposal is to amend the original site plan to permit the development of a senior living facility. Danny Balon, Seamon Whiteside Engineering on behalf of Rimrock Development Properties, Developer. Marclar Investments, Inc., Owner.

Ms. Rosario, Planner III came forward and was sworn; and she submitted the meeting packets the Board Members had received via email, tonight's presentation and slides into evidence as Exhibit A. Ms. Rosario said the proposal was to consider amending the Planned Development District Overlay zone (not a rezoning), but to amend the plan for that zone. The parcel was located at '0' W. O. Ezell Boulevard, TMS#6-21-02-115.00; and it sat at the intersection of Barritt Avenue and Sierra Hills Drive. She explained the parcel had been vacant and it was originally part of the Arboretum Large Tract Development which was in the early 2000's; and for the most part that development had not been developed; and she said the only thing that was there was the Texas Road House and the existing retention pond that had previously been planned for a residential neighborhood on this parcel as well. Ms. Rosario explained the proposal was to amend the site plan to permit the development of a senior assisted living facility which met the R-6 Planned Development District permitted uses in terms of a multifamily, attached or detached for this zone and overlay.

Chris Watson of Seamon Whiteside and Associates came forward and he was sworn; and he introduced Ms. Carrie Bailey, with Rimrock Development as well. Mr. Watson explained regarding the proposal they were trying to work with the existing corridor to make sure all the required buffers and access were dealt with; and he said there was currently a shared detention for the property. They just received the survey today to confirm how much capacity it had. Mr. Watson said the property was within the required setbacks and buffers. They were trying to be respectful of the adjacent properties, but also fit within the corridor that was there. He referenced a slide and said there would be a garden and open spaces that would be complimentary to the development, as well as additional buffers against the residential next door.

Planning Commission Questions:

- Mr. Cunningham referenced a slide; and he asked Mr. Watson was the retention pond to the right.
- Mr. Watson said that was correct; and he explained it encompassed four to five parcels, and the road was created for the original development and the detention pond had been built which was over a decade ago. They were investigating now if there had been any additional erosion to confirm it met the capacity requirements it was designed for.
- Mr. Cunningham asked if necessary, they might have to re-excavate the pond.
- Mr. Watson said that was correct.
- Dr. Stone asked if it was a detention pond.
- Mr. Watson said it was.
- Mr. Wilson asked if this were to proceed to fruition, if the proposed development would actually include ownership and maintenance of the pond.
- Mr. Watson said correct, as well as access to it.
- Mr. Pitts asked Mr. Watson if he saw any future growth to the structure in twenty years.
- Ms. Carrie Bailey, Rimrock Development said it was hard to say; but that the proposed size they had found was their best size in terms of management, and there were no plans to expand it.
- Mr. Cunningham asked Mr. Watson if they owned more property than was shown.
- Mr. Watson said correct; and he explained the adjacent property, that the detention area was actually on the property and there was a shared agreement between all the parties.
- Dr. Stone asked if that meant there would be shared responsibility for the detention pond.
- Mr. Watson said that was correct.
- Dr. Stone asked about the number of occupants.
- Ms. Bailey said sixty-four units, with seventy-two occupants maximum.
- Mr. Quillen asked Ms. Bailey to define unit.
- Ms. Bailey said sixty-four referred to a living unit – so a bedroom/living area; and there would be several units that would be designed for dual occupancy.

Ms. Rosario came forward again and said the Planning Commission had been asked to review the site plan in order to replace the original, non-implemented plan for the referenced property for the proposed development which would be located on the property which was approximately 6.05 acres. She explained it would be a Senior Assisted Living facility and they were over their requirements in terms of green space. She said this site plan was showing one multi-family structure which was permitted within the R-6 PDD/General Residential Planned Development District. Ms. Rosario said the 2004 Comprehensive Plan advised this area be zoned as a general activity area and generally low density zones in order to provide a buffer for the residential and recreational areas to the south from the heavier commercial development and a failure to accomplish the original residential development on this property. The applicants wished to develop a one structure and adjacent parking lot that would consist of 64 units (72 beds total) with pedestrian connection and open space amenities provided. Open space amenities would be provided in whole, at 1.1 acres or more of open space (750 square feet required per unit), including the ownership and maintenance of the existing stormwater retention pond that served all of the parcels along W. O. Ezell Boulevard that were adjacent to this property. The number of units planned was well below the permitted number of units per the zoning and parcel size. Per the Planned Development District regulations, an R-6 PDD was permitted one unit per every 2,500 square feet, resulting in a maximum permitted unit count of 105 units. Placement of an entirely residential development on the lot would make use of a long vacant parcel and provide for a much-needed service in the Spartanburg Community.

Planning Commission Questions:

- Mr. Cunningham asked Ms. Rosario when the question was asked about the joint ownership of the retention pond, does that assume that the properties that were adjacent were in agreement, and were they maintaining it now.
- Ms. Rosario said she did not have an answer for what they were doing with it today, because they did not own it and she did not think there was anything in place for them to be required to maintain it; but she believed the plan was for the developer to approach them with some type of contract to form a maintenance agreement should they decide to continue to use that for stormwater.
- Mr. Cunningham said if the runoff coming from the Texas Road House was going there now, would they be part of the maintenance going forward.
- Ms. Rosario said yes. She also said as part of this plan, the pond had to be brought up to code; but as far as who does the maintaining between the private property owners was more of a civil issue; but that on the City side, the City would require some sort of maintenance agreement.
- Dr. Stone asked Ms. Rosario would the Planning Department enforce it.
- Ms. Rosario said yes, and she explained the site plan review process; and before this project would ever get to Council they would have all of that.
- Dr. Stone asked as a matter of procedure if this request would need to go to City Council.
- Ms. Rosario said yes it would. She said because there was no final approved plat for this particular property under the PDD category it was in; that it required a favorable recommendation from the Planning Commission and two readings of Council to be adopted. She said within six months of that adoption, the final plan must come back to the Planning Commission for final approval.
- Mr. Cunningham asked would there be sufficient access for fire and emergency type vehicles.
- Ms. Rosario said that was part of the site plan as well; and specifically what that meant was that the largest fire/ladder truck the City had would need to be able to successfully navigate the site from any side in case of a fire.
- Mr. Wilson asked was there any inquiry from the resident adjacent to the west of the property.
- Ms. Rosario said she had not received any written comments; and the only comment they had was from a property owner who lived outside of the 400' radius had asked for a copy of the letter and the Planning Department had sent that person a letter. She said there was a representative here from the Girl Scouts who wished to speak.
- Mr. Cunningham asked were signs posted.
- Ms. Rosario said they were; and that letters were sent out to all owners within a 400' radius of the property, and certified letters were sent to all the adjacent owners.
- Mr. Quillen asked about the zoning of the residential property next to the site.
- Ms. Rosario referenced one of the slides and she pointed out the R-15 Single Family Homes, and the B-1 and Neighborhood Commercial along W. O. Ezell Boulevard; and then the Girl Scouts property was GID.

Mr. Wilson opened the public hearing and asked if anyone wished to speak regarding the request to please step forward and state their names and addresses for the record.

- Ms. Lyn Ard with Camp Mary Elizabeth Girl Scout Camp came forward and said they were based out of Greenville, SC at 5 Independence Point, Suite 120, Greenville, SC. She said it was their property they were concerned about; and explained one main concern was with the environment impact it would have on their property. She said the other main concern with the proposed development, was if that was approved, then they felt other things would follow and what would that impact be on the Girl Scouts property. She said the camp had been there since 1948; and they wanted to make sure all the

barriers regarding the proposed development would be in place in order that nothing would be impacted on their property such as the wetlands, etc. Ms. Ard said they wanted to be a good neighbor, but want to make sure that nothing will be impacted on their property.

- Mr. Cunningham asked Ms. Ard where the proposed development bordered the Girl Scout property.
- Ms. Ard pointed out on a slide and explained.
- Mr. Cunningham asked Ms. Ard if her concern was also for properties other than the one in question.
- Ms. Ard said they were concerned with the proposed request; as well as what else this might open the door to that would impact them as well. She said a lot of times when one thing changed, then a lot of other things changed.
- Mr. Wilson, the Chair, said what was being requested tonight was not a change, and that the zoning was not changing, and the use was already allowed. He said what the petitioner was bringing tonight was to get the use that was already approved was to get a site plan approved within the use that they already had the rights to. It was not a change in zoning or allowed uses for the property.
- Ms. Ard said they thought the zone was changing.
- Mr. Wilson explained that the change was in the site plan itself, because to go along with the zoning that was assigned to the property there had to be an approved site plan, which was absent to date. Mr. Wilson said regarding the impact from the development; if the petitioner received a favorable recommendation from the Planning Commission at tonight's meeting, the request would then need to go through two readings from Council, and if approved there it would then need to go through full site plan review with the City which was a more technical review that would involve among other things, as far as the stormwater was concerned, making sure the pond that was there was sufficient, or whether a new one would be required, etc.
- Dr. Stone explained there would also need to be certain buffering required regarding the PDD district.
- Ms. Rosario said the PDD requirements were stronger than regular requirements, and that was one reason this process was a little bit lengthier than a normal site plan review. She said if it was not under the PDD overlay, they would not have had to bring it to the Planning Commission for a hearing, that it would just be an internal site review. Ms. Rosario said this worked to the adjacent neighbor's favor in that they would be held to higher standards.

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 Comments/Deliberation:

Mr. Wilson felt from the proposed development and the services they would provide, it would certainly meet a need that was not there currently and at a level that was very much needed.

Dr. Stone agreed with Mr. Wilson and had confidence that stormwater runoff, buffering, etc. would be addressed under the full site plan review process. He felt it would bring use to an unusable property and tax money.

Dr. Stone moved approval of the request as submitted; and he was seconded by Mr. Quillen. The motion was unanimously approved by a vote of 5 to 0.

Ms. Rosario said for the record, this would now go before the Mayor and City Council for another Public Hearing and First Reading of Ordinance on Monday, May 13, 2019; and if approved for a Second/Final Reading on Tuesday, May 28, 2019.

Site and Landscape Plans Approved (information purposes only) since the February 21, 2019 Meeting.

None.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on February 21, 2019 Meeting.

None.

Staff Announcements

Ms. Roland said the Planning Department was very pleased to have Rachel Grothe, Associate Planner with the department.

Ms. Roland said there were two Planning Commissioners whose first terms would be eligible for reappointment by the Mayor and City Council as of June 30, 2019.

Ms. Rosario explained to the Planning Commissioners the City would be moving into the Highland Area Master Planning Phase and at some point coming up, she would need at least one or two Planning Commissioners to serve on the Steering Committee, which would include funding partners, one or both of the City Managers, and other members of the Highland Working Group, which were outside organizational partners. She said one could expect a time commitment of eighteen months, a meeting every other month, and a conference call every other month with perhaps about an hour meeting time. She did not need an answer tonight, but she said she would follow up with an email to see which one or two would like to participate.

Dr. Stone asked what the deadline on that was.

Ms. Rosario said there was not a deadline but they were meeting with the Master Planning Firm that Highland chose on May 10, 2019 for the first steering meeting; so she guessed there was a bit of a timeline.

Mr. ^{Cunningham} Cantrell asked about the area.

Ms. Rosario explained.

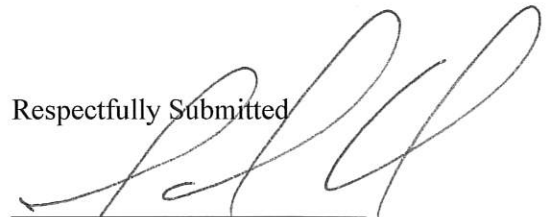
Ms. Rosario said the Planning Department was currently working on about ten site plans that would come in the future to show the Planning Commission after approval.

Dr. Stone asked if there was any news on Comprehensive Planning.

Ms. Rosario explained.

The meeting adjourned at 5:55 P.M.

Respectfully Submitted



Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant