

***Spartanburg City Planning Commission Meeting Minutes
Thursday, January 21, 2016***

*City Hall Council Chambers
Spartanburg, South Carolina*

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

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 currently present, constituting a quorum. Mr. Wilson went over the rules and procedures for conducting a public hearing.

Mr. Jenkins moved approval of the Agenda for the January 21, 2016 meeting, with second by Mr. Kinard. The motion was approved by a vote of 6 to 0.

Disposition of the Minutes from the August 20, 2015 meeting of the Spartanburg City Planning Commission

Mr. Cantrell moved approval of the August 20, 2015 meeting minutes as submitted, with second by Mr. Kinard. The motion was approved by a vote of 6 to 0.

Old Business – None.

New Business

Rezoning Request: TMS#6-21-13-001.02 & 6-21-13-001.00 – Located at 243 & 245 East Blackstock Road, Zone LOD (Limited Office District) to B-1 (Neighborhood Shopping District), in order to utilize the properties as retail space. Carl R. Fraley, Jr., Proposed Purchaser of properties, on behalf of Marty Reid, Neuberger Management, Property Owner. The purchase of the properties is contingent upon the approval of the request.

Assistant City Manager Chris Story came forward and introduced to the Planning Commissioners a new Planning Department employee, Natalia Rosario; and he said she was currently working part-time, as she was completing her Master's Degree in City and Regional Planning at Clemson University; and she would be presenting to the Board Members.

Natalia Rosario, of 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 said the petitioner was present to present his case to the Board Members.

Mr. Carl R. Fraley, Jr. of 189 Woodridge Drive came forward and was sworn. He explained to the Planning Commissioners he had recently sold his business that was located in another shopping on Reidville Road in the County to Quick Trip. Mr. Fraley said as part of the 1031 Exchange Program he was looking to buy the proposed properties. The properties are appealing to him and are in a great location. He explained that right now there was about a 75% vacancy of tenants located on one of the proposed properties and about 40% vacancy on the other parcel. He felt the main reason for the vacancies was because it was strictly medical offices, which had all been moving to hospital complexes. The buildings are kind of run down and in bad condition, yet they were good for him. He would like to bring at least seven of his tenants with him to the proposed properties and occupy about 100% of the buildings. He would be spending approximately \$100,000.00 on renovations to the buildings and parking lots and felt it would be a win/win for the himself and the City. None of his tenants would be obnoxious; and there would be no more traffic than what the traffic was previously for the medical offices. Some of the

tenants would need to have the rezoning, including his company; and he would not purchase the property without the rezoning request being approved.

Planning Commission Questions:

- Mr. Kinard asked the petitioner if he had closed on the sale to the QT yet. Mr. Fraley said not yet; that the procedure was that QT will put the money in escrow for him, he would purchase the properties and renovate them, and then QT would not close until he was out of his current property. Mr. Fraley explained that would depend on the request being approved.
- Mr. Kinard asked Mr. Fraley about his other tenants that needed the rezoning.
- Mr. Fraley explained at 243 East Blackstock Road, #1 which was vacant would be Computer Doc, #2 would be a spa which was also vacant now; #3 and 4 would be a beauty shop; #5 and 6 was currently occupied by Dr. Parris who was a neurologist; and 7 would be a barber shop, with #8 that was vacant.
- Mr. Fraley said at 245 East Blackstock Road, there is an engineering company that had just renovated and they were under at least a three year lease, on the other end of the building was a weight loss doctor.
- Mr. Kinard asked if the weight loss doctor had been sent a letter regarding the request. Mr. Fraley said yes; and as far as he knew they would probably stay; and Mr. Fraley would take the rest of the building and it would then be 100% occupied.

Ms. Rosario came forward again and showed slides of the site, buildings and surrounding area, which she explained in detail, 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:

1. *Consistency (or lack thereof) with the Comprehensive Plan* –The general intent of the B-1 districts, as described in the City of Spartanburg Zoning Ordinance, are “intended primarily to serve the needs of the surrounding residential neighborhood, providing goods, and services that are day-to-day needs, generally classed by merchants as ‘convenience good and services.’” 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.”

While the zoning category of B-1 does not match the zoning categories listed in the Comprehensive Plan (Limited Commercial and Limited Office District), the intended use for the properties remains the same. The buildings currently located on the properties will be fully utilized and renovated in the process. The existing buffer yard is the same as is required by low-intensity commercial to single-family residential, as well.

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 neighborhood shopping, single family residential, and offices. Uses along East Blackstock Road (within the City) include other B-1 parcels adjacent to LOD parcels and R-6: General Residential parcels, as well as some B-1 parcels directly adjacent to R-15 parcels. Change of zone from LOD to B-1 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 parcels falls under the category of “low intensity commercial” 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. This requirement is the same for any “Office/Institutional/Multi-Family/Special Residential” which the property is currently zoned.

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 zoning change will allow for a wider range of commercial uses and will allow for Mr. Fraley to nearly fully occupy the buildings with his tenants upon purchase.
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 to B-1 will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from LOD to B-1, as presented.

Planning Commission Questions:

- Mr. Kinard asked about the surrounding uses. Ms. Rosario explained the surrounding use types again.
- Mr. Kinard asked about the buffer regarding the nearby residential area. Ms. Rosario explained that it would not change. She explained the entire back of the property had plenty of foliage that would not change.
- Mr. Fraley informed the Planning Commissioners he had also brought some pictures with him of the dense foliage on the property.
- Mr. Kinard asked if the 400’ radius that property owner letters were sent to would include the neighboring residential area.
- Ms. Rosario said it did; and she had only heard from one property owner just wanting to know what was going on.

Ms. Rosario introduced the pictures into evidence as Exhibit B.

Mr. Wilson opened the public hearing and asked anyone who wished to speak in favor of, or against the request to come forward. No one came forward. Mr. Wilson closed the public hearing.

Planning Commission Deliberation:

- Mr. Kinard felt it would be consistent with the other properties on the Reidville Road/developing commercial area. He did not feel it would create additional traffic.
- Mr. Wilson felt the improvements to the area would be good, as well as filling the vacancies.
- Mr. Jenkins felt it would be a nice addition to the area.

Mr. Cantrell made a motion to approve the request as presented; and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 7 to 0.

Ms. Rosario said the next step in the process would be for the request to go before the Mayor and City Council for another public hearing and First Reading on February 8, 2016; and if it was approved at that meeting, the last step would be a Second Reading on February 22, 2016.

Approval of Proposed 2016 Planning Commission Meeting Schedule

Mr. Cantrell moved to approve the 2016 Planning Commission Meeting Schedule, and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 7 to 0.

Site and Landscape Plans Approved since the August 20, 2015 Planning Commission Meeting

- AC Hotel – 225 West Main St.
- Hatcher Gardens “New Entry Walkway System” – 820 John B. White Sr. Blvd.
- Little Caesar’s – 1635 John B. White Sr. Blvd.
- Regenesi Healthcare Parking Lot – 460 Langdon St.
- Whatta Wash Car Wash (East) – 2171 E. Main St.
- Wofford College Cummings Street Parking Lot.
- Wofford College Richardson Indoor Stadium – 429 N. Church St.
- Wofford College Rosalind S. Richardson Center for the Arts – 429 N. Church St.

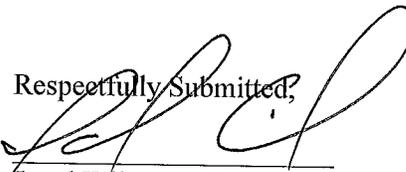
City Council Updates (FYI) Since Last Mtg. of Planning Commission on August 20, 2015

Mrs. Roland went over the City Council updates that pertained to the Planning Commission since the last meeting on August 20, 2015 that were listed on the agendas.

Staff Announcements

- Mrs. Roland also welcomed Planning Staff Member, Natalia Rosario to the Department.

The meeting adjourned at 5:55 P.M.

Respectfully Submitted,

Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant