

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 ad.

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,

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Nancy Hogan, Chair

Jared Wilson

Minutes by Julie Roland, Administrative Assistant