

**Planning Commission Meeting Minutes
November 17, 2022 @ 5:30 PM
City Hall Council Chambers**

Board Members Present: Dr. Phillip Stone, Mr. Jemar Brown, Mr. Reed Cunningham, Mr. Warwick Spencer, Mr. Jared Wilson, and Mr. Santiago Mariani. City Staff Present: Nan Zhou, City Planner I; and Tia Keitt, City Planner II.

Roll Call

Dr. Stone: I'm going to call this meeting of the City of Spartanburg Planning Commission to order. Today is Thursday, November 17th, 2022. Freedom of Information Act compliance, public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance. Let the record indicate the five members of the Planning Commission are present, two are absent and, therefore, we have a quorum and may proceed with the business before this body. My name is Phillip Stone. I'm the chair of the commission and I will preside over this hearing. I'm going to ask each member of the Commission starting with Mr. Spencer to say their name for the record.

Mr. Spencer: Warrick Spencer, commissioner.

Mr. Brown: Jemar Brown, commissioner.

Dr. Stone: Phillip Stone.

Mr. Mariani: Saniago Mariani, commissioner.

Mr. Wilson: Jared Wilson, commissioner.

Dr. Stone: All right. Let's see, do I hear a motion regarding the agenda that was circulated to all of us?

Mr. Wilson: Move to be approved, the agenda.

Mr. Mariani: Second.

Dr. Stone: The Agenda is moved by Mr. Wilson, seconded by Mr. Mariani. All those in favor approving the Agenda, say I.

Mr. Spencer: I.

Mr. Brown: I.

Approval of meeting agenda

On a motion by Mr. Wilson, seconded by Mr. Mariani the agenda for the meeting was approved, by a vote of 5 to 0.

Dr. Stone: I. Any opposed? And the Agenda is approved. We have Minutes of the September 15th meeting, the last time we were together. Do I hear a Motion regarding the Minutes?

Mr. Mariani: I noticed on page three towards the bottom, I think it's a typo that makes it hard to understand what is happening, just, "Not that it's worth." Third paragraph from the bottom by you, Phillip Stone.

Dr. Stone: Yep.

Mr. Mariani: And I'm not sure if that would make it understandable.

Dr. Stone: I saw that and I can't remember exactly what I said. I think I might've said, "For what's it worth."

Dr. Stone: I think I said, "For what's it worth."

Dr. Stone: And so I would also note... you can note that correction for the record on page three towards the bottom. One thing we might all want to do, and I should've done this myself when we catch those, go ahead and email them back in so they can go ahead and make the correction before we have them. Are there any other corrections? If not, I move that the Minutes be approved as slightly corrected.

Mr. Brown: Second.

Dr. Stone: All right. It's moved by the Chair and seconded by Mr. Brown to approve the Minutes. All in favor, say I.

Mr. Mariani: I.

Dr. Stone: I.

Mr. Wilson: I.

Mr. Spencer: I.

Approval of Meeting Minutes for September 15, 2022

On a motion by Dr. Stone, seconded by Mr. Brown, the minutes of the meeting of September 15, 2022, was approved with corrections by a vote of 5 to 0.

Dr. Stone: Any opposed? Minutes are approved. We have no old business. We have one item of new business, a request for rezoning properties at 500 West Main Street and 0 Oxford Road, tax map number 7-12-13-024.00 and 7-12-13-001.00 from B3 General business District and R6 General Residential District to B3 Plan Development District to accommodate a mixed use development.

Ms. Keitt: Good evening.

Dr. Stone: Good evening. And do you swear to tell the truth?

Ms. Keitt: I do.

Dr. Stone: Thank you.

RZPDD-22-011-00006 – The Planning Commission has received a request for rezoning properties located at 500 W. Main Street and 0 Oxford Road (TMS: 7-12-13-024.00 and 7-12-13-001.00) from B-3, General Business District and R6, General Residential District to B-3, PDD General Business – Planned Development District to accommodate a mixed-use development. Owner: Richard Pennell, III; Palmetto Operating Company / Applicant: Brett Baumgarten; Coastal Partners, LLC / Danny Balon, Seamon Whiteside & Associates.

REQUIRED FINDINGS

The City of Spartanburg requires rezoning applications to meet certain criteria and the Planning Commission must take the following findings of reasonable conformance in order to recommend a change of zoning.

Planning Staff offers the following analysis relating to each of these required findings:

ANALYSIS OF REQUIRED FINDINGS

The Zoning Ordinance enables Council to change the Zoning Ordinance or Map following public notice and hearing. The Planning Commission reviews and recommends action on proposed zoning changes at its regularly scheduled meetings. The following comments are based on established criteria:

1. Consistency (or lack thereof) with the Comprehensive Plan

500 West Main Street serves as the entrance into Downtown Spartanburg and the corridor that leads you communities in the Western part of the City. The Growth & Conservation Map of the not yet adopted Comprehensive Plan identifies this area benefitting from Corridor Infill Growth; therefore, the vision for the site is consistent with the forthcoming Comp Plan. The developer is proposing a mixture of commercial space to be located on West Main Street, and residential situated on the Oxford street site.

2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood

The vision for the site includes a Phase I & II development. Phase I will be focused on infrastructure improvements and developing a space for commercial development. Potential mix uses include a local gym, eateries, gallery and office space.

Phase II will be residential development, which is primarily the 0 Oxford Rd parcel. This site abuts an established single family home community. What is now a dead end street with a cul-de-sac will become a through street to service the new development. The proposed housing focused on the northern portion of the property can serve as a buffer to the retail district.

3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment

Developing commercial / retail space is suitable for the West Main Street Corridor. The West Main Street Corridor Visioning Project (Clemson University) was an excellent, in depth survey that highlights the strengths and weaknesses of this area. The Coke Redevelopment Project is in line with some of the suggestions from this project, including

- Preserving the historical integrity of Spartanburg
- Buidling upon exisiting strengths of downtown
- Expanding the downtown experience further west

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

Currently the Coke facility is vacant and the Oxford Rd site is filled with trees. Infill commercial & residential development will significantly increase density in this area, and as West Main Street see new businesses, this corridor is a first impression about what to expect when you visit Downtown Spartanburg. With these high expectations any new construction should improve the marketability of a site and contribute to healthy economic development for the downtown district.

The proposed multifamily development for Phase II requires clearing trees, establishing the required infrastructure improvements and the actual structure, which increases the marketability of the site.

5. Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use

The engineering firm and developer are faced with some infrastructure challenges that they have been proactive about resolving. Sewer, water and storm water facilities will all need to be upgraded to meet the site requirements. Onsite meetings with Spartanburg Water & Sewer have taken place, site plan review meetings with the Planning, Building & Public Works department have taken place as well. At this time, the developer is investing in finding solutions to develop the site.

STAFF'S ANALYSIS & RECOMMENDATION

The proposed rezoning / vision for the site is not a stark contrast to the permitted uses under the current zoning. 0 Oxford is zoned R-6, General Residential, and the proposed B-3 PDD allows the developer to build housing with a density bonus, but still has to meet the zoning setback requirements to the property it abuts. The new housing could offer a modern appeal to a traditional neighborhood.

500 West Main is existing B-3, so in order to develop a plan for both sites, bringing them under a single zoning designation allows for creative development. Staff recommends approval of the rezoning of both sites to B-3 PDD.

According to Section I Adoption and Interpretation of the City Of Spartanburg Zoning Ordinance, § 105 Purpose, "The purpose of the zoning ordinance is to implement the land use element of the comprehensive plan for those purposes set forth in S.C. Code § 6-29-710." This S.C. Code section states that the "Zoning ordinance must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare" of properties inside the City Limits.

One of the reasons for the Comprehensive Plan and City Zoning Ordinance is to have zoning classifications that allow certain uses in conjunction with adjacent properties that may be considered "less intense" uses. For this reason, the purpose is to protect the less intense uses from adverse impacts on their property with regard, but not limited to, noise and/or light pollution, traffic congestion, and any other adverse impact that a higher intense use could cause on a surrounding less intense use.

WRITTEN PUBLIC COMMENTS

Notices were sent to property owners within a 400 ft. radius of subject properties. Just under 90 Public Notice letters were sent regular mail and 10 sent through certified mail. A planning information meeting was not held, but can be offered at the community's request to discuss the

rezoning request, review comments, and address concerns. The Planning Commission Meeting is Thursday, November 17, 2022 - 5:30 PM.

FUTURE PROCESS

Under State law, if the Planning Commission recommends approval of this application, staff will schedule the matter for another public hearing and First Reading of Ordinance by City Council as early as Monday, December 12, 2022 - 5:30 PM. If the matter receives first reading approval, it can then go before the City Council for a Second and Final Reading on January 9, 2023. The public hearings will be publicly noticed.

As a PDD- (Planned Development District), the Developer must submit preliminary plans to the Planning Department within (6) months. Following Staff approval, the preliminary plans will go before the Planning Commission for final approval.

If the Planning Commission recommends against the application, the negative recommendation will be forwarded to the City Council. In this case, a public hearing before the City Council will be conducted only if the applicant submits a written request within a two week period following the Planning Commission's action.

On Thursday, November 17th - 5:30 PM the Planning Commission may act to support or oppose the application, with or without changes to the proposal. The Commission could also continue the matter if additional information, testimony or dialogue is deemed necessary.

Again taken from the engineer. This is the Coke building here, this is parking, and then the multi-family site there. And tonight, this is why we are here at the Planning Commission meeting and it will prove, though I assume that's December 12th followed by a second meeting, January 9th. And then it said provide presentation. Any immediate questions for me?

Dr. Stone: Does anyone have a question from Ms. Kit before we move onto let the applicant speak? Did you get any written comments? Did anyone send any comments to the staff?

Ms. Keitt: No written comments, but a few calls.

Dr. Stone: Okay.

Ms. Keitt: And in support of.

Dr. Stone: Okay. We'll hear from the applicant. If the applicant would like to say anything?

Mr. Sawhill: Chris Sawhill.

Dr. Stone: All right.

Dr. Stone: And I'll ask you to swear to tell the truth?

Mr. Sawhill: I swear to tell the truth.

Dr. Stone: Thank you, sir.

Mr. Sawhill: All right. So we're talking about this project. It's going to be adaptive reuse of the existing Coke buildings building west side of Spartanburg is right for redevelopment and so we're excited about the project.

Mr. Sawhill: Okay. So as Tia mentioned... Tia covered most of it. The existing buildings is going to remain. The inside of the buildings will be gutted and the continued uses right now is what we have up here. Now again, the use has not fully been set in concrete. We're still working with...

the developer is still working through the project spaces, so its uses might change, but phase two, over here, the existing buildings being, but ideally, this is a gym, restaurant, and then in here, a multitude of uses. There's on street parking along this road which we're working with the city to keep this a public road and onsite parking here with parking back behind most places. But we're excited about the project and if you guys have any specific questions, I'll do my best to answer them.

Dr. Stone: Anyone have a question for the applicant?

Mr. Spencer: I do have a clarifying question, if I may. In point two, you mentioned a cul de sac, a dead end street cul de sac would become a thru-street.

Mr. Sawhill: Yes.

Mr. Mariani: And is that the Oxford Road cul de sac because there's like three cul de sacs kind of next to the property.

Mr. Sawhill: I believe it's the Oxford cul de sac. Yes.

Mr. Mariani: It is one, okay.

Mr. Sawhill: Yes.

Mr. Mariani: Gotcha. Okay.

Dr. Stone: Any other questions that anybody has formulated? I have one, but I'll wait until you finish writing. Since I'm in the same boat, it's kind of hard for me to write and talk at the same time.

Mr. Sawhill: Okay.

Dr. Stone: What do you think the timeframe on the second phase would be?

Mr. Sawhill: In talking to the developer, he wants to move quickly, but I don't know for certain.

Dr. Stone: Okay. And what do you think that would look like? We're thinking apartments, town homes?

Mr. Sawhill: I believe it's multifamily apartments.

Dr. Stone: Multifamily apartments, okay.

Mr. Sawhill: Multiple story.

Dr. Stone: Multiple story, okay. Okay.

Mr. Mariani: I do have another question. Might be more over. It mentions the Clemson University study in being consistent with that. And I believe that study also asked of kind of all the areas that we have there on the properties having unification of not being... having consistency. Has that been looked at to see how we could integrate with surrounding businesses and establishments in the area? Is this more of a stand-alone?

Mr. Sawhill: That's a great question. I can ask the developer.

Mr. Mariani: That'd be good.

Mr. Sawhill: I've not been involved with the design of this, but can find out.

Dr. Stone: Other questions? All right. Thank you. Very much. Let's see. There being no other question, do I hear a motion to open the public comment?

Dr. Stone: And I second. All in favor of opening public comment say I. All right.

Mr. Wilson: I.

Mr. Brown: I.

Mr. Spencer: I.

Dr. Stone: All right.

Mr. Gooch: John Gooch.

Dr. Stone: Okay.

Mr. Gooch: It appears that the landowners, the developer I guess you could say, if they have that role, have acquired a piece to the Stevens Street. It's not being discussed, it's not being requested to be rezoned. I guess I'm curious in what the plan is there and if it's being discussed or not?

Dr. Stone: All right. I will take... we will take a note of that question and ask them to respond to that when we're finished with the public comment.

Mr. Liddy, did you get that question? Did you hear that the developers appear to have a portion of another street that was not part of this?

Mr. Gooch: It's off to the right of the map.

Dr. Stone: Okay. I see. That isn't... I will say it doesn't look like that is in the area that is circled in black for the potential rezoning. We're just talking about those two properties, but we can ask them to respond to that.

Are there any other public comments? Gong once, going twice. Do I hear a motion to close the public hearing?

Mr. Mariani: I move.

Mr. Wilson: Second.

Dr. Stone: It's moved and seconded to close the public hearing. All in favor, say I.

Mr. Spencer: I.

Mr. Brown: I.

Dr. Stone: I. Any opposed? All right. I will ask the Applicant, did you hear that question and do you want to answer that, the question about is there any other part of this parcel that you're consider? Or is there any additional parcel that...

Mr. Mitchell: I'm Luke Mitchell. I swear to tell the truth.

Dr. Stone: Thank you.

Mr. Mitchell: I'm not familiar with the parcel. We can get some clarification on the exact question, but these are the only two that we are proposing to rezone.

Dr. Stone: Okay. Mr. Livingston, could you scroll back to the current zoning map, the one that's all the red, the purple and brown and show everyone what exact two parcels we're talking about.

And so Steven Street is to the east of the B3 parcel. It runs parallel to Main Street. Okay. So we've heard from the developer that they don't have any plans for any parcel on Steven Street.

All right. Does anyone have any further questions at this moment for staff, applicant, anyone?

We're at the point now where we can ask those. If not, we will be at Board deliberation. What are the thoughts of the Planning Commissioners, having read the packet and heard the presentation?

Dr. Stone: Looks like he is thinking.

Mr. Wilson: Back up. I mean, overall, the broad strokes, it's reuse of an existing parcel.

Mr. Spencer: Mr. Chairman, I agree with Mr. Wilson's observations and thoughts. We'd be lucky to have the development on that side of town and be a great addition to the community.

Dr. Stone: And I will agree with my colleagues. This just for the record on everything, we seem to have consistency with our future land use, our sense of the future land use, so this strikes a lot of positives for me. It is a good adaptive reuse of a historic property and I am pretty ardent

historic preservationist and so I'm a fan of a good adaptive reuse of a building that has some significance in the community. I am excited about the expansion of downtown toward the west. I am all for a degree of greater density on our corridors. I think this is where we need the direction we need to go and I think it also respects in many ways the current uses of the property in that it's more commercial toward the front, more residential toward the rear and it does not look to me like it will do harm to the areas.

I'll also note and Mr. Livingston can correct me if I'm wrong, but a plan development district if going to go through site reviews, so any issues with... there will be further review of that site plan, so, yeah, I don't have any qualms and it meets the other criteria that we're supposed to find. I mean, it certainly will be more marketable. If there's clearly water, storm water, and sewer and water on the site, so I'm very happy about this.

Mr. Brown: I agree.

Mr. Mariani: Once you are downtown and you get to the railroad tracks and there's not really much. Once you cross the tracks and it's a stark difference.

Mr. Brown: Right.

Mr. Mariani: And having this site would create more development along the corridor. Boost interest and help further develop that whole area, that corridor. I'm curious to see. I've also seen depictions of West Main Street, some with bike paths. I know that the One Spartanburg 2.0 plan that talked about actual street corridor. I'd be curious to see how it all fits in moving forward, but overall, like everyone has said, I think it's a fantastic project.

Dr. Stone: I mean, I don't quite know how this fits with the Trails network. I know once we get west of that intersection with John B. White and St. John's Street, West Main widens back out to five lanes, but I know our Trails work is working on that. I also like that it's within... you know, we're getting close to what used to be the West Main Artist School is now I guess Artist Collective Spartanburg, so there's some potential synergy there.

We're out of the downtown design district once you get to that intersection, but again, there'll be some review that will happen at the staff level before it goes much further, I think.

Mr. Spencer: Mr. Chairman, I did notice that in total it will be part of this whole community, obviously, but it looks like the timing phase one is under[, but one phase two will be coming around, parking will be sufficient.

Dr. Stone: You believe the parking will be sufficient? Or is that a question that you-

Dr. Stone: Okay.

Mr. Spencer: Depending on the timing between phase one and phase two, and phase one appears to be under parked by 26 cells. And then once you add in phase two, it's got I think 25 additional spaces there 20% deduction.

Dr. Stone: Mr. Livingston was nodding when you were saying that. Is that something that we need to be concerned about? Mr. Livingston is going to answer that question for us I believe.

Mr. Livingston: Mr. Chairman, that is the value of doing a PDD is that it takes a look at the entire site, so while the commercial section is under parked by 26 units, the residential section will be actually over parked by another I guess by 40 units. They'll add additional parking spaces in the residential section. But for the time being between the residential and commercial, the

commercial section is under parked in the phases. My understanding is that when you look at PDD's, you're looking at the entire project, not just each individual phase.

Dr. Stone: And given what they told us, if they plan to move fairly quickly, it might also not be an issue for very long.

Mr. Livingston: The majority of that space, beyond just a commercial, probably has enough parking spaces until the residential units is under construction.

Mr. Livingston: Right now, most of it is flat and once you get past their residential building it can only be used for parking. There's a creek back there. There's a lot of buffers that's going to take place between the residential and the other single family residential that's surround it, so it's ideal and can keep it in the residential portion closer to the commercial portion. The majority of parking spaces will be in the rear of the property and there'll be more trees and landscaping. There's also landscaping requirements.

Dr. Stone: And there will be buffering required between a B3 and the surrounding uses?

Mr. Livingston: That's correct. There'll be buffer required. Also, because this is a PDD, if it goes before council and gets approved, the developers have six months to bring it back before the Planning Commission for a final plat approval. You will get to see this again.

Dr. Stone: I'm sorry. I should've reminded us of that, but I thank you for that reminder. All right. Are we ready for a motion?

Mr. Wilson: I move to be approved as submitted.

Mr. Mariani: I second.

Dr. Stone: It is moved by Mr. Wilson, seconded by Mr. Mariani to approve the request and recommend it to City Council. All in favor, say I.

Mr. Spencer: I.

Mr. Brown: I.

Dr. Stone: I. Any opposed? And it is approved. We are recommending to City Council the rezoning of properties at 500 West Main Street and 0 Oxford Road to B3 Plan Development District and that will go to City Council and there will be another public hearing at that meeting which will be publicly noticed.

On a motion by Mr. Wilson, seconded by Mr. Mariani, the rezoning request was approved by a vote of 5 to 0.

All right. Next item, the business's site and landscape plans approved since the September meeting. We have site at 1631 John B. White, Shipley Donuts, and a tiny home village on Brawley Street. Does anyone have a question about either of those items? No questions. All right. We will move along. Updates from city council, well, no city council meeting updates, but I guess we might be due for a comprehensive plan update.

Mr. Livingston: Yes, Mr. Chairman, members of the Planning Commission, we did get the final draft of the resiliency plan last week. They are putting that together, getting that to TPUDC. TPUDC will be giving us a full comprehensive plan document we hope by next month, early part of December. We are hoping that once we review that and they give us a draft document, we can bring that back for public review and comment in January, and before the Planning Commission possibly in February, we hope. We do have to provide a 30-day notice we will have public

comment so we will have public meetings to have these discussions about the comprehensive plan with the update in January. That's when we're hoping to do it. We'll have to take this, once we take it to the Planning Commission in February, then take it to City Council.

Dr. Stone: Okay.

Mr. Livingston: Right now, that is the plan if they can get it to us quickly by December.

Dr. Stone: Any questions? The comprehensive plan that will never end.

Mr. Livingston: We had hoped to have the planning director on board to help us with the implementation plan this fall, but that didn't occur, so once TPUDC provide us with a list of the different implementation strategies. We are hoping to get the Comprehensive Plan approved and then the Implementation Strategies with the Planning director on board.

Dr. Stone: And then we can start revising the Zoning Ordinance.

Mr. Livingston: Yes, we can make the request to Council.

Dr. Stone: Any other questions? All right.

Mr. Livingston: The other item, continuing education requirements, board members who have not completed their continuing education requirements after July 1st will need to take a continuing education class. We just got a list of the members that need to have their statuses update. I'll probably be sending out an email to individual members that you need to take course before June 30th if you're deciding to continue to be on the commission.

Mr. Livingston: If not, you might not need to take anything, but if you're going to continue, you will need to complete your continuing education before July 1st.

Dr. Stone: So I signed up to do the live webinar Monday, but because of a SPATS policy meeting, I didn't, but I intend to watch it through the Association of County's portal tomorrow, or Saturday, or somewhere like that because I got the link.

Mr. Livingston: Let us know when that is completed and send the certificate to Oksana.

Dr. Stone: It says it will automatically generate a certificate when I watch it, so let's hope that it does. I like to do those that are online so I don't have to find my way to myself.

I was going to ask you as well on a different item. I asked this at... SPATS policy met on Monday and I asked if they knew anything about the downtown traffic study. And they didn't, so I figured I'd ask you if you know where we are on that.

Mr. Livingston: So we do have... Toole Design is working on the transportation study for downtown. They are working on getting information on the traffic light sequencing. They're doing some studies on the syncing and timing of the traffic lights. They're supposed to get some information from SCDOT and once they do that and they also have five lights that SCDOT is not studying that they will need to review. Once they have that, they'll put a document together, a draft document together. They have asked us to put together a committee of residents and interest parties that may have an interest in learning more about this work and advising them, so that's one thing we need to do, hopefully this month and start that process and put together residents and business owners that have an interest in this study to advise the City and the community.

Dr. Stone: Any other questions about that? Or any questions about anything else?

Dr. Stone: One thing. I believe the selection of the Morgan Square Design Consultants have been done and MKSK, I believe they're out of Greenville, is the consultants that will be doing that work and so you'll be hearing more about that.

Dr. Stone: Mr. Brown is representing the Planning Commission on that group, so if he wants to add anything, you're welcome to do that.

Mr. Brown: Well, we are actually meet with MKSK in the morning, so that will be our first official meeting with them post the interviewing process, so we're excited about that, so we'll at TK Greg at 10:00 a.m.

Dr. Stone: All right. Is there any other business to come before the Planning Commission today? If not, I will entertain a motion.

Mr. Wilson: Meeting adjourned.

Mr. Brown: Second.

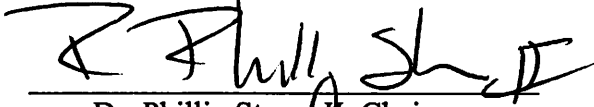
Dr. Stone: It's moved by Mr. Wilson, seconded by Mr. Brown to adjourn. All in favor of adjourning?

Mr. Wilson: I

Mr. Brown: I.

Dr. Stone: I. Happy thanksgiving. We are adjourned.

Meeting adjourned at 6:04 PM.



Dr. Phillip Stone II, Chairman