



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

**City Council Meeting
City Council Chambers**

145 West Broad Street

Spartanburg, SC

Monday, February 13, 2017

5:30 p.m.

I. Moment of Silence

II. Pledge of Allegiance

III. Approval of the Minutes of the January 23, 2016, City Council Meeting

IV. Approval of Agenda of the February 13, 2017 City Council Meeting

V. Public Comment

*Citizen Appearance forms are available at the door and should be submitted to the City Clerk

VI. Road Resurfacing Presentation

Presenters: Chris Story, Assistant City Manager

Ron Kirby, PE, Spartanburg County Engineer

VII. Public Hearing

A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically parcels #7-12-08-059.00 and 060.00 Located at 133 and 135 Avant Street, Which Are Currently Zoned LOD, With a Land Use Designation of Limited Office District to Zone R-6, with a Land Use Designation of General Residential District; and Providing for Severability and an Effective Date (First Reading)

Presenter: Natalia Rosario, Planner III

VIII. Consent Agenda

A. Authorizing the City Manager to Execute an Agreement to Purchase the Cammie Clagett Apartment Homes in the Highland Neighborhood in the City of Spartanburg from the Spartanburg Housing Authority and Transfer to Neighborhood Improvement Program (NIP) Partners (Second Reading)

Presenter: Martin Livingston, Neighborhood Services Director

As required by the Americans with Disabilities Act, the City of Spartanburg will provide interpretive services for the City Council Meetings. Requests must be made to the Communications & Marketing Office (596-2020) 24 hours in advance of the meeting. This is a Public Meeting and notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act.

IX. Other Business

A. East St. John Street and Liberty Street Intersection Traffic Signal and Interconnects

Presenter: Randall Farr, Traffic Services Manager

B. Boards and Commissions – Bicycle and Pedestrian Committee

Presenter: Connie McIntyre, City Clerk

X. City Council Updates

XI. Executive Session

A. Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to Encouraging New Investment in the City

Council may take action on matters discussed in Executive Session after exiting Executive Session.

XI. Adjournment

** Non-Agenda Items*

City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.

**Agenda Items*

City Code Sec. 2-56. Addressing Council, Comments or Remarks to Council on Agenda Items Not Requiring Public Hearing. On agenda items not requiring a Public Hearing, please provide to the City Clerk prior to the opening of the meeting, your desire to speak on an agenda item. Remarks shall be limited to five (5) minutes and total remarks on any agenda item shall not exceed twenty (20) minutes.



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, January 23, 2017
5:30 p.m.**

**(These minutes are subject to approval at
the February 13, 2017 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor Junie White, Mayor pro tem Laura Stille, Councilmembers Jerome Rice, Erica Brown, Sterling Anderson and Rosalyn Henderson Myers. Councilmember Jan Scalisi passed away on January 19, 2017. City Manager Ed Memmott and City Attorney Cathy McCabe were also in attendance. Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All City Council meetings are recorded for a complete transcript.

I. Moment of Silence - observed

II. Pledge of Allegiance - recited

Mayor White called on Mayor pro tem Stille for comments.

Mayor pro tem Stille, “I just wanted us all to take a minute to remember our friend and colleague, Jan Scalisi, who passed away last week. Our condolences certainly go out to her family and her friends. She was a valuable member of Council and her influence will be with us for years to come. We appreciate her service. Her memorial service will be on Thursday in the Chapman Center lobby at 11:00 a.m., and everyone is welcome.”

III. Approval of the Minutes of the January 9, 2016, City Council Meeting – Councilmember Brown made a motion to approve the minutes as received. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.

IV. Approval of Agenda of the January 23, 2017 City Council Meeting – Councilmember Henderson Myers made a motion to approve the agenda as received. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.

V. Public Comment

*Citizen Appearance forms are available at the door and should be submitted to the City Clerk **Carolyn Reed-Smith** expressed concern regarding the closing of the Northwest Center. **Linda C. Dogan** spoke regarding the TK Gregg Center.

VI. Presentation by Spartanburg Chamber of Commerce – One Spartanburg: Spartanburg’s Community and Economic Development Strategy

Presenter: Allen Smith, IOM, CCE, President and CEO Chamber of Commerce

Mr. Smith updated Council on the One Spartanburg planning phases. He shared that the implementation plan was approved on October 12 and the next steps would be the public launch on January 24 at the Chapman Cultural Center, secure entire funding for the five year strategy in Q1 2017, make key hires in Q1 2017, begin implementation as defined in strategy in Q1 2017.

Council received the report as information.

VII. Ordinance

A. Authorizing the City Manager to Execute an Agreement to Purchase the Cammie Clagett Apartment Homes in the Highland Neighborhood in the City of Spartanburg from the Spartanburg Housing Authority and Transfer to Neighborhood Improvement Program (NIP) Partners (First Reading)

Presenter: Martin Livingston, Neighborhood Services Director

Mr. Livingston presented the item to City Council as follows:

“In August 2016, the City received a Neighborhood Improvement Program (NIP) grant of \$1.6 million to purchase and demolish Cammie Clagett Apartments. NIP funds are administered by the South Carolina State Housing and Finance Authority. This funding will allow the City to purchase the two large blocks of 58 units on Bunker Street and Highland Avenue. Staff will request additional NIP funding for the other 52 units for a total of 110 units that would be purchased and demolished. Use of NIP funds will require that title of these properties be held by a non-profit that has been approved by the state. Staff will place property restrictions to insure that the properties are ultimately redeveloped in a manner that is consistent with city objectives. Additional information is attached for Council review.

Property Address	Tax Map Number	Property Type	Purchase/Sale Price
201 Bunker Street	7-16-01-211.00	Multifamily Townhomes	320,000.00
311 Highland Avenue	7-16-01-299.00	Multifamily Townhomes	260,000.00
350 Beacon Street	7-16-01-088.00	Multifamily Townhomes	60,000.00
350 Concord Avenue	7-16-01-152.00	Multifamily Townhomes	120,000.00
351 Concord Avenue	P/O 7-16-01-247.00	Multifamily Townhomes	20,000.00
410 Beacon Street	7-16-01-096.00	Multifamily Townhomes	120,000.00
410 Concord Avenue	7-16-01-169.00	Multifamily Townhomes	120,000.00
105 Norris Street	7-16-05-007.00	Multifamily Townhomes	30,000.00
107 Norris Street	7-16-05-008.00	Multifamily Townhomes	30,000.00
420 Bethlehem Drive	7-16-01-325.00	Multifamily Townhomes	20,000.00

Staff is requesting approval for the purchase and sale of the Cammie Clagett Public Housing sites as set forth in the Ordinance.

BUDGET AND FINANCIAL DATA: \$1,610,000 in NIP Grant Fun”
After discussion, Councilmember Rice made a motion to approve the ordinance as requested on first reading. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.

VIII. Other Business

A. Butterfly Branch Mitigation Project

Presenter: Jay Squires, Streets and Storm Water Manager

Mr. Squires presented the item to Council as follows:

“Over the past two years, staff has been designing, obtaining regulatory approvals, and acquiring the land needed for the Butterfly Creek Mitigation Project. This project will restore the natural flow of the creek and establish protective creek buffers between Preston and College Streets. Once the mitigation project is near completion, the city will start construction of an adjacent linear park and trail project. These two projects will provide a significant community amenity for the Northside.

To move these efforts forward, staff advertised the creek mitigation project and received two bids from:

Shamrock Environmental Corporation	Browns Summit, NC	\$1,392,536
Lindler’s Construction of SC, LLC.	Newberry, SC	\$2,949,655

The low bidder, Shamrock Environmental Corporation, is a regional contractor with extensive experience in large civil projects including creek and wetlands restoration. Shamrock was the general contractor for the Arkwright Landfill Closure Project. Due to funding limitations, it was necessary to enter into negotiations with Shamrock to lower costs. As a result of these efforts, the project scope has been adjusted to reduce costs by \$250,815 to a total of \$1,141,721.

Shamrock is not a MWBE certified contractor, but has indicated MWBE subcontractor participation at 9.5% of the contract value. It is anticipated that the project will take 120 days to complete.

The Butterfly Creek project will also provide the city with offsetting stream mitigation credits for work being done at the Downtown Airport. Since the project provides these mitigation credits, Federal Aviation Administration (FAA) funding will pay 90% of project cost.

ACTION REQUESTED: Staff is requesting Council authorization to proceed with award of contract pending formal FAA approval.

BUDGET AND FINANCE DATA:
 90% FAA, 10% City Storm Water funds”

After discussion, Councilmember Brown made a motion to approve the award of bid as requested to Shamrock Environmental Corporation in the amount of \$1,392,536. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.

B. Perrin Drive Culvert Replacement

Presenter: Jay Squires, Streets and Storm Water Manager

Mr. Squires presented the item to Council as follows:

“Staff received bids for the replacement of a culvert under Perrin Drive. This project consists of removal and replacement of a culvert from under Perrin Drive adjacent to 675 Perrin Drive.

The following bids were submitted:

Capitol Construction of the Carolinas, LLC	Spartanburg	\$189,210.00
Dillard Excavation	Pelzer	\$206,715.00

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that Capitol Construction of the Carolinas, LLC. is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 30 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice using door hangers and mailers. A portion of Perrin Drive will be closed during construction for safety reasons. A detour route will be in place for convenience while the segment of road is closed.

ACTION REQUESTED: Allow staff to accept the bid from Capitol Construction of the Carolinas, LLC and authorize the City Manager to enter into a contract with Capitol Construction of the Carolinas, LLC for the completion of the project.

BUDGET AND FINANCE DATA: \$ 189,210 from the Storm Water Utility fund will be used to complete the project.”

After discussion, Councilmember Henderson Myers made a motion to approve the award of bid to Capitol Construction of the Carolinas, LLC in the amount of \$189,210. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.

C. FY 2016 Comprehensive Annual Financial Report

Presenters: Dennis Locke, Finance Director

David Phillips, Greene, Finney and Horton, LLP

Mr. Locke reviewed the FY 2016 CAFR for Council.

David Phillips, of Greene, Finney and Horton, LLP, shared with Council that the City had received the best possible review by his firm during their audit of the City. He added that there were no findings during the audit.

Council received the report as information.

D. Update on Housing Rehabilitation Program -

Presenter: Martin Livingston, Neighborhood Services Director

Mr. Livingston presented a report on an affordable housing program staff had been working on for the last couple of months. He stated the program was based on requests from the neighborhoods.

He discussed the details of the following options of the program:

1. Owner-Occupied Rehabilitation Program Loan Loss Reserve
2. Repair Loan Program – Terms and Examples
3. Homebuyer Program – Citywide
4. Homebuyer Program – Terms and Examples

Mr. Livingston stated that staff was working with several entities to administer the program.

Council received the report as information.

E. Boards and Commissions – Bicycle and Pedestrian Committee

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre requested Council decision on the application of John L. “Luke” Perkins for appointment to the Bicycle and Pedestrian Committee.

Councilmember Sterling Anderson made a motion to waive the rules and appoint Mr. Perkins to the committee. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.

F. Discussion of the Dr. TK Gregg Community Center

Presenter: Ed Memmott, City Manager

Mr. Memmott stated staff was back to council for direction on the TK Gregg Community Center for the scope of the project and whether or not it would include an indoor pool. He stated that there was a cost differential of approximately \$3.5 million dollars for an indoor pool and that the capital costs could be raised. He stated that there was, however, no definitive plan He stated that the challenge for the city in the recurring expenses associated with an indoor pool. Mr. Memmott stated that he was confident that operating expenses related to an indoor pool would be not less than \$350,000 annually. He added that replacement expenses could not be fully defined until the facility was designed. He stated that he did not recommend the indoor pool because he did not believe the expense associated with it justifies the benefit. He stated that, obviously, if Council chose to spend \$400,000 for recurring expenses of an indoor pool, they would not have that money to spend elsewhere. He added that building an indoor pool would have significant budget implications for the next 20 to 30 years. He stated that unless a majority of Council could come together with clear direction that evening, he did not think it wise to make a decision that would have implications for the city for decades. He recommended that Council wait until such time that they could make a majority vote decision in favor of or against the question of an indoor pool. He explained the downsides of waiting could result in a delay of construction of the TK Gregg Center until 2018; that anytime there is a delay there are risks – things can go wrong, interest rates could go up, a funding

source can go away, a new funding source can appear; the city still has to compete for the funds to complete the project. He stated that he had read through the minutes from 2012 when Council made the decision to close TK Gregg and gave staff direction to retain the \$100,000 in operating costs annually in a designated fund for the new TK Gregg Center. Council directed staff to a plan of closing the Northwest Center, and transferring the operating costs of that center to a smaller, more efficient new TK Gregg Center with an outdoor pool. There was never any expectation of an indoor pool in any of the discussions regarding a new TK Gregg Center. The new TK Gregg Center was always described as comparable to the CC Woodson Center, which has an outdoor pool. When Council voted to close the Swim Center there was no anticipation of any indoor pool in the future. During the planning process for the Northside, there was never any inclusion of an indoor pool at a new TK Gregg Center. Mr. Memmott stated again that he recommended waiting until there would be a majority vote of Council, one way or the other, and one with which all of Council would be comfortable. He stated he didn't think it was a good idea to get a decision that might possibly be compromised in the future with a different composition of Council. He stated that, if Council agreed with his recommendation, staff would return to Council in late May or June for direction on the new TK Gregg center. He reiterated that staff would do whatever Council directed them to do.

After a lengthy discussion by Council of their opinions in favor of or against an indoor pool at the yet to be built TK Gregg Center, Mayor White made a motion to build the TK Gregg Center with an outdoor pool. Mayor pro tem Stille seconded the motion. Mayor White, Mayor pro tem Stille, and Councilmember Anderson voted in favor of the motion. Councilmember Brown, Councilmember Rice, and Councilmember Henderson Myers voted against the motion. The motion died with a 3 to 3 vote.

Councilmember Anderson made a motion to postpone the decision and have staff look at indoor pools, and solicit people in the community to assist the city with the costs of an indoor pool and come back to Council with the information. The motion died from lack of a second.

Councilmember Rice made a motion to move forward with the construction of the new TK Gregg with an indoor pool. Councilmember Henderson Myers seconded the motion. Councilmember Rice, Councilmember Henderson Myers and Councilmember Brown voted in favor of the motion. Mayor White, Mayor pro tem Stille, and Councilmember Anderson voted against the motion. The motion died with a 3 to 3 vote.

Mayor White made a motion to postpone the decision until there was a full slate of Councilmembers, which would be after the April 18 Special Election.

Councilmembers Anderson seconded the motion, which carried unanimously 6 to 0.

IX. City Council Updates

Councilmember Brown shared that she thought all of the Martin Luther King activities were great, particularly the MLK Unity Celebration on Monday, January 16, with former Mayor of Charleston, Joe Riley as the speaker. She shared that Mayor White's comment

that stuck with her most was promoting diversity and tolerance and working together every day. She shared fond memories of Councilmember Jan Scalisi and expressed condolences to Ms. Scalisi's family.

Mayor pro tem Stille echoed sentiments about Councilmember Scalisi and sent condolences to her family and friends. She thanked everyone who participated in the Healthy Community Walk.

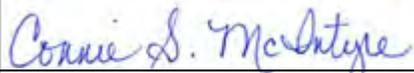
Councilmember Henderson Myers shared her memories of Jan and expressed condolences to her family. She shared that she thought Mayor Joe Riley's speech at the MLK Unity Celebration was good, and that she agreed we need to work toward more cohesiveness and unification. She shared that she participated in the Healthy Community Walk and looked forward to the next one.

Councilmember Rice shared memories of Jan and expressed condolences to her family. He thanked staff for the great job they did with the MLK activities and the Unity Celebration.

Mayor White shared his memories of Jan and expressed condolences to her family. He added that he thought staff did a tremendous job with the MLK activities, and that he particularly enjoyed the choir performance.

X. Adjournment –

Mayor White made a motion to adjourn the meeting. Councilmember Rice seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:40 p.m.



Connie S. McIntyre, City Clerk



MEMORANDUM TO CITY COUNCIL

TO: Mayor and Members of City Council

FROM: Ed Memmott, City Manager

SUBJECT: Road Resurfacing Presentation

DATE: February 9, 2017

Ron Kirby, PE, Spartanburg County Engineer will be here on Monday to present information regarding road resurfacing.



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Natalia Rosario, Planner III.

SUBJECT: Rezoning of property located at 133 & 135 Avant Street, Ray Billings, on Behalf of Bubbles, LLC, Owner/Developer.

DATE: February 13, 2017

SUMMARY: On January 19, 2017, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Ray Billings, on behalf of Bubbles, LLC, Owner/Developer, of 133 and 135 Avant Street, to rezone parcels 7-12-08-059.00 and 060.00 from Zone LOD, Limited Office District to R-6, General Residential District, in order to allow for the development of seven market-rate townhomes on the properties and be sold.

The 2004 Comprehensive Plan calls for the properties to be zoned single family residential. The use of the property as attached townhomes for sale is not entirely consistent with single family detached concept of “single family residential” but is an essentially comparable use (attached single family).

The Planning Commission held a public hearing on the proposal on January 19, 2017. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcel from LOD to R-6.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on January 19, 2017 by a vote of 4 to 0 to 1. Staff’s recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the January 19, 2017 Planning Commission Meeting and Staff Report with attachments are included. In addition, enclosed is a proposed Ordinance in the event that Council approves the rezoning request.

BUDGET AND FINANCE DATA: N/A

AN ORDINANCE

ORDINANCE TO AMEND THE CITY OF SPARTANBURG, SOUTH CAROLINA ZONING ORDINANCE AND COMPREHENSIVE PLAN LAND USE ELEMENT, BY AMENDING SECTION 206, CHANGES TO DISTRICT BOUNDARIES, SPECIFICALLY PARCELS #7-12-08-059.00 AND 060.00 LOCATED AT 133 AND 135 AVANT STREET, WHICH ARE CURRENTLY ZONED LOD, WITH A LAND USE DESIGNATION OF LIMITED OFFICE DISTRICT TO ZONE R-6, WITH A LAND USE DESIGNATION OF GENERAL RESIDENTIAL DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Spartanburg now finds that, upon further review, it is in the public interest that the land use designation for the parcel identified on the Official Zoning Map of the City of Spartanburg, South Carolina, dated August 6, 1973, as amended, by changing the zone of Lots 059.00 and 060.00, as shown on Spartanburg County Block Map Sheet 7-12-08 from LOD, Limited Office District to zone R-6, General Residential District; and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and, further, would be in conformance with the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on January 19, 2017, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 605 of the Zoning Ordinance, subsequently voted at that meeting to recommend to City Council that the rezoning request be approved as recommended by Staff.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Members of Council of the City of Spartanburg, South Carolina, in Council assembled:

Section 1. Amendment. That the official zoning map of the City of Spartanburg, as referenced by Section 206 of the Zoning Ordinance, be, and the same hereby amended as follows:

- The Lots currently identified as 059.00 and 060.00 on Spartanburg County Block Map Sheet 7-12-08 shall be now designated as R-6, General Residential District.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

(continued)

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the City Council of the City of Spartanburg, South Carolina.

DONE AND RATIFIED THIS _____ DAY OF _____, 2017.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ 1st Reading

___/___/___ 2nd Reading



***Spartanburg City Planning Commission Meeting Minutes
Thursday, January 19, 2017***

*City Hall Council Chambers
Spartanburg, South Carolina*

The City Planning Commission met in City Hall Council Chambers on Thursday, January 19, 2017, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Wendell Cantrell, Bob Pitts, and Dr. Phillip Stone, II. Nancy Hogan and Mike Epps were absent. Representing the Planning Department were Natalia Rosario, Planner III and Julie Roland, Planning Department 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. Mr. Wilson went over the rules and procedures for conducting a public hearing.

Dr. Stone moved approval of the Agenda for the January 19, 2017 meeting, with second by Mr. Cantrell. The motion was unanimously approved by a vote of 5 to 0.

Disposition of the Minutes from the November 17, 2016 meeting of the Spartanburg City Planning Commission.

Dr. Stone moved the minutes from November 17, 2016 be approved; and he was seconded by Mr. Cantrell. The motion was unanimously approved by a vote of 5 to 0.

Old Business – None.

New Business

Rezoning Request – TMS#7-12-08-059.00 & 060.00 located on 133 and 135 Avant Street, which are currently zoned LOD, Limited Office District to zone R-6, General Residential District in order to allow for the development of seven upscale townhomes and be sold. Ray Billings, Agent, on behalf of Bubbles, LLC, Owner/Developer.

Ms. Natalia Rosario, Planner III 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. She introduced the case to the Planning Commissioners and showed a slide of the location map.

Mr. Ray Billings of 705 W. Sago Court, Boiling Springs, S.C. came forward and was sworn. He referenced a slide of the site plan, and informed the Planning Commissioners they wanted to take the two lots and build townhomes on them and turn them back up towards the convenience store. He said there was already a fence in place, but they would probably enhance it somewhat. He pointed out where they had additional parking; and he said there would be a single garage in the front of each unit; and there should be more than enough parking. Mr. Billings said each unit would be three bedrooms and two and a half baths.

Board Questions:

- Mr. Cantrell asked about the layout.
- Mr. Billings said all of the bedrooms would be upstairs, and downstairs would be the great room, kitchen, and a half bath.
- Dr. Stone asked how many units.
- Mr. Billings said they planned to build seven units.
- Mr. Cantrell asked about the square footage.
- Mr. Billings said they would be approximately 1540 square foot.

- Mr. Cantrell asked would they be for rent.
- Mr. Billings said they planned to sell them; and they had yet to determine the price.
- Mr. Kinard asked would they be subsidized.
- Mr. Billings said no; they would be market rate townhomes.
- Mr. Cantrell asked who would be financing the project.
- Mr. Billings said they would self-finance. He explained to the Planning Commissioners that he and his business partner built the Village at Mills Gap Apartments which was 208 units; they also built the Villas of Lawson Creek which was 202 units. They had bought a 22 unit townhome development previously from Rowe Moody across from Boiling Springs High School. He said they had done multi-family for a long time.
- Mr. Kinard referenced a slide of the map and asked if there were townhomes located across the street from this site.
- Mr. Billings said yes.
- Dr. Stoned asked was the townhomes across the street also zoned R-6.
- Ms. Rosario said they were zoned R-6.
- Mr. Kinard asked when the new townhomes were completed would they be separate tax parcels.
- Mr. Billings said once they cut the road in they would be able to parcel them out so that each had its own tax number.
- Mr. Kinard asked if there was an open alleyway in the back.
- Mr. Billings said there was an alleyway in the back that was sort of overgrown. He said they were going to dead-end theirs anyway and they were not going to access it.

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 the property to be zoned single family residential. The use of the property as attached townhomes for sale is not entirely consistent with single family detached concept of “single family residential” but is an essentially comparable use.
2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The property immediately across Avant Street from this property is zoned R-6, and is similar in site design/orientation and function of use. It is a residential complex with attached buildings, and those uses further down Avant include single structure single family, and duplex homes. The street is currently a mix of residential properties, within which Staff feels the proposed use would be fitting.
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 this development, as the preliminary site design by Matrix Engineering (attached) shows, the units would be able to fit within the required setbacks, and appropriate parking and landscaping areas are provided. A full site plan review submittal will be required and will be reviewed by the Building Department, Planning Department, Traffic Engineering/SCDOT, Stormwater Management, and Spartanburg Water System.
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* – The property's marketability will be improved with the development of these townhomes – it is currently a vacant lot and has been for some time.

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 R-6 will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from LOD to R-6 as proposed.

Board Questions/Comments:

- Mr. Kinard asked if required notices were sent out.
- Ms. Rosario said yes and she had received one telephone call from a lady who had received a letter; but found out she was not calling about the correct property. No written comments were received.
- Mr. Pitts referenced the site plan and asked about the setback.
- Ms. Rosario explained.
- Mr. Billings said they were eighteen feet back.
- Mr. Pitts asked about the landscape buffer.
- Ms. Rosario said it was a Bufferyard 2 in between this use and the commercial; and in between the residential.
- Mr. Billings explained he believed it was all already in place.
- Ms. Rosario referenced a google view of the property; and she said it was pretty well surrounded by foliage.
- Mr. Billings said they would try not to disturb any of the foliage. He referenced the alleyway and said they would do away with the alley.
- Ms. Rosario explained the City's stance on alleyways.

Mr. Wilson opened the public hearing and noted for the record that no one was present to speak in favor or against the petition. Mr. Wilson closed the public hearing.

Board Deliberation:

- Mr. Wilson said based on Staff's recommendation and the fact there is already a similar use across the road; he felt it seemed appropriate, and it was better to make use of the lots instead of being vacant.
- Mr. Kinard and Dr. Stone agreed.
- Dr. Stone felt it would be the best and highest use of the property; and getting seven nice townhomes that would go on the tax rolls was better than a vacant lot.

Mr. Cantrell said he would not vote on the request because he owned the property to the rear of it; but he felt it was a great idea.

Site and Landscape Plans Approved since the November 17, 2016 Planning Commission Meeting

- Mary Black Offices @ Cedar Springs – 2191 Southport Road.

City Council Updates Since the Last Meeting of the Planning Commission on November 17, 2016

Ms. Rosario went over the City Council updates that pertained to the Planning Commission since the last meeting on November 17, 2016 listed on the agenda.

Staff Announcements

There were no Staff Announcements.

The meeting adjourned at 5:56 P.M.

Respectfully Submitted

Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant



REQUEST FOR CITY COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Randall Farr, Traffic Services Manager
SUBJECT: East St. John Street and Liberty Street Intersection Traffic Signal and Interconnects
DATE: February 9, 2017

BACKGROUND:

Staff has received bids for the installation of a traffic signal and accompanying interconnects for the intersection located at East St. John Street and Liberty Street. This project consists of installation of four (4) mast arm poles with pedestrian signals, one at each corner of the intersection.

The following bids were submitted:

ALS of North Carolina	Salisbury, NC	\$161,961.72
W M Roebuck Inc.	Lexington, SC	\$186,198.75
J Moore Electrical Contractors	Swansea, SC	\$205,702.00

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that ALS of North Carolina is the responsive low bidder. W M Roebuck is a certified Disadvantaged Business Enterprise, whose quoted bid price was \$24,237.03 higher than that of ALS of North Carolina. ALS of North Carolina has indicated a 1.3% MWBE participation in the project.

ALS of North Carolina has successfully performed work for the City in other signal upgrades and new signal installations. Staff is confident that ALS can successfully complete this project.

Once a contract is signed, staff anticipates it will take 3-4 months to complete the project. The poles and mast arms must be manufactured to meet project requirements.

ACTION REQUESTED:

Allow staff to accept the bid from ALS of North Carolina and authorize the City Manager to enter into a contract with ALS of North Carolina for the completion of the project.

BUDGET AND FINANCIAL DATA:

\$50,000 from County Road Fee
\$111,961.72 from County Transportation Committee Funding

 Spartanburg Art Museum

Papa's Breakfast Nook

E St John St

Chateau St John

Liberty St



