



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, May 8, 2017
4:45 p.m.

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of the Minutes of the April 24, 2017, City Council Meeting**
- IV. **Approval of the Agenda of the May 8, 2017 City Council Meeting**
- V. **Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Regarding the Capital Projects Sales Tax Referendum.**
Council may take action on matters discussed in Executive Session after exiting Executive Session.
- VI. **Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VII. **Proclamation Recognizing Peace Officers Memorial Day**
Presenter: Mayor Junie White
- VIII. **Presentation of Proclamation Recognizing Bike Month Followed by an Update from The Bicycle and Pedestrian Committee**
Presenters: Mayor Junie White
Ned Barrett, Trail Coordinator for Partners for Active Living
Elizabeth Brady, Bicycle and Pedestrian Committee
- IX. **Public Hearing**
 - A. **Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance, by Amending Section 206, Changes to District Boundaries, Specifically Parcel #7-15-04-100.00 and 101.00, Located on 101 and 0 Chester Street, that are Currently Zoned B-3 and R-12, with a Land Use Designation of General Business District and General Residential District to Zone B-1, with a Land Use Designation of Neighborhood Shopping District in Order to Utilize the Properties as a Craft Brewery. Petr Valenta, Ph.D., Member on Behalf of Spartanburg Brewing LLC, Property Owner (First Reading)**
Presenter: Natalia Rosario, Planner III

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.

X. Resolutions

- A. To Appoint a Commissioner to a Commission Created Pursuant to The Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976, as Amended; and to Provide for Other Matters Related Thereto**

Presenter: Chris Story, Assistant City Manager

- B. Closing a Portion of Folsom Street, a Portion of Farley Street, a Portion of Manning Street, and All of Mill Pond Road as Part of the Mitigation of Butterfly Creek**

Presenter: Martin Livingston, Neighborhood Services Director

- 1. Resolution and Declaration Directing the Closing of a Portion of a Street in the City of Spartanburg, Being that Portion of Folsom Street Between Howard Street and Brawley Street**
- 2. Resolution and Declaration Directing the Closing of a Portion of a Street in the City of Spartanburg, Being that Portion of Mill Pond Road Street Between Farley Street and College Street**
- 3. Resolution and Declaration Directing the Closing of a Portion of a Street in the City of Spartanburg, Being that Portion of Manning Street Between Brawley Street and Mill Pond Road**
- 4. Resolution and Declaration Directing the Closing of a Portion of a Street in the City of Spartanburg, Being that Portion of Farley Street, Between Brawley Street and Howard Street**

XI. Consent Agenda

- A. To Authorize Condemnation of Properties in the Airport Area to Extend Runway (Second Reading)**

Presentation: Cathy McCabe, City Attorney

XII. Other Business

- A. Award of Contract for Westside Park Site Work Located at the Downtown Airport**

Presenter: Mitch Kennedy, Community Services Director

- B. Initial FY18 Budget Presentation**

Presenter: Chris Story, Assistant City Manager

XIII. Discussion of Sign Ordinance

Presenters: Ed Memmott, City Manager

Natalia Rosario, Planner III

XIV. City Council Updates

XV. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Regarding the Patel Litigation. Council may take action on matters discussed in Executive Session after exiting Executive Session.

XVI. 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, April 24, 2017
5:30 p.m.**

**(These minutes are subject to approval at the
May 8, 2017 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor Junie White, Mayor pro tem Laura Stille, Councilmembers Erica Brown, Jerome Rice, Sterling Anderson and Rosalyn Henderson Myers. 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

III. Approval of the Minutes of the April 10, 2017, City Council Meeting –
*Councilmember Rice made a motion to approve the minutes as received.
Councilmember Henderson Myers seconded the motion, which carried unanimously
7 to 0.*

IV. Approval of the Agenda of the April 24, 2017 City Council Meeting –
*Councilmember Henderson Myers made a motion to approve the agenda as received.
Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*

V. Public Comment

**Citizen Appearance forms are available at the door and should be submitted to the City Clerk
Amanda Mathis, 2217 Edgefield Rd., Spartanburg, SC, came forward to speak in
favor of the Children’s Museum satellite facility in downtown Spartanburg.*

VI. Ordinance

**A. To Authorize Condemnation of Properties in the Airport Area to Extend
Runway**

Presentation: Cathy McCabe, City Attorney

Ms. McCabe presented the item to City Council as follows:

**“In order for the City of Spartanburg Airport to comply with the FAA Regulations
and to provide safety for the citizens of Spartanburg living in close proximity to
the takeoff and landing strip, it is necessary for the City to acquire certain**

properties. Two parcels are owned by St. James Baptist Church or its Trustees. The Church and its known members agree with the sale of the Church. However, the Court must determine ownership and thus, the reason for the condemnation.

ACTION REQUESTED: For authorization for a condemnation action to be brought to condemn two parcels of property owned by St. James Baptist Church or its Trustees located on New York Avenue for the purpose of acquiring the property including clearing title and determining ownership.

BUDGET & FINANCIAL DATA: Any purchase of the parcels will be provided by various grants through the FAA.”

Councilmember Rice made a motion to approve the ordinance as presented on first reading. Mayor pro tem Stille seconded the motion, which carried unanimously 7 to 0.

VII. Resolutions

A. Approving a Funding Agreement with The Children’s Museum of The Upstate for The Development of a Satellite Facility in Downtown Spartanburg

Presenter: Chris Story, Assistant City Manager

Mr. Story presented the item to Council as follows:

“The Children’s Museum of the Upstate opened in 2009 in downtown Greenville. It is an 80,000 square foot facility which offers 19 interactive exhibits focused on children 2 – 8 years old. It draws over 150,000 visitors per year. The Children’s Museum of the Upstate (TCMU) is a non-profit organization with a stable base of members and contributors and a board seeking to expand on their mission and build upon their success. 25% or more of their visitors are from Spartanburg County.

TCMU would like to create a satellite facility in downtown Spartanburg and has identified a building located at 130 Magnolia as its ideal location. The building is approximately 6,000 square feet in size and is close to public parking.

TCMU has already raised \$1.25 million of the \$1.5 million needed for this project with significant support coming from local philanthropic leaders. Staff believes this project will be very beneficial to downtown. Staff also believes that the city should actively support the project and assist financially. Staff is therefore requesting Council approval of a Resolution in support of the project and a contribution of \$100,000. This \$100,000 would be funded in \$20,000 annual installments starting in FY18.

ACTION REQUESTED: Approval of a Resolution in support of a satellite facility in downtown Spartanburg for the TCMU.

BUDGET AND FINANCE DATA: \$100,000 paid in five (5) annual payments of \$20,000.”

Nancy Harvelson, President and CEO of the Greenville Children’s Museum, presented Council with statistics which lead GCM to come to the City of Spartanburg. She expressed appreciation and excitement of the partnership with the City and the great things to come with the GCM satellite location.

***Councilmember Anderson** made a motion to approve the resolution as presented. Councilmember Henderson Myers seconded the motion, which carried unanimously 7 to 0.*

B. Allocating FY2017 Community Development Block Grant and Home Partnership Funds

Presenter: Martin Livingston, Neighborhood Services Director

Mr. Livingston presented the item to Council as follows:

“The City of Spartanburg will receive an allocation of Community Development Block Grant (CDBG) and HOME Partnership Funds for eligible activities to be implemented within City limits. The U.S. Department of Housing and Urban Development (HUD) will provide the allocation to the City of Spartanburg. CDBG Funds can be used for a variety of activities including administration, affordable housing, infrastructure, economic development, demolition, subrecipient activities, and other eligible uses. HOME Partnership Funds can only be used for the development of affordable housing. The total estimated allocation for CDBG Funds is \$616,221 and the total allocation of HOME Partnership Funds is \$153,720. Staff is required by HUD to include language in the resolution to adjust CDBG and HOME funds should reductions or increases in funding allocations occur.

If the U.S. Department of Housing and Urban Development reduces or increases the overall allocation of Community Development Block Grant (CDBG) and Home Partnership Funds (HOME), each activity will be proportionally increased or decreased from the estimated funding levels to match actual allocation amounts.

If the U.S. Department of Housing and Urban Development allocation reduces the overall CDBG funds, then subrecipient activities will be proportionally reduce to meet the 15% CDBG subrecipient limit.

After a thirty (30) day comment period, the Annual Action Plan must be submitted to HUD by the June 15 deadline.

ACTION REQUESTED: Council approval of the CDBG and HOME allocation activities for submission to the U.S. Department of Housing and Urban Development.

BUDGET AND FINANCIAL DATA: CDBG Funds: 616,221 and HOME Partnership Funds: 153,720.”

After discussion, Mayor pro tem Stille made a motion to approve the resolution as presented. Councilmember Henderson Myers seconded the motion, which carried unanimously 7 to 0.

VIII. City Council Updates –

Councilmember Anderson extended condolences to Officer Jason Harris’ family and commented that Officer Harris’ memorial service was one of the best orchestrated he had seen in his career. He thanked the city staff for all they did to honor Officer Harris.

Councilmember Brown offered her condolences to Officer Harris’ family. She reminded everyone of the closing ceremonies for “Seeing Spartanburg in a New Light” on Tuesday, August 25 beginning at 7:00 p.m. She mentioned that Spring Fling would begin on Friday, August 28. She stated that Council needed to respect the recommendations of the Spring Fling Evaluation Committee.

Mayor pro tem Stille stated that she wanted Council to set the mission of Spring Fling. She offered her condolences to Officer Harris’ family. She shared that she gave greetings at the inauguration of the new president at Converse College. She mentioned the Aug Smith Launch on April 27, and the launch of the Montgomery Building renovations on April 28.

Councilmember Jenkins shared that the March for Science drew a large crowd, and that the Earth Day Festival was a great event. He reminded everyone on the “Spartanburg Soars” kite flying event on Saturday at the Chapman Cultural Center. He shared that he would be at the Cottonwood Trail for the closing ceremonies for “Seeing Spartanburg in a New Light”.

Councilmember Henderson Myers offered her condolences to Officer Harris’ family. She stated that she thought the memorial service was very respectful to him, his family, and his colleagues. She added that she had never experienced anything like that in her life, and that the service showed the love everyone had for Officer Harris with the level of commitment that went into the planning of his service. She thanked Mitch Kennedy and his staff for their help with the Domestic Violence Town Hall she held the previous Thursday. She shared that the Earth Day Festival was a great event. She reminded everyone that Sarah Ioannides last concert with the Spartanburg Philharmonic would be on Saturday.

Councilmember Rice offered his condolences to Officer Harris’ family. He asked everyone to keep his family in their prayers. He added that it was a tribute to Officer Harris that so many policemen from so many states attended his memorial service. He shared that he had also attended the service and delivered a proclamation for Reverend George Downs, who was instrumental in establishing Ernest Rice Estates in the City. He mentioned that the funeral for community leader Dewey Tullis would be at The Church of the Advent at 2:00 p.m. on Thursday. He shared that Mayor White had attended the “101 Dalmatians” play at Mary H. Wright.

Mayor White offered his condolences to Officer Harris’ family. He offered them to the family of Dewey Tullis as well. He shared that Mr. Tullis was one of his closest friends and that the city had lost a true citizen in Mr. Tullis. He added that he would be dearly missed.

- IX. Adjournment – Councilmember Rice** made a motion to adjourn the regular meeting. Councilmember Jenkins seconded the motion, which carried unanimously 7 to 0. The regular meeting adjourned at 6:23 p.m.

**City Council Workshop
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, April 24, 2017
After adjournment of regular meeting**

- I. Reconvene –** Council reconvened for the workshop at 6:40 p.m.

- II. Neighborhood Redevelopment Strategy –**
Martin Livingston presented and discussed the following topics:

1. The Landscape – Status and Trends
2. Priority Neighborhoods
3. Northside Initiative
4. Highland Community
5. Beaumont Neighborhood
6. Broadening the Discussion Beyond Our Most Challenged Neighborhoods

Mr. Memmott discussed the Rental Property Registration Program with Council.

- III. Parks and Recreation Improvements –**
Community Services Director Mitch Kennedy, Assistant City Manager Chris Story, and City Manager Ed Memmott discussed the following with Council regarding Parks and Recreation Improvements:

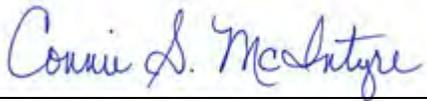
- 1. Current Projects**
 - a. Dr. TK Gregg Community Center
 - b. Airport Park
 - c. Butterfly Creek Mitigation Project
 - d. PAL Park
 - e. Trails Expansion
- 2. Pending Projects**
 - a. Mary H. Wright Greenway/Skate Park Repairs/Butterfly Creek Linear Park and Trail
 - b. Duncan Park
 - c. Adams Park
 - d. Irwin Park
- 3. Other Potential Projects**
 - a. Pineview Hills Park
 - b. Beaumont Neighborhood Park
 - c. Andrews Farm Park
 - d. Dog Park Expansion

- e. Rail Trail Restrooms
- f. Continued Funding for New Trails
- g. Hudson Barksdale Blvd. Protected Ped/Bike Lane
- h. Stewart Park (Restrooms & Ballfield Lighting)
- i. Chapel Street Park
- j. Happy Hollow Park
- k. Hillcrest Park
- l. Summer Hill Park

IV. Adjournment –

Councilmember Henderson Myers left the meeting at 6:52 p.m. and returned at 7:49 p.m.

***Councilmember Anderson** made a motion to adjourn the meeting. Councilmember Rice seconded the motion, which carried unanimously 7 to 0. The workshop adjourned at 8:15 p.m.*



Connie S. McIntyre, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Natalia Rosario, Planner III.

SUBJECT: Rezoning of property located at 101 and '0' Chester Street, Petr Valenta Ph.D. on Behalf of Spartanburg Brewing LLC., Property Owner.

DATE: May 8th, 2017

SUMMARY: On April 20th, 2017, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Petr Valenta, Ph.D agent on behalf of Spartanburg Brewing LLC., property owner/developer, of 101 and 0 Chester Street, to rezone parcels 7-15-04-100.00 and 101.00 from Zone B-3: General Business District and R-12: General Residential, respectively, to B-1: Neighborhood Shopping District, in order to allow for the redevelopment of the property as a microbrewery.

The 2004 Comprehensive Plan calls for the property at 101 Chester Street to be zoned LC, LOD, B-1, or B-3, and the property at '0' Chester Street to be zoned residential. The use of both properties for a commercial use is not entirely in conformity with the comprehensive plan, however both parcels have been vacant for over 10 years, with the residentially zoned parcel at '0' Chester Street having been proposed for rezoning 6 times since 1978 with no changes to zoning or residential development on the property. Despite carrying the zoning designation of B-3: General Business District, 101 Chester Street does not meet the district zoning standards for development, and is in all practicality, an undevelopable commercial parcel at its current size.

The Planning Commission held a public hearing on the proposal on April 20th, 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 B-3 and R-12 to B-1: Neighborhood Shopping District.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on April 20th, 2017 by a vote of 6 to 0. Staff's recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the April 20th, 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 #7-15-04-100.00 AND 101.00 LOCATED AT 101 AND "0" CHESTER STREET WHICH ARE CURRENTLY ZONED B-3 AND R-12, WITH A LAND USE DESIGNATION OF GENERAL BUSINESS DISTRICT AND GENERAL RESIDENTIAL DISTRICT TO ZONE B-1, WITH A LAND USE DESIGNATION OF NEIGHBORHOOD SHOPPING 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 parcels 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 100.00 and 101.00 as shown on Spartanburg County Block Map Sheet 7-15-04, from B-3 and R-12, General Business District and General Residential District to B-1, Neighborhood Shopping 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 April 20, 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 City 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 100.00 & 101.00 on Spartanburg County Block Map Sheet 7-15-04, shall be now designated as B-1, Neighborhood Shopping 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.

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

___/___/___ (First Reading)

___/___/___ (Second Reading)

***Spartanburg City Planning Commission Meeting Minutes
Thursday, April 20, 2017***

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

The City Planning Commission met in City Hall Council Chambers on Thursday, April 20, 2017, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Mike Epps, Wendell Cantrell, Dr. Phillip Stone, II, and Bob Pitts. Nancy Hogan was 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 six 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 tonight's meeting; and he was seconded by Mr. Cantrell. The motion was unanimously approved by a vote of 6 to 0.

Disposition of the Minutes from the March 16, 2017 meeting of the Spartanburg City Planning Commission.

Dr. Stone moved the minutes from the March 16, 2017 meeting be approved; and he was seconded by Mr. Cantrell. The motion was unanimously approved by a vote of 6 to 0.

Old Business – None.

New Business

Rezoning Request – TMS#7-15-04-100.00 & 101.00 located on 101 and “0” Chester Street, which are currently zoned B-3, General Business District, and R-12, General Residential District to zone B-1, Neighborhood Shopping District in order to utilize the property as a craft brewery. Petr Valenta, Ph.D. on behalf of Spartanburg Brewing LLC, property owner.

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, presentation, and three articles regarding breweries and micro-breweries and their impact on neighborhoods, and a letter of opposition from an adjoining property owner into evidence as Exhibit A. She introduced the case to the Planning Commissioners and showed a slide of the location map; and she said the properties were located at 101 & “0” Chester Street. The property at 101 Chester Street was zoned B-3; and just to clarify, this use could take place in B-3 or B-1. The purpose for the rezoning was to potentially get the R-12 parcel into conformity with the zone that a micro-pub could take place at. As it currently was zoned; you could only do it at B-3 and they would need a little more space for parking and some outdoor improvements they would like to make. She gave the following background information on the properties: 101 Chester Street went from R-12 to B-3 in 1978; and coincidentally the landowner of “0” Chester Street had wanted that property rezoned to B-3 because he said it was not suitable as a residential property. This had been zoned R-12 and had been vacant since 1978 and never had a house built on it. In May, 1990, City Council denied a motion to rezone from R-12 to B-1; and in 1996 the same thing happened. At that time the proposed use was to be some sort of auto repair/auto glass at both locations. All in all the property had gone for rezoning six times in thirty or more years and had remained vacant as a residential lot. Previous rezoning's had been B-3; and Staff had suggested to go to B-1, as a less intense commercial use that would still allow for a retail bar type establishment without opening the door for what was previously there which was a heavy mechanic shop which had now been condemned. She gave financial information regarding the properties as well.

Planning Commission Questions:

- Howard Kinard asked Ms. Rosario which of the lots that a prior owner had tried to rezone to B-3. Ms. Rosario said “0” Chester Street.

Mr. Dave Winstrop of 202 Gladstone Way, Greer, SC; and a Member of Spartan Brewery came forward and was sworn. He said their proposal was to establish a micro-brew pub at 101 Chester Street utilizing the existing 4,000 sq. foot building. They purchased the building from the FLC (Forfeited Land Commission), and paid all the back taxes, acquired the building and then less than a year ago, went through the Building Department and got all the permits to do a total demo on the inside of the building. At that time it was an unsecured building and the garage doors were missing; and the unofficial use of the building was a non-official homeless shelter. Since that time they had redone the inside of the building, replaced the garage doors as well as the roof, and had established initial electrical services so they could proceed as soon as the rezoning was possibly approved on plans to unfit the building. He said the “0” Chester Street had been purchased from the owner who lived out of state, whom had no use for the property. They would like to incorporate this lot into the plan for outdoor uses as well as parking.

- Planning Commission Questions:
- Mr. Cantrell asked about the lot regarding number 4 on the survey. Mr. Winstrop explained.
- Mr. Cantrell asked a question regarding lot number 3 on the survey. Mr. Winstrop explained.
- Mr. Kinard asked would any permanent structures be built on the vacant lot.
- Mr. Winstrop said no permanent structures would be built on the lot; and he explained to the Planning Commissioners they had just been made aware yesterday an opposition letter had been received; and he had contacted the homeowner regarding the letter; and that he was out of town and unable to be here tonight; but he had agreed to meet with them at a later date to go through the plans when he got back to town. He said that was one of his concerns in the letter of opposition was whether or not a permanent structure would be put on the property. Mr. Winstrop assured him he would put together a document assuring him no permanent structure would be put on the property.
- Dr. Stone asked would they need to submit a site plan.
- Ms. Rosario said they would have to submit a site plan that would go through the normal Site Plan Review Process with all of the applicable departments.
- Mr. Kinard asked Ms. Rosario did the Code govern the hours of operation.
- Ms. Rosario said she did not think they had restrictions on when a business could operate.
- Dr. Stone asked the petitioner what they planned to do at the facility.
- Mr. Winstrop said the vision would be similar to R J Rockers.
- Mr. Cantrell asked did the grading or site prep involve any water/drainage problems.
- Mr. Winstrop said no; there was already several cuts to the asphalt from the previous auto detailing shop that was there to the drain line. If they do any prep it would only be in the front not in the back.
- Mr. Winstrop said they were working with Michael Henthorn, Architect in order to get all the appropriate drawings that the Planning Office was requiring.

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 at 101 Chester to be zoned one of the four zoning categories included in the General Activity Center: ‘... a general commercial area, serving a neighborhood or regional market; to contain a wide variety of land uses that will create a wide variety of commercial, repair,

service, and office uses.” (City of Spartanburg 2004 Comprehensive Plan TableLU1). The zones compatible to this district include LOD, LC, B-1, and B-3. Currently, 101 Chester Street is in consistent with the Comprehensive Plan. The 2004 Comprehensive Plan calls for the property at “0” Chester Street to be zoned Low Density Residential, either R-15 or R-12 Residential. However, the intent of the Comprehensive Plan is to act as a guide, and not as a strict rulebook on what types of uses might occur in an area or particular parcel. Due to the long term vacancy and neglect the two properties have experienced, and staff feels that rezoning both properties to the comparatively (to adjacent B-3 uses) less intense zoning will encourage redevelopment and functional occupation of these two properties.

2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The properties to the immediate north and east are B-3: General Business District, and are semi-vacant. To the west across Chester Street the parcels are mostly zoned B-1: Neighborhood shopping center. To the south most of the properties are zoned R-12: General Residential, and are generally single family and duplex lots. The zoning category of B-1: Neighborhood Shopping District is an appropriate buffering step between B-3, and is already present along the W. O. Ezell Corridor. Therefore, staff finds the proposed zone to be compatible with present and nearby zoning uses of nearby properties, and the character of the neighborhood.
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. The applicant is investing in renovating the building and site to meet Building Code and Zoning Ordinance standards, and the project will go through the administrative Site Plan review process before implementation.
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 properties’ marketability will improve if the proposed change in zone is approved. Attached are a list of uses permitted by right in the B-1: Neighborhood Shopping Zone. By rezoning both properties, enough space within this cohesive zoning category is created to allow the parcels to become developable. They have both been vacant for over a decade.
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 B-3 and R-12 to B-1 will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from B-3 and R-12 to B-1 as proposed.

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

Planning Commission Deliberation:

Mr. Kinard said his main concern was with the property owner who had sent in the letter of opposition; but it sounded like the developer was working with him regarding his complaints; and he that it was a good idea; and would be a lot better than an abandoned building.

Dr. Stone felt it was a good idea, and it would encourage positive development downtown.

Mr. Cantrell said he was glad the developer was willing to spend the money on the site.

Mr. Wilson agreed; and he felt it would be a good tax based property for the City.

Dr. Stone felt it was a good idea

Dr. Stone moved approval of the request as presented; and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 6 to 0.

Ms. Rosario explained there would be another public hearing and First Reading before the Mayor and City Council regarding the request on May 8, 2017; and that a Second and Final Reading would be held on May 22, 2017.

.Site and Landscape Plans Approved since the February 9, 2017 Planning Commission Meeting

Any approved Plans would be reviewed at the next meeting.

City Council Updates Since the Last Meeting of the Planning Commission on February 9, 2017

There were none that pertained to the Planning Commission.

Staff Announcements

Mrs. Roland said as of June 30, 2017 there would be one Board member vacancy, and two possible Board Member Re-appointments that would be considered by the Mayor and Council.

The meeting adjourned at 6:00 P.M.

Respectfully Submitted

Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant



REQUEST FOR COUNCIL ACTION

TO: Spartanburg City Council

FROM: Chris Story, Assistant City Manager

SUBJECT: Resolution Appointing a Member to Spartanburg County Capital Project Sales Tax Commission

DATE: May 4, 2017

Spartanburg County Council is considering holding a referendum to authorize a Capital Project Sales Tax to fund a new courthouse and other local government facilities. The Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976 provides for the establishment of a Commission with specified duties including establishing the wording of the question to appear on the ballot. The Act specifies that one of the Commissioners is to be appointed by Spartanburg City Council.

In order to meet with the timelines identified by the County Council, we recommend that you make this appointment at your upcoming meeting by completing and adopting the attached resolution.

We welcome any questions you may have.

A RESOLUTION

TO APPOINT A COMMISSIONER TO A COMMISSION CREATED PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, TITLE 4, CHAPTER 10, ARTICLE 3 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Whereas, the County Council of Spartanburg County, South Carolina (the “County”), in order to address public infrastructure needs within the County has adopted a resolution dated April 17, 2017, creating a commission (the “Commission”) pursuant to the Capital Project Sales Tax Act, Title 4, Chapter 10, Article 3 of the Code of Laws of South Carolina 1976, as amended (the “Capital Project Sales Tax Act”);

Whereas, the Commission is charged with considering funding capital projects within the County and formulating the referendum question that is to appear on the ballot, including the projects to be included thereon, subject to the enactment of an ordinance of County Council pursuant to Section 4-10-330 of the Capital Project Sales Tax Act;

Whereas, pursuant to the Capital Project Sales Tax Act, the City of Spartanburg is entitled to appoint one member to the Commission by virtue of the appointive index as shown in the County Resolution.

NOW THEREFORE, BE IT RESOLVED By the Mayor and Members of the City Council of the City of Spartanburg, in Council duly assembled:

SECTION 1. The Council supports the County in its efforts to address public infrastructure needs in the County and hereby appoints [Name], of [Street Address] to the Commission.

SECTION 2. The City Manager is authorized to assist the Commission in connection with evaluating any public infrastructure to be considered by the Commission involving the City.

Section 3. This Resolution shall become effective upon the date of enactment.

DONE AND RATIFIED this _____ day of _____, 2017.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



REQUEST FOR CITY COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Martin Livingston, Neighborhood Services Director

SUBJECT: Closing of Portion of Folsom Street, a Portion of Farley Street, a Portion of Manning Street, and all of Mill Pond Road as part of the mitigation of Butterfly Creek

DATE: May 8, 2017

BACKGROUND:

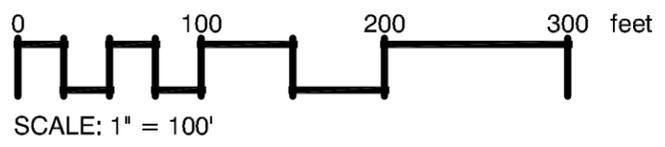
In an effort to implement the goals of the Northside Initiative, a Planning and Development effort approved by Council, staff is requesting the abandonment of right of way and the closing of a portion of Farley Avenue, a portion of Folsom Street, a portion of Manning Street, and all of Mill Pond Road. The closing of the streets and the abandonment of the right of ways would be consistent with the Northside Transformation Plan

ACTION REQUESTED:

That Council by Resolution and Declaration close a portion of Folsom Street, a portion of Farley Street, a portion of Manning Street, and all of Mill Pond Road as part of the mitigation of Butterfly Creek

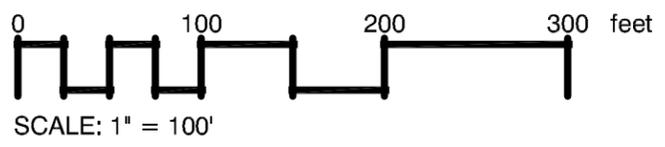
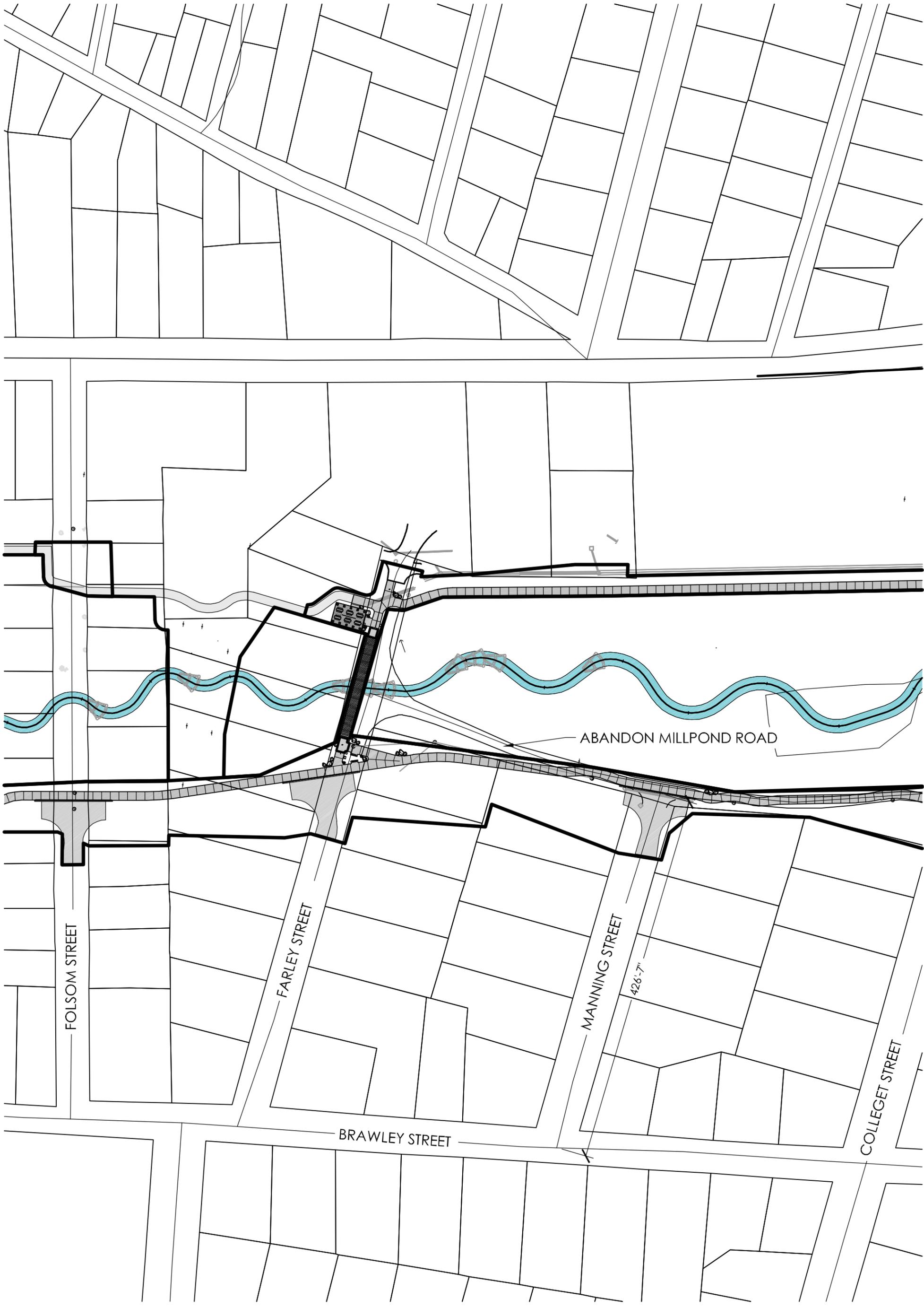
BUDGET & FINANCIAL DATA:

Not applicable.



BUTTERFLY BRANCH GREENWAY FOLSOM STREET CLOSURE

SPARTANBURG, SOUTH CAROLINA



BUTTERFLY BRANCH GREENWAY — MANNING STREET CLOSURE

SPARTANBURG, SOUTH CAROLINA

RESOLUTION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF FOLSOM STREET BETWEEN HOWARD STREET AND BRAWLEY STREET

WHEREAS, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Folsom Street between Howard Street and Brawley Street; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Folsom Street between Howard Street and Brawley Street is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing within the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street and abandoned by the City of Spartanburg. A Declaration of Road Closing shall be executed by the City Manager and City Clerk for the City Clerk for the City and filed in the Register of Deeds Office for Spartanburg County.

Section 5: This Resolution shall be effective on the date of enactment.

This Resolution approved this _____ day of _____, 20____.

Junie L. White, Mayor.

ATTEST:

Connie S. McIntyre, City Clerk.

APPROVED AS TO FORM:

Cathy Hofer McCabe, City Attorney.

D E C L A R A T I O N

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF FOLSOM STREET BETWEEN HOWARD STREET AND BRAWLEY STREET.

Whereas, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Folsom Street between Howard Street and Brawley Street; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Folsom Street between Howard Street and Brawley Street is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of the street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing with the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That the City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street by the City of Spartanburg and abandoned by the City of Spartanburg.

IN WITNESS WHEREOF, the City of Spartanburg has caused this Declaration of Road Closing to be executed by its City Manager and City Clerk this _____ day of _____, 20____.

RESOLUTION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF MILL POND ROAD STREET BETWEEN FARLEY STREET AND COLLEGE STREET

WHEREAS, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Mill Pond Road between Farey Street and College Street; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Mill Pond Road Street between Farley Street and College Street is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing within the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street and abandoned by the City of Spartanburg. A Declaration of Road Closing shall be executed by the City Manager and City Clerk for the City Clerk for the City and filed in the Register of Deeds Office for Spartanburg County.

Section 5: This Resolution shall be effective on the date of enactment.

This Resolution approved this _____ day of _____, 20____.

Junie L. White, Mayor.

ATTEST:

Connie S. McIntyre, City Clerk.

APPROVED AS TO FORM:

Cathy Hofer McCabe, City Attorney.

DECLARATION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF MILLPOND ROAD BETWEEN COLLEGE STREET AND FARLEY STREET.

Whereas, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Millpond Road between College Street and Farley Street; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Millpond Road between College Street and Farley Street is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of the street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing with the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That the City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street by the City of Spartanburg and abandoned by the City of Spartanburg.

IN WITNESS WHEREOF, the City of Spartanburg has caused this Declaration of Road Closing to be executed by its City Manager and City Clerk this _____ day of _____, 20____.

RESOLUTION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF MANNING STREET BETWEEN BRAWLEY STREET AND MILL POND ROAD

WHEREAS, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Manning Street between Brawley Street and Mill Pond Road; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Manning Street between Brawley Street and Mill Pond Road is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing within the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street and abandoned by the City of Spartanburg. A Declaration of Road Closing shall be executed by the City Manager and City Clerk for the City Clerk for the City and filed in the Register of Deeds Office for Spartanburg County.

Section 5: This Resolution shall be effective on the date of enactment.

This Resolution approved this _____ day of _____, 20____.

Junie L. White, Mayor.

ATTEST:

Connie S. McIntyre, City Clerk.

APPROVED AS TO FORM:

Cathy Hoefler McCabe, City Attorney.

DECLARATION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF MANNING STREET BETWEEN BRAWLEY STREET AND MILLPOND ROAD.

Whereas, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Manning Street between Brawley Street and Millpond Road; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Manning Street between Brawley Street and Millpond Road is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of the street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing with the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That the City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street by the City of Spartanburg and abandoned by the City of Spartanburg.

IN WITNESS WHEREOF, the City of Spartanburg has caused this Declaration of Road Closing to be executed by its City Manager and City Clerk this _____ day of _____, 20____.

RESOLUTION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF FARLEY STREET, BETWEEN BRAWLEY STREET AND HOWARD STREET

Whereas, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Farley Street, between Brawley Street and Howard Street for the mitigation and stream restoration of the Butterfly Creek.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of which is that portion of Farley Street, between Brawley Street and Howard Street for the mitigation and stream restoration of the Butterfly Creek.

Section 2: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 3: That City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street by the City of Spartanburg. A Declaration of Road Closing shall be executed by the City Manager and City Clerk for the City and filed in the Register of Deeds Office for Spartanburg County.

Section 4: This Resolution shall be effective on the date of enactment.

This Resolution approved this _____ day of _____, 2017.

Junie L. White, Mayor.

ATTEST:

Connie S. McIntyre, City Clerk.

APPROVED AS TO FORM:

Cathy Hoefer McCabe, City Attorney.

DECLARATION

DIRECTING THE CLOSING OF A PORTION OF A STREET IN THE CITY OF SPARTANBURG, BEING THAT PORTION OF FARLEY STREET BETWEEN HOWARD STREET AND BRAWLEY STREET.

Whereas, City of Spartanburg has requested the City Council to consider the closing of a portion of a street, which is that portion of Farley Street between Howard Street and Brawley Street; and

WHEREAS, City of Spartanburg owns or has under its control all of the properties abutting the street and requests the closing of said portion of the street so as to facilitate the mitigation and stream restoration of the adjacent Butterfly Creek site.

NOW, THEREFORE, THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SPARTANBURG, IN COUNCIL ASSEMBLED DO HEREBY RESOLVE:

Section 1: That portion of Farley Street between Howard Street and Brawley Street is no longer needed or required for public use or convenience and it is in the best interest of the City that said portion of the street be closed as a public street.

Section 2: That the City acknowledges that there are, or may be, rights of way and easements for public utilities existing with the aforementioned public street which is to be abandoned; any such rights of way or easements shall not be abridged or otherwise affected by the City's action in abandoning the aforesaid area as a public street.

Section 3: That after hearing the request, City Council has determined that the public interest would be best served by closing said portion of the street, that there are adequate streets in the vicinity for public use and that the interest of the City of Spartanburg would be enhanced by this action.

Section 4: That the City of Spartanburg has hereby determined and has hereby acknowledged that said portion of the street identified in Section 1 above is hereby closed as a public street by the City of Spartanburg and abandoned by the City of Spartanburg.

IN WITNESS WHEREOF, the City of Spartanburg has caused this Declaration of Road Closing to be executed by its City Manager and City Clerk this _____ day of _____, 20____.



REQUEST FOR CITY COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Mitch Kennedy, Community Services Director
SUBJECT: Contract Award for Westside Park Site Work
DATE: May 3, 2017

BACKGROUND:

Staff solicited bids for the construction services for the site work of The Westside Park to be located at the Downtown Airport. This work includes the construction of a 1 acre multipurpose field, ½ mile asphalt walking path, drainage improvements, fencing, parking area, and irrigation system.

A pre-bid was held on April, 18, 2017, and 4 contractors were present.

The following bid was submitted:

Capitol Construction of the Carolinas, LLC (Spartanburg, SC) \$ 441,629.00

Staff has reviewed the bid and qualifications received, and determined that Capitol Construction of the Carolinas, LLC is a responsive bidder. The contractor's bid is within 10% of the preliminary cost estimated by staff. Therefore, staff is satisfied with proceeding with only one bid submitted. Capitol has successfully performed work for the City.

No bids were submitted from MWBE Contractors.

Staff will return to council at a later date with bids to construct restrooms, picnic shelter, splash fountain, and playground.

Staff anticipates the project to be completed this summer.

ACTION REQUESTED:

Allow staff to accept the bid and authorize the City Manager to enter into a contract with Capitol Construction of the Carolinas, LLC

BUDGET AND FINANCIAL DATA:

\$441,629 from Capital Project – GP1272