



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC 29306
Monday, December 9, 2019**

**(These minutes were approved
at the January 13, 2019 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor White, Mayor pro tem Alan Jenkins, Councilmembers Erica Brown, Jerome Rice, Ruth Littlejohn, Sterling Anderson and Jamie Fulmer. City Manager Chris Story and City Attorney Robert Coler 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 November 11, 2019 City Council Meeting –
*Mayor pro tem Jenkins made a motion to approve the minutes as presented.
Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*

IV. Approval of the Agenda of the December 9, 2019 City Council Meeting –
*Mayor pro tem Jenkins made a motion to approve the agenda as received.
Councilmember Littlejohn 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*

- 1. Kelly Walker, 300 Union Street, Spartanburg, SC, updated Council on the Upstate Fatherhood Coalition.*

VI. Homeless Task Force Update

Presenter: Mitch Kennedy, Assistant City Manager

Mr. Kennedy presented the item as follows:

“In 2018, the City of Spartanburg brought together a group of downtown stakeholders to discuss issues and strategies to address street homelessness. United Way of the Piedmont, the City of Spartanburg, the Spartanburg Area Chamber of Commerce, SPIHN, and Catholic Charities of SC were identified as the lead partners, and a Memorandum of Understanding was created in 2019 to outline specific strategies to implement within the next five years. Strategies include dedicated case management and outreach for the street

homeless, transitional housing, and day center for the homeless, a marketing and resource development campaign, and increasing collaboration among homeless service providers.

Staff and representatives of the Homeless Task Force briefed City Council of its efforts back in February, while committing to implement the strategies initially identified. Since, the task force has added the strategy of Homeless Court and operated the piloted Opportunity Center (Homeless Day Center) at Northwest Community Center for the past 4 months.

City Staff and representatives of the Homeless Task Force updated City Council on their current efforts, and discussed next steps.

Council received the report as information.

VII. Public Hearings

A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land and Use Element, by Amending Section 206, Changes to District Boundaries, Specifically Parcel #7-17-01-002.00 Located on “0” Union Street at the Corner of Union Street and Ponce De Leon Avenue, Which is Zoned R-15, with a Land Use Designation of Single Family Residential District; to Zone R-8 SFD, with a Land Use Designation of Single Family District and Providing for Severability and an Effective Date (First Reading)

Presenter: Rachel Grothe, Planner

Ms. Grothe presented the item to Council as follows:

“The above referenced property is being proposed to be split into two lots in order to construct one (1) single family home upon each lot. While much of the nearby residential area is zoned R-15: Single Family Residential, this is actually an inappropriate zone for this area, as the majority of the lots in the adjoining neighborhoods do not meet the standards for and R-15: SFD zoning category, and more closely match the standards for the R-8 and R-6 residential districts (smaller lot and setback requirements).

The proposal is in keeping with the 2004 Comprehensive Plan, which calls for this parcel and the surrounding parcels to be maintain Low Density Residential, with primarily single family residential use and a density no greater than four units per acre. Thusly, this lot is able to support 2 units (23,310 square foot lot). The present character of the area is single family residential, and the addition of two single family homes in keeping with the character, zoning, and conforming uses of nearby properties. The new lots will fall well within the range of what is currently found in the nearby residential area; one of 12,854 square feet and the other of 10,662 square feet. The majority of the lots on Ponce De Leon Avenue are approximately 70 linear feet in width, with the proposed lots exceeding this at 96.43 linear feet and 80 feet in width, respectively. The property is also suitable for a lot split if the zone change is approved – otherwise, it cannot meet the characteristics of an R-15 zoned property. Further development would require plat approval and building permit review and approval. The marketability of this property would likely increase with the zoning change, allowing a long-vacant lot to become low density housing for families

otherwise unable to become homeowners – a stated need for our community’s affordability and housing goals. Both water and sanitary sewer services are available to this site.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on November 21st, 2019 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.”

Mayor White opened the public hearing asking is there was anyone to speak against the proposed rezoning.

The following people came forward to speak against the proposed rezoning:

1. Michael Green, 197 N. Park Drive, Spartanburg, SC
2. John Schergerger, 226 Ponce de Leon Avenue, Spartanburg, SC
3. Patti Bowers, 136 Ponce de Leon Avenue, Spartanburg, SC
4. Joy Harper, 320 Rivermont Drive, Spartanburg, SC
5. Edward Dunn, 203 N. Park Drive, Spartanburg, SC

The following people came forward to speak in favor of the proposed rezoning:

1. Lori McMillan, 124 Montgomery Drive, Spartanburg, SC
2. Leland Close, 685 Otis Boulevard, Spartanburg, SC
3. Philip Stone, Spring Street, Spartanburg, SC
4. Rob Rain, 1038 Glendalyn Circle, Spartanburg, SC

Mayor pro tem Jenkins made a motion to close the public hearing. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

Mayor pro tem Jenkins made a motion to approve the ordinance as presented on first reading. Councilmember Littlejohn seconded the motion, which carried 6 to 1.

Councilmember Anderson voted against the ordinance.

B. Ordinance Accepting the Property Owned by Tiger Eye Holdings, LLC, and Being Located at 190 Gaskins Road, and is Further Identified On Spartanburg County Tax Map as 7-21-00=004.00 and 7-21-00-004.04 as a Part and Parcel of the City of Spartanburg and Declaring Said Property Annexed to and a Part and Parcel of the City of Spartanburg (First Reading)

Presenter: Natalia Rosario, Planner

Ms. Rosario presented the item to Council as follows:

“Under South Carolina State Law relating to annexation, the Planning commission must “sign off” on the zoning of the properties that are proposed to be annexed into the City of Spartanburg if they are not being annexed in as R-15: Single Family. The City has received a 100% annexation petition from Tiger Eye Holdings LLC, developer and owner, in order to develop upon the property a single family housing subdivision of 202 units. The property is requested to be annexed and developed under the R-8: PDD code, which permits the development of the property at an approximate 6.3 units per acre, where the proposed development will have a unit density of 1.63 units per acre. This property is not contemplated by the 2004 Comprehensive Plan, although it is adjacent to the existing Meadowinds and Lakes

of Canaan Subdivisions, also zoned R-8: PDD. The development of this property as a single family subdivision is therefore contextually appropriate with existing development. Surrounding tracts are currently vacant, and the development of this property is likely to spur additional development in this area/along the Southport Road corridor.

According to the SCDOT 2018 Traffic Counts, Old Canaan Road Ext. sees an average of 1,250 trips per day. The given assumption for number of trips produced by a single family household (the largest trip generator of any single use) is around ten trips per day, including mail delivery, trash pickup, and other services, as well as trips produced by the resident of the home. At full build out, this subdivision can be expected to add around 2,000 more trips per day along this corridor. A full traffic study would need to be undertaken in order to understand in which direction these trips will go – while that is not a requirement of the Planned Development District Ordinance, Planning Commission may request one as a condition on the project. Staff is satisfied that the use of the property and those allowed under the R-8: PDD (Single Family Subdivision) are appropriate for this zone. Please note that the lot is currently vacant, and the developer has provided preliminary civil site plans, and intends to meet or exceed City of Spartanburg buffer, open space, and walkability standards.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on November 21st, 2019 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.”

Mayor White opened the public hearing asking if there was anyone to speak against the proposed annexation.

1. Hugh Cox, 56 Woodwind Drive, Spartanburg, SC, spoke against the annexation.

Mayor White asked is there was anyone to speak in favor of the annexation.

1. Phillip Day, 7 Hindaran Drive, Greenville, SC, spoke in favor of the annexation.

Councilmember Rice made a motion to close the public hearing. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0.

Councilmember Anderson made a motion to approve the annexation ordinance as presented on first reading. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0.

VIII. Ordinance

A.Approving a Development Agreement Between the City of Spartanburg and Fenix Air Charter, LLC. (First Reading)

Presenter: Robert P. Coler, City Attorney

Mr. Coler presented the item to Council as follows:

“Fenix Air Charter, LLC operates an air charter service out of the Spartanburg Downtown Memorial Airport and is in need of an airplane hangar. Currently, there is a shortage of airplane hangars at the airport that would meet the needs of Fenix Air Charter, LLC. Fenix has proposed to construct an airplane hangar at its own expense and transfer ownership to the City of Spartanburg after twenty years of use. This agreement would continue to further the City’s goals of economic development and

population growth.

ACTION REQUESTED: City Council to approve the Development Agreement between the City of Spartanburg and Fenix Air Charter, LLC.

BUDGET AND FINANCIAL DATA: Fenix Air Charter LLC will incur all expenses to construct the airplane hangar and maintain it for 20 years. City expects to incur nominal costs to install utility connections at a predetermined connection point (Fenix will be responsible for connecting utilities from pre-determined connection points to its new hangar). City will receive rent from Fenix for 20 years. City will take ownership of hangar after 20 years.

Mayor White made a motion to approve the ordinance as presented on first reading.

Councilmember Anderson seconded the motion, which carried unanimously 7 to 0.

IX. Consent Agenda

A. Authorizing the City of Spartanburg, South Carolina, to Execute and Deliver An Equipment Lease Purchase Agreement in An Amount Not Exceeding \$2,600,000 Between The City and the Lessor Thereof To Defray The Cost of Acquiring Certain Equipment; And Other Matters Relating Thereto (Second Reading)

Presenter: Dennis R. Locke, Finance Director

Mayor pro tem Jenkins made a motion to approve the consent agenda on second reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

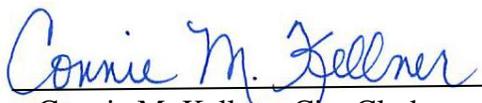
X. City Council Updates – Each Councilmember gave updates on their activities since the previous council meeting.

XI. Executive Session – The Executive Session was postponed until a future meeting.

A. Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to an Economic Development Project

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

XII. Adjournment – Mayor pro tem Jenkins made a motion to adjourn the meeting. Councilmember Anderson seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:57 p.m.



Connie M. Kellner, City Clerk