

Spartanburg City Planning Commission Meeting Minutes
Thursday, November 16, 2017

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, November 16, 2017, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Dr. Phillip Stone, II, Wendell Cantrell, and Mike Epps. Howard Kinard, Bob Pitts, and William Luke Quillen were absent. Representing the Planning Department was Natalia Rosario, Planner III.

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 four 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 4 to 0.

Disposition of the Minutes from the October 19, 2017 meeting of the Spartanburg City Planning Commission.

Mr. Cantrell moved that the Minutes from the October 19, 2017 Meeting be approved as presented; and he was seconded by Dr. Stone. The minutes were unanimously approved by a vote of 4 to 0.

Old Business – None.

New Business

Rezoning Request – TMS#7-21-03-007.02 located on 227 Cedar Springs Road, which is currently zoned R-6, General Residential District to zone B-1, Neighborhood Shopping District in order to allow the Owner to be able to better lease or market the property; from Beatrice Dillard, Merry Land, LLC, Property Owner.

Ms. Natalia Rosario, Senior Planner 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, as Exhibit A. Ms. Rosario introduced the case to the Planning Commissioners and said the Owner would like to have the property rezoned from R-6, General Residential District to B-1, Neighborhood Shopping District in order to be able to assist in the sale of the property. She said Craig Jacobs was present on behalf of the Owner.

Board Questions:

- Mr. Cantrell asked Ms. Rosario about a slide of the property.
- Ms. Rosario showed a slide of the proposed property. She said it previously was a daycare; and the property right beside it had been the former Girls Home, and she explained that it had previously been rezoned B-1.

Mr. Craig Jacobs of 305 Match Box Commons, came forward and was sworn and said he was the Owner's Real Estate Agent. He informed the Planning Commissioners the R-6 zoning really limited the use of the property. He said everything around it was mainly B-1; and it just made sense to include this property as well. He also informed the Planning Commissioners he had been involved with the rezoning of the adjacent property when the former Girls Home had been rezoned to B-1, which had been approved because they thought they had someone who was going to purchase it for a restaurant/event center; which he said did not happen, but he feels if the Owner wants to sell or lease the property that a rezoning to B-1 just made more sense. It still could be a daycare, but it would open up more options for the Owner.

Board Questions:

- Mr. Cantrell asked if the daycare center had been torn down.
- Mr. Jacobs explained the day care was still there and in good condition but was not in operation; and that it still could be a daycare if someone wanted to purchase it and use it for that. He felt the B-1 zoning would be better for the Owner to be able to lease or sell the property.

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 this parcel to be used for institutional use and zoned as General Institutional District. As the Cedar Springs Area has grown into a node of commercial activity, and the institutional uses in this area having relocated, Staff is of the opinion that a commercial use of this property would be more appropriate for the property's location along the corridor than that of a residential use.
2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The surrounding parcels that are within City limits are all zoned either B-1, Neighborhood Shopping Center or B-3, General Business District, so the proposed zoning would conform to the uses of nearby properties and the developing character of the corridor.
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 development within the B-1, Neighborhood Shopping District.
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* – In this area, the marketability of the property will be improved by being rezoned from R-6 to B-1. This will permit for a wider array of least intense commercial uses, while the property may still be used for the permitted uses under R-6 as well.
5. *Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site.

Staff's Analysis & Recommendation:

Staff is of the opinion that the proposed zone change from R-6, General Residential to B-1, Neighborhood Shopping will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from R-6 to B-1. Ms. Rosario said she had received no emails or comments regarding the letters sent out for the request.

Planning Commission Questions/Comments:

- Dr. Stone asked was everything in the vicinity either B-1 or B-3.
- Ms. Rosario said that was correct.
- Dr. Stone asked where was the nearest residential.
- Ms. Rosario explained.

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

Planning Commission Deliberation:

- Dr. Stone felt it was a reasonable request; and that most everything around it was already zoned to B-1.
- Mr. Wilson agreed, and said B-1 was one of the lesser intense uses and would not be that big of a difference.

Dr. Stone moved approval of the request as submitted; and he was seconded by Mr. Epps. The motion was unanimously approved by a vote of 4 to 0.

Dr. Stone asked Ms. Rosario when this item would go before City Council.

Ms. Rosario said it would go for another Public Hearing and First Reading before City Council on December 11, 2017; and it would go for a Second, final reading on January 8, 2018.

Site and Landscape Plans Approved since the October 19, 2017 Planning Commission Meeting

- Montgomery Building – 187 N. Church St. (appvd. Construction of Drive and Parking Location.)

City Council Updates Since the Last Meeting of the Planning Commission on October 19, 2017

Ms. Rosario went over the City Council Updates that pertained to the Planning Commission since the last meeting on October 19, 2017 listed on the Agenda.

Staff Announcements

Ms. Rosario said the two text amendments the Planning Commission had previously recommended for approval regarding the Sign Ordinance and Land Development Regulations, had been rescheduled to go before the Mayor and Council at the December 11, 2017 meeting.

Dr. Stone said he received his 2017 Continued Education Training last evening.

The meeting adjourned at 5:45 P.M.

Respectfully Submitted


Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant