

Spartanburg City Planning Commission Meeting Minutes
Thursday, January 21, 2021
Zoom Meeting Minutes

The City Planning Commission met via Zoom on Thursday, January 21, 2021 at 5:30PM. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Reed Cunningham, Dr. Phillip Stone, Lekesa Whitner, Mike Epps, and Warwick Spencer. Representing the Planning Department were Martin Livingston, Community Development Director; Emily Thomas, Planner 1; and Julie Roland, Admin. 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 all seven Planning Commissioners were present, constituting a quorum; and he went over the rules and procedures for conducting a public hearing; and he had all of the Planning Commissioners introduce themselves.

Dr. Stone moved approval of the Agenda for tonight's meeting; and he was seconded by Ms. Whitner. The motion was unanimously approved by a vote of 7 to 0.

Disposition of Minutes from the December 17, 2020 Meeting:

Mr. Wilson moved approval of the minutes as submitted; and he was seconded by Mr. Epps. The motion was unanimously approved by a vote of 7 to 0.

Old Business: None

New Business:

The Planning Department has received a request to consider rezoning the property addressed at 153 Oakwood Avenue, TMS # 7-12-08-074.00, from GID, General Institutional District to R-6/PDD Residential Infill Planned Development District to enable the construction of the Oakwood Avenue at Garrett townhome development upon the property. Applicant and Developer, Bishop Scott; Oakwood Avenue, LLC, Property Owner.

Mr. Martin Livingston, Community Development Director was sworn, and he submitted the meeting packets the Board Members had previously received via email, tonight's presentation and slides into evidence as Exhibit A.

Mr. Livingston said Mr. Chairman, and members of the Board, the Planning Department had received the request to consider rezoning the property addressed at 153 Oakwood Avenue. Tax map sheet 7-12-08-074.00 from GID, General Institutional District to R-6/PDD Residential In-fill Planned Development District to enable the construction of the Oakwood Avenue at Garrett Town Home Development upon the property. The Applicant and Developer, Bishop Scott, Oakwood Avenue LLC is the property owner. The project site is on approximately 56,000 square feet, 1.29 acre lot, bounded by Garrett Street at the northwest, Oakwood Avenue at the southwest, and Washington Place at the east. East Main Street is located 400 feet to the south. The purpose of this rezoning request is for the applicant to demolish an existing structure and replace it with a town home development. The lot currently contains a stick built structure approximately 8,700 square feet in size, previously used as a medical office. The structure was constructed in 1976. The property has historically, (since at least 1973), been considered part of the Office and Institutional zoning district, and located within walking distance of Converse College. The

surrounding area is representative of a transition between residential neighborhoods and the Converse College, Oakwood Cemetery area. A variety of zones are present within the relatively small area. R8 and R6 are present for existing residential units. General Institutional provides office uses, and a B1 Neighborhood Commercial property located within a five minute walk. Converse Heights neighborhood, zone R8, Single Family District is located on the opposite side of East Main Street. Directly adjacent to the property itself, is a two story multi-family structure, a children's advocacy center, and a drive through bank, as well as several single family homes. As a result of the increased utilization of the neighborhood, as well as it's proximity to the employment and educational opportunities, the proposed R-6/PDD zoning will allow for better use of the property and serve as a transition between neighboring single family residences and commerce of East Main Street. The rezoning process included a community presentation, which occurred on Thursday, January 7 at 5:30 pm. We are now currently holding the Planning Commission meeting tonight and if this rezoning request is approved, it will go before the City Council for First Reading on Monday, February 8 at 5:30 pm. If it approved at First Reading, it will be presented to City Council for Second and Final Reading on Monday, February 22 at 5:30 pm. The Planning Commission must consider five items in its Analysis of Required Findings: 1) consistency, or lack thereof, with the Comprehensive Plan, 2) compatibility with the present zoning and conforming uses of nearby property with 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 to the proposed amendment, 4) marketability of the property affected by the amendment for uses permitted by the district, applicable to the property at the time of the proposed amendment, and 5) availability of sewer, water, and storm water facilities, generally suitable and adequate for the proposed use. As we mentioned, this property is located at 153 Oakwood Avenue. The zoning map shows that it's a GID district where this area across the street was rezoned recently to R-6/PDD, and then there are other LOD and GID uses nearby, as well as single family and multi-family uses as well. Here is another view of the property and the surrounding structures surrounding the building. Here's a photo of the front of the property. Majority of the property is parking lot with the structure. So parking in the front, parking in the rear, and the structure. Adjacent structures nearby, offices, and apartments, and multi-family uses. A view of the street across from the property. The proposers, the developers or applicants wish to develop a single family site. R-6/PDD, which includes multiple town homes, total of about 21 town homes on the site, 21 units on the site with rear-loaded garages. Let me read through the consistency, or lack thereof. The 2004 Comprehensive Plan future land use map has the subject parcel listed as institutional use. The future land use map and the comprehensive plan are consistent in its determination on the future use of the property for institutional uses; however, the proposed use would also be consistent with the surrounding residential and commercial uses due to the nature of the current zoning regulations. The present character of the surrounding property is transitional in nature. To the north and west are single family and small multi-family structures. The south are neighborhood businesses along a main thoroughfare. Uses permitted by right under the current GID zone district include single family and condominium uses, as well as a variety of office and commercial uses. R-6/PDD designation would not be a detriment to the nearby single family homes or businesses and would be consistent with the surrounding area. It is intended that this district will develop in such a way it will ensure compatibility with a variety of uses. Therefore, the proposed use will not have a negative impact on the surrounding neighborhood. If the zone change is granted, the proposed use would require a public Planned Development and Site Plan review process prior to any construction and commencement of use. This process allows the Planning Commission, City staff, and the general public to provide feedback on the proposed site plan, ensuring that all site requirements are met. That includes set back, landscaping, buffering, parking, etc. The marketability of the property would likely increase with the zoning change. The proposed zone change will allow for a traditional residential use. It will also improve the surrounding neighborhood by replacing an aging and historically insignificant commercial structure with several new homes. Both water and sanitary sewer services are available to this site. The site will be reviewed by City staff during the Site Plan review process, including Planning, Building, Water, Streets, and Storm water are compliant with the applicable regulations. Staff is recommending approval. Notices were sent to the property owners within a 400 feet radius of the

subject properties. 31 notices were sent through regular mail, three certified mail. A community meeting was held on Monday, January 7 at 5:30 pm. We did have one person in attendance. Again the development is a 21 unit development, rear-loaded garages on Garrett and Oakwood Avenue. And then on Washington Place, front-loaded garages, only three units on that side of the street. There will be storm water retention and the streets would be considered private streets. There will be right away access to allow owners to be able to enter the garages.

Planning Commission Questions:

Mr. Wilson said was there a particular reason or has it been discussed, I see at the bottom of the site plan there were questions or it has got a question mark by the front-loaded on Washington Place.

Mr. Livingston said yes, during the review process, one of the positives of this development process is that the developers actually met with the folks that would actually review the site plan and asked questions about the site plan to make sure that it met the requirements. So we reviewed storm water, we reviewed all the different requirements that would need to be reviewed during the site plan process and one of the questions was, will front-loaded garages be allowed on Washington Place and the answer was yes.

Mr. Kinard asked Mr. Livingston is this a continuation or extension of the development across the street, or is this a different developer altogether.

Mr. Livingston said I believe this is a different developer, but they can certainly discuss it. The developers online can present that information, but I believe it's a different developer. But you're right, this design is consistent with what was approved across the street.

Dr. Stone said Mr. Chairman I believe Mr. Livingston said owners, so this would be owner occupied, not rental property. Am I correct.

Mr. Livingston said so they are still trying to determine that. Whether it will be owner or rental it will still have to meet the same requirements. One of the conditions of approval, when it is finally approved; will be that we will need some type of HOA should it become owner occupied to maintain all of the common areas.

Ms. Whitner said Martin, do you know if it's pet friendly or walking space. I couldn't see it in the design.

Mr. Livingston said what do you mean by pet-friendly.

Ms. Whitner said so I'm trying to see if there's a place or a park nearby for pets. I could not see anything in the drawing or in the rendering in regards to pets being invited. I guess the developer could tell us if they will allow people to have pets.

Mr. Livingston said certainly, and it would probably be part of the HOA requirements if pets are allowed if it's rental or if it's home owner as well. But the developer can probably answer that question. The nearest park is the Happy Hollow Park in the Converse Heights neighborhood.

Ms. Whitner said and you said it was only 31 units, is that correct.

Mr. Livingston said 21 units.

Ms. Whitner said 21 units, so there was no need for the transportation study or any of that.

Mr. Livingston said that's correct.

Mr. Cunningham said Oakwood Cemetery is like a block down the street and that is a very popular location for walking and many people bring their dogs over there and walk through the cemetery, so it is quite nearby. So that should be quite pet friendly and assuming the developer allows pets, it would encourage people with pets to inhabit these.

Mr. Wilson said before we bring the applicant forward for any additional statements that they would like to make, are there anymore questions for the staff to the commission.

Mr. Kinard said the existing structure looked to be pretty aging and deteriorating. Has it been vacant for a period of time. You might have said that, I might have missed that.

Mr. Livingston said yes, it has been vacant at least three or four years. The developer can probably provide more additional information on that, but it has been vacant for quite some time.

Ms. Whitner said my last question Martin, you said it was 21 units, did you say how many bedrooms.

Mr. Livingston said most of the units are two and three bedroom units, two and a half bath and three and a half bath units. And I can enlarge it and it will show you at the bottom the unit tabulations. Here, the 21 units and the different sizes ranging from 1,300 square feet to almost 2,000 square feet.

Ms. Whitner said that's nice, thank you.

Mr. Livingston said one other item, this property will be, the zoning allows for 2,000 square feet per unit for the size of the property. Part of the PDD requirements when the city updated the PDD requirements, this was one of the properties that was used as an example for why we should have an updated PDD requirement.

Mr. Wilson said alright, is the applicant or owner in attendance.

Mr. Livingston said Mr. Chairman we have Scott Bishop on the line. Bishop Scott.

Mr. Wilson said yes Mr. Scott if you would just state your name and address for the record please.

Mr. Scott said yes. First name Bishop, last name Scott. Address is 1186 Pendleton Street, Greenville, South Carolina, 29611.

Mr. Wilson said thank you sir. To start off with, is there anything you would like to add or comment on in addition to City staff's report and introduction of the request before I open it up for any questions from the Commission for you.

Mr. Scott said just answering a few of the questions that were brought up. Yes, the plan is to make this development pet friendly. I think it makes sense for it and there will be, as you can see there is a little bit of green space on the proposed plan. And from the current building standpoint, I'm pretty sure it has been vacant for over four years now. It is in pretty deplorable condition. I don't foresee anybody going in there and being able to salvage the structure, so we have gone through the due diligence process of what it would take or what it is going to take to demolish that building and remove it and put something up that would be beneficial. That's kind of the overview of what we are looking at right now.

Mr. Wilson said okay, thank you. At this time, I will open it up for any questions from the Commission for the applicant.

Planning Commission Questions:

Dr. Stone asked Mr. Scott do you have a sense of at what point you will be making the determination on whether this is going to be rental or that you would be looking to sell the units.

Mr. Scott said I believe the initial plan is to make all of these off the bat rentals with the ability to condo them out and individually sell them. That would be the preferred off the bat plan. Being that it is right next to a rental community it seems to make sense. That would be the long-term hope and maybe even tying this into some affordable housing. We have to cross the zoning part and then make that final determination.

Mr. Cunningham asked Mr. Scott you have seen the development on Avant Street that's going to eventually front on Oakwood. If I recall the long range plan, architecturally will your development be similar or will you take a different route on the physical appearance.

Mr. Scott said I have seen that and yes, it is somewhat similar in a more modern type approach. I feel like those on Avant are a little bit more modern. We do have, I believe, our architect is on the call, Ross Kistler. He might be able to speak a little bit more to that. I'm not positive if he is on this call or not.

Mr. Livingston said Mr. Kistler you are able to speak.

Mr. Kistler said hey guys. Ross Kistler with Project Plus Architecture. Can you hear me.

Dr. Stone said yes.

Mr. Kistler said okay. We have not fully done any exterior design studies. This was loosely based off another town home development we did in Greenville. The planning around it was, it was more of a Scandinavian, more modern, more traditional lines but a lot cleaner and stripped down. We used a lot of darker materials with some wood accents, so that would be our starting point, but we would be open to merging that with the nearby architecture and not be an outcast to that area as well.

Mr. Kinard said okay thank you. I had some feedback from citizens that thought the Avant development could have been done in a better fashion for a better look, so I didn't know whether that development is going to guide you and what the economics are for the area and rental fees; but I'm sure you will come up with a site plan and meet the requirements if we move ahead.

Mr. Kistler said sure we will. I actually have not seen those, but I will get with Bishop and we will analyze those and I am sure we will have some feedback from you all as well before we go in for permit.

Mr. Wilson said okay, thank you Mr. Scott and Kistler. At this time I will open up the proceedings for any public questions or comments.

Public Comments / Questions:

Mr. Livingston said I don't see any raised hands Mr. Chairman, but we do have a few folks with phone numbers if those people would like to speak, you certainly can. Unmute and do so now.

Mr. Hamilton said yes, this is Sam Hamilton. I have a question if I am allowed to speak at this time.

Mr. Wilson said yes, Mr. Hamilton if you will just state your name and address for the record please and then feel free to continue with your question.

Mr. Hamilton said okay. My name is Sam Hamilton, I'm on the Board of Directors for Child Advocacy Center, which is adjacent property to this area that is being developed. And my address is 125 Fernbrook Circle, Spartanburg, South Carolina 29307.

Mr. Wilson said thank you sir, you can proceed with your question.

Mr. Hamilton said okay, I was at the last meeting, I was the only one at the last meeting I guess, but one of the things that came up when I reviewed this and the Board of Directors for the Child Advocacy Center, which is the big house on the property, the other side of where the drive through windows are for the bank. The question was, we deal with a lot of child abuse, both emotional as well as physical, and we have forensic and counselors in the building, and the question was how much noise can we expect from that complex and is there an option to put some kind of sound barrier between us and the apartment or condo layout. And that sound barrier would stop the kids from getting nervous if they see strangers or if they see activity and things like that. These kids are in a very traumatic state and we try to keep it as peaceful and quiet as we can to get them to calm down and objectively tell us their story. That is the thing that our counselors and our forensic interviewers are asking about how much noise disturbance would we have. And is there anything we can do to mediate that.

Mr. Wilson said thank you, Martin would it be possible for you to pull back up the zoning plans map so we can see which adjacent neighboring partial we are talking about here.

Mr. Livingston said sure.

Dr. Stone said and I don't know if we want to save it for later or if Mr. Livingston wants to answer it now; but I know the City does have certain buffering requirements around properties and it might be where he can explain what the Ordinance requires.

Mr. Livingston said sure. Can everyone see the screen.

Dr. Stone said yes sir.

Mr. Livingston said so the property is 126 Washington Place. I believe that is what Mr. Hamilton is talking about, that location right there.

Mr. Hamilton said yes. There is a lower parking lot between us and the drive through bank windows up there and the parking lot is where there is going to be two or three of the units placed. And that is going to put them in close proximity to the building where we do a lot of work with abused kids. The setback is the only thing I saw and I was wondering if we could do something because of the special needs of that activity.

Mr. Wilson said yes sir. Mr. Scott or Kistler, are either of you in a position right now to comment on particular plans for that property line in between the two.

Mr. Bishop said yes, we do have a plan to put a fence pretty much down the entire property line to provide privacy and provide a separation. Currently, there is an apartment complex right in front of the Child Advocacy Center I believe.

Mr. Hamilton said yeah.

Mr. Scott said does that apartment complex present any issues for you all currently.

Mr. Hamilton said no because its location; it is behind us and we have a building called a carriage house that sits between them and the actual larger building where most of the activities with the kids occur.

Mr. Scott said gotcha.

Mr. Hamilton said this would be adjacent to it, off to the side or back of it, the big building.

Mr. Scott said I understand. We do plan on putting a fence of some sort. We have not determined the specifics of it yet, but we were planning on creating a barrier there between the two.

Mr. Hamilton said would you look at if there is any possibility for a berm that the fence could sit up on or something like that, just so the kids wouldn't be trying to climb the fence or look through the fence and that kind of stuff.

Mr. Scott said absolutely, our civil engineer wasn't able to make this call, but I believe that is something we can certainly put in front of him.

Mr. Hamilton said okay I would like you all to consider that.

Chip said this is the Civil Engineer. Yeah so that area that you are talking about, that shared property line is actually where Spartanburg Sewer has an easement for a sewer main that runs through there and that is where the storm water would be leaving. So there is a 10 foot set back, but the building will actually be much further away than that just due to those utilities running through there. And like Bishop said, we are going to put a fence along that property line, but as far as building an earthen berm I don't know that there is the room to build a large berm. But certainly, whether it's a 6, 8, or 10 foot tall fence in that small section just to create a visual barrier, I think we certainly can work through that. And in the interest of being a good neighbor and for the residents that would be living in that unit also would probably like to have their own privacy and separation from an adjacent commercial user in that sense too.

Mr. Hamilton said we'll think about that. This is a special need because of the clients we are having to deal with and it takes a long period to get them calmed down and trusting for the counselors to work with them. And any kind of noise and things like that interferes with the process and that is why the counselors were asking if we could do anything to mitigate noise coming from that area.

Chip said yeah I think we can certainly look at this specific situation since it is such a small portion of the property to try to mitigate that as much as we can.

Mr. Hamilton said well that would be greatly appreciated and I look forward to seeing what you come up with.

Mr. Wilson said thank you Mr. Hamilton. Martin have we had any hands raised.

Mr. Airhart said this is Tom Airhart, I have unmuted. Can I speak just for a second as a caller.

Mr. Livingston said yes you can speak.

Mr. Airhart said Thank you I appreciate it. This is Tom and Bob Airhart and we live at 137 Avant Street We just called and we wanted to, first off tell how much we appreciate the city working with us on the project here for the condos that are going in. It has really been five star with the help and we appreciate it.

We have a visible presence in the community or in this area we live in at 137 and we have gotten a lot of good feedback from the people in the community. And the town homes that we're in are ringing up nicely and everyone that is living in them are really enjoying them; so we just wanted to weight in and think that the project is a good project and wish Mr. Scott the best, and that we think the area is in transition and it seems to be a positive transition. And we appreciate the comments earlier on the town homes and that nobody said that they were terrible. No, I'm joking. That's all I had to say. I will stay unmuted in case anybody has any questions.

Mr. Scott said I appreciate it Tom, thank you.

Mr. Wilson said anyone else that would like to speak before we close the public portion of the proceedings. Alright, well hearing none we will close the public portion of this evening's proceedings and move to Board Deliberation.

Board Deliberation:

Dr. Stone said well I guess I will say what everyone can pretty much predict I am going to say. This looks like a really good project. It activates an underused parcel of land that's within 400 feet off of a major artery, provides 21 new places to live within the City, adds to the taxable wealth of the city. From what I can tell it looks to be a well designed project. I don't think we have a whole lot of leverage on the design actually, but it looks fine. And so I intend to support it.

Mr. Wilson said I agree it's an unutilized tract right now and certainly does nothing for the unification of Converse Heights. Based on staff's analysis and findings, as well as the fact that we always talk about we are in need of housing within the city, so this would take an underutilized partial and complete it. I would be in favor.

Ms. Whitner said I too am in favor of the development with the 21 units, with the potential of being pet friendly. I am always going to throw in if the builder, Mr. Bishop, would consider using local talent when it comes to developing, if he uses external contractors, if they would consider using local talent that have gone through our construction program here in Spartanburg, to continue to create generational wealth and work force mobility, just as a consideration.

Mr. Wilson said alright.

Mr. Cunningham said I think it's a very positive development. I think the barrier of issue can be solved with a fence or with strategic planting of some large Conifers. I think that can be addressed hopefully to the satisfaction of both parties, so I'm in favor of moving ahead.

Mr. Wilson moved to approve the request as presented and that it be recommended favorably to the Mayor and City Council; and he was seconded by Dr. Stone. The motion was unanimously approved by a vote of 7-0.

Mr. Wilson said I believe as Mr. Livingston mentioned earlier, the next steps will be a First Reading at City Council on February 8, 2021. And if the matter receives First Reading approval, it will then go before City Council for its Second and Final Reading on February 22, 2021.

Site and Landscape Plans Approved (FYI) since the December 17, 2020 Meeting:

Village At Creekside – Manning Street, Brawley Street, and College Street.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on December 17, 2020

1-11-21 – Second / Final Approval of Ordinance re Olivia Springs Rezoning Request, from R8, Gen. Res. To R6, Gen Res.: Jay Beeson, Mark III Properties, LLC.

Staff Announcements:

Ms. Roland said all the regular Board Members but one has finished their regular 3 hours Continued Ed training for 2020 and that person was working on theirs. So we will now also start the Continued Ed Training for 2021. I don't have that list from the ACOG yet, but I am assuming it will all be online still and I think Martin has a couple of announcements he wants to make.

Mr. Livingston said Mr. Chairman, first off I would like to introduce Emily Thomas, who is our newest Planner on staff. Emily comes from Furman University with a Sustainability Degree and will be working with us on several items including with the Planning Commission as well in their comprehensive plan. Emily.

Mr. Wilson said welcome Emily.

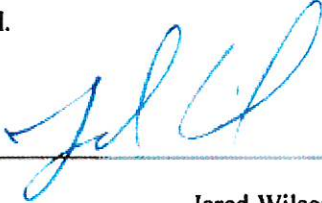
Ms. Thomas said hi it is nice to meet everyone, I am really excited to be here and get to work with you guys more.

Mr. Wilson said well hopefully sometime in the near future we can stop doing these on Zoom and meet you in person.

Ms. Thomas said I hope so.

Mr. Livingston said Mr. Chairman, in December we sent out emails regarding the Comprehensive Plan. Hopefully everyone has been able to log in and view those videos of the potential redevelopment of the different corridors in the city. We just spoke with the planners, the consultants today and they will be providing us with a draft plan for review by March. If you, the Planning Commission, would like to review that document, please let us know and we will send you links to the documents. I see shaken heads. We will send you links to the documents for you to review it. The process still continues after that March draft, there will be a public draft for review in June and hopefully a final approval in August. We are still taking comments. We believe that once the public sees the draft, they will also provide additional comments. This month we also had a think tank discussion with several members of the community about the results of the Plan-a-Palooza as well as the different scenario planning ideas; so that information was shared with us and I think we can share the think tank items with the Planning Commissions. We can send that out if you are interested in reviewing that as well.

There being no other business, the meeting was adjourned at 6:15PM.



Jared Wilson, Chair

Minutes edited by Logan Witter and Julie Roland