

Spartanburg City Planning Commission Meeting Minutes
Thursday, April 19, 2018

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, April 19, 2018 at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Dr. Phillip Stone, II, Bob Pitts, Mike Epps, and Wendell Cantrell. William "Luke" Quillen was absent. Representing the Planning Department were Natalia Rosario, Planner III.; Apoorva Kumar, Associate Planner, and Julie Roland, Administrative Assistant. Chris Story, Assistant City Manager was also present.

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; and he went over the rules and procedures for conducting a public hearing.

Mr. Stone moved approval of the Agenda for tonight's meeting; and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 6 to 0.

Disposition of the Minutes from the March 15, 2018 meeting of the Spartanburg City Planning Commission.

Mr. Cantrell moved the Minutes from the March 15, 2018 Meeting be approved as presented; and he was seconded by Mr. Epps. The minutes were unanimously approved by a vote of 6 to 0.

Old Business – None.

New Business

Rezoning Request – TMS#7-12-08-085.00 located on 736 East Main Street, which was currently zoned LOD, Limited Office District to zone B-1, Neighborhood Shopping District in order to allow a retail business to occupy the first floor space, and allow more tenant opportunities, from Craig Jacobs, Agent & Member, on behalf of Chuck White, Member, 736 East Main, 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 well as the updates to the Downtown Code into evidence as Exhibit A. Some slides were shown of the property and surrounding area. Ms. Rosario said the petitioner was here to give his presentation to the Planning Commissioners.

Mr. Craig Jacobs, Agent and one of the Owners of the property came forward and was sworn. He said they purchased the property in 2011; and most of the bottom floor had been vacant ever since. They had an opportunity to lease out most of the bottom floor to a retailer, but could not do that without obtaining the rezoning. They had plenty of parking and also across the street was part of this project where there was also parking available.

Board Questions:

- Mr. Kinard asked if the second floor was already rented out.
- Mr. Jacobs said most of the second floor was rented; and they had a call center in there, a private personal therapist, a Mary Kay Cosmetics. On the first floor they only had a CPA and a small space, but nothing else. He said the building used to be a bank, and it also had a drive-thru.
- Dr. Stone asked if he could tell them the nature of the retail they were wanting to occupy the first floor.
- Mr. Jacobs said they did not want it to be disclosed yet, that it would not be a restaurant or a night club; that you could bring your wife and children there.

- Mr. Pitts asked about the square footage.
- Mr. Jacobs said the first floor was about 4700 square feet.

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 area to continue transitioning to General Activity Center, which permits the zoning categories of LC, Limited Commercial; LOD, Limited Office District; B-1, Neighborhood Shopping; and B-3, General Commercial. The proposed zoning category is in accordance with the intent of the Comprehensive Plan for this portion of the E. Main Street Corridor.
2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – Surrounding parcels to the East and West are zoned mostly LOD, with one zoned B-1 to the west (corner of Avant Street and E. Main Street). Their uses are all office or light retail, with residentially zoned and occupied homes to the North and South of East Main Street. The property does currently have a suitable bufferyard 3 feature to the north where an R-8, General Residential property is located (131 Oakwood Avenue).
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 the uses permitted within the B-1, Neighborhood Shopping District. The required bufferyard 3 (for low intensity commercial to residential) in the rear is already in existence. The parking on the property is suitable for retail and light commercial uses.
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 rezoning of the property to B-1 will permit the owner to lease the first floor spaces which are oriented towards E. Main Street to be leased out for commercial use. Currently, the property has been unable to lease office uses as the design and location of the units do not lend themselves well to private offices. The rezoning will make the property more marketable, and allow for an entire utilization of the property.
5. *Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site.

Staff's Analysis & Recommendation:

Staff is of the opinion that the proposed zone change from LOD, Limited Office District to B-1, Neighborhood Shopping Commercial will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from LOD to B-1.

Planning Commission Questions/Comments:

- Dr. Kinard asked would there need to be any modifications made to the building.
- Ms. Rosario said no.
- Mr. Wilson asked had there been any public comments made.
- Ms. Rosario said there had not been any.
- Mr. Kinard asked had there been any communication from the R-8 neighborhood.
- Ms. Rosario said there had not been any; and they had sent out certified and regular mail letters.

Mr. Wilson opened the public hearing and asked anyone present who wished to speak in favor of the request to come forward. No one came forward. Mr. Wilson asked if there was anyone to speak in opposition to the request, or who had any questions, to come forward. No one came forward. Mr. Wilson closed the public hearing.

Board Deliberation:

- Mr. Cantrell said the building had been vacant and in disrepair for a number of years, and the current owners had done a real good job in trying to improve it; and he felt it would be a good thing.
- Mr. Wilson thought it was pretty straight forward; and he agreed with Mr. Cantrell.
- Dr. Stone agreed.
- Mr. Kinard agreed.

Mr. Wilson moved to approve the request as presented; and he was seconded by Mr. Pitts. The motion was unanimously approved by a vote of 6 to 0.

Mr. Wilson said the request would go for another Public Hearing and First Reading before the Mayor and City Council on May 14, 2018; and if approved, for a Second/Final Reading on Tuesday, May 29, 2018.

Text Amendment Change to Zoning Ordinance to Amend Section 515, Downtown Urban Code, regarding Proposed Edits.

Ms. Rosario came forward and explained Section 515 of the Zoning Ordinance was regarding the Downtown Urban Code. The reason they were making some changes was in order to give the Board Members a more concise and specific direction on what they could and could not do; and what they should be considering as they reviewed their business cases other than just the architecture. She went over and explained in detail the main things that would be further addressed found in Section 515.1 Purpose and Intent, and Sub-Section A-E that were currently listed in red in the Code were connectivity, housing, mix use infill and redevelopment, urban downtown and putting people first. Ms. Rosario also explained in the past the Design Review Board had only reviewed certain types of cases; and now they would review any and everything that had to do with the Downtown Code area. She also went over in detail and explained the rest of the Sections of the current Downtown Code that were also proposed to be changed that were also depicted in red.

Board Questions:

- Dr. Stone asked Ms. Rosario if she thought they had enough staff to accommodate all of the requests they would probably be receiving regarding these changes.
- Ms. Rosario said they had just hired a new Associate Planner, and also Mr. Craig Lewis with Stantec had been consulting for a while with the City regarding Design Review Board Cases.

Mr. Wilson opened the public hearing and asked if anyone was present to speak in favor of the changes to come forward. No one came forward. Mr. Wilson asked if anyone was present to speak in opposition to the changes, or if they just wanted to ask questions to come forward. No one came forward. Mr. Wilson closed the public hearing.

Board Deliberation:

- Dr. Stone said this gave the Design Review Board more clarity and authority.
- Mr. Wilson felt it could only be a good thing.

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

Site and Landscape Plans Approved (information purposes only) since the March 15, 2018 Council Meeting.

- Cook Out – 1620 John B. White, Sr. Blvd.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on March 15, 2018 Meeting.

Ms. Rosario went over the updates that were listed on the Agenda.

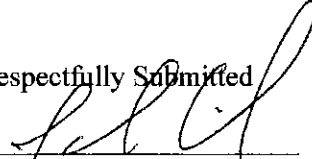
Staff Announcements

- Ms. Rosario welcomed and introduced to the Planning Commissioners her new Associate Planner, Apoorva Kumar.

- Ms. Roland said she had handed everyone that needed one a list of all of the remaining Continued Education Training classes that would be held this year.
- Ms. Rosario said there would be more existing conference happening in the fall that would be several days with Regional Planners coming in.

The meeting adjourned at 6:05 P.M.

Respectfully Submitted



Jared Wilson, Chair

+Minutes by Julie Roland, Administrative Assistant