

Spartanburg City Planning Commission Meeting Minutes
Thursday, July 21, 2016

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, July 21, 2016, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Jared Wilson, Howard Kinard, Nancy Hogan, Wendell Cantrell, Bob Pitts, Mike Epps, and Dr. Phillip Stone, II. Representing the Planning Department were Natalia Rosario, Planner III; and Julie Roland, Planning Department 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 all seven 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 the July 21, 2016 meeting, with second by Mr. Kinard. The motion was unanimously approved by a vote of 7 to 0.

Disposition of the Minutes from the June 16, 2016 meeting of the Spartanburg City Planning Commission.

Mr. Cantrell moved approval of the June 16, 2016 meeting minutes as submitted, with second by Mr. Epps. The motion was unanimously approved by a vote of 7 to 0.

Old Business – None.

New Business

Receive Nominations and Election of Chair and Vice Chair for Fiscal Year 2016-2017

Mr. Wilson explained Mrs. Roland had previously sent the Planning Commissioners an email regarding any nominations for Chair and Vice Chair; and the results of the poll were Jared Wilson continue as Chair, and Howard Kinard continue to serve as Vice Chair. Mr. Wilson asked if there were any other nominations. There were no other nominations for Chair or Vice Chair.

Mr. Cantrell moved that the nominations be closed; and he was seconded by Mr. Epps. The motion was approved by a vote of 7 to 0.

Dr. Stone made a motion that Mr. Wilson continue to serve as Chair, and Mr. Kinard continue to serve as Vice-Chair for the fiscal year 2016-2017; and he was seconded by Mr. Cantrell. The motion was unanimously approved by a vote of 7 to 0.

Northside Neighborhood Rezoning Request: Various Tax Map Numbers (approximately 749 parcels), located between North Church Street and continuing west until the railroad tracks, and extending to the northern City limit line. Currently zoned B-3, General Business District; B-1, Neighborhood Shopping District, R-6 & R-8, General Residential District; LOD, Limited Office District; and I-1, Light Industrial District to Zone DT-5, Urban Center District; DT-4, General Urban District; and newly proposed Zone DT-3, Suburban Zone, from City of Spartanburg, Agent in order to match the zoning standards in this area to the design standards proposed in the Northside Transformation Plan (2014).

Assistant City Manager Chris Story came forward and informed the Planning Commissioners and the members of the audience, the Northside Neighborhood was in the process of what they believed would be a very promising transition. He explained there were a number of remarkable steps that had been taken, with more to come that would turn this area into a mixed-income, mixed-use, and stable and thriving neighborhood; and he said this rezoning was just one piece in that process. Assistant City Manager Story introduced for Mayor Bill Barnet who was in the audience and as the Chair of The Northside Initiative. The Assistant City Manager referenced a slide and explained it was an image developed by architects and

planners as well as others, of a public process that had taken place at the Green Street Baptist Church several years ago in order to develop a master plan for the new Northside; and had involved hundreds of residents and staff. One of the new amenities proposed was the new T K Gregg Recreational Center which would be a recreational and wellness center, which was still in the planning process that would be situated where the Oakview Apartments now sat that had been purchased by the City and would be demolished. There was also proposed a new Northside Early Learning Center. Between this area the VCOM would be a linear park that will involve the restoration of the creek that is piped throughout much of that area and it will be restored to a natural creek flow and have walking trails and other amenities around it. He showed another slide of the northern area of the plan which was the Cleveland Heights Neighborhood and said that area would remain as residential in the plan, and a little denser development towards the downtown area were the other proposed changes. He said also involved in this process was Northside Neighborhood Association, Northside Voyagers, and countless others. One of the things they soon realized was that the vision for the Northside conflicted with the current zoning ordinance. He also informed the Planning Commissioners and the members of the audience that the members of the community as well as staff wanted to move the area towards a land use regulatory environment which was described as a Form Based Code; which was approaching land development from the human perspective. On one end of the spectrum was passive rural landscape without many people there; and the other end of the spectrum was dense, urban, multi-story mixed use development. He explained the different types of the development area. The northside area is a former mill village. As they looked at it, it had a lot of the traditional neighborhood intact. It also had many smaller residential lots, and sidewalks, and the things that were more consistent with a form based code regarding the new proposed zone of DT-3, and moving some of the other areas in the northside area to DT-4 and DT-5 zones that would allow for a little more flexibility in projects. This residential area and northside side master plan were all brought together by their proposed changes regarding the Downtown Code. He explained what this did for the area was that it would create a new set of rules for land development in the northside. It does not reflect when and how the development would occur, or it would not have any effect on the calculations of property taxes. It simply established the rules that would guide development and would express the views indicated by a lot of members of the neighborhood. Mr. Story thanked Mr. Barnet for all of his involvement in the process.

Ms. Natalia Rosario, Planner III came forward and was sworn, and she submitted the meeting packet the Planning Commissioners had previously received in their meeting packets, as well as the slides and presentation into Evidence as Exhibit A. She showed a slide of the current zoning of the Northside Neighborhood as it was currently; and she compared it to the proposed zoning. Ms. Rosario explained the entire request and said this was an attempt to make coherent zoning as was expressed by the members of the neighborhood. Other slides were shown of the entire area in order to better illustrate the request.

Ms. Rosario went over the analysis of required findings and report the Planning Commissioners had already received in their meeting packets that included the following list of criteria for the Commission to consider when reviewing a rezoning request and Staff's analysis of those criteria as follows:

The Zoning Ordinance enables Council to change the Zoning Ordinance or Map following public notice and hearing. The Planning Commission reviews and recommends action on proposed zoning changes at its regularly scheduled meetings. The following comments are based on established criteria:

1. *Consistency (or lack thereof) with the Comprehensive Plan* – The Northside Transformation Plan has been adopted by Council as a guiding document, and was accepted after the implementation of the latest Comprehensive Plan, which was adopted in 2004. To date, the City of Spartanburg has used this plan to guide activities and development in the Northside, which was formed after many public meetings, charrettes, and focus groups beginning in 2010. This rezoning is consistent with what the Transformation Plan has laid out for the neighborhood.

DT-5, a category that allows for a mix of commercial, entertainment, civic/institutional/infrastructure, residential and office uses, and which calls for a higher density has been assigned to the areas labeled MU (Church St. Corridor Mixed Use) and NC (Northside Catalyst) – two areas that call for multifamily, commercial, and flexible use spaces, which the DT-5 zone can accommodate. DT-4 has been proposed for areas expected to house VG (Victoria

Gardens) and the AV (Academic Village). Victoria Gardens will primarily consist of multifamily, urban style townhomes, and some single family houses, while the Academic Village calls for 19 acres of recreational space, a community center and the expansion of Cleveland Academy, uses which are permitted by the DT-4 and DT-5 zone. The areas denoted as CH (Cleveland Heights) and SM (Spartan Mill Community) will remain primarily single family residential, so the zoning category of DT-3, the least intense residential form based district, is proposed to be added into the Downtown Urban Code. The Urban Code would then apply to the entirety of this area, as well as the already established Downtown footprint, as planned for in the Downtown Master Plan.

2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The present zoning of the Northside Neighborhood is majority residential (R-6 and R-8) with some scattered limited office (LOD) and light industrial use, as well as the N. Church Street wedge corridor, which is almost entirely zoned B-3, a commercial district which allows for commercial uses that are not always compatible to residential uses, and which, in some cases can have a negative impact on nearby residentially zoned properties (noise, light, traffic, etc.). The new zoning categories will allow the Northside Initiative to take another step forward towards reaching the goals set out by the Northside residents by allowing for future development in the neighborhood that meets their expectations and desires. The current residential zoning does not allow for the types of commercial and mixed-uses that the plan calls for, nor do the setbacks and other lot design requirements match the design characteristics the residents have established for housing and all other uses. Current zoning categories have specific setback and lot use requirements that would not allow for the types of developments sketched on pages 220 and 221 of the Transformation Plan (attached), while the proposed categories readily and easily allow for these types of buildings.
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 Northside Neighborhood is entirely suitable for the uses permitted by the proposed zoning categories, which in many cases allow for more intense uses than would normally found in and around residential districts. Please note that any uses that are currently allowed by current zoning codes would continue to be allowed after the rezoning, until such a time that the property ceased to have said non-conforming use operating on the property for 120 days or more, as established by the City of Spartanburg Zoning Ordinance Section 502.14, Discontinued Nonconforming Uses, page 103. In short, the rezoning does not immediately necessitate the ceasing of activities that would not conform to the proposed zoning standards – these uses would be considered existing non-conforming until such a time that they have ceased for 120 days or more.
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* – The marketability of the property will increase in the case of the rezoning approval. The approval of this rezoning will allow for assembled lands in the Northside to be planned for the developments listed above. The advantage of rezoning the neighborhood at one time is to allow for a smooth transition into the developments planned. Otherwise, the land will be rezoned as it is assembled, resulting in a disjointed process that will likely leave patches of zoning categories in the neighborhood that will prevent the area from developing in a coherent manner i.e. mismatched setbacks, dramatic changes in building heights, etc.
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 area.

STAFF'S ANALYSIS & RECOMMENDATION

Staff is of the opinion that the proposed zone change from B-3, B-1, R-6, R-8, LOD, & I-1 will be a beneficial and appropriate use for the area. Therefore, Staff recommends approval of the proposed zone change from B-3, B-1, R-6, R-8, LOD, & I-to DT-5, DT-4, and DT-3 as presented.

Planning Commission Questions:

- Howard Kinard asked Ms. Rosario about the new zone DT-3 proposed. Ms. Rosario said the new DT-3 zone would be created with the approval of the text amendment that was part of the Northside Expansion Plan that would be created in the next item of business regarding the text amendment request.
- Dr. Stone asked what the new zone would mean to homeowners regarding their property that were zoned R-6 and R-8 at the moment. Ms. Rosario said it would not really be that much different from what they already experienced under the current zoning for the residential portions. The DT-3 was a suburban area and was more or less geared for what was there regarding homes. Regarding any new homes, it may be a little more lenient regarding setbacks and you would be able to build larger homes if you wanted.
- Assistant City Manager Chris Story added what would change significantly was the areas where multiple properties were vacant; and this would change significantly what type of redevelopment could be created there. He said for the people already that owned single family homes would see no difference.
- Mr. Wilson asked Ms. Rosario to reiterate regarding the proposed rezoning would not change the use of the property that was currently going unless the property sat vacant for more than 120 days. Ms. Rosario explained.

Mr. Wilson opened the public hearing and asked anyone who wished to speak regarding the request to come forward.

- Mr. Roscoe Crowley of 581 Brawley Street came forward and said he had been living at his property for sixty years. His concern was regarding the people that owned property in the area that did not take care of the properties.
- Mr. Kinard said he felt like this concern may be beyond the scope of this Board, but he felt the proposal might help out with those types of owners.
- Dr. Stone felt if the Assistant City Manager got the address he could also forward that concern in the meantime to the City Code Enforcement Department.
- Ms. Julie Means of 559 Vernon Street came forward and she owned an adjoining lot next door to her that she did not plan to build on but she used it for parking. She did not plan to build anything on the lot. She would not want to pay higher taxes just to be able to park on her adjacent property.
- Mr. Kinard said this rezoning would not affect any taxes she would currently pay unless she built a house on the property.
- Mr. Wilson reiterated to that point by saying that if the rezoning goes forward there would be no tax increase for her current use on that lot that would go into effect.

Mr. Wilson asked would anyone else like to speak regarding the request. No one else wished to speak.

Dr. Stone moved to close the public hearing, and was seconded by Mr. Pitts. The motion was unanimously approved by a vote of 7 to 0.

Planning Commission Questions:

- Dr. Stone asked about the parcel that would become TK Gregg be rezoned in this also be in this request. Ms. Rosario explained that it would be.
- Mr. Kinard asked when they did vote on this rezoning, since DT-3 was not really a zone yet; he guessed it would be contingent on them amending the Code. Ms. Rosario said yes; and she explained the reason for bringing the rezoning request before the text amendment.
- Dr. Stone asked what authority would the Design Review Board (DRB) in the northside, regarding the request. Ms. Rosario explained; and she said for the most part the DRB reviewed new developments in the DT-6 area. Everything else would be certain expansions in the downtown core.

- Assistant City Manager Story further explained that unless it was a discretionary review request or a Special Exception that would need to go to the DRB which would be in relation to specific design issues, but not for uses issues.
- Ms. Hogan said the whole Downtown Code was put together by a certain firm; and she asked was the DT-3 part of the original package regarding the downtown code, and was it developed by the same firm.
- Assistant City Manager Story explained; and said the same firm did put together this package; and was part of the Master Planning Process.
- Mr. Hogan said regarding the public portions of the plans regarding the park, etc.; would that automatically happen; and was it publicly or privately funded.
- Assistant City Manager Story said there were three Capital Projects that were in various stages of Planning that he would speak to that were either public or private or jointly funded. 1) T K Gregg Recreation Center: City Council had endorsed their participation in this project and the city had tentative financial plans which they will be able to borrow at different stages, but there are no exact plans yet. 2) Mr. Barnet and other private partners had raised a lot of private money for the Early Learning Center; but there were not final plans on that; and 3) He explained the Creek Mitigation Linear Park Project was the one that was closest to happening. 4) The City had a vision and a tentative path forward on a mixed-income of housing of 120 units that would be multi-story, mixed-use (which would include some ground floor and mixed use space) that would be located around the College and Howard Street "Northside Catalyst" area. Assistant City Manager Story said this was really cool stuff for neighborhood redevelopment work and that Mr. Barnet chaired the Northside Development Group, and a lot of other key stakeholders like Wofford College, Mary Black Foundation, and others, as well as a number of dedicated residents who had spent a lot of hours per week on this effort was unlike anything he had ever seen in the community.

Planning Commission Deliberation:

- Mr. Kinard felt these were all necessary steps they needed to do in order to move things forward, and he was all for it.
- Mr. Wilson felt a lot of work had been put into the Northside Redevelopment Plan that had been previously adopted by the Mayor and Council in 2014.

Mr. Wilson moved to approve the Northside Rezoning Request as presented by Staff as proposed on the map of the City's application; and he was seconded by Dr. Stone. The motion was unanimously approved by a vote of 7 to 0.

Text Amendment Change to Zoning Ordinance to amend Section 515, Downtown Code by modifying Signage Standards; the addition of a zoning Category DT-3: Suburban Zone, which is primarily residential; amending Section 515.42, "Kennedy Street Parking Overlay" to expand and apply as a "Sideyard Parking Overlay"; addition of illustrative materials, and a regulation plan which outlines the areas which the form based code applies from City of Spartanburg, Agent.

Ms. Rosario came forward and explained to the Planning Commissioners the text amendment was paired with the Northside Rezoning Request; which had been presented as the first item. She explained after some suggestions made by the Design Review Board, which administered the Downtown Urban Code to the areas that it currently governed, and the need to implement a zone statute that would allow for the proposed developments found in Chapter 6 of the Northside Transformation Plan; and she explained in detail the changes proposed to the existing Downtown Code as follows:

- Partial and Major Expansions to existing buildings (25%-50% of total floor area) must come up to all code standards.
- Addition of DT-3: The predominantly detached residential neighborhoods that surround the downtown.

- DT-4: More urban neighborhoods that are predominantly residential but include some mixed use.
- Criteria for City staff to determine if a proposed use not listed in the use table is materially similar.
- Property owners no longer required to occupy the primary dwelling unit in order to have a secondary dwelling unit.
- Format for district standards has changed; moved to a table format similar to the traditional zoning ordinance.
- “Illustration of Terms” table.
- Kennedy Street Overlay conversion to Sideyard Parking Overlay: For DT-5 lots with frontage along certain streets without on street parking there shall be no required frontage build out, and parking may be permitted in the side yard – but not at a corner.
- Signage Standards: clarify size restrictions, number of signs per tenant, and includes examples of types of signs listed.

Slides were also shown to better illustrate the request.

Planning Commission Questions:

- Ms. Hogan asked regarding changes to signage. Ms. Rosario explained; and said it was to give illustrations and make this more user friendly and more understandable for tenants and building owners, etc.
- Mr. Kinard asked about signage in the current Downtown Code. Ms. Rosario said there were signage, but this amendment would include more pictures and illustrations, and it would be much easier to understand.
- Dr. Stone felt adding more examples would be very helpful.

Mr. Wilson opened the public hearing and asked anyone who wished to speak to come forward. No one came forward. Mr. Wilson closed the public hearing.

Board Deliberation:

Dr. Stone moved approval of the Text Amendment changes as presented by Staff; and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 7 to 0.

Site and Landscape Plans Approved since the June 16, 2016 Planning Commission Meeting

- Spartanburg Water system Administration Improvements – 200 Commerce St.
- ALDI, Inc. Store Expansion – 1605 E. Main St.
- Converse College P3 Housing – 190 N. Fairview Avenue.

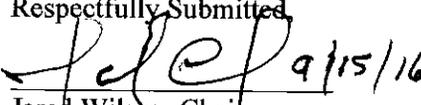
City Council Updates Since Last Meeting. of Planning Commission on June 16, 2016

Ms. Rosario went over the City Council updates that pertained to the Planning Commission since the last meeting on June 16, 2016 that were listed on the agenda.

Staff Announcements

- Ms. Rosario welcomed New Board Member Dr. Phillip Stone, II. as the newest Planning Commissioner.
- Mrs. Roland also welcomed Dr. Stone to the Board; and she explained there were some other Board Member vacancies on the Planning Department’s other three zones.

The meeting adjourned at 6:30 P.M.

Respectfully Submitted,

 Jared Wilson, Chair

Minutes by Julie Roland, Administrative Assistant