

Spartanburg City Planning Commission Meeting Minutes
Thursday, October 16, 2014

City Hall Council Chambers
Spartanburg, South Carolina

The City Planning Commission met in City Hall Council Chambers on Thursday, October 16, 2014, at 5:30 P.M. The following City Planning Commissioners attended this meeting: Nancy Hogan, Bob Pitts, Howard Kinard, James Jenkins, Wendell Cantrell, and George Harakas. Richard Letchworth was absent. Representing the Planning Department were Joshua Henderson, Planning Coordinator, and Julie Roland, Planning Department Administrative Assistant. Assistant City Manager Chris Story also attended the meeting.

[Editor's Note: A Pre-Agenda meeting was held at 5:00 P.M. in the City Manger's Conference Room, where they were briefed on one rezoning request and had a brief discussion regarding 2013 proposed Excellence in Design prospects.

Roll Call

Ms. Hogan, 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.

Ms. Hogan noted that six Planning Commissioners were present, constituting a quorum. Ms. Hogan went over the rules and procedures for conducting a public hearing.

Mr. Cantrell moved approval of the Agenda for the October 16, 2014 meeting, with second by Mr. Jenkins. The motion was unanimously approved by a vote of 6 to 0.

Disposition of the Minutes from the July 17, 2014 meeting of the Spartanburg City Planning Commission

Mr. Cantrell moved approval of the July 17, 2014 meeting minutes as submitted, with second by Mr. Harakas. The motion was unanimously approved by a vote of 6 to 0.

Old Business – None.

New Business

REZONING REQUEST – TMS#7-12-13, 254.00. Located at 201 Highland Avenue for proposed Highland Crossing (formerly Cammie Claggett), which is currently zoned R-6, with a Land Use Designation of General Residential District to zone R-6 PDD, with a Land Use Designation of General Residential Planned Development District, from Daryl Dalton, Interim Executive Director, Spartanburg Housing Authority, Owner. The purpose for the request is to improve and develop the property in a manner which is more consistent with the City's PDD zoning category and the future development of the Highland area.

Mr. Henderson came forward and was sworn and said tonight's case was for a Zoning Map Amendment for the property located at 201 Highland Avenue; and the request was for a zoning map amendment and adopt a Planned Development District overlay for the property, from Zone R-6, General Residential District to R-6 PDD General Residential Planned Development District.

Mr. Daryl Dalton, Interim Executive Director of the Spartanburg Housing Authority came forward and was sworn. He informed the Planning Commissioners the proposed Highland Crossing was formerly called Cammie Claggett; and it was one of the Housing Authority's public housing apartment complexes that had consisted of one hundred fifty (150) units which were all now vacant. They had a lot of plumbing and structural problems which resulted in the units being unsafe; and they had emptied all of the units out by attrition over the period of a year. The proposed Highland Crossing consists of an area that only takes up forty (40) of the previous one hundred fifty (150) units, which was the area beside Macedonia Church. Mr. Dalton said the project was unique in several different ways, one of which had to do with the different resources they were bringing to the table to help fund the project: a) they were using a new program from HUD which was called RAD (Rental Assistance Demonstration) program, in which HUD allowed Housing Authorities to convert public housing to Section Eight. The reason HUD was promoting the program was because currently public housing was owned by HUD; and the burden for

maintaining those units was on HUD. Under the RAD system the ownership would be transferred to a new ownership entity which would be between the Housing Authority and the developer. The new ownership entity would be responsible for taking care of the units and not HUD. 2) the other funding source was tax credits. The Housing Authority had worked very closely with the S.C. State Housing Finance and Development Authority with its Tax Credit Program. The Spartanburg Housing Authority had petitioned them and they created a set-aside this year in their tax credit cycle for the RAD program. The Spartanburg Housing Authority was the only Applicant that qualified and they received nine (9%) percent tax credits which was a value of approximately seven and a half million dollars (\$7,500,000.00). He explained another thing that made this so unique was that they were the only Housing Authority in U.S. who was doing a RAD project with nine (9%) percent tax credits, which was important to the Housing Authority, HUD, as well as the nation. He explained their plans for the project was demolition of the forty (40) units and new construction of seventy-two (72) new units. Mr. Dalton explained the SHA had partnered with Community Housing Partners (CHP), which was a non-profit developer, and their headquarters was located in Virginia, but they had a S.C. presence located in Mount Pleasant, S.C.

Ms. Jennifer Wilkinson, Senior Vice-President of Development with Community Housing Partners Corporation (CHP) from Mount Pleasant, S.C. came forward and was sworn. She informed the Planning Commissioners they were extremely excited to be partnering with the Spartanburg Housing Authority, and she explained that CHP had been a non-profit affordable housing, commercial developer since the late 1970's. They had been awarded two new construction RAD properties, which were the only two awarded in the U.S. This would be a flagship project for the local HUD office in Columbia, S.C. The property would contain seventy-two (72) units that would be comprised of one, two and three bedroom units; which would be a nine million dollar (\$9,000,000.00) project and a lot of the resources would come from the tax credits, CHP, along with the SHA; and they would co-own, co-manage and co-develop with the SHA. They went through multiple designs for the project due to the topo of the area; and they wanted to leave as much green space as possible, so they pushed the buildings up the top of the hill on Highland; and they decided to go with the PDD rezoning because of the topo and the setbacks. The timeline was another reason why they went with the PDD as opposed to Large Tract Overlay as well as the number of units; and she said they hoped to pull demolition permits in November, 2014. This would be a multi-level property, seventy-two (72) units with three (3) buildings. She explained they were trying to push an urban design up on the hill because it overlooked the downtown area, and their hope was this project would begin to filter other projects out into that side of Highland Avenue. Ms. Wilkinson concluded her presentation by saying since they were a non-profit organization they would be using a lot of local sub-contractors. She provided renderings for the Planning Commissioners to view of the project as well as distributed a pamphlet on the project to each member.

Mr. Henderson came forward again and introduced the meeting packet the Board Members had previously received including the slides, presentation, as well as the pamphlet they were just presented, into evidence as Exhibit A. He showed slides of the property, what was existing, the existing lay-out plan and parking, and what was proposed for the property. He said there would be two, two-story units on the end, and a three-story building in the middle. There would be a clubhouse, laundry, fitness, playground, gazebo, dry pond for stormwater retention, adequate parking, adequate dumpster space, and they would be using existing curb-cuts for ingress and egress throughout the site. He showed a slide of the landscape plan and said he reviewed it under the PDD overlay as well as the landscape ordinance; which he said it complied with both. Mr. Henderson said they needed to look at parking lot regarding landscaping, but he was sure it would meet the requirements.

Board Questions:

- Mr. Cantrell asked about assigned parking for the different units. Mr. Henderson explained the parking calculation for multi-family would be two parking spaces per dwelling unit, which would be 144 required spaces; however, they would install two bike racks, which would reduced the number of required parking spaces down to 130, and the developer would install 135 parking spaces, including eight handicapped parking spaces, which was adequate according to the Zoning Ordinance. He did not know about the parking layout regarding each individual unit.

- Mr. Kinard asked Mr. Henderson from the City’s review of the submitted site plans, did all the plans comply with the PDD. Mr. Henderson said yes, from what had so far been submitted. He explained they had not had the formal submittal of the site and landscaping plans yet.

[Editor’s Note: the report included the following list of criteria for the Commission to consider when reviewing a rezoning request and Staff’s analysis of those criteria:

1. *Consistency (or lack thereof) with the Comprehensive Plan* – The general intent of the PDD Overlay, as described in the City of Spartanburg Zoning Ordinance, is to “comprehensively correlate the provisions of this and other ordinances of the City, to permit developments which will provide a desirable and stable environment in harmony with that of the surrounding area; to permit flexibility that will encourage a more creative approach in the development of land, will result in a more efficient, aesthetic and desirable use of open area; to permit facilities, and off-street parking area; and to utilize best potentials of sites characterized by special features of geography, topography, size or shape.” As previously mentioned under Section 507.6, multifamily residential is permitted by right under an R-6 PDD Overlay District.

The 2004 Comprehensive Plan has specified High Density Residential for the property in question. High Density Residential is “intended for multifamily and cluster home, residential use, with a density of eight units per acre or greater.” The proposed development will meet the requirements of multifamily and high density residential use and will also meet the threshold units per acre with 11.6 units per acre.

2. *Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood* – The property is surrounded by R-6 residentially zoned properties on three sides and a B-3/General Business District zoned property to the west, which is currently a church use. The proposed PDD Overlay will not change the type of use that this property has been for a long period. It will only place some additional site enhancement requirements that will benefit the surrounding residentially zoned properties and complement the commercially zoned properties in the surrounding area.
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 has been, and still is, suitable for the proposed development. The topography requires the development be pushed up near Highland Ave. which will provide more pedestrian activity and connectivity to the street. The development will have to go through the Site Plan Review process and meet all site development requirements from the various City departments involved with this review.
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 essentially would be the same. The proposed development, meeting all PDD requirements, will only enhance this property, area, and ultimately, the City of Spartanburg.
5. *Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use* – Both water and sanitary sewer services are available to this site.

STAFF RECOMMENDATION

The proposed zoning map amendment is consistent with the Comprehensive Plan. Staff is of the opinion that the proposed zone change will be a benefit for the community and the City of Spartanburg and will not cause an adverse impact on surrounding properties with regards to possible uses allowed under the PDD Overlay zoning classification. Therefore based on the information provided, Staff recommends approval of the proposed zoning map amendment, as presented, to adopt the Planned Development District Overlay making the property zoned R-6/PDD.

More Board Questions:

- Mr. Kinard said he knew that PDD also allowed for non-residential uses; and he asked would this be all residential uses. Mr. Henderson explained it would be all residential, with the exception of what was contained in the clubhouse, leasing, etc.

- Ms. Hogan asked what happened if the owner/developer decided they wanted to change the layout. Mr. Henderson said if anything changed from what was approved by the Planning Commission and City Council, any changes would need to come back through the Planning Department and then go back to City Council.

Ms. Hogan opened the public hearing and asked anyone who wished to speak in favor of the request to come forward. No one came forward. Ms. Hogan asked anyone who wished to speak in opposition to the request to come forward. No one came forward. Ms. Hogan closed the public Hearing.

Board Deliberation:

- Mr. Kinard felt from everything that had been presented, the proposed project looked to be in line with the general intent of the Zoning Ordinance, and also all the plans seemed to be in accordance with the PDD requirements.
- Ms. Hogan asked about Ms. Wilkinson's earlier comments regarding the reasons they decided to go with the PDD option as opposed to the Large Tract Development regarding the setbacks; and asked her if she was familiar with what the difference would be. Ms. Wilkinson explained there was a big difference in the setbacks regarding a PDD in which they had more setbacks which helped with the topography of the area.
- Ms. Hogan said another comment for the reason was the time-line. Ms. Wilkinson said when they spoke with the City, they were informed the timeline for a Large Tract Development would be about six months; and they needed to close on the property before February 1, regarding the tax credits; and she said the PDD fit the timeline. Ms. Wilkinson also informed the Planning Commissioners they held a community meeting this past Tuesday night that was very well attended, and everyone seemed to be in favor of the project moving forward.
- Ms. Hogan said the project looked beautiful and attractive from the renderings that were provided.

Mr. Cantrell moved to accept the request as presented, and he was seconded by Mr. Kinard. The motion was unanimously approved by a vote of 6 to 0.

Ms. Hogan informed the petitioners the request would now be forwarded to City Council.

Mr. Henderson said it would go before City Council for another public hearing and a First Reading on November 10, 2014; and they would receive a letter to that effect from the Planning Department.

Site and Landscape Plans Approved since the July 17, 2014 Meeting

Mr. Henderson said none had been approved since the July 17, 2014 meeting.

City Council Updates (FYI) Since Last Mtg. of Planning Commission on June 19, 2014 Mtg:

Mr. Henderson went over the updates from City Council that pertained to the Planning Commission since the July 17, 2014 Planning Commission Meeting as follows:

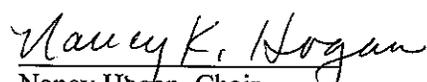
- July 14, 2014 Council Mtg: Rezoning Request denied for request on 241 Cedar Springs Road.
- Aug. 11, 2014 Council First Reading approval for rezoning request on 148 N. Walker Street, from Zone B-4 to B-3; and on August 25, 2014 the request received second and final reading.

Staff Announcements

- Mrs. Roland informed the Planning Commissioners there was still one vacant Board Member position on the HARB Board, if anybody knew someone that might wish to serve, to please let her know.

The meeting adjourned at 5:55 P.M.

Respectfully Submitted,


Nancy Hogan, Chair